

DCP 414

Transitional Protection for NHH CT Customers affected by regulatory change.

Draft Legal Text

Solution A

Add new definitions to Clause 1 (Section 1A) as follows:

<u>CT</u>	<u>indicates metering which uses current transformers to induce a reference current which then passes through the meter (as compared to non-CT or whole current metering, where the full electrical current passes through the meter).</u>
<u>MHHS</u>	<u>means market-wide half-hourly settlement, to be implemented via MHHS Implementation (under and as defined in the BSC).</u>
<u>Meter Serial Number</u>	<u>means the unique identifier for an individual Metering Point device.</u>

.....

Amend Clause 19.12 and add new Clauses 19.13-19.16 (Section 2A) as follows:

Transitional Protection for Customers affected by BSC Modification P~~272432~~ or MHHS

19.12 Part 4 of the CDCM contains transitional protection for Customers who may be affected by the implementation of BSC modification P~~432272~~ or any other CT Metering Points catered for by MHHS. All DNO/IDNO Parties shall comply with Part 4 of the CDCM, including a DNO Party operating outside of its Distribution Services Area.

19.13 The User shall initiate the transition for all Customers covered under Clause 19.12. The Company shall conclude the transition where a default value for Maximum Import Capacity has been used.

19.14 The Company shall provide contact details to the User relating to agreeing the Maximum Import Capacity and the default value to be used by the Company. The User shall confirm to the Company the contact details of all the Customers impacted by P432, or any other CT Metering Points catered for by MHHS, used in providing the information to the Customer under Clause 19.15.

19.15 Prior to each Customer's transition, the User shall (as a minimum) provide the Customer with the following information:

19.15.1 site address information, including MPAN and Meter Serial Number(s);

19.15.2 reason for the correspondence;

19.15.3 expected migration date;

19.15.4 Maximum Import Capacity if known, or if not already agreed with the Customer, the Company's default value;

19.15.5 the Company's contact details (as provided by the Company under Clause 19.14); and

19.15.6 explanation of the consequences and protections offered, including any amendment to the Maximum Import Capacity and any rebates that may be warranted.

19.16 Where a default value for the Maximum Import Capacity has been used by the Company, the Company shall inform the Customer, using the contact details provided under Clause 19.14 if a revised value has been calculated under Part 4 of the CDCM and the rights the Customer has under the National Terms of Connection.

.....

Amend Part 4 of Schedule 16 (CDCM) as follows:

Part 4 – Transitional Protection for Customers affected by BSC Modification P272432 or MHHS

179. This Part 4 sets out the transitional protection for Customers who may be affected by BSC Modification P272432, being ~~demand~~ Customers ~~in Profile Class (PC) 5-8~~with CT metering which are required to become half-hourly settled by migrating to

Measurement Class C or E, or any other CT Metering Points catered for by MHHS which are migrating to become half-hourly settled on a site-specific basis (where capable metering has been installed).

180. This Part 4 forms part of the CDCM, but also applies to IDNO Parties and to DNO Parties acting outside of their distribution services area.

181. Subject to paragraph 183 below, where:

- (a) a Customer takes a supply of electricity at a Premises where the electricity conveyed to the Premises is recorded through a CT meter; ~~and~~
- (b) the Metering Point for such Premises has, ~~on or before 31 March 2017,~~ been migrated to either Measurement Class C or E for P432 or required to become half-hourly settled for MHHS, as a result of BSC Modification P272; ~~and~~
- (c) a default Maximum Import Capacity (MIC) has been applied,

then, for a period of twelve months immediately following the date of the first migration of the Premises to Measurement Class C or E, a ~~lower new~~ Maximum Import Capacity (MIC) may be agreed between the Customer and the DNO/IDNO Party. In such circumstances, the revised MIC will be applied retrospectively from the date of the first migration to Measurement Class C or E.

