





DCUSA Change Declaration		At what stage is this document in the process?
<div>DCP 399:</div> <div>Revision to Embedded Capacity Register (ECR) to lower threshold for entries from 1MW to 50kW</div> <div>Date Raised: 12 January 2022</div> <div>Proposer Name: Stephen Halsey</div> <div>Company Name: UK Power Networks</div> <div>Party Category: DNO</div>	01 – Change Proposal	
	02 – Consultation	
	03 – Change Report	
	04 – Change Declaration	
<div>Purpose of Change Proposal:</div> <div>To lower the threshold for entries to the ECR from 1MW to 50kW.</div>		
	<div>DCUSA Parties have voted on DCUSA Change Proposal (DCP) 399 with the outcome being a decision on whether or not the Change Proposal (CP) is to be accepted and the proposed variation to the DCUSA made accordingly.</div> <div>The DCUSA Parties consolidated votes are provided as Attachment 2.</div>	
	<div>For DCP 399, DCUSA Parties have voted to:</div> <div><ul style="list-style-type: none"><li>Accept the proposed variation (solution); and</li><li>Accept the implementation date.</li></ul></div>	
	<div>DCUSA Parties Impacted: DNOs and IDNOs</div>	
	<div>Impacted Clauses:</div> <div>Section 1A, Clause 1 (Definitions)</div>	

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Any questions?

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## Timetable

The timetable for the progression of the CP is as follows:

### Change Proposal timetable

Activity	Date
Initial Assessment Report	19 January 2022
Consultation Issued to Industry Participants	31 August 2022
Change Report Approved by Panel	17 May 2023
Change Report issued for Voting	17 May 2023
Party Voting Closes	07 June 2023
Change Declaration Issued to Parties	09 June 2023
Implementation	29 June 2023 (Mandatory from 02 November 2023)

## 1 Summary

### What?

- 1.1. DCP 350 'Creation of Embedded Capacity Registers' introduced an obligation on DNOs and IDNOs to publish on their websites an ECR consisting of site-specific data items for sites which are connected to the DNO/IDNO Party's (referred to as Distributors) Distribution System (or which are the subject of an accepted connection offer to be connected to the Distribution System), and which: (a) have an import capacity of 1MW or more and are subject to a Demand Side Response (DSR) contract; and/or (b) have a generation equipment installed with a registered capacity of 1MW or more.
- 1.2. DCP 350 was proposed to address ongoing concerns of the BEIS Panel of Technical Experts ("PTE"), whose role is to impartially scrutinise, and quality assure the analysis carried out by National Grid Electricity System Operator (ESO) for the purposes of informing policy decisions for the Capacity Market (CM). In fulfilment of this role, the PTE scrutinised the ESO's Electricity Capacity Reports, and for a number of years were concerned that the lack of reliable data available to the ESO on embedded generation was impacting the ESO's ability to accurately forecast. Without the necessary data to assess system security, the PTE believed that neither the Government nor the regulator could be sure that the ESO's policies were as robust as they could be.
- 1.3. Market participants rely on information to economically and efficiently plan and operate their businesses, e.g. for the ESO to forecast and balance, , to facilitate effective competition (across the various energy markets), to inform investors and asset operators and to ensure that the industry as a whole will meet the needs of customers for secure supplies at lowest cost. DCP 350 was raised to address some of these concerns.
- 1.4. During the consultation period of DCP 350 industry feedback received indicated a desire for the threshold to be reduced from 1MW in the future.
- 1.5. DCP 399 'Revision to Embedded Capacity Register (ECR) to lower threshold for entries from 1MW to 50kW' has been raised to lower the threshold from 1MW to 50kW and will require impacted Parties to publish more information.

### Why?

- 1.6. Further industry engagement through the ENA Open Networks programme has indicated that the threshold should be lowered to provide greater visibility to stakeholders wishing to exploit, in particular, (but not limited to) flexibility opportunities. It should also be noted that when the ECR obligation was originally introduced through DCP 350, industry feedback received through consultation responses indicated a desire for the threshold to be reduced from 1MW in the future.

