DCP 392 Working Group Meeting 05

20 December 2021 at 10:00 - Web-Conference

Attendee	Company
Working Group Members	
Charles Deacon [CD]	Renewable Connections
Dafydd Burton [DB] (part-meeting)	Ofgem
Edda Dirks [ED]	SSE Generation
Gwen MacIntyre [GM]	SSEN
Joanna Knight [JK]	SSEN
Jonathan Ainley [JA]	ESP Utilities Group
Simon Vicary [SV]	EDF
Tom Cadge [TC]	BU-UK
Code Administrator	
John Lawton [JL] (Chair)	ElectraLink
Hannah Proffitt [HP]	ElectraLink
Mel Kendal [MK] (Technical Secretariat)	ElectraLink
Apologies	
Vanessa Buxton [VB]	WPD

1. Administration

1.1 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.

1.2 There were queries raised around the references to DCP 328 / CMP 328 throughout the previous meeting minutes (WG 04) as they may be incorrectly referenced. The Secretariat agreed to review the previous meeting minutes and amend accordingly. The updated meeting minutes (WG 04) can be found as **Attachment 1**.

1.3 The Working Group noted the items on the actions list from the last meeting. Updates on all actions are provided in **Appendix A**.

2. Purpose of the Meeting

2.1 The Chair set out that the purpose of the meeting was to review the draft legal text and draft Consultation document that was circulated prior to the meeting.

3. Review of Draft Legal Text

3.1 The Working Group reviewed the current legal text extracted from Schedule 22 within the DCUSA – an updated version can be found as **Attachment 2**.

3.2 Key Points of Discussion:

- The Working Group agreed that 'minimum scheme' should not be a defined term.
- Members believe examples for this Schedule would be beneficial as it will be a new provision, however these may need to be created as new examples. The group agreed to include a question within the Consultation document asking respondents if examples should be included, and if so, please provide potential examples that could be used. It was also agreed for the Consultation response deadline to be extended to allow for examples to be provided.
- In regard to the definitions table within the legal text, it was suggested that the current definitions from the CCCM may be suitable. CD agreed to take an action to seek further information from the DNO system panners around what figure they use in DNO impact assessments (in relation to fault level/thermal).

ACTION 05/01: CD to seek further information from the DNO system planners around what figure they use in DNO impact assessments (in relation to fault level/thermal).

- The Working Group agreed to defer re-defining the definitions table within the legal text until examples have been received from the Consultation responses to see if they are fit-for-purpose of this CP.
- Reference to the Distribution System under the 'Recovery of costs for previous works' section within the legal text was removed as this is not relevant.

- It was noted that Ofgem ultimately decide what DNOs can/cannot invest in and question whether DUoS money can be used spend in this way – it was agreed that a number of questions regarding this may need to go to Ofgem initially in order to progress this CP.
- After further discussion, it was agreed that the below questions should be added to the Consultation document to seek responses, and also gain a definitive response from Ofgem:
    - **Question 1** – Can DNOs use DUoS money to fund works that are triggered by Transmission connections?
    - **Question 2** – If not, what is the correct route to raising this with Ofgem?

ACTION 05/02: The Secretariat to circulate the questions regarding DUoS money to PT.
ACTION 05/03: PT to seek further information regarding the DUoS money questions to the ENA Connections COG.
ACTION 05/04: CD to seek legal perspective internally regarding the DUoS money questions.

3.3 It was agreed that the updated draft legal text will be re-reviewed at the next Working Group meeting.

4. Review of Draft Consultation Document

4.1 The Working Group reviewed the draft Consultation document – an updated version can be found as **Attachment 3**.

4.2 Key Points of Discussion:

- It was suggested that additional wording will be included under Q3 of the Consultation document which will introduce that apportionment factors and indicate that it will be covering both fault level and thermal (similar to that of the CCCM).
- It was also agreed that examples may be included to explain how this is going to work (depending on information CD receives) including the formula.
- Under Q4 of the Consultation document, an explanation will be included as to what is currently covered within the CCCM relating to 'other matters' and whether this is deemed to be appropriate, or whether it should be placed on the DNOs website.
- It was noted that the Clause within the CCCM would not be apply to IDNOs and this will also need to be made clear within the explanation to tie in with DNOs methodologies, albeit it is not an obligation on IDNOs, it would be helpful if a similar process was adopted.
- The Working Group discussed Q7 of the Consultation document *'how should the remaining DNO costs be recovered from Transmission connected customers?'* and agreed that the wording needs to be amended for absolute clarity of what is being asked. Both GM and PT agreed to take an action to re-word this question and bring back to the Working Group for further review.

