

## DCP 446 Working Group Meeting 04

18 February 2025 at 10:00 - Web-Conference

Attendee	Company
<b>Working Group Members</b>	
Brian Sweeney [BS]	UK Power Networks
Clare Wagstaffe [CW]	SSE
Mark Bellman [MB]	Electricity North West Limited
Mark Rose [MR]	UK Power Networks
Mark Mclean [MM]	SP Energy Networks
Owen Black [OB]	SP Energy Networks
Liam Sweeney [LS]	Ofgem
Erik Baguzis [EB]	Indigo Networks
James Devriendt [JD]	UK Power Networks
Victoria Burkett [VB]	SSE Energy Supply Limited
Peter Waymont [PW]	UK Power Networks
<b>Code Administrator</b>	
Craig Booth [CB]	Chair
Hannah Proffitt [HP]	Secretariat

### 1. Administration

#### Recording

- 1.1 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.

#### Apologies

- 1.2 No apologies were received ahead of the meeting.

## Competition Law Guidance and Terms of Reference

- 1.3 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.

## Minutes of the Previous Meeting & Action Log

- 1.4 The minutes were approved without amendment. Updates on the actions are included at the end of the document.

## 2. Purpose of the Meeting

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- 2.1 The Chair advised that the purpose of the meeting was to discuss Gowling’s feedback and the Proposer’s assessment of this, and to review the legal text.

## 3. Review of Gowling’s Feedback

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- 3.1 The Chair presented the feedback received from Gowling to the group.
- 3.2 Regarding the DCUSA Objectives, MB asked if cost reflectivity would be better facilitated. PW clarified that as the change is not a charging modification, it cannot be assessed against the Charging Objectives. PW added that only changes seeking to amend the charging methodology can be assessed against the Charging Objectives.
- 3.3 The Working Group went on to review the legal text with BS’s suggested amendments.
- 3.4 Regarding Section 2, Paragraph 7, BS proposed that this clause stays as drafted by Gowling as the Working Group agreed that this category of customer was protected by the licence condition.
- 3.5 Regarding Section 3, Clauses 5.7 to 5.9 and Clause 6.3, BS advised that they had redrafted to ensure fair treatment of this category of customers not given protection under SLC 10AA.
- 3.6 OB asked why 5.7(iv) was included and asked whether BS had any specific scenarios in mind when drafting. BS noted that they were aiming to cover all eventualities and that it is possible something could arise in this category which is not covered by the other three point.
- 3.7 PW highlighted a number of typos that were corrected.
- 3.8 EB suggested that the statement following 5.7(iv) should specify that it is at the request of the customer by directly referencing points (i) to (iv). EB noted that they felt reasonableness should be encompassed in all of those points. PW noted that you do not need to consider whether it is reasonable to charge them or not as they have asked for the de energisation and therefore it is always going to be reasonable.
- 3.9 MB questioned the circumstance that the customer requests the de energisation on the grounds of safety. BS noted that if the customer is asking for it, they will be charged whatever the reason. EB noted that if it is on the grounds of safety reasons brought by the customer, reasonableness is excluded by paragraph (b).

- 3.10 MB raised a potential conflict in 5.7 if for example the Customer made the request but it was for safety reasons not caused by them, it might not be reasonable to charge the customer. This point was subsequently covered by changes to include reasonableness test for all such charges.
- 3.11 The Working Group agreed to amend (b) to clarify that the reasonableness assessment is being applied to points (i) to (iv).
- 3.12 Regarding Schedule 2B, Section 3, Clause 6.3, members agreed for 'or breaches' to be added for consistency.
- 3.13 OB questioned whether Section 2, Paragraph 7 should also be updated to include the 'acts, omissions or breaches' wording. The Working Group agreed. The Chair agreed to replicate the changes to the other sections following the meeting.
- 3.14 OB asked whether the intent of this change is specifically around express de energisations and whether this distinction needs to be made in the text. MR clarified that the intent is related to reconnections outside of the usual process. The group agreed that no changes were needed.
- 3.15 The Working Group reviewed the draft Change Report. The Chair highlighted that text had been added based on Gowling's legal review.
- 3.16 Members reviewed the DCUSA General Objectives and a majority of Working Group members agreed that the change better facilitates Objectives 1 and 3.
- 3.17 The Chair agreed to update the Change Report and circulate this to the Working Group alongside the updated legal text.

Action 04/01 – The Chair to circulate the updated Change Report and Legal Text to the group for review following the meeting.

- 3.18 Once the Working Group have reviewed the documents, the Chair agreed to send the Legal Text back to Gowling for a final review.

Action 04/02 – The Chair to send the Legal Text to Gowling for a final review, once it has been reviewed by Working Group members.

## 4. Review Legal Text

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- 4.1 The Legal Text was reviewed alongside Gowling's feedback, summarised above.

## 5. Review/Update Work Plan

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- 5.1 The Working Group agreed to finalise the documents via email and to arrange another meeting if needed.

## 6. Any Other Business

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6.1 No other business was raised.

## New and Open Actions

Action Ref.	Action	Owner	Update
<b>Action 04/01</b>	The Chair to circulate the updated Change Report and Legal Text to the group for review following the meeting.	The Chair	<i>This has been completed – circulated on 18 February.</i>
<b>Action 04/02</b>	The Chair to send the Legal Text to Gowling for a final review, once it has been reviewed by Working Group members.	The Chair	<i>New action.</i>

## Closed Actions

Action Ref.			Update
<b>Action 03/01</b>	Secretariat to check the Change Report and collated consultation response document and mirror the changes to the minutes.	The Secretariat	<i>This has been completed.</i>
<b>Action 03/02</b>	Proposer to consider the legal text wording ahead of the next meeting.	The Proposer	<i>This was discussed at the meeting.</i>
<b>Action 03/03</b>	The Chair to ask Gowling to specify which DCUSA objectives are not consistent with the current drafting and ask them to expand further on the reasons why.	The Chair	<i>This was discussed at the meeting.</i>