

## DCP 404/405 Working Group - Meeting 23/13

06 October 2022 at 10:00 - Web-Conference

Attendee	Company
<b>Working Group Members</b>	
Edda Dirks [ED]	SSE Generation
Grace March [GM]	Sembcorp
Kyran Hanks [KH]	Waters Wye
Lee Wells [LW]	NPg
Mike Kaveney [MK]	WPD
Rebekah Pryn [RP]	UKPN
Ross Thompson [RT]	UKPN
Tina Schmieder-Gate [TSG]	Ofgem
Tony McEntee [TM]	ENWL
Will Topping [WT]	WPD
Nigel Bessant [NB]	SSE
Wendy Mantle [WM]	SPEN
<b>Code Administrator</b>	
Dylan Townsend [DT]	ElectraLink
Hannah Proffitt [HP] (Technical Secretariat)	ElectraLink
Mel Kendal [MK] (Technical Secretariat)	ElectraLink
Tim Hipperson [TH] (Chair)	ElectraLink
<b>Apologies</b>	
Donald Preston [DP]	SSE

## 1. Administration

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- 1.1 The Working Group reviewed the “Competition Law Guidance” and “Terms of Reference”. All Working Group members agreed to be bound by the Competition Law Guidance for the duration of the meeting and agreed to the Terms of Reference.

## 2. Purpose of the Meeting

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- 2.1 The Chair explained that the purpose of this meeting is to review paragraph 6 of the draft text for DCP 404 and to review the Change Reports for both DCP 404 and DCP 405.
- 2.2 ED asked how long members would have to review the updated Change Reports following the meeting. The Chair confirmed that the documents would be circulated straight after the meeting and that a final meeting would be held on Thursday 13 October 2022.

## 3. Review of Paragraph 6 (DCP 404 Draft Legal Text)

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- 3.1 The Chair noted that feedback had been received from DP and GM on paragraph 6 of the DCP 404 legal text.
- 3.2 The feedback from DP highlighted that the bullet points in 6.9 are currently incorrect. The group agreed this should be amended.
- 3.3 GM provided her feedback noting that paragraphs 6.1 and 6.2 seem to be stating the same thing, and questioning whether 6.2 is intended to be a clarification of what the Exceeded Import Curtailment Price and Exceeded Export Curtailment Price are. The group agreed to remove ‘company will determine’ from paragraph 6.2 and to amend the wording to clarify the meaning.
- 3.4 GM also suggested that a full stop is missing at the end of 6.10. The group agreed to add this.
- 3.5 LW noted that they had been in discussions with National Grid, seeking confirmation that the data within the Flexibility Market Price Statement is the same as within the Standard Licence Condition 31E report. LW noted that the data pool used should be the same.
- 3.6 LW advised that National Grid were keen to update the DCP 404 legal text to make it clearer, however that he feels it shouldn’t be amended in case of future licence changes.
- 3.7 The Chair suggested a note is included within the Change Report to highlight that the Working Group believe the same pool of data is used, but that they don’t believe specific documentation should be referenced in the legal text.
- 3.8 Regarding the definition of Curtailable Connections, ED suggested that this should be singular. ED also asked if it is necessary to refer to reinforcement. The group agreed to amend the definition to ‘means, a connection whereby the Required Capacity can be reduced by the Company’.

- 3.9 The Chair asked whether this would be included in the DCP 406 legal text. LW confirmed it would be in the DCP 404 legal text only. DT noted that there will be a version of Schedule 22 pre-April 2023 and another version post April 2023.
- 3.10 ED noted that they had included a comment in their consultation response raising concern that if either DCP 404 or DCP 406 are rejected, neither would be able to stand alone. ED suggested that a clear set of separate legal texts are needed for each change.
- 3.11 The Chair noted that if Ofgem were to reject one of the changes, it would create a lot of issues. DT agreed and noted that Gowling WLG will be made aware of the interactions. GM added that a similar situation had arisen under the Connection and Use of System Code (CUSC), with Ofgem rejecting one change, and that they advised in their decision that the other change would be affected.
- 3.12 The Chair noted that the legal text for DCP 404 should now be complete, with the only remaining task to cross reference the paragraph numbering.

## 4. Review DCP 404 Change Report

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- 4.1 The Chair presented the DCP 404 Change Report to the group. Members reviewed and updates were made to the document during the meeting.

## 5. Review DCP 405 Change Report

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- 5.1 DT raised a query surrounding the numbering of the sections. DT noted that some other non-Access SCR change proposals also propose to introduce new subsections to section 2 and if implemented the likely result is that 52Z would be surpassed. DT suggested that instead of placing the DCP 405 text at the end of Section 2B it is placed directly after the current Clause 38 as it is linked to the Bilateral Connection Agreement process.
- 5.2 The Working Group agreed to focus on the content of the change and to hand this decision over to Gowling WLG/Secretariat. The Chair noted that the legal text and Change Report need to be consistent.
- 5.3 Regarding the DCP 405 legal text, MK confirmed that they had received no further feedback.
- 5.4 The Chair presented the DCP 405 Change Report to the group. Members reviewed and updates were made to the document during the meeting.
- 5.5 Regarding section 8, Relevant Objectives, the Working Group agreed that their view is in line with the Proposer's.

## 6. Agree any Final Actions/Additions Needed

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- 6.1 The Chair agreed that the updated Change Reports would be circulated to members following the meeting for their review. The Chair also agreed that the legal text should be circulated for review ahead of issuing to Gowling WLG.

## 7. Discuss if Final Sub-Meeting is Needed Prior to Final Submission

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7.1 The Working Group agreed to meet again on Thursday 13 October 2022 to finalise the documentation.

## 8. Agree Next Steps/Agenda Items

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

- Working Group to review the updated Change Reports and legal texts and provide any feedback
- The Secretariat to issue updated legal text to Gowling WLG
- Final meeting to be held on Thursday 13 October 2022.

## 9. Next Meeting Date

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9.1 The next DCP 404 and DCP 405 Working Group meeting will be held on Thursday 13 October 2022 at 10am.

## 10. Any Other Business

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