

DIF 62 Sub-Group - Meeting 03

08 June 2022 at 13:00 - Web-Conference

Attendee	Company
Working Group Members	
Donna Townsend [DT]	Energy Assets
Kara Burke [KB]	Northern Powergrid
Donald Preston [DP]	SSEN
Ian Chadwick [IC]	UKPN
Code Administrator	
Hannah Proffitt [HP] (Technical Secretariat)	ElectraLink
Richard Colwill [RC] (Chair)	ElectraLink
Apologies	
William McKay [WM]	SSEN

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 no comments regarding the minutes of the previous meeting and the group accepted them as final. These can be found as **Attachment 1**.
- 1.3 Updates on all actions are provided in **Appendix A**.

2. Purpose of the Meeting

- 2.1 The Chair explained that the purpose of this meeting is to review the feedback received from members regarding the definition of ‘immediately adjacent’.

3. Review Feedback Around ‘Immediately Adjacent’

- 3.1 The Chair highlighted an email circulated to members on 30 May 2022, outlining discussions at the previous meeting regarding defining ‘immediately adjacent’ and asking for feedback.

- 3.2 The Chair noted that the legal definition of ‘immediately adjacent’ is “adjoining or abutting (rather than in the vicinity)” and advised that at the previous meeting, members suggested that this definition could be used. The Chair noted that if a Distributor then wanted to be more flexible in their approach they could but it would be at the discretion of the Distributor.
- 3.3 DT asked whether the term would need to be capitalised within DCUSA. The Chair noted that a DCUSA Change Proposal (DCP) would need to be raised to add the definition and to capitalise the term.
- 3.4 DP noted that some Distributors currently interpret ‘immediately adjacent’ as within 10m and that the legal definition would oppose this. The Chair highlighted that it was suggested that that a clause could also be added to the DCUSA to note that Distributors could be flexible in their approach, however that this would be at the discretion of the Distributor.
- 3.5 DT asked whether the new definition would be applied retrospectively or just going forward. The Chair noted that it would apply to future applications and that it could be possible to add that it would apply after a certain date.
- 3.6 The group discussed and agreed that a DCP could be contentious due to the different rules to and from a certain date and due to the Distributor discretion clause. The group agreed that the current wording allows for discretion to be used and would allow Distributors to point to the legal definition if needed.
- 3.7 The group agreed for the issue to be referred to the LC14 group, to investigate whether further explanation of the term could be added to the LC14. The group agreed that if nothing further came from this, they could look to add it onto a relevant DCP in future.
- 3.8 The group agreed that no further DIF 62 Sub-Group meetings were required.

4. Agenda Items for Next Meeting

- 4.1 N/a.

5. Any Other Business

- 5.1 The Chair asked the group whether there were any other items of business to discuss, to which nothing was raised.

6. Date of Next Meeting - TBC

- 6.1 N/a.

Attachments

- Attachment 1 - DIF 62 Meeting 02 - Final Minutes v1.0

APPENDIX A

Closed Actions

Action Ref.	Action	Owner	Update
02/01	The Secretariat to send an email to the Working Group outlining the discussions from WG 02 regarding the lack of reference to LV Subs within the G80 documents and the suggested definition of 'immediately adjacent' to gain further feedback.	Secretariat	Completed. <i>Email sent on 30 May 2022.</i>
02/02	The Secretariat to circulate a Doodle Poll to the Working Group for the next meeting date to discuss the feedback on the email.	Secretariat	Completed.