

DCP 417 Working Group - Meeting 12

23 April 2024 at 10:00 - Web-Conference

Attendee	Company
Working Group Members	
Ann Burston [AB]	NPg
Edda Dirks [ED]	SSE Gen
Mark Bellman [MB]	ENWL
Gus Wood [GW]	Gowlings
Nadir Hafeez [NH]	Ofgem
Simon Vicary (SV)	EDF
Code Administrator	
Andy Green [AG] (Chair)	ElectraLink
Apologies	
Simon Yeo [SY]	National Grid
Donna Jamieson [DJ]	IDCSL

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 draft Legal Text with the support of a professional legal advisor from Gowlings.

3. Legal Text Review

- 3.1 The Working Group began by reviewing the feedback from Gowlings on the draft legal text. The Working Group agreed that particular attention would need to be given to the text within paragraph 10.2A.3.
- 3.2 It was highlighted that the most recent legal review of the draft text had moved away from the intent that the Working Group wanted to take, especially in relation to the process around voting so it was agreed to review the most recent legal take review and the version that was issued a few weeks before side by side.
- 3.3 The Chair provided GW with an overview of the approach that the Working Group wished to take explaining that each party within a group would be aggregated as one for example, if an organisation had three suppliers, then that organisations would have all three suppliers aggregated to get one vote. If an organisation operated across more than one category within the industry, i.e. they had a DNO, IDNO and a supplier business, this organisation would get a single vote for each category, as long as they had representatives from each of these categories present.
- 3.4 It was also stated that the voting process should only be open to DUCSA members.
- 3.5 GW explained that the approach explained above is adequately dealt with by the using the definition of “Group” and noted that this is consistent with the Change Proposal voting process.
- 3.6 It was agreed that the legal text needed to be updated to make the approach explained above, much clearer.
- 3.7 It was agreed to use the term “Group” early on within paragraph 10.2A.3 in order to immediately explain who could vote and how votes would be counted.

- 3.8 The legal text was updated to clearly explain the quoracy, especially that in order for a vote to be quorate, either a DNO or an IDNO party would be required to vote, not that both would be needed to make a vote quorate.
- 3.9 It was explained by GW that for a majority to be achieved, the legal text is written in a way that means that if 10 members who were eligible to vote were present, the majority to instruct the secretariat to raise a change proposal would be 6, regardless of how many eligible members abstained from voting.
- 3.10 Finally, it was explained that the Working Group wanted the paragraphs in schedules 7 and 28 to remain as these paragraphs clearly articulated that the Standing Issues Group (SIG) and the Distribution Charging Methodologies Development Making Group (DCMDG) forums could be utilised to instruct the secretariat to raise a change proposal.
- 3.11 It was agreed by the Chair that the redrafted legal text would be shared with the Working Group and that the change report would also be shared. The Chair stated that the intention is for this change report is presented to Mays DCUSA panel.

4. Any Other Business

- 4.1 The Chair asked the group whether there were any other items of business to discuss. There was not any other business to raised so the meeting was concluded.

5. Date of Next Meeting -

- 5.1 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	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
10/03	AG agreed to send the SIG issues form to SV.	Secretariat	Closed

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
11/01	Check with Proposer that they are happy with the current drafted legal text	Secretariat	Closed
11/02	AG to review the process within the DCUSA on how a party withdraws a CP and share with the Working Group	Secretariat	Closed
11/03	AG agreed to send the SIG issues form to SV.	Secretariat	Closed