

DCUSA Panel Meeting 218 (Open Session)

21 August 2024 at 10:00am

3rd Floor, Northumberland House, 303 306 High Holborn, London,
WC1V 7JZ / MS Teams

Attendee	Role	Company
Panel Members		
Donna Jamieson [DJ]	Panel Member (CHAIR)	DCUSA Ltd
Victoria Burkett [VB]	Alternate Panel Member	DCUSA Ltd
Donald Preston [DP]	Alternate Panel Member	DCUSA Ltd
Simon Vicary [SV]	Panel Member	DCUSA Ltd
Peter Waymont [PW]	Panel Member	DCUSA Ltd
Lee Wells [LW]	Alternate Panel Member	DCUSA Ltd
Kevin Woollard [KW]	Panel Member	DCUSA Ltd
Simon Yeo [SY]	Panel Member	DCUSA Ltd
Observers		
Mark DeSouza Wilson [MDW]	Observer	BSC
Nadir Hafeez [NH]	Observer	Ofgem
Monique Pereira [MP]	Observer	Indigo Networks
Lorna Mallon [LM]	Observer	REC
Clare Wagstaffe [CW]	Observer	SSEN
Jo Winspur [JW]	Observer	Coulomb Energy Supply Limited
Code Administrator		
Craig Booth [CB]	Secretariat	ElectraLink Ltd
Richard Colwill [RC]	Secretariat	ElectraLink Ltd
Andy Green [AG]	Secretariat	ElectraLink Ltd
Melissa Kendal [MK]	Secretariat	ElectraLink Ltd
Hannah Proffitt [HP]	Secretariat	ElectraLink Ltd
George Kestner [GK]	Secretariat	ElectraLink Ltd
Dylan Townsend [DT]	Secretariat	ElectraLink Ltd
Apologies		
Tim Ellingham [TE]	Panel Member	DCUSA Ltd

1. Administration

Permission to record Meeting

- 1.1 The Panel RESOLVED to record this Meeting.

Welcomes and Introductions

- 1.2 The Chair welcomed all attendees to the meeting.

Apologies

- 1.3 It was NOTED that 'Apologies' had been received from: Tim Ellingham.

Non-Confidential Minutes

- 1.4 The minutes of the last meeting were reviewed and the Panel agreed that they were a true and fair representation of the meeting.

Updated Actions

- 1.5 The Panel reviewed the new and open actions for the previous open session Panel meeting and updates on all actions are set out in Appendix A.

2. Updates from the Industry Working Groups/Codes

Balancing & Settlement Code (BSC)

- 2.1 MDW provided the Panel with a verbal update on BSC related topics. Points raised included:

- The BSC 2024 Panel Elections had started and nominations were open until 30 August 2024.
- In terms of MHHS consequential changes:
 - P477 'Data Protection Provisions for Market-wide Half Hourly Settlement': the report phase consultation was open until 19 September 2024;
 - Issue 111 would launch shortly. This was looking into SMRA liquidated damages under MHHS and provisions in BSCP 501, and would review the most appropriate ways for handling service levels under MHHS due to SMRAs having a slightly different role; and
 - A new consultation would launch shortly and run until 27 August 2024, which related to UK Power distribution connecting two circuits to a new GSP in the Southern GSP group.

- 2.2 PW raised a general question relating to unmetered supplies. He was aware of some situations where some customers had been unable to get a contract because the suppliers had not considered their custom to be worth their while. In response, LM NOTED that two changes, one REC and one BSC change, were currently being progressed that would allow suppliers to limit different customer types and skip part of the market, of which unmetered supplies were one, although the ultimate impact of this was currently unknown. MDW encouraged interested members to contact him after the meeting and he would investigate further.

- 2.3 The Panel NOTED the BSC update.

Ofgem

2.4 NH provided the Panel with a verbal update on Ofgem related topics. Points raised included:

- NH provided revised Estimated Decision Dates ('EDD') for all decisions that were currently with the Authority
 - DCP 425 'Cost Apportionment Factor "cap" Methodology': the EDD was 6 September 2024;
 - DCP 441 'Proposal to increase the number of allowed Change Report alternative variations from two to three': the EDD was 6 December 2024;
 - DCP 417 'Ability for the DCUSA Secretariat to Raise Change Proposals': the EDD was 30 October 2024;
 - DCP 433 'Limitation for backdating of rebates/charges under Schedule 32': the EDD was 8 November 2024. LW NOTED that an additional DCUSA derogation would therefore be required, as had been required last year; and
 - DCP 438 'Rate of Return': the EDD was 11 December 2024.
- NH NOTED that the recent General Election had caused delays as, due to the purdah rules, all publications had been suspended and so all EDDs had needed to be redated. This process was expected to have been completed by the start of September 2024.
- NH NOTED that a series of workshops with code administrators had taken place and that the next opportunity to contribute to the development of SDS would be in a consultation in the winter.
 - One Panel member asked if a separate consultation on licence draft conditions for public mergers would take place. NH confirmed that this would be launched later in the year.

