

Distribution Connection and Use
of System Agreement Panel

(by email)

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Date: 3 February 2022

Dear Colleague,

**Switching Significant Code Review: Authority-Led Change Proposal
Direction pursuant to Clause 11.9A of the Distribution Connection and Use of
System Agreement**

We refer to our update¹ published on 31 January 2022, which sets out the proposed process for the suite of industry code modification proposals now being raised by the Gas and Electricity Markets Authority (the Authority)² pursuant to its Switching Significant Code Review (SCR)³.

Pursuant to and in accordance with (1) Standard Condition 22.9EB of the Electricity Distribution Licence; (2) Clause 10.2.5 of the Distribution Connection and Use of System Agreement (DCUSA), and (3) the Switching SCR, the Authority hereby submits to the DCUSA Panel the enclosed Authority-Led Change Proposal⁴.

In line with the Authority's SCR guidance⁵, we have worked with code administrators and stakeholders on all of the Authority-led code modification proposals related to this SCR. Whilst we consider that there has already been thorough consultation outside of the processes set out in DCUSA in relation to this Authority-Led Change Proposal, including through the Switching Programme Regulatory Design User Group (RDUG), we have been working with colleagues in the code body to coordinate the procedures for consideration of

¹ Link [here](#) to the update

² The terms "the Authority", "we" and "us" are used interchangeably in this document.

³ Link [here](#) to the Launch Statement for the Switching SCR

⁴ As defined by the DCUSA

⁵ Link [here](#) to the Authority's SCR guidance

this Authority-Led Change Proposal and those procedures shall include further consultation carried out by the code body.

Please ensure that the enclosed Authority-Led Change Proposal is published on the DCUSA website.

DIRECTION PURSUANT TO DCUSA CLAUSE 11.9A

Clause 11.9A of the DCUSA states that in respect of all Authority Change Proposals, the Authority may by direction specify and/or amend:

- 11.9A.1 the timetable to apply to each stage of the Assessment Process for the Change Proposal; and/or
- 11.9A.2 the date from which the variation envisaged by the Change Proposal is to take effect.

Clause 11.13.1 states that the Panel, the Secretariat and any Working Group shall each, in the case of a timetable determined in accordance with Clause 11.9A, complete the respective tasks assigned to them under the Assessment Process within that timetable.

Pursuant to Clause 11.9A of the DCUSA, the Authority hereby directs the DCUSA Panel, the Secretariat and any relevant Working Group to comply with the following timetable for completion by them of the following procedural steps for this Authority-Led Change Proposal:

| DCUSA provision | Procedural step | Deadline for completion |
|------------------------|---|---|
| 11.9A and 10.17 | "10.17 Where a Change Proposal is referred to the Panel, and where the Panel has not refused to accept the referral of that proposal, the Panel shall ensure that the proposal is placed into the Assessment Process in accordance with Clause 11." | 9 February 2022 |
| 11.9A and 11.19 | "11.19 The Secretariat shall, in respect of any Change Proposal submitted to it by the Panel, prepare a written report (the Change Report) on the proposal (the Report Phase)(...)" | In time for Panel Meeting on 16 February 2022 |

| DCUSA provision | Procedural step | Deadline for completion |
|------------------------|--|--|
| 11.9A and 11.22 | <p>“11.22 Following receipt of a Change Report, the Panel shall either:</p> <p>11.22.1 where the Panel considers that additional work or significant amendment of the Change Report is required, send it back to the Working Group (or, where the Change Proposal was not subject to the Definition Procedure, form a new Working Group) to consider the Change Report; or</p> <p>11.22.2 as soon as reasonably practicable following receipt of the Change Report (but, unless otherwise exempted by the Authority, not earlier than 7 days after the Change Report was provided to the Authority), subject to Clause 11.24, ensure that the Change Proposal is submitted to the Voting Procedure in accordance with Clause 12.”</p> | Consultation: 18 March 2022 to 19 April 2022 |
| 11.9A, 13.4 and 13.8 | <p>“13.4 The Secretariat shall be responsible, in respect of each Change Proposal, for: 13.4.1 monitoring the votes which are received and collated in accordance with Clause 12.4; 13.4.2 calculating whether the votes, having regard to the Weighted Vote allocated to each Group, are sufficient to meet the thresholds set out in Clauses 13.5 and 13.6; 13.4.3 having made those calculations, declaring whether: (A) in the case of a Change Proposal that relates to a Part 1 Matter, the Parties are deemed to have recommended to the Authority that the proposal should be accepted or rejected (...)” and “13.8 The Secretariat shall, as soon as is reasonably practicable after making a declaration under Clause 13.4.3, give notice of that declaration to: (...)13.8.5 the Authority (...)”</p> | 21 April 2022 |

Clause 11.9A.2 of the DCUSA also states that the Authority may by direction set and/or amend the date from which the variation envisaged by the Change Proposal is to take effect. We will advise on this in due course. As you are aware, if the Authority decides to approve this Authority-Led Change Proposal then implementation will need to take place in time for the CSS Go-Live Date. With reference to the Retail Energy Code (REC) Transition Schedule, the CSS Go-Live Date will be designated by the Gas and Electricity Markets Authority, and is currently expected to be 18 July 2022.

Decision stage

As set out in our update, and following discussions with colleagues in the code bodies, we will be submitting all Authority-led proposals in relation to the Switching SCR to the panels of all relevant industry codes at slightly different times in order to align with the specific panel meetings being targeted for each code. This means that there will not be a single date for Authority decisions on all of the Authority-led modification proposals under the Switching SCR.

Our target date for decision in relation to this Authority-Led Change Proposal is end-April 2022, although we will endeavour to issue a decision as soon as possible following our receipt of the DCUSA declaration in relation to this Authority-Led Change Proposal, as referred to above.

This is an Authority-led end-to-end SCR⁶. We will confirm when we have made our final decision and the Switching SCR has ended. We will only end the SCR at the point that we are confident that no further code changes are required for the Switching Programme.

Finally, we would like to once again extend our thanks to Electralink for their support in developing the legal text for the SCR modification proposals on the timelines that have been required by the programme.



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**Nicola Garland,
Head of Delivery, Switching Programme
Duly authorised on behalf of the
Gas and Electricity Markets Authority**

3 February 2022

⁶ We set out in paragraph 8.26 of our Outline Business Case in Feb 2018, link [here](#), that the Switching SCR would follow an Ofgem led end-to-end process