

**DCP 428 – Zero REP-002/A Data**

**Legal Text**

**Amend Clauses 20.2-20.5 (Aggregated Billing and Payment) as follows:**

**Initial Account**

- 20.2 Following its receipt of each Supercustomer DUoS Report in accordance with the timetable for Settlement after each Settlement Run relating to each Settlement Day, the Company shall deliver Daily Statements to the User as soon as is reasonably practicable (including where these total zero).
- 20.3 The Company shall calculate in respect of~~submit to~~ the User, as soon as is reasonably practicable after the end of each charging period, an account or accounts (the **Initial Account**) specifying the Use of System Charges payable by or to the User in respect of each Initial Settlement Run in respect of which a Daily Statement has been produced and which has not previously been included in an Initial Account. Such Initial Accounts shall be based on the Daily Statements provided pursuant to Clause 20.2.

**Reconciliation Account**

- 20.4 Where a subsequent Daily Statement for any Settlement Day indicates that, as a result of a subsequent Reconciliation Run or Post-Final Settlement Run, the User's Use of System Charges in respect of that Settlement Day are different from those included in an Initial Account, the Company shall calculate such difference and the interest thereon ~~and shall submit an account~~ (the **Reconciliation Account**) ~~in respect of such difference to the User,~~ as soon as is reasonably practicable after the end of each charging period. Such interest shall be calculated in accordance with the provisions of Schedule 3.

**Invoicing Initial Accounts & Reconciliation Accounts**

- 20.4A As soon as is reasonably practicable after the end of each charging period, the Company shall submit an invoice (or credit note) to the User for the total aggregate amount owing by (or to) the User under the Initial Account for that charging period combined with any Reconciliation Accounts for previous charging periods. However, the Company shall not send the User an invoice (or credit note) for the charging period if the Initial Account is for zero and there are no Reconciliation Accounts.

- 20.5 Within 14 days of the date of an invoice (or credit note)~~Initial Account or Reconciliation Account~~ submitted in accordance with Clause ~~20.3 or 20.4~~A, the Payor shall (subject to Clause 19.6) pay to the Payee ~~the all~~ sums due ~~in respect of such Initial Account or Reconciliation Account~~, in pounds sterling by electronic transfer of funds to such bank account (located in the United Kingdom) as is specified in the invoice~~Initial Account or Reconciliation Account~~ (or, where the Company is the Payor, such bank account as is notified to the Company by the User from time to time), quoting the invoice~~Initial Account or Reconciliation Account~~ number against which payment is made and/or such other details as the Payee may reasonably require.

**Amend Paragraph 2 (Aggregated Demand Data) of Schedule 19 (Portfolio Billing) as follows:**

- 2.1 In order to calculate the Use of System Charges attributable to the EDNO's aggregated settled demand Connectees, the DNO Party will use the data provided to it by the SVAA [pursuant to section S and BSCP508 of the BSC]<sup>1</sup>.
- 2.2 The DNO Party shall send Daily Statements to the EDNO (including where these total zero). The DNO Party shall calculate an initial account for the EDNO following the end of each charging period.
- 2.32 Where a subsequent Settlement Run indicates that, as a result of such Settlement Run, the Use of System Charges are different from those previously billed, the DNO Party shall calculate such difference and the interest thereon, ~~and shall submit an invoice for such difference and interest~~ as soon as is reasonably practicable after such Settlement Run. Such interest shall be calculated in accordance with the provisions of Schedule 3 (as if the invoices under this Paragraph 2.1 ~~was an~~ were for Initial Accounts~~s~~, and ~~as if the invoice under this Paragraph 2.2 was a~~ Reconciliation Accounts ~~under Clause 20.4~~).
- 2.4 As soon as is reasonably practicable after the end of each charging period, the DNO Party shall submit an invoice (or credit note) to the EDNO for the total aggregate amount owing by (or to) the EDNO under the initial account (under Paragraph 2.2) for that charging period combined with any reconciliation accounts (under Paragraph 2.3) for previous charging periods. However,

<sup>1</sup> This wording is proposed for deletion by the MHHS amendments.

the DNO Party shall not send the EDNO an invoice (or credit note) for the charging period if the initial account is for zero and there are no reconciliation accounts.

- 2.53 The DNO Party shall identify to the EDNO the amount of each such invoice which relates to each Settlement Run, broken down by Settlement Code.

**Gowling WLG (UK) LLP**

**26 March 2024**