

DCUSA Change Proposal (DCP)

DCP 426:

Multiple Party Categories

Date raised: 08/08/2023

Proposer Name: Peter Waymont

Company Name: Eastern Power Networks

Company Category: DNO

01 – Change Proposal

02 – Consultation

03 – Change Report

04 – Change Declaration

Purpose of Change Proposal:

The intent of this Change Proposal (“CP”) is to add clarity to the DCUSA for how a Party can hold more than one Party Category and how they can add additional Party Categories if required.

Governance:

The Proposer recommends that this Change Proposal should be:

- Treated as a Part 2 Matter
- Treated as a Standard Change
- Proceed to the Change Report phase

The Panel will consider the proposer’s recommendation and determine the appropriate route.

Impacted Parties:

All DCUSA Parties.

Impacted Clauses:

Section 3 – Clause 57



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Indicative Timeline

The Secretariat recommends the following timetable:

Initial Assessment Report

16 August 2023

Consultation Issued to Parties

N/A

Change Report Approved by Panel

20 September 2023

Change Report issued for Voting

21 September 2023

Party Voting Closes

12 October 2023

Change Declaration Issued to Parties

16 October 2023

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Any questions?

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1 Summary

What?

- 1.1 It is not obvious within DCUSA that a company can hold more than one party category and how they can add additional party categories if required.

Why?

- 1.2 The process for adding an additional party category for an existing DCUSA party will be easier and it will be more apparent how this should be undertaken.

How?

- 1.3 It is proposed that Section 3 Clause 57 be updated to include additional sub-clauses to cover off the scenario where an existing Party wishes to add another Party Category to its Party Details.

2 Governance

Justification Part 2 Matter

- 2.1 The Proposer does not believe that this CP meets the criteria for it to be considered as a Part 1 Matter, and therefore, considers that it should be treated as a Part 2 Matter.

Requested Next Steps

- 2.2 The Proposer recommends that this CP should:
- Be treated as a Part 2 Matter;
 - Be treated as a Standard Change; and
 - Proceed to the Change Report phase.

3 Why Change?

- 3.1 As the implementation of **DCP-394** 'Allow any REC Accredited Meter Operator to De-Energise any Metering Point' on 29 June neared, the Secretariat raised a potential issue to the DCUSA Panel which had been known to have been dealt with before but for which there wasn't a clear process. The scenario was that some REC Accredited Metering Equipment Managers (i.e., those that could accede as a SIP) are already Supplier Parties and that Secretariat had received an Accession Application from a Supplier Party but wishing to accede to the DCUSA as SIP Party.
- 3.2 It should be noted that Clause 4.2 of the DCUSA sets out that an "*Applicant may not be admitted as a Party if:... it is already a Party*". It should also be noted that for some Party Categories (e.g., Gas Supplier Parties and CVA Registrants), there are defined terms that deal with circumstances where a Party can be assigned to more than one Party Category but that this hadn't been included for the SIP Party Category.

- 3.3 Following a discussion during a Panel meeting, the Panel concluded that the existing Accession Agreement process did not adequately describe the situation and suggested it may be useful to carry out a similar process so as to record the fact that a variation to an existing Accession has taken place. Advice from DCUSA Ltd.'s legal advisors was sought and, in their view, a minor change to the DCUSA to set out how it should work was the best way forward.
- 3.4 DCUSA Ltd.'s legal advisors also confirmed that based on the existing DCUSA text, there is no need for the existing Party to sign another Accession Agreement (as the legal entity has already acceded). However, the Party's Party Details do need to be amended to add the extra Party Category.
- 3.5 It was noted that Clauses 57.5-57.8 permit a Party to update its Party Details on notice but that for a change to a Party's 'Party Category', a Party cannot unilaterally update its Party Category (because of the rules which apply to admission as a Party Category). It was therefore concluded that it must be the case that a Party's Party Category can only be changed with the agreement of the Party and DCUSA Ltd and so it would be advisable to have a written document in which the Party and DCUSA Ltd agree to add the new Party Category.

