

# DCP 350 Working Group Meeting 03

29 November 2019 at 12pm

Skype/ Teleconference

Attendee	Company
<b>Working Group Members</b>	
Helen Stack [HS]	Centrica
Tom Kenyon-Brown	ENWL Ofgem
Lisa Waters [LW]	Waters Wye Associates
Steve Halsey [SH]	UKPN
Rob Nickerson [RN]	National Grid Electricity System Operator
<b>Code Administrator</b>	
Dylan Townsend (DT) (Chair)	ElectraLink
Richard Colwill [RC](Technical Secretary)	ElectraLink

Apologies	Company
Alex Travell [AT]	BU-UK
Ian Povey [IP]	ENWL
Chris Kukla [CK]	BEIS
Donald Preston [DP]	SSEN
Donna Townsend [DT]	ESPUG
Ryan Kavanagh [RK]	WPD

## 1. Administration

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- 1.1 The Chair welcomed the members to the meeting.
- 1.2 The Working Group reviewed the "Competition Law Guidance". All Working Group members agreed to be bound by the Competition Law Guidance for the duration of the meeting.
- 1.3 As this was an ad-hoc meeting, it was agreed that the minutes of the last meeting will be reviewed at the next Working Group meeting.

## 2. Purpose of the Meeting

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- 2.1 The Chair set out that the purpose of the meeting was to provide updates on the current legal position and agree next steps.

## 3. Legal Advice Update

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- 3.1 The Working Group discussed the legal advice that has been procured as part of a joint NIA Project (Recorder Project). It was noted that initial advice had already been received and that an updated version was just about to be released but it was unknown at this time whether it will be made public at this stage. SH took an action to see if the legal advice can be shared with the Working Group once received.

**ACTION 03/01: SH to determine whether the legal advice being sought through the Recorder Project can be shared with the Working Group.**

- 3.2 The Working Group discussed amending the original proposed solution such that each DNO would populate and publish a capacity register on their own websites which would alleviate some extra issues around a third party getting involved in the data. Although this was not what had originally been envisaged, the Proposer considered that this would still be a good interim step whilst industry works up a solution to a central repository of such data. The Working Group agreed to take this approach.
- 3.3 DNOs have an existing obligation to develop and maintain an efficient, co-ordinated and economical system of electricity distribution. Therefore, to ensure that the main benefit of this change is realised it was suggested that a two-tier approach is taken. The first step would be to ensure the National Grid ESO receive the capacity register data in its entirety and then the DNOs would share the capacity register publicly minus the perceived confidential data. The second stage would be to address the legal issues regarding data sharing and provide a collated capacity register on a central website. Whilst this suggestion was noted, it was agreed that the consultation would be released stating that all the data fields will be made available on the DNOs website. This will provide industry an opportunity to provide their views on whether they believe there is any confidentiality issues.
- 3.4 In addition, there are clauses within the Distribution Code that prevent the disclosure of customer information (DIN6) as below:
  - ***"The Distribution Code contains procedures under which the DNO's Distribution Business, in pursuance of its obligation as a DNO, will receive information from Users relating to the intentions of such Users. The DNO shall not, except in pursuance of specific requirements of the Distribution Code, disclose such information to any User or other person without the prior***

*written consent of the provider of the information, subject to the requirements of the Distribution Licence (Condition 39)."*

- 3.5 ENWL is raising a code modification in order to clarify this clause and maintain consistency across all industry documents. This is supported by the DCP 350 Working Group.
- 3.6 The Chair also made the Working Group aware of some text from the DPC section of the Distribution Code as detailed below, which ENWL may wish to consider within the Distribution Code modification:

<b>DISTRIBUTION PLANNING AND CONNECTION CODE (DPC)</b>	
<b>DISTRIBUTION PLANNING AND CONNECTION CODE 2</b>	
<b>DPC2</b>	<b>OBJECTIVES</b>
	The objectives of the Distribution Planning and Connection Code are to:-
	(a) Enable the <b>DNO's Distribution System</b> to be planned, designed and constructed to operate economically, securely and safely.
	(b) Facilitate the use of the <b>DNO's Distribution System</b> by others and to specify a standard of supply to be provided.
	(c) Establish technical conditions which facilitate the interfacing of <b>Systems</b> at points of entry to and exit from the <b>DNO's Distribution System</b> .
	(d) Formalise the exchange of <b>System</b> planning data.
	(e) Provide sufficient information for a <b>User</b> to assess opportunities for connection and to plan and develop his <b>System</b> such as to be compatible with the <b>DNO's Distribution System</b> .

