

Minutes

Meeting Name	DCP 054 Working Group	Meeting Number	010
Meeting Date	16 July 2010	Meeting Time	10:00
Venue	ElectraLink, 2-3 Golden Square, London, W1F 9HR		

Attendee

Glenn Sheern (Chair)
 Angela Mann
 Christopher Harding
 Caesar Coelho
 Derek Beale
 Jon Spence
 Kevin Woollard
 Heath Watts-Robinson
 Phil Lucas
 Sasha Pearce
 Tony Savka
 Paul Coyle
 Alex Burford (Secretary)

Company

E.ON UK
 E.ON UK
 EDF Energy Customers
 Ofgem
 EDF Energy Networks
 ELEXON
 British Gas
 Central Networks
 National Grid
 NPower
 Electricity North West Limited
 Scottish Power
 ElectraLink Ltd

1. ADMINISTRATION

- 1.1 Apologies were received from Donna Townsend from ESP Electricity and Andrew Wallace from Ofgem.

2. MINUTES OF MEETING 007

- 2.1 The minutes were agreed subject to clarifications to section 6.1 to provide clarity that the Working Group will review the Code of Practice when the Subgroup have finalised the document. There was also a typographical amendment to 9.2.

3. OUTSTANDING ACTIONS

- 3.1 An updated action log is attached as Appendix A.

4. UPDATE FROM THE DCP 054 JOINT SUB-GROUP MEETING

- 4.1 SP provided an update on the work of the DCP 054 Joint Sub-Group. SP noted that the Sub Group will convene on 27 July 2010 to continue the development of the Code of Practice with a view to submitting the draft Code of Practice for review to the DCP 054 Working Group meeting in September.
- 4.2 The group noted that the Code of Practice is still under development with certain sections needing further development and review. It was noted that Ofgem will attend the next meeting on 27 July to assist in the review of the document. Into the future a Consumers Focus representative will be attending meetings to provide advice and input on issues such as vulnerable customers.

5. LEGAL ADVICE DOCUMENT

- 5.1 It was noted that the DCP 054 Working Group met with Wragge and Co. in June to seek legal advice on the issue of theft in electricity and the respective roles of electricity Distributors and Suppliers. Following the legal

advice, attached in Appendix A, the Working Group agreed that a number of issues within the advice needed clarification.

- 5.2 Npower indicated that under Scenario B (meter damage or interference) the instances when a Supplier's right to recover certain costs are unclear and requires clarification.
- 5.3 It was noted that the Working Group also received comments from Ofgem around theft in conveyance, as shown below. The Working Group agreed that Scenario C (theft from another consumer's equipment) required further clarification noting that theft after the meter cut out is classed as theft in conveyance.
 - 5.3.1 The Working Group addressed the issue of the disconnection of innocent parties and vulnerable customers. The group agreed that Wragge and Co. would be asked to provide clarity and rationale for the definition of these two classifications.
 - 5.3.2 The Working Group is also considering the issue of theft in conveyance. As there is no clear definition in English law, the group agreed to seek confirmation from Wragge and Co. to establish what evidence was used to support their definition of theft in conveyance.
 - 5.3.3 The Working Group agreed to organise a meeting with Wragge and Co. to address the matters identified. KW and GS took an action to draft a number of questions on the matters above and submit to Wragge and Co.

Action: GS and KW

- 5.4 GS took an action to ask the DCUSA Panel to authorise funding for further legal advice.

Action: GS

6. INCENTIVE SCHEMES CONSULTATION COMMENTS

- 6.1 It was noted that on the 09 June 2010 the Working Group issued a consultation to all DCUSA Parties and Consumer Focus. At its meeting on 16 July the Working Group reviewed in detail the comments in relation to the Incentive Schemes consultation.
- 6.2 The Working Group reviewed the consultation comments received on the following matters:
- 6.3 **Revenue Protection Policy.** The comments received on Parties Revenue Protection Policies was provided to the DCP 054 Sub Group for inclusion in the development of the Code of Practice.
- 6.4 **Treatment of Stolen Units within Settlement.** The Working Group agreed that the treatment of units prior to them being entered into settlement can be addressed by this CP as it is a DCUSA issue. The Working Group highlighted that once units are placed into settlement it is a matter for the BSC. Any change that would address missing units in settlement would need to be made via the BSC. The Working Group also noted that there was support to continue with the development of smearing units across a settlement scheme. KW took an action to develop this further in conjunction with the BSC.

