

| DCUSA CHANGE REPORT                      |  |
|--|--|
| <b>CHANGE PROPOSAL</b>                   | DCP 020  |
| <b>DATE OF ISSUE</b>                     | 07 April 2008  |
| <b>ISSUED TO</b>                         | DCUSA Contract Managers  |
| <b>PARTIES ENTITLED TO VOTE</b>          | All Supplier, DNO and IDNO Parties   |
| <b>RETURN DEADLINE (Voting End Date)</b> | 21 April 2008 – <a href="mailto:DCUSA@electralink.co.uk">DCUSA@electralink.co.uk</a> |

## 1 PURPOSE

- 1.1 This document is issued in accordance with Clause 11.20 of the DCUSA. The Change Report details DCP 020 - Housekeeping re DCP012/009. 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 C to [dcusa@electralink.co.uk](mailto:dcusa@electralink.co.uk) by 30 May 2007.

## 2 BACKGROUND

- 2.1 DCP 020 was raised on 26 March 2008 and submitted to the Panel as an ex-committee paper on 28 March 2008. DCP020 was assessed as an urgent change as it is linked to an imminent date-related event: the implementation of DCP 012 – Introduction of contractual arrangements for the provision of use of system between one distributor and another distributor. The Panel agreed that while it may appear to be a housekeeping change, the definitions have an impact on charging and credit cover and so the clarification should be made as soon as possible to avoid any doubt caused by the implementation of DCP012.
- 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. The CP impacts Part 1 Matters and is subject to Authority Consent.
- 2.3 The content of the Change Report was approved by the Panel ex-committee on 04 April 2008.

## 3 SUMMARY OF DCP 020

|               |                     |
|---------------|---------------------|
| Raising Party | EDF Energy Networks |
|---------------|---------------------|

|                         |  |
|-------------------------|--|
| CP Status               | Urgent   |
| Change Synopsis         | Following the approval of DCP 012, this change seeks to put the drafting of the DCUSA onto a basis that reflects the intent of the interaction of DCP 012 with DCP 009, DCP 013 and DCP 014. |
| Parties Impacted        | Distributors, Suppliers and IDNOs.   |
| Part 1 / Part 2         | Part 1   |
| Authority Consent       | Required   |
| Raising Party           | EDF Energy Networks  |
| CP Status               | Urgent   |
| Proposed Implementation | As soon as possible following Authority Consent  |

## **4 DCP 020 BACKGROUND**

- 4.1 DCP 020 was raised by EDF Energy Networks following the approval of DCP 012. The CP seeks to put the drafting of the DCUSA onto a basis that reflects the intent of the interaction of DCP 012 with DCP 009, DCP 013 and DCP 014.
- 4.2 The work on DCP012 was done simultaneously with other changes being proposed to DCUSA. Although the changes made by DCP009, DCP013 and DCP014 were not set out in the full DCUSA drafting given with DCP012 (as they had not been approved), the note at the front of DCP012 stated that if approved the amendments to be made by DCP009, DCP013 and DCP014 "will apply despite the fact that they are not shown in this document".
- 4.3 Where there is no interaction of the drafting of the DCPs this is easily accommodated, for example, the new paragraph (e) in the definition of "Relevant Charging Statement" (added by DCP009) has been included in the DCUSA despite that fact that it is not set out in DCP012 and because DCP012 does not amend it.
- 4.4 However, where DCP012 amended the same definition or clause as another DCP, DCP012 as the later change has been implemented and has unintentionally thereby unpicked some of those prior amendments. It was recognised that DCUSA should be updated post DCP012 to properly reflect the intent of those other changes.
- 4.5 As a result of DCP012, the position has become complicated as regards the definitions of "Charges", "Transactional Charges" and "Use of System Charges". The proposed amendments to the legal text as drafted by Wragge and Co are attached as Appendix B.
- 4.6 The Panel considered that the CP will better facilitate Objective 4<sup>1</sup> of the DCUSA and will clarify the intent of the interaction between DCP012 and DCP 009, DCP 013 and DCP 014.

## **5 PROPOSED AMENDMENT AND LEGAL DRAFTING**

- 5.1 The proposed legal drafting of DCP 020 has been reviewed by Wragge and Co and is set out in Appendix B.

## **6 TIMETABLE**

- 6.1 In accordance with Clause 12.4 of the DCUSA the Panel has determined a 10 Working Day voting period.
- 6.2 The timetable for the progression of the Change Proposal is set out below:

---

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

| Activity                       | Date                             |
|--------------------------------|----------------------------------|
| Party Voting                   | 07 April – 21 April 2008         |
| Authority Determination Period | 22 April – 28 May 2008           |
| Implementation                 | ASAP following Authority Consent |

**Appendices:**

- A. DCP 020 v1.0
- B. DCP 020 Legal Drafting
- C. DCP 020 - Voting Form