4 Solution and Legal Text

Legal Text

- 4.1 The legal text to achieve the Proposer's solution was provided by DCUSA Ltd.'s legal advisor and is provided in Attachment 1 to this CP form as well as set out below for ease of reference:

Party Details

- 57.5 On each Party's accession to this Agreement, the Secretariat shall add that Party's Party Details to Schedule 11.
- 57.6 Each Party shall ensure that the Secretariat is notified of any changes from time to time in that Party's Party Details, so as to ensure that the same can be kept up-to-date from time to time.
- 57.7 ~~The~~Subject to Clause 57.10, the Secretariat shall, on receipt of any notification under Clause 57.6, promptly:
- 57.7.1 amend Schedule 11 to reflect the relevant changes in the relevant Party's Party Details; and
- 57.7.2 ~~circulate~~make a copy of the amended Schedule 11 ~~to all~~available via the ~~Parties~~Website.
- 57.8 A Party can only add a Party Category to its existing accession if that Party would be eligible to be admitted as a Party in that Party Category under Clause 4 (but disregarding for these purposes Clause 4.2.1).
- 57.9 Where a Party applies to the Secretariat to add an additional Party Category, DCUSA Ltd shall (subject to Clause 57.8) enter into an agreement with such Party to record such addition (in such form as the

Panel may approve from time to time). Each Party hereby irrevocably and unconditionally authorises DCUSA Ltd to execute and deliver, on behalf of such Party, any such agreement.

57.10 A Party's additional Party Category shall be effective from the effective date set out in the relevant agreement under Clause 57.9, and the Secretariat shall update Schedule 11 with effect from that date.

57.11 Any disputes regarding the ability of a Party to add a Party Category shall be subject to Clause 4.9, on the same basis as if the dispute concerned admission as a Party.

57.12 Notwithstanding Clauses 9.2 and 10.1, any changes to Schedule 11 in accordance with Clause 57.5 or 57.7 shall not constitute a change to which Section 1 C applies.

Text Commentary

- 4.2 It is proposed that Section 3 Clause 57 be updated to include additional sub-clauses to cover off the scenario where an existing Party wishes to add another Party Category to its Party Details.
- 4.3 It should also be noted that a change has been proposed to Clause 57.7.2 so that instead of the Secretariat being obliged to notify all Parties when a Party's Party Details have been amended, that it is obliged to only publish the amended details on the website. Whilst this amendment is not directly related to adding a Party Category, it was deemed to be a suitable inclusion which more accurately describes the way in which Party Details are maintained.

5 Code Specific Matters


Reference Documents





- 5.1 None.

6 Relevant Objectives

Assessment Against the DCUSA Objectives

- 6.1 For a DCUSA Change Proposal to be approved it must be demonstrated that it better facilitates the DCUSA Objectives. There are five General Objectives and six Charging Objectives. The full list of objectives is documented in the DCUSA.
- 6.2 The Proposer considers that the following DCUSA General Objectives are better facilitated by this CP.

	DCUSA General Objectives	Identified impact
	1. The development, maintenance and operation by the DNO Parties and IDNO Parties of efficient, co-ordinated, and economical Distribution Networks.	None

	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.	None
	3. The efficient discharge by the DNO Parties and IDNO Parties of obligations imposed upon them in their Distribution Licences.	None
	4. The promotion of efficiency in the implementation and administration of the DCUSA.	Positive
	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

6.3 The Proposer considers that this CP enhances the administration and maintenance of DCUSA Parties Party Details and therefore, it better facilitates DCUSA General Objective 4.

7 Impacts & Other Considerations

Impacts on any Significant Code Review (SCR) or other significant industry change projects

7.1 The Proposer does not believe that this CP impacts upon any current SCR or other significant industry change projects.

Impacts Other Codes

7.2 The Proposer does not consider that there are any impacts to any other 'Industry Codes' as a result of the implementation of this CP.

Grid Code..... ☐ SEC..... ☐ CUSC..... ☐
 Distribution Code... ☐ REC..... ☐ BSC..... ☐
 None..... ☒

Consumer Impacts

7.3 The Proposer does not believe that this change will impact consumers.

Environmental Impacts

7.4 In accordance with DCUSA Clause 10.4.5A, the Proposer assessed whether there would be a material impact on greenhouse gas emissions if this CP were implemented. The Proposer did not identify any material impact on greenhouse gas emissions from the implementation of this CP.

Confidentiality

7.5 Non-confidential.

8 Implementation

Proposed Implementation Date

- 8.1 If approved by Parties, the Proposer recommends that this CP be implemented in the next scheduled standard DCUSA release. It is noted that this would be 02 November 2023.

9 Recommendations

The Code Administrator will provide a summary of any recommendations/determinations provided by the Panel in considering the initial Change Proposal. This will form part of a Final Change Report.