### How?

- 1.7. The current legal text containing reference to 1MW should be replaced with reference to 50kW instead and the ECR templates should be changed to include an additional tab for generation resources in the 50kW to <1MW bracket. For the DSR aspect of the register it will show all information on demand sites

providing DSR greater than 50kW in one tab. Additionally, changes will need to be made to the index/cover page to reflect the additional content.

- 1.8. In the original DCP 399 Change Proposal submitted (Attachment 4), the proposer also requested to add tabs comprising of associated network reinforcement work and Distributor services. The information on these proposed tabs had previously been shared by some Distributors as additional information and it was believed these should be added to the ECR Agreed Template to ensure consistency of the information published by Distributors. After further consideration within the ENA Open Networks forum, it was concluded that this information may already be provided in the Long-Term Development Statement. It was therefore agreed that where Distributors have published this information, links should be provided in the “additional information” section within the ECR.

## 2 Governance

### Justification for Part 1 Matter

- 2.1 This CP should be treated as a Part 2 matter as it is expanding on an existing requirement within DCUSA. This CP will result in the publication of additional data that Distributors are already collecting.

### Next Steps

- 2.2 DCUSA Parties voted to accept DCP 399 and as such, it will be implemented in line with Section 11 below.

## 3 Why Change?

### Background of DCP 399

- 3.1 The change in threshold (1MW to 50kW) will provide stakeholders with greater visibility of connected Distributed Energy Resources (DER) and will assist in providing greater access to flexibility markets.

## 4 Initial Working Group Analysis – Pre-Consultation

**\* The below Section details the Working Group analysis as issued in the DCP 399 consultation. References to any attachments are as per the consultation document and not this Change Report. To access these attachments, please refer to the DCP 399 consultation found in Attachment 5.**

### DCP 399 Working Group Assessment

- 4.1 The DCUSA Panel established a Working Group to assess DCP 399. This Working Group consists of representatives from DNOs, IDNOs and National Grid Electricity System Operator (NGESO). A meeting

were held in open session and the minutes and papers of for this meeting are available on the DCUSA website – [www.dcusa.co.uk](http://www.dcusa.co.uk).

- 4.2 As stated above, this CP seeks to lower the threshold for entries to the ECR from 1MW to 50kW. It is believed that this will provide stakeholders with greater visibility of connected Distributed Energy Resources (DER) and will assist in providing greater access to flexibility markets. Lowering the threshold of the ECR also acknowledges industry feedback received through DCP 350, where there was an appetite for the threshold to be lower than 1MW.

### Why lower to 50kW?

- 4.3 The ECR currently publishes information on generation (including storage) assets and information on demand sites providing Demand Side Response (DSR) services greater than 1MW. This modification proposal seeks to lower the threshold to 50kW. 50kW was believed to be a sensible next step in publishing data – in terms of striking a reasonable balance between both volumes of data that would need to be collated and probable/likely impact on GDPR (i.e. going lower than 50kW might relate to individuals and would therefore need to be anonymised) and the benefits that could be delivered to consumers. The proposer believes that a 50kW threshold will allow for the additional data to be shared quickly, as going below 50kW will require more detailed work to extract the data and consideration in relation to GDPR requirements.
- 4.4 The original Change Proposal was raised on behalf of the BEIS PTE who scrutinise ESO's capacity market analysis. It came about from a need for greater visibility of embedded assets and was intended to enable improvements in ESO's capacity market modelling to ensure consumers are getting greatest value for money. The current Change Proposal to lower the threshold to 50kW will improve visibility of embedded assets connected to the system.
- 4.5 The original Change Proposal ensured that the ESO had access to up to date and more granular information related to distribution connected sites. This is used to support analysis in setting their recommendation for the target capacity to be procured in each year's capacity market. As the total cost of any one auction to consumers runs to hundreds of millions of pounds, even minor improvements in timeliness and granularity of data can deliver significant consumer benefit far outweighing the DNO identified implementation costs. Furthermore, the ESO will use the data to ensure that each successful participant in the capacity market is rewarded a fair amount for their contribution to security of supply. To do this ESO will re-assess the de-rating factors used for key technologies, some of which (e.g. distribution connected gas reciprocating engines) are currently based on transmission proxies.
- 4.6 In addition to the benefits for the ESO, the original Change Proposal also suggested that the provision of transparent, robust, data would help facilitate:
- Generators/DSR sites/customers/storage owners being able to identify other system users in their local region which may influence operations and investments, in some instances increasing competition, in others collaboration and trading;