Action: KW

6.5 **Potential Incentive Schemes.** Following a review of the comments the Working Group noted the incentive schemes favoured by Parties. The group agreed to further develop the National Revenue Protection Service (NRPS) and the Reasonable Endeavours incentive schemes.

6.6 The Working Group considered the Electricity Act and how it impacts Distribution Parties and the requirement to maintain a incentive scheme. AM took an action to circulate the relevant sections of the Electricity Act.

Action: AM

6.7 **National Revenue Protection Service.** A meeting took place on the 19 July at Ofgem to discuss a NRPS in Gas. KW took an action to ask the members of the meeting to discuss the creation of a National Revenue Protection Service that can be applied to both gas and electricity.

Action: KW

6.8 **General Comments.** The Working Group also reviewed general comments received from the consultation responses. It was noted that the UK RPA had raised a number of issues with the Code of Practice being made available to all Parties and regarding the ownership of the UK RPA manual. HWR took an action to speak with the UK RPA on these matters.

Action: HWR

7. WORK PLAN

7.1 The Working Group agreed to seek clarification from Wragges and Co. in relation to a number of issues raised in their legal advice.

7.2 The group will also develop the National Revenue Protection Service (NRPS) and the Reasonable Endeavours schemes further for consideration.

7.3 The Working Group will seek to review the Code of Practice at its September meeting.

8. ANY OTHER BUSINESS

8.1 There was no other business raised at the meeting.

9. DATE OF NEXT MEETING

9.1 The Working Group agreed the date for the next DCP 054 Working Group to convene at 10.00am on 08 September 2010 at ElectraLink, London.

APPENDIX A – ACTIONS**OPEN ACTIONS**

No.	Action	On	Due
007/05	Speak with Ofgem in relation to DNOs account to theft in conveyance.	AW	08/09/10 KW to speak with AW regarding this action.
005/02	Speak with the Information Commissioner's Office (ICO) to understand the potential for / impact of having a flag placed in Data Collector's systems to highlight theft.	AM	08/09/10 Ongoing, has been placed on a waiting list, AM will document findings.
010/01	Draft questions and submit to Wragge and Co. to seek clarity on a number of issues raised by the Working Group.	KW and GS	08/09/10
010/02	Ask the DCUSA Panel for permission to seek clarification in regards to the legal advice from Wragge and Co.	GS	08/09/10
010/03	Develop an incentive scheme for smearing units across a settlement further in conjunction with the BSC.	KW	08/09/10
010/04	Circulate the relevant sections of the Electricity Act that shows that distrusters need to have a scheme in place and do not have an obligation to publish it.	AM	08/09/10
010/05	Ask the members of the NRPS at the Gas industry Work Group meeting on 19 July 2010 to discuss the creation of a National Revenue Protection Service that can be applied to both gas and electricity.	KW	08/09/10
010/06	Speak with the UK RPA and seek clarity on the issues raised regarding the UK RPA manual.	HWR	08/09/10

CLOSED ACTIONS

No.	Action	On	Due
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003/01	Review each of the Schemes and report back to the next meeting: Losses Incentives – KW NRPS – GS	KW and GS	Ongoing TS circulated all relevant information on the Losses Incentive scheme to KW and GS for them to progress.
005/08	Circulate the advice on theft in conveyance to the Working Group for consideration.	ElectraLink	Complete
007/01	Speak with the UK RPA and ask for more clarity on the IPR issues with the UK RPA Manual.	HWR	07/06/10 Complete
007/02	Draft a diagram, which identifies a number of scenarios in relation to the theft in conveyance process.	HWR	07/06/10 Complete
007/03	Speak with Wragge & Co to organise a meeting in relation to theft in conveyance	GS and KW	07/06/10 Complete
007/04	Provide a link to the Performance Assurance Board (PAB) report on the Revenue Protection TA Checks.	JS	07/06/10 Complete
007/06	Speak with the UNC Mod 0274 setting out the National Revenue Protection Service incentive within gas can be circulated in a DCUSA incentive scheme consultation	AJ	07/06/10 Complete
007/07	Develop the consultation further following working Group comments and to include a financial model.	KW and GS	07/06/10 Complete