

DCP 473 Working Group Meeting 02

13 May 2026 at 10am – Web-conference

Attendee	Company
Working Group Members	
Blessing Ekpe [BE]	SSE
Chris Ong [CO]	UKPN
Donna Jamieson [DJ]	IDCSL
Alex Pentecost [AP]	Eclipse Power
Laura Quinn [LQ]	SPEN
Ian Chadwick [IC]	AEN
Jo Brown [JB]	National Grid
John Harmer [JH]	Waters Wye
Adam McNae [AM]	Brook Green Supply
Mark Bellman [MB]	ENWL
Nik Wills [NW]	Stark
Peter Waymont [PW]	UKPN
Ryan Farrell [RF]	NPg
Victoria Burkett [VB]	EON
Kelly McLaughlin [KM]	NGED
Hazel Patterson [HP]	SPEN
Code Administrator	
Andy Green [AG]	ElectraLink

1. Administration

Recording

- 1.1. The Chair informed Working Group members that, as per the Terms of Reference, the meeting would be recorded for the purpose of aiding the Technical Secretary in producing an accurate record of the meeting. The recording will be deleted no later than 60 days after the meeting.

Competition Law Guidance and Terms of Reference

- 1.2. 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.

Action Log & Review of Minutes

- 1.3. The Chair presented the minutes of the previous meeting. No comments were raised.
- 1.4. A summary of the open actions and updates are included in the appendix.

2. Purpose of the Meeting

- 2.1. The Chair set out that the purpose of the meeting was to review the legal text and draft consultation and agree next steps.

3. Review of Legal Text

- 3.1. The Chair advised that there were 4 different solutions on offer so far, these were, option A, charge the DUoS as soon as an MPAN is energised, B, allow a grace period of 24 months to pass before the DUoS charges are applied, C, remove the reserved capacity after 24 months and finally option D, allow the distributor to be able to physically disconnect the site after a period of 24 months had passed.
- 3.2. It was agreed that there was no need to discuss solution A as the legal text for that solution had already been agreed within the Working Group.
- 3.3. It was also highlighted that the proposer had stated unequivocally that solution A would be taken forwards as an option when this CP goes to voting stage.

Schedule 16 Changes

- 3.4. The Working Group identified that initial drafting referred generically to 'sites', which could unintentionally broaden the scope beyond that intended. It was highlighted that the proposal is specifically intended to apply to CT-metered sites and the drafting does not explicitly reference this as it captured all sites. It was agreed that all the solutions should explicitly reference CT-metered sites.
- 3.5. The Working Group clarified the interaction between the 24-month grace period and the 6-month notice period. It was agreed these are separate mechanisms and work as follows: a minimum 24-month period where no DUoS charges apply, followed by a mandatory minimum six-month notice period prior to the commencement of charges where the distributor has to contact the customer and registered supplier that DUoS charges will start to apply in 6 months time.

- 3.6. It was agreed that the notice sent by the distributor must include the charge start date and outline available options to the customer. The Working Group also agreed that while this formal 6 month notice is mandatory, earlier engagement can occur at the discretion of distributors.
- 3.7. The Working Group reviewed the customer options, including re-energisation, capacity reduction or relinquishment, and disconnection. It was clarified that capacity changes require agreement with the distributor and cannot be agreed solely between customer and supplier so the legal text drafting was updated to reflect that such actions involve requesting or discussing capacity changes with the distributor.
- 3.8. The Working Group agreed that where no action is taken and the site remains de-energised, DUoS charges should apply automatically following expiry of the notice period. A simplified drafting approach was preferred, establishing a clear default outcome.
- 3.9. The Working Group confirmed that charges should be applied based on the capacity position at the end of the notice period. Where capacity is retained, charges apply in full; where reduced, charges apply to the revised level. It was agreed that charging should not commence prior to completion of the notice period, regardless of when capacity discussions occur.
- 3.10. The Working Group discussed the risk of customers re-energising sites temporarily to reset the grace period. While potential mitigations were considered, it was agreed that introducing complex rules within the legal text could create further unintended consequences so it was agreed to ask a consultation question on what the potential gaming risks are and if there is currently activity happening today that could mitigate the gaming risks are any future action that could be taken to mitigate.
- 3.11. One solution offered was having the legal text clearly state that an MPAN has to remain energised for a set number of days/months post it being re-energised otherwise the number of days accumulated when it was de-energised would still stand.
- 3.12. Another solution suggested was to have a set number of days (not necessarily consecutive) that an MPAN would be de-energised for is a set period ie de-energised for a total number of 300 days in a 365-day period.
- 3.13. It was agreed within the Working Group that solution B required no NTC changes. It was also noted that the clarifications given to this change being applicable to CT metered sites should be explicitly stated for solutions C and D and that the changes referring to the grace period and contact processes should also be captured with the schedule 16 amendments for solutions C and D.

