

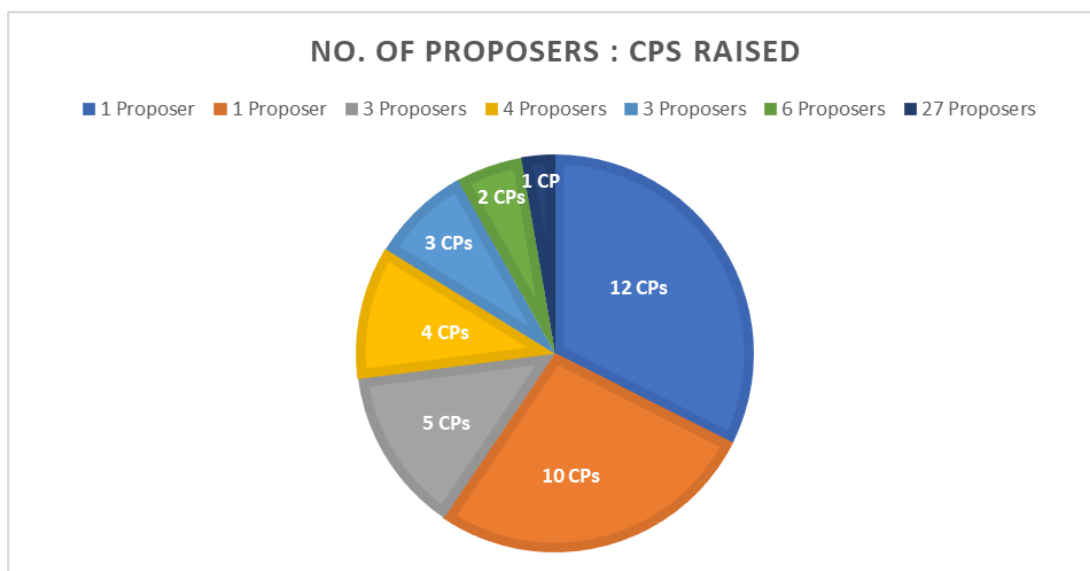
DCP 417 Working Group - Meeting 07

22 November 2023 at 13:00 - Web-Conference

Attendee	Company
Working Group Members	
Andrew Sherry [AS]	ENWL
Ann Burston [AB]	NPg
Edda Dirks [ED]	SSE Gen
Nadir Hafeez [NH]	Ofgem
Simon Vicary [SV]	EDF
Code Administrator	
Andy Green [AG] (Chair)	ElectraLink
Mel Kendal [MK] (Technical Secretariat)	ElectraLink
Apologies	
Donna Jamieson [DJ]	Energy Assets
Kevin Woollard [KW]	Centrica
Richard Colwill [RC]	ElectraLink
Simon Yeo [SY]	National Grid

1. Administration

- 1.1 All Working Group members agreed to be bound by the Competition Law Guidance for the duration of the meeting.
- 1.2 The Working Group reviewed the previous meeting minutes and agreed them to be an accurate reflection of the discussions held.
- 1.3 An action log has been created and all updates are provided in **Appendix A**.
- 1.4 **Action 06/01:** MK presented a graph to the Working Group that shows how many proposers raised Change Proposals (CPs) out of the previous 100 CPs raised. Please see the graph below:



- 1.5 From the graph above, MK explained that out of the previous 100 CPs raised, there were 45 individual proposers:
 - 1 proposer raised 12 CPs.
 - 1 proposer raised 10 CPs.
 - 3 proposers raised 5 CPs each.
 - 4 proposers raised 4 CPs each.
 - 3 proposers raised 3 CPs each.
 - 6 proposers raised 2 CPs each.
 - 27 proposers raised 1 CP each.
- 1.6 **Post-Meeting Note:** The previous 100 CPs that have been raised range over the last two years (2021-2023).

- 1.7 The Working Group discussed the above chart and agreed that although it shows that the majority of CPs are sponsored by the same proposers, it does not show/explain whether any potential CPs were delayed due to not being able to find a proposer to sponsor them in order to progress to a Working Group.
- 1.8 Members were not concerned around the number of proposers raising CPs as the analysis seemed to show that sponsors will step forward.
- 1.9 One member queried whether any work has been undertaken to seek the number of CPs the Secretariat would like to raise and have been unable to do so, or a delayed volunteer to sponsor took place – the Chair agreed to follow this up post-meeting (Action 06/01 this has been noted).