- Wholesale market players will be able to identify which sites may be influencing the wholesale prices and the volume of capacity that could move between the various parts of the market (such as BM, ancillary services, etc.);
- Investors, including customers, would be able to more easily see how the market is developing, identify gaps in the market, and consider options for future investments in technology and location;
- New build and existing embedded sites may also be able to better understand who their projects are interacting with for connection capacity and may be able to trade rights (depending on Ofgem's charging review) or swap locations, etc. to get the most efficient outcome for their investments;
- Suppliers may be able to improve their forecasting with a better understanding of how the market may operate, such as being able to see changes in say solar capacity on a monthly basis (as proposed in this consultation) rather than via annual updates;
- The ESO in undertaking its market wide forecasts, such as the FES, Summer and Winter Outlooks and Capacity Market Report, would have access to much more robust data on actual installed capacity of different types of resources, their de-ratings, location, etc.; and
- Government, Ofgem and their advisers will also be able to far more easily see how well policies are working, having better data to monitor policies such as the roll out and output of renewable or new technologies, or identify if trading capacity would be practical, etc.

4.7 By lowering the ECR threshold to 50kW, it is believed that it will go further in realising the above benefits.

## Suggested Legal Text Changes

4.8 The following amendments should be made to Section 1A, Clause 1 (Definitions):

<p><b>Embedded Capacity Register</b></p>	<p>means, for each DNO/IDNO Party, a register of site-specific data items for sites which are connected to the DNO/IDNO Party's Distribution System (or which are the subject of an accepted connection offer to be connected to the Distribution System), and which: (a) have an import capacity of <b>any size 1 MW or more</b> and are subject to a DSR Contract <b>of 50kW or more</b>; and/or (b) have an export capacity of <b>any size and generation equipment with a registered capacity of 50kW 1 MW</b> or more. The required register format and data items are described in Schedule 31 (Embedded Capacity Register).</p>
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## Explanation of Legal Text Changes

4.9 The first change is to articulate the lowering of the threshold from 1MW or more to 50kW or more.

4.10 The second change is to amended Clause 1 (Definitions and Interpretations) to make it clearer that the size thresholds apply to the DSR Contract or generation equipment registered capacity, rather than the import or export capacity. This should help ensure consistency across the Embedded Capacity Registers.

## Suggested Embedded Capacity Register “Agreed Template” Amendments

### Contents Page

- 4.11 Amendment to the “about” section on the contents page of the ECR to take into account the lowering of the threshold to 50kW and also to address the definition changes above in relation to registered capacity.
- 4.12 To add the following text to the “additional information” section on the contents page to allow Distributors to provide additional information in relation to services and reinforcements if available.

*Unique reference numbers for service provision and reinforcement works may be provided in the ECR. Any relevant links to associated data are provided here.*

#### **Additional Tab for Part 1 of ECR**

- 4.13 It is proposed that an additional tab is added to Part 1 of the ECR so that information on generation assets are split as follows:
- Register Part 1 50kW-<1MW
  - Register Part 1 - ≥1MW
- 4.14 Register Part 2 will be renamed “Register Part 2 (DSR) ≥50kW”.
- 4.15 The proposed updated legal text can be found in Attachment 1 and the proposed updated ECR can be found in Attachment 3.

### **Interactions with data privacy regulations and potentially commercially sensitive information**

- 4.16 Prior to DCP 350 being implemented the Panel requested that the Working Group sought appropriate legal advice with respect to some proposed items to be included in the ECR that could be private/confidential in nature.
- 4.17 The following advice (Paragraph 4.18 to 4.22) was included within the DCP 350 Change Report.

