

DCUSA CHANGE REPORT	
CHANGE PROPOSAL	DCP 036 – Housekeeping Amendments to DCUSA v2.6
DATE OF ISSUE	05 January 2009
ISSUED TO	DCUSA Contract Managers
PARTIES ENTITLED TO VOTE	All Parties
RETURN DEADLINE (Voting End Date)	19 January 2009 – DCUSA@electralink.co.uk

1 PURPOSE

- 1.1 This document is issued in accordance with Clause 11.20 of the DCUSA. The Change Report details DCP 036 – Housekeeping Amendments to DCUSA v2.6. The voting process for the proposed variation and the timetable of the progression of the CP through the DCUSA Change Control Process is set out in this document.
- 1.2 Parties are invited to consider the proposed amendment attached as Appendix A and submit votes using the form attached as Appendix B to dcusa@electralink.co.uk by 19 January 2009.

2 BACKGROUND

- 2.1 The Panel considered DCP 036 at its meeting on 17 November 2008. The Panel agreed that although some amendments will be made to Part 1 clauses the changes are deemed to not materially affect the interpretation of those clauses. The Panel therefore agreed that the CP should be classified as a Part 2 Change Proposal in accordance with Clause 9.5.6 and Ofgem confirmed that it was satisfied with the categorisation.
- 2.2 The Panel determined that the CP should be entered into the Assessment Phase and requested that the CP be progressed directly through to the Report Phase as, in accordance with Clause 11.6.1, it is “concerned solely with the technical legal drafting” of the Agreement.

3 DCP 036 - PART 2 HOUSEKEEPING

- 3.1 DCP 036 was raised by EDF Energy Networks following discussions at the DCUSA Panel. Since the inception of the DCUSA the Panel Secretary has been maintaining a log of ‘Housekeeping Amendments’ on behalf of the Panel. This log details typographical and drafting errors within the DCUSA which do not materially impact the operation or effectiveness of the

Agreement. The DCUSA Panel reviews the Housekeeping Amendments log on a monthly basis and recommended that a list of minor amendments be collated in a CP to be implemented in the February 2009 Release. The Change Proposal seeks to ensure that DCUSA is in line with current processes and accurately reflects the obligations it places on Parties.

4 PROPOSED AMENDMENT AND LEGAL DRAFTING

- 4.1 The proposed legal drafting of DCP 036 has been reviewed by Wragge and Co and is set out in Appendix A.

5 PANEL RECOMMENDATION

- 5.1 The Panel approved the DCP 036 Change Report ex-committee on 19 December 2008. The Panel considers that the introduction DCP 036 will benefit DCUSA Parties by clarifying the Agreement and ensuring it is accurate. Whilst the proposal is largely a good housekeeping exercise it better facilitates Objective 4 of the DCUSA – ‘the promotion of efficiency in the implementation and administration of the Agreement’.
- 5.2 In accordance with Clause 12.4 of the DCUSA the Panel has determined that DCP 036 should be issued to all Parties for voting for a period of 10 Working Days. Subject to approval, DCP 036 will be implemented on 26 February 2009.
- 5.3 The timetable for the progression of the Change Proposal is set out below:

Activity	Date
Party Voting	05 January – 19 January 2009
Change Declaration	20 January 2009
Implementation	26 February 2009

Appendices:

- A. DCP 036 - Legal Drafting
- B. DCP 036 - Voting Form