

DCP 451 Suspending Registrations Draft Legal Text

Amend Section 2A 'Distributor to Supplier/Generator Relationships' – Clause 23.4

Section 3 'General Legal Provisions' – Clause 54.2

Schedule 1 'Cover' – Paragraph 3.5

Amend Clause 23.4 of Section 2A 'Distributor to Supplier/Generator Relationships' as follows –

- 23.4 Failure by the User to remedy a Payment Default within four Working Days of receipt of a Late Payment Notice from the Company shall be a material breach of this Agreement by the User for the purposes of Clause 54.1.1, and the Company shall be entitled to take actions to suspend registration services in accordance with the provisions of ~~the Retail Energy Code Clause 54.2.1. Where the Company takes such action, it shall send a copy of any notice that it is required to issue pursuant to those provisions to the User and the Panel (care of the Secretariat).~~

Amend Clause 54.2 of Section 3 'General Legal Provisions' as follows –

- 54.2 For so long as an Event of Default is continuing, where a Supplier/CVA Registrant is a User under Section 2A, or where a DNO/IDNO/OTSO Party is a User under Section 2B, and, in either case, that Party is a Breaching Party pursuant to:
- 54.2.1 Clause 54.1.1 or 54.1.6, any Party to whom the obligations in question were owed shall be entitled to suspend its performance of the services described in Section 2 to the Breaching Party by: (a) giving notice in writing to the Breaching Party ~~and copying that notice to the Authority and the Panel (care of the Secretariat); and (b) reporting under the Retail Energy Code the amendment to the Regulatory Alliance ending the Regulatory Alliance under the Retail Energy Code with the Breaching Party and copying the notice given under (a) to the REC Performance Assurance Board;~~
- 54.2.2 Clause 54.1.8, the Panel shall be entitled to instruct the REC Code Manager to procure suspension of CSS registration services for the Breaching Party ~~by imposing a Market Sanction~~ under the Retail Energy Code and shall notify each DNO/IDNO Party and the Authority that the Panel has taken such action; and

Amend Para 3.5 of Schedule 1 'Cover' as follows –

- 3.5 In addition to any other remedies available to it, the Company shall be entitled to take the following actions following a Cover Default (provided that, where the provision of CSS registration services or the right to make future connections under Section 2B (as applicable) has been suspended at any time after Day 0 + 5, then the Company must, as soon as the Cover Default has been remedied, ~~notify the User, and copying that notice to the Authority and the Panel (care of the Secretariat), and~~ reinstate the right to CSS registration services (by updating the Regulatory Alliance under the REC) ~~and~~

notifying the REC Performance Assurance Board, or reinstating the right to make future connections under Section 2B (as applicable)):

Section 2A	
Day 0 + 5	Suspend CSS registration services in accordance with the provisions of Clause 54.2.1 by updating the Regulatory Alliance under the Retail Energy Code, and notify the Authority