#### **Guidance obtained by the Secretariat**

- 4.18 Following (DCP 350) Working Group discussions related to this change and potential data privacy regulations and potentially commercially sensitive information the Secretariat had a conversation with the DCUSA Ltd legal advisors, during which the legal advisors highlighted that the legal issues to consider include:
1. *“First and foremost, the question is whether or not sharing this information (with specific entities or publicly) is a ‘good idea’. Questions of data sharing always involve a balance of policy considerations – the collective benefit of sharing the data, against the dis-benefit to the entity whose data is being shared.*
  2. *The legal implications are important but definitely secondary. This is because there is no law that stops data sharing, only laws that prevent unjustified data sharing. If there is a sensible and justifiable reason for sharing the data, then this will enable the legal hurdles to be cleared.*

*a. section 105 of the Utilities Act 2000, which places a duty of confidentiality on licence holders;*



- b. the contractual confidentiality obligations owed to connectees under the connection contracts (primarily the NTC) and owed to suppliers under the DCUSA; and*
- c. the Data Protection Act 2018, which prevents the processing (including disclosure) of personal data without a lawful basis (which would include legal obligation or legitimate interest)."*

4.19 Further to this which the group noted as being in line with the view provided by Ofgem below, but not official legal advice in itself, the DCUSA Ltd legal advisors provided a useful summary of the legal implications which was used by the (DCP 350) Working Group as a guide:

- 3. "If Ofgem approves a change to the DCUSA which obliges distributors to share or publish this information, then it will be a licence obligation and section 105 will not prevent disclosure. Amendment of the DCUSA would also deal with (b) above, because the contractual provisions in the NTC and DCUSA allow for disclosure where required for licence compliance.*
- 4. The data protection angle is very slightly more complicated. Compliance with a legal obligation is a lawful basis for processing, but this reference to legal obligation excludes contractual obligations. As the DCUSA is a contract, you might think that you can't rely on this, but because compliance with the DCUSA is also a licence obligation (arising from statute), this should be sufficient. Even if it wasn't, Ofgem's assessment of the data sharing pursuant to its statutory duties would basically be an assessment of whether there was a legitimate interest in sharing the data, and so distributors could rely upon this same legitimate interest assessment."*

#### **View provided by Ofgem**

4.20 The DCP 350 Working Group noted that Ofgem and BEIS have recently been undertaking a number of initiatives related to data and the need for industry data to be more open and transparent. With this understanding, the group sought feedback from Ofgem as to a view of how Distributors might be able to publish data that would otherwise be prohibited by Section 105 of the Utilities Act. In summary, the view provided by Ofgem is that DNOs have an obligation to develop and maintain an efficient, co-ordinated and economical system of electricity distribution, and if publishing connection data is required to achieve this then this code modification should progress. There are options to publish such data under the current legal framework. Acknowledging concerns around sharing customers' data, Ofgem encouraged all DNOs to contact users/ connectees to identify and address confidentiality/ privacy, where necessary through redaction.

#### **RecorDER Project - Legal and Regulatory Report on the sharing and publishing of data February 2020**

4.21 The ESO, Electron, SP Energy Networks and UKPN are collaborating on an innovation project known as the RecorDER Project. The RecorDER project is looking at ways to make publicly available generation and storage asset data and it therefore has many similarities to the Open Networks SWRR project and DCP 350's ECR. The RecorDER Project identified that there were issues around publishing customer's data and have therefore sought legal advice from Pinsent Masons.

4.22 Within the Pinsent Masons' report, is the following statement:



*“As at November 2019, a DCUSA mod 350 is under consideration, but not all SWRR Data fields have been included in the modification request. It is recommended that a discussion take place between the RecorDER project partners and the DCP 350 Working Group to what extent the requested data fields can be expanded. Also consider whether timescales are appropriate for the RecorDER Project. Note that if DCUSA mod 350 was amended to capture all of the SWRR fields and the modification was subsequently implemented to permit the sharing of SWRR Data under DCUSA, this would permit the sharing of SWRR Data under the remaining Electricity Codes, save for the Distribution Code, which does not contain the relevant equivalent carve out from confidentiality set out in the other Electricity Code. Accordingly, the issue caused by the restrictions under the Distribution Code would require to be addressed through either a Distribution Code amendment or appropriate Standard Licence Conditions amendments as recommended under section 2.4.1 (a) above”.*

- 4.23 The DCP 399 Working Group believe that the above advice is still relevant in relation to lowering the ECR threshold to 50kW. In relation to GDPR, in a majority of cases the data provided will be in relation to a company and will not allow for identification of an individual. In cases where the publication of certain data could allow for identification of an individual Distributors should extract that data from the ECR and provide a more holistic view of that specific site.

