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<b>Meeting Name</b>	DCUSA Panel
<b>Meeting Date</b>	21 October 2009
<b>Paper Title</b>	Initial Assessment Report – DCP 052
<b>Purpose of Paper</b>	For Decision
<b>Synopsis</b>	This paper presents a Change Proposal that has been submitted to the DCUSA Secretariat and requests agreement on its progression.

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## 1 INTRODUCTION

- 1.1 This paper refers a DCUSA Change Proposal (DCP) to the DCUSA Panel for agreement on its progression.
- 1.2 The Change Proposal (CP) has been assessed by the Secretariat in accordance with Section 10.11 of the DCUSA. The CP has met the requirements set out in the DCUSA and ElectraLink has prepared a recommendation for consideration by the Panel.

## 2 DCP 052 - MATERIAL BREACH NOTICES

- 2.1 This proposal has been raised by E.ON UK to address a matter on the Housekeeping Amendments log. The CP seeks to amend the DCUSA drafting to require Distributors to give notice to the DCUSA Secretariat when they suspend registration services in accordance with the provisions of the MRA.
- 2.2 Clause 23.4 of the DCUSA sets out that failure to remedy a Payment Default within 4 Working Days as a Material Breach of the Agreement. The Company is entitled to suspend registration activities in accordance with the provisions of the MRA. The Company is required to send a copy of any notice that is required to issue pursuant to those provisions to the User. This CP seeks to update the drafting to require the Company to provide a copy of that notice to the DCUSA Secretariat also.
- 2.3 The originator considers that the Change Proposal will better facilitate DCUSA Objective 4<sup>1</sup>. The Panel has obligations under Section 54 of the DCUSA (Termination) that are initiated in the event that a Material Breach is not remedied within 20 Working Days. DCUSA therefore needs to be made aware when such an effect is first triggered to enable the Panel to fulfil its functions effectively.

## 3 PROGRESSION OF DCP 052

- 3.1 DCP 052 has been submitted as a standard Change Proposal.
- 3.2 The CP does not impact any Part 1 matters and is therefore considered as a Part 2 issue and does not require Authority Consent.
- 3.3 It is proposed that this CP go straight to the report phase as the issue is unlikely to be the subject of significant controversy between parties.
- 3.4 It is proposed that the CP should be implemented in the February 2010 Release.
- 3.5 A proposed timetable for the progression of the proposal is outlined below:

Activity	Latest Date
Panel Meeting – IA agreed	21 October 2009
Legal Drafting	22 October – 11 November
Panel Meeting - Change Report Agreed	18 November 2009
Party Voting	23 November – 07 December
Change Declaration	08 December

<sup>1</sup> The promotion of efficiency in the implementation and administration of this Agreement.

Implementation	25 February 2010
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#### **4 RECOMMENDATIONS**

The DCUSA Panel is invited to:

- Consider whether to accept the referral of DCP 052;
- Agree that the CP should be treated as a Part 2 matter;
- Agree the progression of the CP in accordance with the timetable set out in Section 3.5.

#### **5 APPENDICES**

- A – DCP 052 Change Proposal