

DCP 388 Working Group - Meeting 13

05 June 2023 at 10:00

Location/ Web-Conference/Teleconference

Attendee	Company
Dave Wornell (DW)	WPD
Lee Stone (LS)	E.ON
Kyran Hanks(KH)	Waters Wye
Edda Dirks (ED)	SSEGen
Chris Barker (CB)	ENWL
James Jones (JJ)	SSEN
Giao Le (GL)	SSEN
Lorna Murray (LM)	SPEN
Kara Burke (KB)	NPg
Chris Ong (CO)	UKPN
Mark Jones(MJ)	SSE
Marlon McDonald (MM)	Ofgem
Code administrator	
Andy Green [AG] (Technical Secretariat)	ElectraLink
John Lawton (JL) Chair	ElectraLink
Apologies	

1. Administration

- 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
- 1.2 The actions from this Working Group have been captured in an action log. The action log can be found at **appendix 1**.
- 1.3 Action 12/01 was closed as the secretariat had provided the Working Group with the draft legal text.
- 1.4 Action 12/02 was closed as the secretariat had provided the Working Group with the draft consultation document.

2. Purpose of the Meeting / Timeline for Delivery

- 2.1 The Chair explain that the purpose of the Working Group was to review the latest legal text and as a minimum agree on the consultation questions to aid in the development of the second consultation document.

3. Legal Text review

- 3.1 The Chair began to walk the Working Group through the latest version of the legal text that had been shared. The Legal text can be found in **Attachment 1- DCP 388 Legal Text Version 8.0**
- 3.2 The Chair started by explaining that only schedule 32 has been updated and asked the Working Group for views if any other sections required amending. The Working Group agreed that only schedule 32 that needed amending as part of this change, but they would review later to decide that is correct once the legal text had been fully reviewed.
- 3.3 The Chair advised that the definition in Section 1A for Final Demand Site had been updated to include paragraphs 5A and 5B of schedule 32 due to the legal text changes driven by this DCP.
- 3.4 The Chair explained the new paragraph within the scope section at paragraph 1.11 explained how a Mixed Demand Site would be classed and asked the Working Group if this was helpful to have it at the beginning of Section 1A.
- 3.5 The Working Group agreed that having this explanation early within schedule 32 was very useful and agreed that the text was adequate in explaining how Mixed Demand Sites would be classed.
- 3.6 It was stated that there were no changes required to section 2 of schedule 32, the Working Group agreed with statement.
- 3.7 Paragraph 3.1 bullet point (d) was updated to include “the calculated Final Demand annual consumption prior to February of that Regulatory Year.” In order to make the terminology consistent with the rest of the bullet points in this paragraph.

- 3.8 It was agreed for now to not spilt out, within the legal text, the processes for half hour and non-half hour customers in section 3 as this could make the legal text overly complex. The Working Group however did agree to revisit this once the full legal text review had taken place.
- 3.9 Within section 4 of schedule 32, paragraph 4.1A was updated to state that the customers would be allocated to the relevant charging band based on the below.
- If 24 months of data is available, the average calculated Final Demand over that period; or if not available,
 - The average calculated Final Demand over that period for which data is available; or if no such data is available,
 - The Maximum Import Capacity of the Final Demand Site where reconciliation may be considered during the annual review.
- 3.10 A new clause C was added to paragraph 4.2 to cater for Final demand Sites that are also a Mixed Demand Site to include the below.
- if 24 months of data is available, the average calculated Final Demand based on metered data over the 24 months; or if not available,
 - when a minimum of 12 months of data is available, the average calculated Final Demand over the period for which metered data is available; or if not available.
 - the Default Estimated Annual Consumption for that class of Final Demand Site where reconciliation may be considered during the annual review under Paragraph 6, or if not available.
 - other available information that is appropriate for a typical profile of a similar site to best estimate the expected annual import consumption of the Final Demand Site where reconciliation may be considered during the annual review under Paragraph 6.
- 3.11 The Headline for section 5A was updated to specifically state reclassification of a Single Site to a Non-Final Demand Site, and Back up Connections.
- 3.12 A new Section 5B was added to section 5 to detail how a Final Demand Site would be allocated as a Mixed Demand Site.
- 3.13 The Working Group confirmed that they were happy with the draft text within the new section 5B of schedule 32.
- 3.14 Within Exceptional Circumstances, 2 new clauses were added to paragraph 6.3 to cater for Mixed Demand Sites. This was text reviewed previously by the Working Group and there were no additional comments on the inclusion of these new exceptions.
- 3.15 Paragraph 6.5 was also updated to include Mixed Demand Sites in the annual review process and 2 new paragraphs added to detail the process of how the Final Demand will be calculated during the annual review.
- 3.16 The Working Group believed that there would be no updates required to the section 7 (Disputes) within schedule 32 but agreed to ask a consultation question on this to seek party views.

