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	18/1/08
CP Number*	DCP 016
Version Number	2.0
CP Ref*	01/08
Attachments	None

* Assigned by DCUSA Secretariat

Originator Details	
Party Name	EDF Energy Networks (EPN) plc
Originator Name	Peter Waymont
Party Category	Distributor / ~~Supplier / IDNO / DG~~
Email Address	Peter.waymont@btinternet.com
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Change Proposal Details	
CP Title	More Open Website
DCUSA Parties believed to be impacted	Distributor / Supplier / IDNO / ~~DG~~
Proposal to Change	Part 1 / Part 2 / Other

	Schedule / Clause: Various – see proposed drafting
Summary of Change	The intent is to make more information available to non-DCUSA Parties. More information about Change Proposals and Panel Meetings would be made available in an effort to be more open and transparent.
Related CPs	*Please indicate if this CP is related to or impacts any other CP already in the DCUSA or other industry Change Process* None

Proposed Solution
Please insert proposed legal drafting here Add new definition: **Interested Industry Participant** means a person who is not from the Panel, the Parties, the Panel Secretary, the Authority, the Consumer Council, MRASCo, the GB System Operator, BSCCo or DCUSA Ltd's agents and to whom access to the Website has been granted by the Panel. Add new Para 5.10 as follows: **Website** 5.10.1 The Panel shall procure the Website which shall contain a public facing and a password controlled part. The password controlled part may contain personal details and so passwords shall only be given to persons from the Panel, the Parties, the Panel Secretary, the Authority, the Consumer Council, MRASCo, the GB System Operator, BSCCo, DCUSA Ltd's agents, Interested Industry Participants or such other persons as the Panel shall determine. Access controls, as determined in each case by the Panel, will further restrict access so that business confidential or financial information is only available to Parties and corporate governance information is only available to the Board of DCUSA Ltd. 5.10.2 Unless a Party specifies in writing that information is to be treated as confidential, the Parties hereby agree that information published on the Website pursuant to this Agreement shall be so published with the consent of the Parties and that no action for breach of confidentiality, data protection, s105 of the Utilities Act or under any other law will be brought as a result of such publication. 5.10.3 Where a person wishes to become an Interested Industry Participant they may contact a person from a Party to sponsor them and that person may agree to the request (the "Sponsor"). The person wihing to become an Interested Industry Participant shall submit an application to become a user via the website stating the name of the sponsor in it. The Panel will verify this with the Sponsor and consider the application. If accepted, access to the website shall be granted. The Panel may delegate tasks under this Clause 5.10.3 to the Secretariat. 5.10.4 A person's website access may be removed by the Panel, at its sole discretion, at any time.

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: Unless it can be achieved earlier

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

1. The development, maintenance and operation by the DNO Parties and IDNO Parties of efficient, co-ordinated, and economical Distribution Networks;

2. The facilitation of effective competition in the generation and supply of electricity and (so far as is consistent therewith) the promotion of such competition in the sale, distribution and purchase of electricity;

3. The efficient discharge by the DNO Parties and IDNO Parties of obligations imposed upon them in their Distribution Licences; and

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

I do not believe the change *better* facilitates any of these objectives but is nevertheless worthy of consideration by the Parties as it is neutral in its impact and falls within the scope of the agreement.

Business Justification Including Market Benefits
Distribution License condition 9B, which gave effect to DCUSA, states that information about the operation of any of the DCUSA arrangements should be published by the Panel – having regard to s105 of the Utilities Act. s105 states that information which relates to the affairs of any business must not be disclosed without the consent of that business. There has been a concern by the DCUSA Panel that minutes of meetings or reasons for proposing changes may give information about the affairs of a business and so have been restricted on the DCUSA website. The Panel has stated, following advice, that consent would need to be obtained to make the website more open. This proposal seeks to help the Panel by providing a consent from Parties for the making of that information available to those that the Panel gives website access

to.

The proposal introduces the concept of Interested Industry Participants to DCUSA and allowing them website access via a password.

This results in 3 tiers of access.

- The public facing website, which give the code, the change register, the calendar of events and contact details of contract managers and users.
- The 1st stage password controlled part which gives meeting papers.
- The 2nd stage password controlled part which is confidential to Parties or board members as appropriate and concerns finance and governance of DCUSA Ltd.

In this way more open access can be given to IIPs but it is recognised that commercially sensitive information, including that marked confidential, closed Panel meeting minutes, Board meeting minutes, budgets and finances should remain confidential. Users who may object to their contact details being open to IIPs can edit and remove them from their user profile but contract managers would not be able to. In addition if anyone thinks their details are being abused the Panel could be asked to remove website access for the abuser.

The concept of Interested Industry Participant proposed to be introduced is similar to that used in the MRA. They too have a sponsoring mechanism but they ask the IIP to sign a confidentiality agreement. Legal advice should be taken as to whether this is required or whether the website Terms & Conditions are already sufficient.

Procedures outside of the DCUSA text for verifying whether website access is still required are in place for non-IIPs. These should be extended to cater for IIPs.

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