

DCUSA Change Proposal Form

This form should be used by DCUSA Parties who wish raise a draft or formal Change Proposal and for DCUSA members and other interested parties to return their comments on DCUSA Change Proposals which have been circulated for consultation.

Originators - please complete Section A of this form and submit to DCUSA@electralink.co.uk.

Respondents – please complete Section B of this form and return it to DCUSA@electralink.co.uk your response should include your assessment of the solution and comments on the Change Proposal drafting. If you reject the solution then please supply your reason for rejection and an alternative solution. Even if you reject a solution your responses should state whether the proposed implementation date is acceptable to your organisation. If it is not acceptable, please indicate the reasons why and an alternative date.

SECTION A: To be completed by originator

Document Control	
CP Status	Standard / Urgent
Date Submitted	22/5/08
CP Number*	DCP 025
Version Number	1.0
CP Ref*	05/08
Attachments	none

* Assigned by DCUSA Secretariat

Originator Details	
Party Name	EDF Energy Networks (EPN) plc
Originator Name	Peter Waymont
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Change Proposal Details	
CP Title	Ofgem notices
DCUSA Parties believed to be impacted	Distributor / Supplier / IDNO / DG
Proposal to Change	Part 1 / Part 2 / Other

	Schedule / Clause 13
Summary of Change	To cater for Ofgem's latest position on the issuing of change notices.
Related CPs	<i>Please indicate if this CP is related to or impacts any other CP already in the DCUSA or other industry Change Process</i> None current

Proposed Solution

Changed drafting:

13.12.1 Where the Authority, acting in accordance with Clauses 13.9 and 13.10, determines that a Change Proposal shall be accepted or rejected, it shall:

- a) direct ~~the DNO~~ a Party or Parties ~~and IDNO Parties~~ accordingly, or
- b) direct the Panel (which may be care of the Secretariat),

and that proposal shall be so accepted or rejected for the purposes of this Clause 13.

13.12.2 As soon as practicable following receipt by a Party of a direction under Clause 13.12.1 (a), ~~each DNO Party and IDNO~~ that Party shall forward a copy of the determination contained therein to the Panel (care of the Secretariat). The DNO Parties and IDNO Parties agree that the receipt by the Panel of any one such copy shall be an instruction on behalf of all DNO Parties and IDNO Parties to amend the DCUSA in accordance with the determination.

13.12.3 The DNO Parties and IDNO Parties agree that the receipt by the Panel of a direction under Clause 13.12.1 (b) shall be an instruction on behalf of all DNO Parties and IDNO Parties to amend the DCUSA in accordance with the determination.

Proposed Implementation Technique

~~Phased Implementation~~ / Big Bang

Proposed Implementation Date

Please specify and give a reason if proposed date is outside the release schedule

February / June / November Release Year: 2008

Other: As soon as practicable following Ofgem determination.

This is because the uncertainty mentioned in the justification would remain until

any timetabled release if the change could not be implemented sooner.

DCUSA Objectives

Please state which DCUSA Objective(s) will be better facilitated by this CP

4. The promotion of efficiency in the implementation and administration of this Agreement.

Business Justification Including Market Benefits

This DCP has been raised following discussions in the May Panel meeting.

Background

This subject matter first arose because there was a discrepancy identified between the Distribution Licence and the DCUSA.

Distribution License Condition 9B

13. No amendment of the DCUSA may be made unless:.....(b) the Authority, having had regard to the Applicable DCUSA Objectives, directs the licensee, in conjunction with every other relevant electricity distributor, to amend the DCUSA in such manner as is communicated in that direction following the provision of a recommendation to the Authority by the parties to DCUSA pursuant to paragraph 12 (f)(ii)

Original DCUSA 13.12

Where the Authority, acting in accordance with Clauses 13.9 and 13.10, issues to the Panel a written determination that a Change Proposal shall be accepted or rejected, that proposal shall be so accepted or rejected for the purposes of this Clause 13.

The issue of a discrepancy between the Distribution License and DCUSA was first raised in the May 07 Panel meeting.

The Panel was of the view that the DCUSA drafting was a practical way of working but after discussion the Panel was of the understanding that Ofgem was insistent that it would not issue directions to the Panel or the secretariat but would only issue them to distributors, in order to comply with the process envisaged by the Distribution License.

DCUSA Change

These discussions led to DCP007 being raised which was accepted and implemented in November 2007 and which amended the DCUSA to:

Current DCUSA 13.12

Where the Authority, acting in accordance with Clauses 13.9 and 13.10, determines that a Change Proposal shall be accepted or rejected, it shall direct the DNO Parties and IDNO Parties accordingly and that proposal shall be so accepted or rejected for the purposes of this Clause 13. As soon as practicable following receipt of such direction, each DNO Party and IDNO Party shall forward a copy of the determination contained therein to the Panel (care of the Secretariat). The DNO Parties and IDNO Parties agree that the receipt by the Panel of any one such copy shall be an instruction on behalf of all DNO Parties and IDNO Parties to amend the DCUSA in accordance with the determination.

Working practice

In practice, until recently, directions were eMailed to all distributors and copied to the secretariat. The distributors forwarded the eMail to the secretariat and receipt of the first forwarded eMail was the instruction to the secretariat to amend the DCUSA and forward the direction to all Parties.

During March and April 2008 a number of Ofgem determination have been sent only to the secretariat. Although these have been implemented, it is unclear, given Ofgem's previous concerns, how this fits with the Distribution License obligation not to change DCUSA unless Ofgem directs the Licensees.

At the March and April Panel meetings Ofgem has stated that it would prefer to send eMails to the secretariat only. The view seems to be that the secretariat ought then to forward the eMail to all parties and this is now deemed to be sufficient direction to the distributors pursuant to their Licenses.

May Panel

A paper was presented to the May Panel seeking its view as to whether the DCUSA needed to be changed to recognize the apparent change view. The May Panel meeting suggested that the clause would be more future proofed if the reference to notices being sent to DNO and IDNO Parties was changed to the wider concept of Party or Parties as there may be some reason in future why notices might be sent to non DNO/IDNO parties and this alteration may prevent the need for a further amendment of this clause at that time.

The benefit of this change is that, if approved by Ofgem, it removes the uncertainty of how any changes sent only to the DCUSA secretariat should be treated and codifies Ofgem's current thinking on the treatment of notices as compared to the requirements of the distribution license.

Authority Consent

Yes (Part One) / ~~No (Part Two)~~