## 5 Summary of Consultation and Responses

### Summary of responses to the DCP 399 Consultation

- 5.1 The DCP 399 consultation was issued on 31 August 2022 and there were six responses received.
- 5.2 A summary of the responses received, and the Working Group's conclusions are set out below. The full set of responses and the Working Group's comments are provided in Attachment 5.

#### **Question 1 - Do you understand the intent of DCP 399?**

- 5.3 All respondents understood the intent of DCP 399.

#### **Question 2 - Do you support the principles of DCP 399?**

- 5.4 All respondents understood the principles of DCP 399. One respondent requested further information on how NGESO have used the data provided to date and stated they are unsure if lowering the threshold to 50kW will realistically facilitate more market activity.
- 5.5 The Working Group considered the above and more details are provided in Section 6.

#### **Question 3 - Do you support the intent of this CP to lower the threshold for entries to the ECR from 1MW to 50kW? Please provide your rationale.**

- 5.6 A majority of respondents stated they support the intent of lowering the threshold for entries to the ECR from 1MW to 50kW. One respondent stated they were broadly supportive.
- 5.7 One respondent stated they have some concerns that there is limited justification for the minimum threshold being set 50kW, rather than at a higher value. Another stated that they do not think some of

the benefits noted in paragraph 4.6 are likely to materialise (such as new builds swapping locations or trading rights) in a relatively nascent market but agree that there are other benefits that could be obtained.

5.8 The Working Group considered the above and more details are provided in Section 6.

***Question 4 - Do you have any comments on the proposed legal text amendments?***

5.9 A majority of the respondents had no comments on the proposed legal text amendments. One respondent stated that “Import Capacity”, “Export Capacity” and “Registered Capacity” are not defined in the DCUSA glossary.

5.10 The Working Group considered the above and more details are provided in Section 6.

5.11 The respondent also suggested that it would be beneficial to explicitly state that “DSR Contract of 50kW or more” is in relation to real power capacity. The Working Group agreed that there was no need to explicitly state that “DSR Contract of 50kW or more” is in relation to real power capacity as it is implied in the use of kW.

***Question 5 - Do you have any comments on the proposed updates to the ECR?***

5.12 A majority of the respondents had no comments on the proposed updates to the ECR.

5.13 One respondent noted that splitting part 1 across two tabs by size results in a more complicated process to automate population by DNOs, ingestion of data by users and machine readability and introduces opportunities for confusion due to a lack of discoverability. The responder recommend combining into a single tab for all connection sizes which can be filtered or sorted. The Working Group discussed and agreed to maintain their original position that this should be split.

5.14 The responder also suggested that the current template should be replaced with a CSV, metadata and data dictionary in order to support Ofgem’s Data Best Practice principles. The Working Group noted the comment but agreed that this should form a future change as a consultation will be required.

5.15 Finally, the respondent highlighted several typos in the excel spreadsheet, which have been updated.

***Question 6 - Do you agree that the considerations and advice received in relation to the implementation of the ECR with a threshold of 1MW is still relevant with the lowering of the threshold to 50kW? If not, please provide your rationale.***

5.16 All respondents agreed that the GDPR considerations and advice received in relation to the implementation of the ECR with a threshold of 1MW is still relevant with the lowering of the threshold to 50kW.

***Question 7 - Do you consider that the proposal better facilitates the DCUSA General Objectives?***

***If so, please detail which of the General Objectives you believe are better facilitated and provide supporting reasons.***

***If not, please provide supporting reasons.***

5.17 All respondents agreed that the proposal better facilitates the DCUSA General Objectives. One respondent raised concerns that the additional resources required to collate the additional information may not be offset by the benefits deliverable by the wider industry.

5.18 The Working Group considered this and more details are provided in Section 6.

5.19 A summary of the responses can be found in the table below. The view of the Working Group is contained within section 7.

