

DCP 451 Working Group - Meeting 02

02 May 2025 at 10:00 - Web-Conference

Attendee	Company
Working Group Members	
Caroline Freimuller [CF]	REC
Derek Fairbairn [DF]	NPg
Donald Preston [DP]	SSE
Donna Jamieson [DJ]	IDCSL
Mark Bellman [MB]	ENWL
Nik Wills [NW]	Stark
Peter Waymont [PW]	UKPN
Philip Mark [PM]	SSE
Rachael Prosser [RP]	National Grid
Victoria Burkett [VB]	SSE
Code Administrator	
Andy Green [AG] (Chair)	ElectraLink
Mel Kendal [MK] (Technical Secretariat)	ElectraLink

1. Administration

- 1.1 The Working Group reviewed the “Competition Law Guidance” and “Terms of Reference”. All Working Group members agreed to be bound by the Competition Law Guidance for the duration of the meeting and agreed to the Terms of Reference.
- 1.2 The Chair asked members if they were comfortable for this Working Group to be recorded. No members objected to this request. The purpose of this recording is purely to aid the Technical Secretariat in producing an accurate report of the meeting. The recording will be deleted after the minutes are approved.
- 1.3 The Working Group reviewed the previous meeting minutes and agreed them to be an accurate reflection of the discussions held.
- 1.4 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 review and discuss the collated Consultation responses within the Working Group and agree next steps.

3. Review Collated Consultation Responses

- 3.1 The Chair walked through each Consultation response with the Working Group for further discussion – this was presented on screen and can be found as **Attachment 1**.
- 3.2 The key points can be found below:
- 3.3 **Q1**
- 3.4 The Chair informed the group that all respondents (bar REC as N/A) understand the intent of the CP.
- 3.5 **Q2**
- 3.6 The Chair informed the group that all respondents (bar REC as N/A) are supportive of the principles of this CP.
- 3.7 **Q3**
- 3.8 The Chair walked through the responses to Q3 around whether Distributors have experienced the issue and explain what that experience was like.
- 3.9 There were a number of responses stating that they had experienced the issue first-hand, and noted that it was confusing, and the process itself takes too long.
- 3.10 One respondent stated that they have been advised that the request must come from DCUSA for the removal of Regulatory Alliance, however, their understanding of the process is that the correct route to confirm is from the DNO to the CSS, as per Schedule 24 section 4.10.8 of the REC.

- 3.11 The Chair noted that the responses are clear whereby the process is not clear and there is a risk if taking on new Customers and creating more debt is significant.
- 3.12 **Q4**
- 3.13 The Chair walked through the responses to Q4 around what concerns Distributors have with the process for reinstating registrations.
- 3.14 The group were informed that all respondents (bar REC as N/A) had no concerns with the process for reinstating registrations.
- 3.15 **Q5**
- 3.16 The Chair walked through the responses to Q5 around whether this change better facilitates the DCUSA General Objectives.
- 3.17 The group were informed that all respondents (bar REC as N/A) agreed that this change better facilitates the DCUSA General Objectives 3/4.
- 3.18 **Q6**
- 3.19 The Chair walked through the responses to Q6 around whether there are any wider industry developments that may impact upon this CP.
- 3.20 The group were informed that the majority of respondents (bar REC as N/A) were not aware of any wider industry developments that may impact upon this CP. One respondent did mention that REC changes will be required and are advancing as a separate issue. Another respondent mentioned that the Codes Review may potentially have an impact.
- 3.21 **Q7**
- 3.22 The Chair walked through the responses to Q7 around how they may be impacted by the outcome of this CP.
- 3.23 The group were informed that all respondents (bar REC as N/A) agreed that the outcome of this CP will have a positive impact on them, noting that it will be clearer, easier to follow and will remove confusion.
- 3.24 **Q8**
- 3.25 The Chair walked through the responses to Q8 around whether the respondent agrees with the Working Group's proposed implementation date.
- 3.26 The group were informed that all respondents (bar REC as N/A) agreed with the proposed implementation date.
- 3.27 **Q9**

- 3.28 The Chair walked through the responses to Q9 around whether there are any further comments in relation to the legal text.
- 3.29 The group were informed that 6 out of 8 respondents did not provide any additional comments in relation to the legal text.
- 3.30 The Chair presented the feedback suggested by REC in relation to legal text amendments. The suggested amendments can be found below in blue:

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 (as per REC Schedule 24 Switching Data Management)~~ **with the Breaching Party and copying the notice given under (a) to the REC Performance Assurance Board;**

54.2.1 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 **(as per REC Schedule 24 Switching Data Management)** and shall notify each DNO/IDNO Party and the Authority that the Panel has taken such action;

- 3.31 CF suggested it may be beneficial to include further detail regarding where to find this information.
- 3.32 The Chair informed the group that another respondent also provided feedback regarding the legal text which can be found below:

Schedule 1, Clause 3.5 –

In addition to any other remedies available to it, the Company shall be entitled to take the following actions **as a result of 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 DCUSA Consultation DCP 451 Page 3 of 3 1.0 under the REC) **by and** notifying the REC Performance Assurance Board, or reinstating the right to make future connections under Section 2B (as applicable));

- 3.33 Members were happy with the suggestions, with the exception of the added 'by' and deleted 'and' at the end of the paragraph as the right to CSS registration services being reinstated is not completed 'by' notifying the REC Performance Assurance Board (PAB), it is an additional step that needs to be taken.
- 3.34 Besides the exception stated above, the Working Group were happy with the additional wording by both respondents and agreed to send to Gowling for legal review. It was also noted that all other

documents making reference to the legal text will also need to be updated – the Chair updated this live on screen.

ACTION 02/01: The Secretariat to send the updated legal text to Gowling for final legal review.

- 3.35 The Secretariat also agreed to inform REC once the legal text has been provided to Gowling so that they can also send theirs for legal comparison.

ACTION 02/02: The Secretariat to inform REC once DCP 451 Legal Text has been provided to Gowling for review.

3.36 **Q10**

- 3.37 The Chair walked through the responses to Q10 around whether there are any other comments in relation to DCP 451.

- 3.38 The group were informed that 6 out of 8 respondents did not have any further comments in relation to this CP.

- 3.39 One respondent suggested that, to ensure consistency between Parties, should this DCP be approved for implementation there will need to be an agreed Mailbox to use when notifying the REC PAB of suspension/reinstatements. CF confirmed that this Mailbox address will be enquires@recmanager.co.uk. VB queried whether there should be a specific designated mailbox for these emails to go to as opposed to being sent to the enquiries mailbox. CF confirmed that the PAB do not currently have a specific mailbox but will take this away to find out further information as to whether this can be done.

ACTION 02/03: CF to seek further information around whether an individual mailbox for the PAB can be set-up.

- 3.40 Another respondent stated that they believe the REC change should be progressed which concentrates on the processes in which Suppliers should manage these restrictions, where there has been a Change of Supply event. It was suggested that REC progressing I0248 to consider this issue would be appreciated.
- 3.41 CF stated that this may be looked at by raising a separate CSS change (as opposed to I0248) to review their business logic within these scenarios. This was noted by the Working Group.

4. Work Plan and Agree Next Steps

- 4.1 The Working Group discussed the next steps, and the following items were captured:
- The Secretariat to make the necessary updates to the legal text and send to Gowling for legal review.
 - The Secretariat to finalise the Change Report ready to present to the May DCUSA Panel.

5. Any Other Business

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

5.2 There were no other items raised.

6. Date of Next Meeting – N/A

6.1 There is currently no further Working Group meetings scheduled as the aim is to present the DCP 451 Change Report at the May DCUSA Panel meeting being held on 21 May 2025.

7. Attachments

- Attachment 1_DCP 451 Collated Consultation Responses
- Attachment 2_DCP 451 Work Plan

APPENDIX A

New and Open Actions

Action Ref.	Action	Owner	Update
02/01	The Secretariat to send the updated legal text to Gowling for final legal review.	Secretariat	New Action.
02/02	The Secretariat to inform REC once DCP 451 Legal Text has been provided to Gowling for review.	Secretariat	New Action.
02/03	CF to seek further information around whether an individual mailbox for the PAB can be set-up.	CF	New Action.

Closed Actions

Action Ref.			Update
01/01	The Secretariat to produce a draft Consultation and circulate to the Working Group for review offline.	Secretariat	Closed.
01/02	The Secretariat to issue a doodle poll to the Working Group for the next meeting date.	Secretariat	Closed.