

DCP 389 Working Group Meeting 01

18 June 2021 at 2pm - 4pm

Web-conference (MS Teams)

Attendee	Company
Working Group Members	
Chris Barker	Electricity North West
Chris Ong	UKPN
Claire Campbell	SP Energy Networks
Dave Wornell	WPD
Edda Dirks	SSE Generation
Helen Tsang	EDF Energy
James Jones	SSEN
Kara Burke	Northern Powergrid
Karl Maryon	Haven Power
Lee Stone	E.ON
Lee Wells	Northern Powergrid
Mark Jones	SSE Business Energy
Ryan Roberts	Energy Potential
Thomas Cadge	BUUK Infrastructure
Ryan Farrell	Northern Powergrid
Observers	
David Fewings	Inenco
Code Administrator	
Dylan Townsend [DT] (Technical Secretariat)	ElectraLink
John Lawton [JL] (Chair)	ElectraLink
Apologies	
Donna Townsend	Energy Assets Networks
Giao Le	SSEN
Lorna Mallon	ScottishPower Energy Retail

1. Administration

- 1.1 The Chair welcomed the members to the meeting.
- 1.2 The Terms of Reference for the meeting were reviewed and the Working Group agreed that these were a fair and accurate representation of the Working Group's objectives and agreed to be bound by them for the duration of the Working Group. The Secretariat noted that there were no additional items which the Panel required the Working Group to consider and report on.
- 1.3 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.
- 1.4 The Chair set out that the purpose of the meeting was to review and analyse the Change Proposals (CPs) and to start to develop potential solutions, alongside agreeing any next steps.

2. Purpose of the Meeting

- 2.1 The Chair set out that the purpose of the meeting was to review and analyse DCP 389 'TCR - Clarification on Exceptional Circumstances and Allocation Review for 'New' Sites' and to discuss the potential solutions, alongside agreeing any next steps.

3. Background of DCP 389

- 3.1 The Chair asked the Proposer to provide a background of DCP 389 to the Working Group.
- 3.2 LW provided the Working Group with an overview of the purpose of DCP 389, starting with confirming the CP seeks to resolve two issues that have been identified post the implementation of DCPs 358, 359 and 360.

Exceptional circumstances clarification

- 3.3 LW explained that they believe the exceptional circumstances in paragraph 6 of Schedule 32 would benefit from additional clarity that a change in use or configuration of a Final Demand Site must have happened after the Final Demand Site has been allocated to a charging band.
- 3.4 Replacing the requirement to compare a change in MIC to the average MIC used to allocate the Final Demand Site, with a comparison to the MIC at the time that Final Demand Site was allocated, removes potential loopholes which could be exploited.
- 3.5 The additional clarity should reduce resource requirements to deal with requests to reallocate Final Demand Sites, including potential disputes, as it should be clearer when the exceptional circumstances apply.

Allocation review for 'new' sites (including existing sites with no data)

- 3.6 LW set out that an annual review, once in the lifetime of the Final Demand Site, should be adopted to ensure that 'new' Final Demand Sites (including existing Final Demand Sites that were allocated based on no actual data) can be allocated 'properly' based on at least one year's worth of data.
- 3.7 It was noted that a similar process was developed for CUSC Modification Proposal (CMP) CMP336, specifically, the Workgroup Alternative CUSC Modification Proposal (WACM) WACM1. LW noted that if CMP336 is approved and includes an equivalent allocation review, the DCUSA and CUSC will not be aligned as required in the TCR directions from the Authority.

4. Working Group Review / Discussion on DCP 389

- 4.1 The Working Group agreed that it would be prudent to review the information contained in the Change Proposal form, including the proposed legal text that had been included. It was noted that this review would flush out any potential issues or points for further discussion.
- 4.2 One Working Group member questioned the use of wording 'ownership' alongside a change in 'use', as they did not believe that exceptional circumstances applied just because there was a change in ownership. The Proposer noted that it is likely this was an accidental inclusion in the text within the Change Proposal form and confirmed that it was not the intent of the change to introduce it into the legal drafting. It was further noted that the word 'ownership' had not been transposed into the proposed legal text amendments as set out in the Change Proposal form and was only in some background text. The Working Group agreed that moving forward into the consultation, the word 'ownership' would not be retained. However, the Working Group agreed that it would be prudent to check if there are any references contained in material related to DCP 358/360.

ACTION: 01/01 – ElectraLink to explore if the word 'ownership' had been discussed in the documentation related to DCP 358/360 and report back to the Working Group.

ACTION: 01/02 – ElectraLink to ensure that the word 'ownership' is not referenced in the consultation other than to highlight the fact that it was erroneously included in the Change Proposal form and that the group had agreed that it should not have been included and therefore does not appear in the consultation.

- 4.3 The Chair sought clarity on how many options had been taken forward as part of CMP336, to which members noted their belief that there were two WACMs presented alongside the original proposal. The Working Group agreed that the consultation should draw out the various options under consideration for CMP336 which is currently with the Authority for decision (expected decision date is 27 August 2021).

ACTION: 01/03 – ElectraLink to draw out the various options under consideration for CMP336 which is currently with the Authority for decision in the consultation document for DCP 389.

- 4.4 The Working Group reviewed the proposed legal drafting as set out in the Change Proposal form and the general consensus of the Working Group was that the proposed amendments were fit for purpose. During the discussion on the legal text, it was noted that the Secretariat transposed the proposed amendments into a separate document, so as to create the draft legal text and this document acts as Attachment 1 to these minutes.
- 4.5 The Chair noted that the words 'New Site Review' may be a little confusing as the process would encapsulate sites that may not be all that new, given the potential lag between when a site becomes operational and when the review may be carried out. The Working Group agreed with this comment and agreed to update the wording to 'Annual Allocation Review'.
- 4.6 For the purposes of the consultation, the Working Group agreed that a question should be asked around the 50 % threshold applying to this process.

ACTION: 01/04 – ElectraLink to draw out the fact that it is proposed to use the 50% threshold for the process set out as part of this change and include a question on the topic to gather views from industry.

5. Next Steps and Work Plan

5.1 The Working Group reviewed and updated the Work Plan and in doing so agreed the next steps. The updated Work Plan acts as Attachment 2 to the minutes and a summary of the next steps is below:

- ElectraLink to draft consultation document based on Working Group discussion during meeting and circulate to Working Group for review;
- Next meeting to be held on Friday, 09 July 2021, between 10am and 1pm, for the purpose of reviewing the draft consultation document.

ACTION: 01/05 – ElectraLink to complete first draft of consultation document based on Working Group discussion during meeting and circulate to Working Group for review.

6. Any Other Business

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

APPENDIX 1: Actions Log

New and Open Actions

Ref.	Action	Owner	Update
01/01	ElectraLink to explore if the word 'ownership' had been discussed in the documentation related to DCP 358/360 and report back to the Working Group.	ElectraLink	
01/02	ElectraLink to ensure that the word 'ownership' is not referenced in the consultation other than to highlight the fact that it was erroneously included in the Change Proposal form and that the group had agreed that it shouldn't have been included and therefore does not appear in the consultation.	ElectraLink	
01/03	ElectraLink to draw out the various options under consideration for CMP336 which is currently with the Authority for decision in the consultation document for DCP 389.	ElectraLink	
01/04	ElectraLink to draw out the fact that it is proposed to use the 50% threshold for the process set out as part of this change and include a question on the topic so as to gather views from industry.	ElectraLink	
01/05	ElectraLink to complete first draft of consultation document based on Working Group discussion during meeting and circulate to Working Group for review.	ElectraLink	