2.5 The Panel NOTED the Ofgem update.

Smart Energy Code (SEC)

2.6 LM provided the Panel with a verbal update on SEC related topics. She NOTED none of the current SEC code changes would have any cross-code impacts.

Retail Energy Code (REC)

2.7 LM presented the REC change update paper to the Panel, which had been circulated prior to the meeting as a late paper. See paper (Panel_2024_0821_00.1). The paper was taken as read. Key points included:

- Updates were provided on all CCSG and REC changes with confirmed or potential DCUSA impact.
- With regards to DCUSA DCP 419 'Pre-Notifications of Planned Supply De-Energisations', LM confirmed that REC-equivalent changes would be progressed alongside the DCUSA change.

2.8 The Panel AGREED that the REC change update paper was helpful.

2.9 The Panel NOTED the REC update.

3. Matters Arising

3.1 There was one Matter Arising.

DCP 420 'Include Car Charging Stations In The Definition For Non Final Demand' request for additional legal advice

3.2 RC NOTED that the working group for DCP 420 had requested additional legal advice, on the grounds that potential solutions might conflict with Article 18 of EU Regulation 2019/943. However, the Panel had considered that the existing legal advice was sufficient and, at the point at which the developed solutions had reached, that Working Group members should seek legal advice from their in-house legal teams should any additional assurance be felt to be necessary. This decision had been agreed ex-committee by email and had been communicated to the working group.

3.3 RC NOTED that the next meeting of this working group would take place on Wednesday, 28 August 2024.

3.4 RC NOTED that similar concerns and requests for additional legal advice had been received in respect of DCP 412 'Allocation of banding for TCR Charges for 'Peak' Final Demand Customers', and ADVISED that a similar response would be provided in response.

4. Change Register

4.1 RC presented the Change Register updates to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_01). The paper was taken as read. RC explained which changes had changed status since the last Panel meeting as well as any that had moved into a new status since the paper was published.

4.2 RC NOTED that as per Action 217/01 alternative methods for presenting the Change Register were being considered by the Secretariat. However, due to personnel being unavailable during the holiday period, proposals for amended versions were still being prepared and would be circulated shortly.

- The Panel asked if the coloured cells could be moved more to the left of the spreadsheet to make it easier for the report to be presented on a single screen.

4.3 RC presented the Status Change Tab:

- DCP 438 'Rate of Return Change Proposal': this was Awaiting Authority Consent;
- DCP 441 'Proposal to increase the number of allowed Change Report alternative variations from two to three': this was Awaiting Authority Consent; and
- DCP 435 'Party Novation Process': this was Awaiting Implementation.

4.4 RC Presented the Timetable Tab and highlighted key points:

- DCP 439 'Backdating Tariff Changes': this had been progressed earlier than planned and would now be presented later in the Panel Meeting;

- DCP 437 'To Shorten the DUoS Pricing Notice Periods': this was aiming to go to consultation phase later in the month;
- DCP 419 'Pre-Notifications of Planned Supply De-Energisations': this was being delayed. The reason for this was that engagement with REC had identified some areas where further changes were required so further discussions to ensure continuing alignment. In the past, MEMs had not interacted with REC, but this was no longer the case and a REC consultation would also be required to ensure engagement with MEMs. DT NOTED that DCUSA could not place obligations on MEMs directly and could only request that suppliers ask their agents to follow new procedures and RC agreed that this would require further engagement with REC.
- DCP 325 'Reviewing the requirements of Sections 35A, 35B, Schedule 15 and Schedule 20.' could be progressed now that DCP 421 'Update the Tables in schedule 15 of DCUSA' had been progressed to the Change Report phase.

4.5 The Panel NOTED the Change Register updates.

5. Initial Assessments

5.1 DT presented the Initial Assessment Cover Paper to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_02). The paper was taken as read. It was NOTED that there were two new Change Proposals for Initial Assessment by the Panel this month., as set out below.

6. Change Reports

6.1 DT presented the Change Report Cover Paper to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_03). It was noted that two Change Reports were being tabled for approval this month:

DCP 421 'Update the Tables in schedule 15 of DCUSA'

6.2 The Panel NOTED that the intent of DCP 421 is to amend the current tables within Schedule 15 of DCUSA to correctly represent ED2revenue.