182. In respect of any change in MIC under paragraph 181 above:

- (a) such revised MIC will be agreed with reference to the level of the Customer's maximum demand;
- (b) no further changes in MIC shall be permitted under paragraph 181 above; and
- (c) paragraphs 149 and 150 of the CDCM (or any equivalent or similar statements in the applicable charging methodology if the CDCM does not apply) shall apply to the revised MIC from the date the retrospective change is agreed.

183. Paragraph 181 above shall not apply:

- (a) where a Connection Agreement has been entered into for the Premises within the twelve months immediately prior to the date of the change in

Measurement Class, in which case the terms of that Connection Agreement shall stand;

- (b) where the Customer was neither the owner nor the occupier of the Premises at the time of the migration ~~to Measurement Class C or E.~~

184. If the DNO/IDNO Party has not agreed a new MIC for a Premises within the 12-month period provided for in paragraph 181, then the DNO/IDNO Party shall (within the 6 months following the end of such 12-month period) reasonably determine an appropriate MIC, having regard to the maximum demands in that period and shall notify the Customer that this will replace the default MIC. The revised MIC will be applied:

- (a) if less than the default MIC, from the date of the migration; or
- (b) if greater than the default MIC it will be applied retrospectively from the month the MIC breached the default value.

185. In this Part 4, the following definitions shall apply:

<u>BSC Modification P432</u>	<u>means the modification to the BSC referred to as modification ‘P432, Half Hourly Settlement for CT Advanced Metering Systems’, which was approved by the Authority on [date].</u>
<u>BSC Modification P272</u>	<u>means the modification to the BSC referred to as modification ‘P272, Mandatory Half Hourly Settlement for Profile Classes 5-8’, which was approved by the Authority on 29 October 2014.</u>
<u>Measurement Class</u>	<u>has the meaning given to that expression in the BSC.</u>
<u>Profile Class</u>	<u>has the meaning given to that expression in the BSC.</u>

.....

Add new Clauses 12.13B and 12.13C to Section 3 of the NTC (Schedule 2B) as follows:

12.13B Clauses 12.13 and 12.13A shall not apply where Part 4 of Schedule 16 of the DCUSA applies to the Premises.

12.13C Where no agreement on the Maximum Import Capacity is reached under Part 4 of Schedule 16 of the DCUSA and the Company amends the default value used for

billing purposes to a value based on actual metering data plus headroom, then the amended Maximum Import Capacity shall apply for the purposes of this Agreement and the Company shall have no liability to the Customer should the value chosen not be suitable and/or have an impact on the Connection Assets.

.....

SCHEDULE 32 – RESIDUAL CHARGING BANDS

Amend Paragraph 6.1 of Schedule 32 as follows:

**6. EXCEPTIONAL CIRCUMSTANCES AND ANNUAL ALLOCATION
REVIEW RESULTING IN RE-ALLOCATION TO A DIFFERENT BAND WITHIN A
PRICE CONTROL PERIOD**

Exceptional circumstances

6.1 A Final Demand Site may be reallocated to a different charging band if one or more of the following criteria apply (following the Final Demand Site's allocation to a charging band under Paragraph 4):

- (a) the voltage of connection of the Final Demand Site changes;
- (b) the Final Demand Site has a change of use or change of site configuration, and this is reflected by a significant change (as further described in Paragraph 6.3) to its:
 - (i) Maximum Import Capacity; or
 - (ii) forecast annual consumption;
- (c) the Final Demand Site moves from one of the groups identified in Paragraph 1.5 to another, and as a result it becomes a site for which the Maximum Import Capacity is to be used under Paragraph 2.1 (when annual consumption was previously to be used) or becomes a site for which annual consumption is to be used under Paragraph 2.1 (when Maximum Import Capacity was previously to be used); ~~and/or~~

(d) the Final Demand Site is a Phased Capacity Site; and/or

(e) the Final Demand Site has a change to its Maximum Import Capacity in accordance with Part 4 of Schedule 16.

Gowling WLG (UK) LLP

11 May 2023