Respondent	Objective 1	Objective 2	Objective 3	Objective 4	Objective 5	Overall Stance
1.	Positive	Positive	Positive	-	-	Does better facilitate the objectives
2.	-	-	-	-	-	Does better facilitate the objectives
3.	Positive	Positive	Positive	-	-	Does better facilitate the objectives
4.	Positive	Positive	Positive	-	-	Does better facilitate the objectives
5.	Positive	Positive	-	-	-	Does better facilitate the objectives
6.	-	Positive	-	-	-	Does better facilitate the objectives

**Question 8 - What resource/ system costs do you anticipate, if DCP 399 is implemented, and the ECR threshold is lowered from 1MW to 50kW?**

5.20 Respondents provided a range of responses.

5.21 The Working Group considered this when making a decision regarding implementation dates and more details are provided in Section 6.

**Question 9 - Are you aware of any wider industry developments that may impact upon or be impacted by this CP?**

5.22 The majority of respondents noted that they were not aware of any wider industry developments that may impact upon or be impacted by this CP. One response suggested that Grid Code Modification GC0139 and Distribution Code Modification DCRP/MP/20/04 may be impacted. The Working Group agreed that there should not be any negative interactions.

5.23 Another response highlighted an impact to Ofgem's Data Best Practice principles and ensuring this development is supportive of those principles. The Working Group noted that this is covered by their response in Question 5.

**Question 10 - If this CP is approved, how long after would you be able to complete the new version of the ECR (i.e. would you be able to use it from November 2022 or would more time be needed)? Please provide the reasons for the time needed.**

- 5.24 Mixed responses were provided, with timescales ranging between being able to publish data in the following calendar month, to requesting a 3 to 6 month lead time.
- 5.25 The Working Group considered this when making a decision regarding implementation dates and more details are provided in Section 6.

**Question 11 - Any other comments?**

- 5.26 Three responses provided no further comments. One response noted disappointment at the length of time that has elapsed since the original Change Proposal was drafted and the Consultation document being published. The Chair acknowledges this and noted that this has been due to extra resource being required for the Access SCR DCPs.
- 5.27 Another response highlighted a potential issue with versioning of the ECR template, this has been resolved.
- 5.28 A third response noted the importance of clarity around treatment sole trader / personal addresses likely to be impacted with the reduction to 50kW so each organisation manages those in a consistent and effective manner. The Working Group note they had sought GDPR advice, however ultimately it is the responsibility of each DNO to assess.

## 6 Working Group Conclusions & Final Solution

- 6.1 After consideration of the consultation responses, the Working Group identified the following areas for further consideration:
- Further information on how National Grid ESO use ECR data;
  - Use of the terms 'Import Capacity', 'Export Capacity' and "Registered Capacity";
  - GDPR – Redaction of data where an individual can be identified; and
  - Implementation Date/Transition period

**Further information on how National Grid ESO use ECR data**

- 6.2 As stated in section 5, some respondents raised concern that that there is limited justification for the minimum threshold being set 50kW and stated that they do not think some of the benefits are likely to materialise.
- 6.3 The Working Group discussed this and a representative from National Grid ESO agreed to provide some further detail on how the ECR data is used. This can be found below.

*"To calculate underlying historic demand, we start with National Grid transmission system data. We take GB historic, weather corrected, metered "National Demand". This is the total demand seen from the electricity transmission network, excluding interconnector exports, station demand and pumping*

*demand. We then add an estimate of the output from non-transmission generation, by taking our view of capacity of distribution connected generation, including an estimate for those that are individually <1MW in size. Historically, ESO generated this view using disparate data sets such as FiT, RO data. Some of the registers used are no longer updated as the incentives have closed to new entrants so it's difficult to track the market. It is this aspect of the process that the PTE on behalf of BEIS critiqued. There was insufficient or incomplete data available surrounding distributed generation, and so was not adequate for accurately forecasting demand.*

*The value of ECR register is that we have a clearer and more accurate view of what is connected to the distribution network in GB, and so does not rely on previous manual best estimates of the system. Assuming technologies have been correctly categorised, we can take MPAN data available in the ECR which will enable us to extract data from Electra link so that we can get a view of what generators have been generating over different periods of the year. This would form part of total underlying demand that would be shared with EMR to provide accurate procurement recommendations to the Capacity Market.*

*The technology type is also critical in ascertaining the volume of distributed generation that could enter the Capacity Market auctions, and what can't enter the CM is equally important. The information also helps determine what assets have CM agreements to enable ESO to estimate headroom in the CM market. The data is also used in determining capacity adequacy for winter ahead, looking at the GB electricity system. This helps us to determine what the plant margin is for GB against ACS peak demand.*

*Furthermore, sharing the data publicly means the information can be more widely scrutinised and result in data being trusted by the energy industry.”*

- 6.4 A further document has been included as Attachment 6, providing detailed discussion of how the ECR is used in ESO.