3.17 The Working Group were comfortable with the definition for Mixed Demand Site that The Chair had drafted.

3.18 This concluded the legal text review.

4. Review Consultation Document

4.1 As the time for this Working Group was running out it was agreed to focus on agreeing the consultation questions and then review the consultation document at the next meeting

4.2 The below questions the Working Group agreed to ask within the consultation are below.

1. Do you agree with the approach suggested by the Working Group to utilise actual operational metered data alongside a customer certification document? Please provide rationale.
2. Do you agree with the approach for how new Mixed Demand Site customers are treated, if not please provide rationale.
3. Do you believe that there is another, more suitable approach for existing and new customers not considered by the Working Group? Please provide details if yes.
4. Do you have any comments on the customer certificate document?
5. Do you agree that the customer certification document should be located within the LC14 statement and Distributors websites? If not, please advise where you believe it should be located and provide rationale.
6. Do you have any comments on the Calculation Template for Mixed Non-Final Demand sites?
7. Do you believe that there needs to be any changes to section 7 of schedule 32, disputes, within the legal text?
8. Do you have any comments on the draft legal text?
9. Do you consider the solution better facilitates the DCUSA objectives? Please give supporting reasons.
10. What date do you believe this change proposal should be implemented? Please provide rationale.
11. Do you have any other comments?

4.3 It was agreed to update the leading text for question 2 to clearly state what the solution for mixed demand sites was, including the annual review process and how long the annual review window is.

4.4 It was also agreed to add in further information on the Calculation Template for Mixed Non-Final Demand sites leading into question 7. DW agreed to send the secretariat some text that could be used to explain the use of the Calculation Template for Mixed Non-Final Demand sites.

5. Next Steps

- 5.1 The Working Group agreed to meet again on 26 June 2023 at 10:00am to finalise the legal text, customer certification document and consultation document before issuing to parties.
- 5.2 It was agreed that the secretariat would update the consultation document and share it with the Working Group prior to the next meeting on 26 June 2023.

6. Next Meeting – 26 June 2023

- 6.1 The next Working Group to be held on 26 June 2023 at 10:00am.

Appendix 1 – Actions Log

New and Open Actions

Action Ref.	Action	Owner	Update
13/01	The secretariat to update the legal text and share with the Working Group before the next meeting.	Secretariat	New action
13/02	The secretariat to update the draft consultation document and share with the Working Group before the next meeting.	Secretariat	New action
13/03	Dave Wornell to provide some text explaining the Calculation Template for Mixed Non-Final Demand sites so this can be used in the consultation document	Dave Wornell	New action

Closed Actions

Action Ref.			Update
10/01	Secretariat to remove Section A from the certification document and put section B into tabular form.	Secretariat	Closed.
10/02	Working Group to consider how to best treat new connection sites.	Working Group	Closed
11/01	The Secretariat to circulate the updated Customer Self-Certification Document to the Working Group post-meeting.	Secretariat	Closed
11/02	The Secretariat to circulate the updated draft legal text to the Working Group post-meeting.	Secretariat	Closed.

12/01	The secretariat to update the legal text and share with the Working Group before the next meeting.	Secretariat	Closed
12/02	The secretariat to update the draft consultation document and share with the Working Group before the next meeting.	Secretariat	Closed