

DCP 417 Working Group - Meeting 10

26 February 2024 at 10:00 - Web-Conference

Attendee	Company
Working Group Members	
Ann Burston [AB]	NPg
Edda Dirks [ED]	SSE Gen
Mark Bellman [MB]	ENWL
Nadir Hafeez [NH]	Ofgem
Donna Jamieson [DJ]	Energy Assets
Simon Vicary (SV)	EDF
Code Administrator	
Andy Green [AG] (Chair)	ElectraLink
Apologies	
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**.

2. Purpose of the Meeting

- 2.1 The Chair explained that the purpose of this meeting is to finalise the both the draft Legal Text and draft Change Report, review within the Working Group and agree next steps.

3. Brief Working Group Discussion on Alternative solution

- 3.1 The Working Group discussed an additional solution that had been mentioned which was minuted at the previous meeting.
- 3.2 It was explained that this process would be looking to give the SIG and DCMDG powers to recommend a CP needed raising and then the DCUSA panel would ultimately decide or vote on whether a change proposal could be raised by the secretariat.
- 3.3 ED advised that this solution had been discussed previously and consulted on and both the Working Group and consultation responses were aligned that this solution wasn't fit for purpose due to the limited powers the DCUSA panel has to reject a change proposal.

4. Review of Open Actions

- 4.1 The Working Group reviewed the open actions.
- 4.2 07/03- This action remained opened however it was believed that the CP did not require its intent updating.
- 4.3 08/02 This action remained open as DJ was confirming with the INA that the IDNOs were happy with the IDNOs not being included in the quoracy rules and share with the Working Group later during the day.
- 4.4 09/01 This action was closed as the Doodle Poll had been issued.

5. Legal Text Review

- 5.1 It was noted that within paragraph 10.2B, whilst IDNO's wouldn't be required to be present to make a vote quorate, it would be useful to leave the IDNO party reference in as "or IDNO party". The rationale for this was that whilst it would be unlikely no DNO party would join either a SIG or DCMDG meeting, it is possible so it made the legal text more robust having the reference to IDNO's in the quoracy rules.
- 5.2 The Working Group agreed to revisit whether any reference to IDNOs was required within paragraph 10.2B after the meeting once DJ had spoken to IDNO parties at the INA.

- 5.3 It was agreed to create a new paragraph, paragraph 10.2C which would explain the process if the secretariat needed to update the initial solution or withdraw a change proposal where the proposal was raised by the secretariat.
- 5.4 It was noted the voting process and quoracy requirements within the legal text had been agreed in order so the industry would be allowed to give any potential secretariat led CP the correct level of scrutiny before it was agreed that the secretariat could raise a CP. It was also highlighted that the DCUSA panel would review all new change proposals, so this gave a good level of control that the secretariat wouldn't be raising spurious change proposals.
- 5.5 The secretariat agreed to review the DCUSA text to establish the process a proposer has to follow if they wish to withdraw a change proposal and share with the Working Group.
- 5.6 It was highlighted that the proposer was not in this Working Group meeting, so the secretariat took an action to discuss the introduction of any new amendments to the legal text with them.
- 5.7 It was agreed to put a paragraph within schedule 7 and schedule 28 to make a reference to the new paragraphs 10.2 in section 1C of the DCUSA.

Post meeting notes

- 5.8 It was agreed within the Working Group that as long as the change proposal wasn't raised on behalf of the authority, a proposer can withdraw a CP at any time. This process also allowed an opportunity for another party to take ownership of the proposal if they so wished.
- 5.9 DJ had confirmed with the INA that an IDNO party wasn't required to make a vote quorate.
- 5.10 AG spoke with the proposer SY and SY confirmed he was happy with the approach the Working Group had agreed to take.

6. Review of Change report

- 6.1 It was agreed that paragraphs 6.11 and 6.12 needed updating to reflect that whilst an IDNO party was not required to make a vote quorate, they would be able to still vote in absence to any DNOs voting in order to make a vote quorate.
- 6.2 It was agreed to include the pie chart that was shared in a previous Working Group that showed how many different sponsors had raised the last 100 changes as an appendix.
- 6.3 It was agreed that the proposers views would be needed before updating the end of section 6 on the new paragraph that this Working Group had created within 10.2C.
- 6.4 It was agreed that the legal text section needed to include the new paragraphs in Section 1C, Schedule 7 and Schedule 28.

7. Any Other Business

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

- 7.2 SV advised that he would like to raise a SIG issue to increase the number of alternative solutions the DCUSA can offer. The suggestion was to increase the process from two alternatives to three.
- 7.3 It was explained that this would help this CP as it mitigated the risk that only two industry solutions currently would be allowed on a secretariat led change.
- 7.4 It was also noted that only allowing for two alternative solutions, created issues for DCP 406 as the CP had four potential solutions which the secretariat had to overcome when creating the change report.
- 7.5 The Working Group believed it was worth exploring this change further and agreed that the SIG was the correct forum to raise the issue.
- 7.6 AG agreed to send the SIG issues form to SV in order for SV to raise the issue.

8. Date of Next Meeting -

- 8.1 It was agreed that no new meetings were needed at this time.

APPENDIX A

New and Open Actions

Action Ref.	Action	Owner	Update
10/01	Check with Proposer that they are happy with the current drafted legal text	Secretariat	New Action
10/02	AG to review the process within the DCUSA on how a party withdraws a CP and share with the Working Group	Secretariat	New Action
10/03	AG agreed to send the SIG issues form to SV.	Secretariat	New Action

Closed Actions

Action Ref.			Update
07/01	The Secretariat to expand on the detail around the voting process within the Change Report.	Secretariat	Closed.
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	Closed.
08/01	The Secretariat to make the agreed updates to the previous meeting minutes (DCP 417 WG 07 draft minutes).	Secretariat	Closed.

08/03	The Secretariat to produce a draft Change Report and circulate to the Working Group for review offline.	Secretariat	Closed.
08/04	The Secretariat to issue a doodle poll to Working Group members for availability for the next meeting if needed to review the draft Change Report (WG 09).	Secretariat	Closed.
08/02	DJ to raise the query around whether an IDNO representative should be included within the quoracy rules of this change at the next INA meeting (being held on 09 January 2024) and feedback to the Working Group.	DJ	Closed as agreed that IDNO's are comfortable to not be hard coded into the quoracy rules.
09/01	The Secretariat to issue a doodle poll to Working Group members for availability for the next meeting (WG 10).	Secretariat	Closed.
10/01	Check with Proposer that they are happy with the current drafted legal text	Secretariat	Closed
10/02	AG to review the process within the DCUSA on how a party withdraws a CP and share with the Working Group	Secretariat	Closed