6.3 The Panel SCRUTINISED DCP 421. The following comments were raised:

- that paragraph 5.30 should be amended as it currently referred to the DCUSA Panel giving advice and it was felt that the DCUSA Panel did not, strictly speaking, 'give advice'. The Panel AGREED that this paragraph should be amended to remove this reference;
- that both Charging and General Objectives had been identified as being applicable and discussed if this was appropriate for this CP, and AGREED that in this case they were comfortable with both being assessed; and
- that paragraph 8.3 referred to previous discussions at the ENA Connections COG, but that this was very much unlikely to have been the case and therefore suspected that this had been included in error. The Secretariat was not able to provide assurances during the meeting but

agreed to investigate this further and either confirm the accuracy of this statement, or to amend the paragraph to remove this reference.

- 6.4 For DCP 421, the Panel NOTED that several queries or amendments had been raised as a result of their scrutiny and RESOLVED that these three points would need to be actioned prior to be resubmitted to the Panel for approval. The Panel AGREED to receive the amended Change Report for DCP 421 for ex-committee decision by email.

DCP 439 'Backdating Tariff Changes'

- 6.5 The Panel NOTED that the intent of DCP 439 is to add a sensible backstop to backdating.
- 6.6 AG NOTED an amended version of the legal text for DCP 439 had been recirculated as a late paper, and explained that this was because paragraph 6.11 had duplicated the words 'the later of'. This had been amended in the recirculated version.
- 6.7 The Panel SCRUTINISED DCP 439. The following comments were raised:
- It was NOTED that paragraph 5.7 should read 'not always', not 'always not'. The Panel AGREED to amend this paragraph accordingly.
 - It was NOTED that paragraph 5.17 should say 'impact' not 'impacted'. The Panel AGREED to amend this paragraph accordingly.
 - It was NOTED that paragraph 5.19 referred to points agreed by the working group but that it was always clear whether this had in fact been fully considered, in part because of the way the change report had been structured. The Panel asked if in future, change reports could be revised to present working group responses in a more structured way as this would make it easier to cross-check against comments such as the one questioned during the meeting. RC confirmed that the Secretariat were currently trying to develop a new and more structured way of presenting this.
- 6.8 For DCP 439, the Panel NOTED that several queries or amendments had been raised as a result of their scrutiny and RESOLVED that these points would need to be actioned prior to be resubmitted to the Panel for approval. The Panel AGREED to receive the amended Change Report for DCP 439 for ex-committee decision by email.

218/01 Change Reports: The Secretariat to amend the Change Reports for (1) DCP 421, and (2) DCP 439, as agreed, and recirculate the amended versions to the panel for ex-committee approval, and then progress these to the voting phase for a period of 15 days.

7. Housekeeping Log

- 7.1 DT presented the Housekeeping Log Summary Paper and Housekeeping Log to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_04). The paper was taken as read.
- 7.2 DT NOTED that, as per Action 217/03, the amended definition of MPAS had been corrected from 'Services' to 'Service', and that this had been added to the Housekeeping Log.

7.3 DT NOTED that there no other housekeeping items have been identified by either the Secretariat or any Party.

7.4 The Panel NOTED the Housekeeping Log.

8. Accession Applications

8.1 DT presented the Accession Applications paper to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_05). The Paper was taken as read.

8.2 DT NOTED that two new Accession Application had been received and vetted by the Secretariat from an applicant wishing to accede to DCUSA in the SIP Party Category.

Fuse Meter Operations Limited

8.3 The Panel SCRUTINISED the Accession Application.

8.4 The Panel RESOLVED to APPROVE the Accession Application for Fuse Meter Operations Limited. The Panel and instructed the Secretariat to prepare the relevant Accession Agreement paperwork for signing and progress the Accession Application following the meeting.

IMServ Europe Limited

8.5 The Panel SCRUTINISED the Accession Application.

8.6 The Panel RESOLVED to APPROVE the Accession Application for IMServ Europe Limited. The Panel and instructed the Secretariat to prepare the relevant Accession Agreement paperwork for signing and progress the Accession Application following the meeting.

218/02 Accession Applications: The Secretariat to progress the Accession Application for: (1) Fuse Meter Operations Limited and (2) IMServ Europe Limited, by drafting and sending the applicant an Accession Agreement and advising the DCUSA Board that the Panel have instructed them to countersign these Accession Agreement.

9. ECR Change Request Notice

9.1 RC presented the ECR Change Request Notice to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_06). The paper was taken as read.

