

DCUSA Change Proposal Form

This form is provided in accordance with Clause 10.5 of the DCUSA.

Please return completed forms to DCUSA@electralink.co.uk for assessment by the DCUSA Panel.

Document Control	
CP Status	Standard / Urgent
Date Submitted	01/04/10
CP Number	<i>DCP 063</i>
Version Number	1.0
CP Ref	<i>04/10</i>
Attachments	Appendix A – Proposed DCUSA Drafting

Originator Details	
Company Name	EDF Energy Networks (EPN) plc
Originator Name	Peter Waymont
Category	Distributor / Supplier / IDNO / DG / OTSO / Other (please specify)
Email Address	Peter.waymont@edfenergy.com
Telephone Number	07875 112757

Change Proposal Details	
CP Title	Voting arrangements for IDNOs under Clause 12
Impacted parties	Distributor / Supplier / IDNO / DG / OTSO / Other (please specify)
Impacted Clause / Schedule	
Authority Consent Required	Yes – Clause 12 is a Part 1 matter in accordance with Clause 9.5.1.
Summary of Change	The proposal seeks to delete a clause of the DCUSA in order to remove any inconsistency in the voting arrangements for IDNOs and the OTSO under Clause 12.
Related Change Proposals	<i>Please indicate if this CP is related to or impacts any other CP already in the DCUSA or other industry Change Process</i> n/a

Change Proposal Intent
<i>Please set out the intent of the CP and the issue it is seeking to address</i>
<p>There is inconsistency in the voting arrangements for IDNOs under Clause 12 of the DCUSA.</p> <p>Under Clause 12.9 the IDNO / OTSO Parties are allocated an equal weighted vote based on the number of voting groups. For example if there are 4 voting groups who each cast a vote then each gets a 25% weighted vote, if there are 8 voting groups then each gets 12.5% and so on. Given this equal split, the requirement for a basic vote as outlined in Section 12.11 onwards for IDNO parties would appear superfluous.</p>

--

Business Justification & Market Benefits

As currently drafted the agreement has two mechanisms for calculating the weighted votes of IDNO and OTSO Parties. The mechanisms contradict each other which could result in complications for Parties interpreting the rules of the Agreement when voting on a Change Proposal.

Whilst this has had no impact on the calculation of the voting on Change Proposals carried out to date it is good practice to ensure that the rules and processes within the Agreement are clearly documented.

Deleting the superfluous Clause 12.11 (ii) will ensure clarity for all Parties.

Proposed Implementation Date

Please specify and give a reason if proposed date is outside the release schedule (February / June / November)

24 June 2010

Proposed Solution

Please insert proposed change marked legal drafting here. The Change Proposal Intent will take precedence in the event of any inconsistency

Clause 12.11 (ii) to be deleted, 12.11(iii) & (iv) need renumbering and all existing cross references to those clauses need changing e.g. 12.12.1 and 12.12.2

DCUSA Objectives

Please state which DCUSA Objective(s) will be better facilitated by this CP and give supporting reasons

Objective 3.1.4: The promotion of efficiency in the implementation and administration of this Agreement and the arrangements under it.

Removing this inconsistency in the Agreement it will ensure that the administration of the DCUSA voting arrangements is carried out efficiently. It will remove any uncertainty over the correct application of the process. Whilst the current anomaly has had no impact on the calculation of the voting on Change Proposals carried out to date it is good practice to ensure that the rules and processes within the Agreement are clearly documented.

DCUSA Objectives for Change Proposals to Charging Methodologies only

Please state which DCUSA Objective(s) will be better facilitated by this CP and give supporting reasons

n/a

Environmental Impact

Please indicate whether you consider that there may be any environmental impact as a consequence of this CP being implemented

n/a