2. Purpose of the Meeting

- 2.1 The Chair explained that the purpose of this meeting is to review the Consultation 2 responses within the Working Group and agree next steps.

3. Review of Consultation 2 Responses

- 3.1 The Chair invited the Working Group to review and discuss the Consultation responses.

Question 1 - Do you consider that the above process mitigates the risks and issues identified by the Working Group and by the respondents to the previous consultation?

- 3.2 The Working Group noted that the majority of respondents consider that the above process mitigates the risks and issues identified, however a couple of responses stated that they still have concerns and do not believe it is fully mitigated.
- 3.3 One member believes that there will be additional suggestions for changes presented at both the SIG and DCMDG as a result of this change. The Chair noted that the previous 5 changes have been raised at the SIG alone and is increasingly being utilised more.
- 3.4 One member stated that the Consultation should have included that the Secretariat can raise an Authority led change.
- 3.5 One respondent suggested that there needs to be an expansion of detail around the voting process and how this would work. It was also noted that non-DCUSA Parties may seem as though they have less control when it comes to the voting process.

ACTION 07/01: The Secretariat to expand on the detail around the voting process within the Change Report.

Question 2 - Do you believe there are any risks that are not mitigated by the above process? Please provide your rationale.

- 3.6 One respondent considered that the working group has not provided any evidence that the current arrangements block the efficient progression of modifications or that the proposed solution resulted in net benefits to consumers. The Secretariat is to carry out some further analysis.
- 3.7 A number of members suggested that allowing the Secretariat to raise changes may give the Secretariat an unfair advantage when it comes to Code Management; however, others suggested that this experience would be greatly valuable and could be replicated by others. It was also noted that others can already raise changes, though not through the Code (i.e., CUSC).
- 3.8 It was agreed to note within the Change Report that the Working Group had a range of views on this, and the decision as to whether this will provide the Secretariat with an unfair advantage or not, was not unanimous. With this, the Working Group agreed that further discussion will be needed as to whether the majority view is taken forward, or whether an alternative way forward would be more suitable.

ACTION 07/02: The Secretariat to note within the Change Report that the decision as to whether this will provide the Secretariat with an unfair advantage or not, was not unanimous with a range of views expressed within the Working Group.

- 3.9 In regard to the voting process, one respondent suggested that:
- A) votes must be 'expressly' given, by the (virtual) raising of hands at the relevant industry meeting – this will create transparency to the wider stakeholder community.
 - B) Counts are being recorded for votes 'in favour' and 'not in favour', as well as for abstentions.
 - C) Only expressly affirmative votes are counted towards the simple majority required for the Secretariat to raise a Change Proposal (but not abstentions).
- 3.10 A number of Working Group members showed support for the above approach, with one member suggesting that this is added into the Working Group Terms of Reference (ToR) as well as the legal text, as this will future proof the process. It was agreed that this will need to be further discussed during future meetings.

Question 3 - Can you think of any other risks and issues that the Working Group should consider? Please provide your rationale.

- 3.11 The Working Group noted that all respondents either confirmed that they have not identified any additional risks and issues that the Working Group should consider or did not provide a comment.

Question 4 - Do you consider that the proposal better facilitates the DCUSA General Objectives?

- 3.12 The Working Group noted that 6 respondents stated that they agree this change better facilitates DCUSA General Objective 4, 1 respondent stated possibly Objective 4 and 2 respondents believe it will have a neutral effect on Objective 4.

Question 5 - Do you have any comments on the proposed legal text?

- 3.13 One respondent suggested the below amendment to the purpose of the DCP 417 CP:

- ‘This change seeks to grant the ability to the Secretariat to raise Change Proposals following SIG or DCMDG approval ~~where it identifies a change that would better facilitate the DCUSA Objectives~~ and to introduce an obligation for the Secretariat to raise Change Proposals in certain circumstances, such as at the direction of the Authority’.

3.14 The Chair informed the Working Group that as the CP has already been approved by the Panel, this will need to be taken offline to seek whether the purpose of the CP can be amended and re-approved.

ACTION 07/03: The Secretariat to seek whether amendments can be made to the purpose of the DCP 417 CP following an RFI suggestion, post-meeting.