9.2 RC NOTED that in accordance with Schedule 31, Paragraph 3 of the DCUSA, a request had been received to amend the Agreed Version of the Embedded Capacity Register.

9.3 DT noted that IDNOs do not produce long term development statements so that may be something for the Panel to consider when making a decision on this request.

9.4 The Panel SCRUTINISED the ECR Change Request notice, and asked if it would be possible to ask the proposer to clarify exactly how they wanted this to be changed. The Panel considered that further clarification and also input is required prior to any decision being made as to whether the ECR template is updated and AGREED that this item should be taken to the SIG for discussion.

218/03 ECR Change Request Notice: The Secretariat would (1) use reasonable endeavours to contact the proposer of the ECR Change Request to ascertain clarify exactly how they wanted this to be changed, and (2) table this as an issue at the next SIG meeting for progression.

10. CaCOP Headline Report

10.1 DT presented the CaCOP Headline Report to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_07). The paper was taken as read.

10.2 DT highlighted key points, including:

- Ofgem had spoken about the need to revise Expected Decision Date and that there had been delays in this due to Ofgem needing to better understand the new Government's priorities.
- That Ofgem were looking to speak with Code Administrators on the topic of optional charging, which would essentially be the possibility for the Code Manager to charge for some of their services on a more direct/one-off basis, instead of funding it through their core charges (which code parties regularly pay). DCUSA Panel (Open Session) Paper Reference
- That Ofgem were looking to speak with Code Administrators on the topic of delivery plans, in respect of how Code Managers are obliged to produce a delivery plan for their code based on Ofgem's strategic direction statement and that there were open questions around the prescriptiveness of the requirements regarding the plan, its timespan and scope.
- That Ofgem were not conducting a Code Administrators survey, but had suggested that CaCOP Forum might be a good way to go about conducting such a survey instead and that this was currently a work in progress.

10.3 The Panel NOTED the CaCOP Headline Report.

11. DCMDG Headline Report

11.1 DT presented the DCMDG Headline Report to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_08). The paper was taken as read.

11.2 DT highlighted that the bulk of the meeting has been on two key discussion points which was an extensive update from Ofgem, including: putting together a document which is somewhere between open letter and a call for input which they have run past some of the DNOs already. It was noted that the document will be focussed on some recent problems seen with the DUoS methodology and their work has involved putting options together on what can be done to make sure that if DNOs have problems setting tariffs in the short term, what Ofgem will do to sort that out.

11.3 It was also noted that the Ofgem representative explained to DCMDG members that Ofgem are starting to get together the beginnings of their forward-looking DUoS reform work but that some of this is conditional on when more information becomes available in terms of the direction of travel for other market design work (i.e., REMA and TNUoS charges).

- 11.4 There was also a discussion related to the private network sub-group and that the Chair had acknowledge the delay between meetings. It was also noted that the Ofgem representative explained that his view was that it might be best for work in this area to remain paused for the moment, as there are several workstreams that are likely to interact with any such work, including since the new government has come in, their proposed 'Local Power Plan' that is likely to be pushed forward as well as other interactions.
- 11.5 The Panel SCRUTINISED the DCMDG Headline Report, with one Panel member questioning the TCR banding processes following a conversation with some colleagues in industry who had shared concerns about an email issued by the Secretariat which set out information that didn't necessarily align to the obligations in the DCUSA. DT ADVISED that a draft email had been prepared that would provide an update to explain the difference between mandatory and non-mandatory items and to provide additional guidelines.
- 11.6 The Panel NOTED the DCMDG Headline Report.

12. SIG Headline Report

- 12.1 AG presented a verbal SIG Headline Report to the Panel. AG mentioned that DIF 75 had been raised, which followed on from the implementation of DCP 414 which looked at transitional protection for non-half-hour CT customers who a transitioning to HH due to MHHS. The issue was being raised some Parties were having difficulties in differentiating between which customers were transitioning as a result of MHHS as opposed to some other reason. In particular, the query had been whether the legal text placed obligations on distributors to send MPANs for sites that were also subject to transitional protections as a result of upgrades. To address this, the suggestion had been to make some tweaks to the legal text but that following the meeting, this appeared less likely and the proposer now seemed more comfortable that the DCUSA contains enough information to proceed.
- 12.2 The Panel NOTED the SIG Headline Report.