- 3.7 To improve the transparency to customers about how their data may be used, it has also been proposed that an update is useful to the National Terms of Connection. Specifically, it was proposed that a new paragraph 25.5 (of the National Terms of Connection) is created that allows for explicit consent to publish their data when it supports the DCUSA objectives. The Working Group should consider this further.

## 4. Next Steps

- 4.1 The next step is for the Working Group to issue a consultation regarding this change to industry. The Secretariat took an action to update the draft version of the consultation, along with the legal text and proposed capacity register and circulate to the Working Group for comments. Once approved, the consultation will be released in early December with a deadline of 15<sup>th</sup> January 2020.
- 4.2 If possible, the Recorder Project, legal advice to shared with the Working Group.
- 4.3 A Working Group meeting has been scheduled for 20<sup>th</sup> January 2020 to review consultation responses and determine next steps.

**ACTION 03/02: Secretariat to circulate an update version of the consultation document for Working Group comments.**

## 5. Work Plan

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- 5.1 An updated version of the DCP 350 Work Plan can be found as Attachment 1.

## 6. Any Other Business

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- 6.1 There were no further items of AOB, and the Chair closed the meeting.

## 7. Date of Next Meeting

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- 7.1 The next Working Group meeting will be held on 20<sup>th</sup> January via Skype/ Teleconference.

## New and Open Actions

Ref.	Action	Owner	Update
01/04	SH to circulate the notes from the ENA Open Networks Customers Advisory Group regarding customer feedback on the capacity register.	Steve Halsey	Ongoing
01/06	Seek confirmation of the number new connections/changes to connections the they receive per week/month/year and report back to the Working Group on their findings.	Alex Travell & Ryan Kavanagh	Ongoing AT confirmed that on average there was one connection per month. RK to obtain numbers.
01/07	The DNOs to share a list of what they plan for their register and the definitions that go with the list.	DNO Working Group members	Ongoing The DNOs highlighted during the meeting what they were planning to include in their register, but the definitions are still outstanding.
02/01	Ofgem to provide an update regarding the legality of publishing MPAN information no later than 22 October 2019	Ofgem	Completed
02/02	DNO Working Group members to provide an estimated number of how many of their connection agreements could potentially include confidentiality clauses.	DNO Working Group members	Completed
02/03	The ESO to provide rationale as to why it would be beneficial to review the MPAN rather than just the site name.	ESO Working Group member	Completed
02/04	The Chair to update the DCP 350 consultation document to reflect the discussions held.	ElectraLink	Ongoing
02/05	The Chair to draft a request to the DCUSA Legal Advice to ask for legal advice on the solution for the CP.	ElectraLink	Ongoing

<b>03/01</b>	SH to determine whether the legal advice being sought through the Recorder Project can be shared with the Working Group.	SH	
<b>03/02</b>	Secretariat to circulate an update version of the consultation document for Working Group comments.	DNOs	

## Closed Actions

Ref.	Action	Owner	Update
<b>01/01</b>	Speak to BEIS and gain an understanding of their interpretation of what data is confidential, specifically if they see any issues with publishing MPANs.	Lisa Waters	Action Closed
<b>01/02</b>	Find and circulate any information that they believe to contain material which could be used in support of this CP, for example the EDTF report and related documents from the ON Project etc.	The Working Group	Action Closed
<b>01/03</b>	Draft a request for legal advice which will contain relevant background material and circulate to the Working Group for approval.	ElectraLink	Superseded by Action 02/05
<b>01/05</b>	Secretariat to create initial draft consultation and circulate to Working Group prior to next meeting.	ElectraLink	Action Closed