ACTION 05/05: GM/PT to re-word Q7 of the Consultation document relating to how the remaining DNO costs should be recovered from Transmission connected customers and bring back to the Working Group for further review.

- It was agreed to include a question within the Working Group Assessment Section of the Consultation document (under Clause 4.8) around the recovery process.

4.3 It was agreed that the updated Consultation document will be rereviewed at the next Working Group meeting.

5. Next Steps

5.1 The Working Group discussed the next steps, and the following items were captured:

1. The Working Group to review the updated draft legal text.
2. The Working Group to review the updated draft Consultation document.

6. Any Other Business

6.1 The Chair asked the group whether there were any other items of business to discuss.

6.2 There were no other items raised.

7. Date of Next Meeting

7.1 The date of the next meeting has been scheduled for 12 January 2022 at 1pm.

8. Attachments

- Attachment 1_DCP 392 WG 04 Draft Minutes v2.0 (updated)
- Attachment 2_DCP 392 Legal Text_211220_Working Group Comments
- Attachment 3_DCP 392 Draft Consultation_211220_Working Group Comments

APPENDIX A

New and Open Actions

Action Ref.	Action	Owner	Update
03/04	The Working Group to redefine the definitions within the definitions table of the legal text that is currently used within the application of the CAFs.	Working Group	**Ongoing.**
04/01	The Working Group to seek information internally around potential examples that can be provided within the legal text of this CP (or can they be adapted from the current examples within the CCCM)?	Working Group	**Ongoing.**
05/01	CD to seek further information from the DNO system planners around what figure they use in DNO impact assessments (in relation to fault level/thermal).	CD	**Ongoing.**
05/02	The Secretariat to circulate the questions regarding DUoS money to PT.	ElectraLink	**Ongoing.**
05/03	PT to seek further information regarding the DUoS money questions to the ENA Connections COG.	PT	**Ongoing.**
05/04	CD to seek legal perspective internally regarding the DUoS money questions.	CD	**Ongoing.**
05/05	GM/PT to re-word Q7 of the Consultation document relating to how the remaining DNO costs should be recovered from Transmission connected customers and bring back to the Working Group for further review.	GM / PT	**Ongoing.**

Closed Actions

Action Ref.	Action	Owner	Update
04/02	JK/GM to draft new wording for Clause 3.2 of the Consultation document for the Working Group to review prior to the next Working Group meeting.	JK/GM	**Completed.**
04/03	The Secretariat to follow-up with PT and gain a better understanding of whether the ECCR is currently under development.	ElectraLink	**Completed.** PT responded that There are 2 active versions of the ECCR which are the ECCR 2002 and the ECCR 2017. Ofgem's Access SCR Connection Boundary 'minded to' position has indicated potential changes to ECCR 2017, and the Connection Boundary Implementation Group has been working with BEIS to identify the necessary changes. At the last meeting on Friday 10 December BEIS advised that the consultation on the ECCR would be put on hold until Ofgem make their final decision on the Connection Boundary which is scheduled for March 2022.
04/04	The Secretariat to make the suggested amendments to the draft Consultation document to reflect discussions held within the meeting.	ElectraLink	**Completed.**
03/05	The Secretariat to contact the Ofgem representative and query whether the CAF rules should be put in place as to how the	ElectraLink	**Completed.**

	distributor will be able to recover costs or within the current Ofgem framework of recovering costs (under CR5).		Communications have been sent to Ofgem Representative (DB). DB responded that Ofgem currently have no further feedback on this CP as it stands; however, DB will aim to join WG 05 to gain a better understanding.