- 3.15 The Chair also confirmed that all Secretariat housekeeping changes could be raised at the SIG whereby a standard item will be added to the agenda to further discuss the potential change. Another member stated that they believe the scope of this change was not to narrow the type of CP that was raised by the Secretariat (i.e., not only housekeeping changes to be raised), and the Working Group agreed that this area will need to be further discussed.
- 3.16 It was also noted that housekeeping currently is not defined, and this may also need to be further discussed.
- 3.17 One respondent suggested that the quorum should include an IDNO representative – members agreed that the number of representatives should be included as opposed to representative type. It was also noted that the quoracy replicates that of the DCUSA Panel (number of representatives as opposed to representative type).
- 3.18 The Working Group agreed that this will need to be further discussed as to whether the quoracy rules should be amended different to that of the DCUSA Panel.
- 3.19 One respondent proposed changes to 10.2B of the legal text – the Working Group agreed that they are both stating the same, however, the suggested wording is easier for the reader to understand. It was agreed by members that this will need to be further discussed at a future meeting.
- 3.20 One respondent referred to the CACOP principle 6 which states that a proposer of a Modification will retain ownership of the detail of their solution. They queried whether this is feasible in the case of Secretariat-led proposals, and how the Secretariate would maintain its mandate from industry for the original solution in cases where alternative solutions are being put forward.

Question 6 - Do you have any other comments on DCP 417?

- 3.21 One respondent queried what influence the Secretariat, as the proposer, has in the process given certain risks (i.e., lack of experience) – it was noted that there is currently no representative on the Working Group from the Company who responded with this query, and the Secretariat agreed to take an action to seek a representative to join or attend one of the Working Group sessions as members believe this is an important discussion to be had.

ACTION 07/04: The Secretariat to seek a UKPN representative to either join or attend one of the DCP 417 Working Group sessions.

4. Agenda Items for Next Meeting

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

4.2 The Working Group to further discuss:

- Legal text/CP amendments
- Voting procedure
- Housekeeping Definition
- Quoracy requirements
- Unfair advantages within the industry

4.3 The above discussions will take place in future Working Group meetings.

5. Any Other Business

5.1 The Chair asked the group whether there were any other items of business to discuss.

5.2 There were no other items raised.

6. Date of Next Meeting - TBC

6.1 The next Working Group meeting will be determined at a later date and the Secretariat will circulate a doodle poll for members availability.

ACTION 07/05: The Secretariat to issue a doodle poll to Working Group members for availability for the next meeting (WG 08).


7. Attachments

- Attachment 1_DCP 417 Collated Consultation 2 Responses_WG Comments
- Attachment 2_DCP 417 Work Plan

APPENDIX A

New and Open Actions

Action Ref.	Action	Owner	Update
06/01	The Secretariat to carry out high-level analysis of the previous 100 CPs and their sponsors and highlight whether there have been any delays.	Secretariat	Ongoing. <i>22/11/2023: The Working Group agreed that further analysis needs to be carried out to seek how many CPs were unable to be raised, or delayed, due to not being able to find a sponsor. The the Secretariat will follow-up and update the group once this has been completed.</i>
07/01	The Secretariat to expand on the detail around the voting process within the Change Report.	Secretariat	New Action.
07/02	The Secretariat to note within the Change Report that the decision as to whether this will provide the Secretariat with an unfair advantage or not, was not unanimous with a range of views expressed within the Working Group.	Secretariat	New Action.
07/03	The Secretariat to seek whether amendments can be made to the purpose of the DCP 417 CP following an RFI suggestion, post-meeting.	Secretariat	New Action.
07/04	The Secretariat to seek a UKPN representative to either join or attend one of the DCP 417 Working Group sessions.	Secretariat	New Action.

07/05	Consider for further discussion, as per the section on question 5/3.17, the request to include an IDNO rep in the quoracy rules (UKPN)	All	 New Action.
07/06	The Secretariat to issue a doodle poll to Working Group members for availability for the next meeting (WG 08).	Secretariat	New Action.

Closed Actions

Action Ref.			Update
06/02	The Secretariat to produce a draft consultation to include the alternate solution for the Working Group to review post-meeting.	Secretariat	Closed.
06/03	The Secretariat to update the Work Plan accordingly.	Secretariat	Closed.