

DCUSA CONSULTATION DOCUMENT	
DCUSA ISSUE	DCP 033 – Connection Terms
DATE OF ISSUE	14 August 2009
ISSUED TO	DCUSA Distributor Contract Managers DCP 033 Working Group Members Ofgem ELEXON Consumer Focus Other Interested Parties
RETURN DEADLINE	04 September 2009

1 DCP 033 CONNECTION TERMS – CONSULTATION

- 1.1 This consultation is issued by the DCUSA DCP033 Working Group. The consultation concerns proposed changes to the National Terms of Connection (NTC) – attached as Appendix A. The current NTC are available at www.connectionterms.co.uk.
- 1.2 The intent of the change is to bring distributors' standard terms and conditions for large customers and unmetered supplies into the NTC. This will both give visibility of the full suite of terms offered in normal circumstances, and help to ensure that the most appropriate terms apply where a bespoke connection agreement is not in place.
- 1.3 The DCP 033 Working Group has been drafting the changes to the NTC since the summer of 2008. The group previously consulted on its work in March 2009 and since then it has been working through the comments received. The Working Group is now in a position to re-consult on the outcome of this work.
- 1.4 The attached drafting is the Working Group's current thinking on the new NTC. This consultation seeks feedback on this latest draft. The group expects this to be close to a final draft, and is looking to issue the CP for a formal vote by DCUSA Parties shortly.
- 1.5 As part of the previous consultation, one of the distributors raised a suggestion that the NTC should include reference to their being a statutory scheme under section 21 of the Electricity Act, and made suggestions regarding the methods by which the existence of that scheme should be communicated. The Working Group subsequently consulted with distributors to seek their views of this and there was much support for the proposed changes.
- 1.6 However, the Working Group believes that there may be an opportunity to lobby for a change to the Electricity Act to make this matter clearer (e.g. by giving distributors a right to a deemed connection agreement with owners and occupiers in much the same way that suppliers enjoy such rights under Schedule 6 paragraph 3 of the Act). The Working Group was also concerned that consideration of this issue by Ofgem may delay progress of the change proposal as a whole.
- 1.7 The Working Group has therefore removed the relevant clauses from this consultation version of the NTC. The relevant clauses are shown in red in Appendix B. Note that the Working Group may consider putting these clauses back into its final drafting if it considers that the lobbying for a statutory change may be unsuccessful.

2 RESPONDING TO THE CONSULTATION

- 2.1 Parties are asked to review the drafting attached as Appendix A and submit comments using the review form attached as Appendix C.
- 2.2 Responses should be submitted to dcusa@electralink.co.uk no later than 04 September 2009.
- 2.3 Parties are asked to provide as much relevant detail as possible to enable the Working Group to understand the comments and the reasons behind them.

- 2.4 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.

3 NEXT STEPS

- 3.1 Following the end of the consultation period the Working Group will meet to consider the responses received 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.
- 3.2 The DCP 033 Working Group will submit its final report setting out the proposed drafting amendments to the DCUSA Panel. Subject to Panel approval, the CP will be issued to all Parties for voting. Following the vote, the CP will be issued to Ofgem for final determination.
- 3.3 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 – Clauses referencing Section 21 of the Electricity Act
- Appendix C – Consultation Response Form