13. DCUSA Monthly Horizon Scan

- 13.1 DT presented the DCUSA Monthly Horizon Scan paper to the Panel, which had been circulated prior to the meeting. See paper (Panel_2024_0821_09). The paper was taken as read.
- 13.2 DT NOTED that no updates had been made since the last meeting and sought feedback from the Panel as to whether there were any items that should be added, removed or updated.
- 13.3 DT NOTED That an open letter, which is not directly related to the DUoS SCR had been published, but as this was not directly related to the SCR itself had not been added to the Horizon Scan.
- 13.4 One Panel member asked if the newly announced GB Energy would impact DCUSA, to which the Panel concluded that this would not have an impact upon DCUSA, so AGREED not to add this as a new Horizon Scan item.
- 13.5 The Panel NOTED the Horizon Scan.

14. Any Other Business

14.1 No items of Other Business were raised.

15. Date of next meeting: 18 September 2024 at 10.00am

15.1 The next meeting will be held in person at ElectraLink's offices, 3rd Floor, Northumberland House, 303-306 High Holborn, London, WC1V 7JZ and via Microsoft Teams.

Appendix A: Summary of Actions

New and Open Actions – Open Session

Ref No.	Action	Owner	Update
217/01	<p><u>Change Register:</u> The Secretariat to consider alternative formats or layouts for presenting the Change Register that would ensure that the Panel were able to review a more up-to-date version in Panel Meetings. Draft alternatives would be presented for review and approval at a future Panel Meeting.</p> <p>Update 21 August 2024: The Panel additionally requested that the coloured cells be moved to the left of the spreadsheet to make it easier for the report to be presented on a single screen.</p>	ElectraLink	Update 21 August 2024: This will be presented at the September Panel Meeting. KEEP OPEN
217/05	<p><u>IWG Headline Report:</u> The Secretariat to approach REC and request information on incomplete or abandoned SIP applications to see whether any insights could be gained about companies that had initiated but not completed the SIP Accession Process.</p>	ElectraLink	Update 21 August 2024: The Secretariat are currently in contact with the relevant staff at REC to discuss this. KEEP OPEN
217/07	<p><u>AoB 2: 'Pre-discussion of Change Proposal in standing groups ahead of submission':</u> The Secretariat to prepare updated guidance on how Change Proposals could be pre-discussed with different standing groups ahead of submission and table proposed wording and updated website text for review and approval at a future Panel Meeting.</p>	ElectraLink	Update 21 August 2024: This has been drafted and will be circulated after the August Panel Meeting for review. KEEP OPEN
218/01	<p><u>Change Reports:</u> The Secretariat to amend the Change Reports for (1) DCP 421, and (2) DCP 439, as agreed, and recirculate the amended versions to the panel for ex-committee approval, and then progress these to the voting phase for a period of 15 days.</p>	ElectraLink	
218/02	<p><u>Accession Applications:</u> The Secretariat to progress the Accession Application for: (1) Fuse Meter Operations Limited and (2) IMServ Europe Limited, by drafting and sending the applicant an Accession Agreement and advising the DCUSA Board that the Panel have instructed them to countersign these Accession Agreement.</p>	ElectraLink	
218/03	<p><u>ECR Change Request Notice:</u> The Secretariat would (1) use reasonable endeavours to contact the proposer of the ECR Change Request to ascertain clarify exactly how they wanted this to be changed, and (2) table this as an issue at the next SIG meeting for progression.</p>	ElectraLink	

Closed Actions – Open Session

Ref No.	Action	Owner	Update
217/02	<u>Initial Assessments:</u> The Secretariat to (1) progress DCP 442 'Aligning enduring flexible connections' to the Definition Phase and to set up a Working Group in order to further refine the proposed solution; and (2) progress DCP 443 'Excess capacity' to the Definition Phase and to set up a Working Group in order to further refine the proposed solution.	ElectraLink	Update 21 August 2024: These have been completed. CLOSED
217/03	<u>Housekeeping Log:</u> The Secretariat to (1) correct the amended definition of MPAS from 'Services' to 'Service' within the Housekeeping Log.	ElectraLink	Update 21 August 2024: This has been completed. CLOSED
217/04	<u>Accession Applications:</u> The Secretariat to progress the Accession Application for Green Generation Energy Networks Cymru Limited, by drafting and sending the applicant an Accession Agreement and advising the DCUSA Board that the Panel have instructed them to countersign these Accession Agreement.	ElectraLink	Update 21 August 2024: This has been completed. CLOSED
217/06	<u>AoB 1: 'Meeting recordings':</u> The Secretariat to update procedures for recording meetings for minute-taking purposes such that all recordings would be retained until after these minutes had been approved. This would include informing all meeting participants of the revised procedures and updating the explanatory footnote wording on all future agendas.	ElectraLink	Update 21 August 2024: This has been completed. CLOSED