#### **Use of the terms ‘Import Capacity’, ‘Export Capacity’ and “Registered Capacity”**

- 6.5 As stated in section 5, one consultation response stated that “Import Capacity”, “Export Capacity” and “Registered Capacity” are not defined in the DCUSA glossary.
- 6.6 The Working Group discussed and agreed that the legal text should be amended to change ‘Import Capacity’ and ‘Export Capacity’ to ‘Maximum Import Capacity’ and ‘Maximum Export Capacity’ as defined in DCUSA already. The Working Group also agreed that a definition should be added to the legal text for ‘Registered Capacity’, and that this should point to the definition within the Distribution Code.
- 6.7 In addition to updating the legal text, the ECR was also reviewed and updated to ensure all references to ‘Import Capacity’ and ‘Export Capacity’ were updated to ‘Maximum Import Capacity’ and ‘Maximum Export Capacity’

#### **GDPR – Redaction of data where an individual can be identified; and**

- 6.8 The Working Group discussed the ramifications of lowering the ECR threshold to 50kW in relation to GDPR and publication of individual data. Consideration was given in relation to publishing the data in full against the interests of the data subjects whose personal data will be published.
- 6.9 Whilst it was acknowledged by the Working Group that providing the full data set provides credibility to the data and could help with validation if perhaps a known big site was missing, it was noted that a majority of the larger sites will not identify an individual and therefore the additional benefits will still be realised. It was noted that with the smaller sites the data, used for example by National Grid, would likely be aggregated and therefore the exact location becomes less important than for sites above 1MW.
- 6.10 The Working Group considered further what data should be redacted in cases of sites owned and/or occupied by living individuals. Following review of the existing data items contained in the ECR, the Working Group concluded that the following data items would need to be redacted in cases where a site is owned and/ or occupied by living individuals:
- customer name – redacted
  - customer site – redacted
  - address line 1 – redacted
  - address line 2 – redacted
  - postcode – the last 2 letters redacted
  - location (-coordinate) – redacted
  - location (y-coordinate) - redacted
- 6.11 Taking into account the above where entries for sites under 1MW is likely to be aggregated, the Working Group agreed to take an approach where sites with a DSR Contract of less than 1 MW or generation equipment with a Registered Capacity of less than 1 MW, will be deemed to be owned and/or occupied by a living individual unless the Company holds positive evidence to the contrary.

The above decisions are articulated within the updated legal text (Attachment 1).

#### **Implementation Date/Transition period**

- 6.12 As indicated in section 5, when asked how long after approval parties would be able to complete the new version of the ECR, mixed responses were received with timescales ranging between being able to publish data in the following calendar month to requesting a 3 to 6 month lead time.
- 6.13 The Working Group noted the support for a transition period and agreed that the new ECR (Version 4) should be available for use from the 29 June 2023 DCUSA release, but not mandated until the 02 November 2023 DCUSA release. Therefore, all Distributors would be expected to use the new version of the ECR from November 2023 onwards.

## 7 Legal Text

### Legal Text

7.1 The proposed legal text can be found in Attachment 1.

## 8 Relevant Objectives

### Assessment Against the DCUSA Objectives

8.1 For a DCUSA CP to be approved it must be demonstrated that it better facilitates the DCUSA Objectives. There are five General Objectives and six Charging Objectives. DCP 399 will be measured against the DCUSA General Objectives, which are set out in the table below:

	DCUSA General Objectives	Identified impact
<input checked="" type="checkbox"/>	1. The development, maintenance and operation by the DNO Parties and IDNO Parties of efficient, co-ordinated, and economical Distribution Networks	Positive
<input checked="" type="checkbox"/>	2. The facilitation of effective competition in the generation and supply of electricity and (so far as is consistent therewith) the promotion of such competition in the sale, distribution and purchase of electricity	Positive
<input checked="" type="checkbox"/>	3. The efficient discharge by the DNO Parties and IDNO Parties of obligations imposed upon them in their Distribution Licences	Positive
<input type="checkbox"/>	4. The promotion of efficiency in the implementation and administration of the DCUSA	None
<input type="checkbox"/>	5. Compliance with the EU Internal Market Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	None

