

DCUSA CONSULTATION DOCUMENT	
DCUSA ISSUE	DCP 033 – Connection Terms
DATE OF ISSUE	30 March 2009
ISSUED TO	DCUSA Contract Managers Ofgem Interested Parties (Generators, ELEXON)
RETURN DEADLINE	20 April 2009

1 BACKGROUND

- 1.1 The Distribution Connection and Use of System Agreement (DCUSA) is a multi-party contract between electricity Distributors and electricity Suppliers and large Generators. It governs the main relationship between people who sell electricity and the owners of the networks that transport it. Parties to the Agreement can raise Change Proposals (CPs) to amend the Agreement with the consent of other Parties and (where applicable) the Authority.
- 1.2 Change Proposal DCP 033 was raised on 17 July 2008 and was considered by the DCUSA Panel at its meeting on 20 August 2008. The Panel determined that the CP was a non-urgent Part One change that should be progressed through the Definition Procedure to allow a Working Group to assess and develop the drafting.
- 1.3 The DCP 033 Working Group was established by the Panel and has met on 6 occasions. Minutes and papers of all the DCP 033 Working Group meetings are available on the [DCUSA Website](#).

2 DCP 033 – CONNECTION TERMS

- 2.1 DCP 033 seeks to amend the existing Connection Terms within Schedule 2B of the DCUSA. Schedule 2B sets out the content of the National Terms Of Connection, which is then replicated on the website www.connectionterms.co.uk.
- 2.2 When a customer signs a contract for the supply or purchase of electricity, that contract will have a clause in it by which the customer also agrees to be bound by the National Terms Of Connection, as stated on the website, between himself and the Distributor.
- 2.3 However, Distributors typically put site-specific bi-lateral connection agreements in place with larger customers which govern the on-going use of the connection in replacement of the National Terms Of Connection. The bi-lateral connection agreements used by most Distributors for large customers contain effectively the same “boilerplate” terms and conditions. The CP seeks to introduce those boilerplate terms into the National Terms Of Connection so that the National Terms are better suited to that size of customer and to give transparency to such larger customers of the generic connection terms that Distributors wish to enter into with them.
- 2.4 Under the current process large customers receive terms which run to 40 or 50 pages. The Working Group considers that by introducing those terms into the National Terms Of Connection there will be a reduction in the

administrative burden of managing different sets of terms and increased consistency and transparency for customers.

- 2.5 It should be noted that the National Terms Of Connection have a provision in them so that by signing a supply contract and thereby agreeing to the National Terms Of Connection, customers who already have a bi-lateral connection agreement in place with the Distributor will retain any existing terms of that agreement to the extent that they are inconsistent with the National Terms Of Connection.

3 WORKING GROUP ACTIVITIES

- 3.1 The Working Group has unanimously agreed that it supports the principle of the CP. The Working Group has developed the original drafting proposed in DCP 033 and the proposed amendments are attached as Appendix A.
- 3.2 The drafting is divided into 3 sections following introductory text which applies to each of those sections equally. The 3 separate sections each apply depending on the category of the user's connection:
- Section 1 – Whole Current Metered (typically domestic properties and small industrial and commercial properties)
 - Section 2 – Current Transformers (C/T) (typically large industrial and commercial properties)
 - Section 3 – Unmetered (typically street lighting)
- 3.3 The Working Group considers that drafting the terms in this way will allow users to easily identify the section that applies to them.

4 CONSULTATION

- 4.1 In accordance with the DCUSA any CP progressed through the Definition Process may be issued as part of a consultation exercise. The Working Group has agreed that there is value in consulting on the proposed drafting for DCP 033.
- 4.2 Parties are asked to consider the **principles and content** of the drafting noting that any issues with formatting, style and definitions will be addressed as part of the legal review.
- 4.3 Parties are asked to review the drafting attached as Appendix A and complete the consultation questions attached as Appendix B. Any Parties wishing raise specific comments on the drafting are asked to complete the review form attached as Appendix C.
- 4.4 Responses should be submitted to dcusa@electralink.co.uk no later than 20 April 2009.
- 4.5 Parties are asked to provide as much relevant detail in your response as possible to enable the Working Group to understand your comments and the reasons behind them.
- 4.6 Responses, or any part thereof, can be provided in confidence. Parties are asked to clearly indicate any parts of a response that are to be treated confidentially.

5 NEXT STEPS

- 5.1 Following the end of the consultation period the Working Group will meet to consider all and update the drafting accordingly. The Working Group will liaise with the DCUSA Legal Advisors to ensure that the drafting is legally robust and in keeping with the current DCUSA drafting. The legal review will also address any typographical and formatting issues. The DCP 033 Working Group will submit its final report setting out the proposed variations to the DCUSA to the DCUSA Panel before the CP is issued to all Parties for voting.
- 5.2 If you have any questions about this paper or the DCUSA Change Process please contact the DCUSA Help Desk by email to dcusa@electralink.co.uk or telephone 020 7432 3017.

APPENDICES

- Appendix A – DCP 033 – Legal Drafting
- Appendix B – Consultation Questions
- Appendix C – Drafting Comments Log