8.2 The provision of robust, transparent data on the number, size, types and location of embedded market participants will help in the development and operation of a more competitive and economically efficient flexibility market. This should help policy makers design “better” policy and drive market developments to deliver the best deal for customers. It should help inform forecasting by the ESO and other participants. It should also help investors to reach decisions on location, technology choices, etc.

8.3 By improving transparency and market knowledge, the GB electricity market can operate more efficiently which will ultimately benefit customers. The Working Group believe that this modification therefore better fulfils objectives 1, 2 and 3.



## 9 Code Specific Matters

### Modelling Specification Documents

9.1 N/a

### Reference Documents

9.2 N/a

## 10 Impacts & Other Considerations

### Does this Change Proposal impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?

10.1 None.

### Consideration of Wider Industry Impacts

10.2 None.

### Confidentiality

10.3 This Change is not confidential.

### Does this Change Proposal Impact Other Codes?

BSC.....	<input type="checkbox"/>	MRA.....	<input type="checkbox"/>	Grid Code.....	<input type="checkbox"/>	REC.....	<input type="checkbox"/>
CUSC.....	<input type="checkbox"/>	SEC.....	<input type="checkbox"/>	Distribution Code..	<input type="checkbox"/>	None.....	<input checked="" type="checkbox"/>

## 11 Implementation Date

11.1 As outlined in section 6, the Working Group noted the support for a transition period and agreed that the template should be available for use from the 29 June 2023 DCUSA release, but not mandated until the 02 November 2023 DCUSA release. Therefore, all Distributors would be expected to use the new version of the ECR from 02 November 2023 onwards. Both versions 3 and 4 of the ECR will be acceptable between 29 June and 01 November 2023.

11.2 This CP should therefore be implemented on 29 June 2023.

## 12 Voting

12.1 The 399 Change Report was issued to DCUSA Parties for Voting on 17 May 2023.

### Part 2 Matter: Authority Decision is not Required

#### DCP 399 Proposed Variation (Solution) Decision

12.2 For the majority of the Party Categories that were eligible to vote:

- the number of groups in each Party Category which voted to accept the proposed variation was more than 65% of the total number of Groups in that Party Category which voted; and
- the sum of the Weighted Votes of the Groups in each Party Category which voted to accept the proposed variation was more than 65%

12.3 DCUSA Parties have voted to **accept** the proposed variation (solution) of DCP 399.

#### DCP 399 Implementation Date Decision

12.4 For the majority of the Party Categories that were eligible to vote:

- the number of groups in each Party Category which voted to accept the implementation date was more than 65% of the total number of groups in that Party Category which voted; and
- the sum of the Weighted Votes of the Groups in each Party Category which voted to accept the implementation date was more than 65%.

12.5 DCUSA Parties have voted to **accept** the implementation date of DCP 399.

The table below sets out the outcome of the votes that were received in respect of the DCP 399 Change Report that was issued on 17 May 2023 for a period of 15 working days.

DCP 399	WEIGHTED VOTING				
	DNO	IDNO	SUPPLIER	CVA REGISTRANT	GAS SUPPLIER
CHANGE SOLUTION	Accept	Accept	N/A	N/A	N/A
IMPLEMENTATION DATE	Accept	Accept	N/A	N/A	N/A

## 13 Recommendations

### DCUSA Parties Recommendation

13.1 DCUSA Parties have voted on DCP 399, with the outcome being a decision to accept the Change Proposal and thus the proposed variation to the DCUSA will be made accordingly.

## 14 Attachments

- Attachment 1 - DCP 399 Legal Text
- Attachment 2 - DCP 399 Voting Form
- Attachment 3 - Proposed Embedded Capacity Register Update

- Attachment 4 - DCP 399 CP Form
- Attachment 5 - DCP 399 Consultation Responses and WG Comments
- Attachment 6 - Discussion on how ECR is used in ESO