NTC changes

- 3.14. The Working Group emphasised the importance of keeping a clear distinction between Schedule 16, which sets out the procedural requirements, including the grace periods, notice provisions and customer engagements, and the National Terms of Connection (NTC), which establishes the legal rights available to distributors.
- 3.15. It was agreed that the NTC provisions should not duplicate process that is laid out in Schedule 16 but there should be a reference to schedule 16 highlighting that the process a Distributor needs to follow is captured there.
- 3.16. The Working Group confirmed that the NTC must establish a unilateral right exercisable by the distributor where the customer has failed to engage following completion of the notice period and that this right must not depend on gaining the customers agreement.

- 3.17. The Working Group discussed the use of the terms 'vary', 'remove' and 'reduce'. It was agreed that 'vary' implies that an agreement is needed was therefore not fit for purpose. The preferred approach was to define the outcome as the 'reduction of agreed capacity to zero, which provides a clear and definitive position and aligns with how capacity is to be represented.
- 3.18. It was reiterated that NTC provisions are to be a backstop mechanism. They apply only after the grace period, and notice process has expired and when the customer has not taken action. In such cases, the distributor must be able to act without further dependency on customer response to ensure any unused capacity is not indefinitely reserved.
- 3.19. The placement of the new provisions within the NTC was discussed. It was noted that clear signposting is required to ensure that users understand which sites are in scope. The Working Group agreed that placement should align with sections relevant to CT-metered or capacity-related provisions rather than general clauses, to avoid misinterpretation and as such, paragraph 12.11.B.A was agreed as the most appropriate clause for the new paragraph to be placed.

4. Review Draft Consultation

- 4.1. The Chair outlined that the consultation should focus on the 'what', 'why', and 'how' of the proposal, with particular emphasis on clearly explaining the alternative solutions and capturing the views on each.
- 4.2. The Working Group noted that the overarching structure of the consultation document was appropriate, with sections covering background, proposed solutions, legal text, and consultation questions. However, several amendments were suggested to ensure clarity and avoid duplication of topics already covered in the previous change, DCP 463.
- 4.3. The Working Group agreed that where options had been discounted (e.g. direct charging by distributors to customers), the consultation should not include extensive rationale for their rejection. Instead, it should simply state that these options were considered but did not receive sufficient support.
- 4.4. The Working Group reviewed the description of the proposed grace period and agreed that it should clearly explain its purpose, namely, to allow suppliers sufficient time to identify the responsible customer and undertake engagement activities. Working Group members also agreed that the justification for the proposed 24-month period should be presented as a working assumption rather than a fixed position, to encourage meaningful feedback.
- 4.5. The Working Group reviewed the full set of consultation questions in detail. It was agreed that questions should be set out to avoid duplication. Working Group members suggested reordering certain questions to improve the flow of the document, particularly ensuring that higher-level questions (such as understanding and support) are presented before more detailed technical questions.
- 4.6. Working Group members emphasised the importance of ensuring that each question is clearly worded and does not assume prior knowledge of Working Group discussions. It was agreed that each question should be self-contained, with sufficient context provided to allow respondents to answer without reference to meeting minutes.
- 4.7. The Working Group agreed that it is important to include a direct question asking respondents to identify their preferred solution option and provide rationale.

- 4.8. The Working Group agreed that risks relating to gaming should be explicitly tested through the consultation and that a question should be asked for respondents to describe potential gaming scenarios and possible mitigations, as this was an area where the Working Group had not reached a settled view internally.
- 4.9. The Working Group discussed questions relating to supplier obligations and the accuracy of de-energisation data. It was agreed that a questions on this was important to help the Working Group understand the robustness of current processes and whether additional controls may be required.
- 4.10. Working Group members noted that sites with unknown occupiers present practical challenges and agreed that the consultation should include questions to better understand current industry practices and potential impacts of the proposed change.
- 4.11. The Working Group reviewed the proposal to include questions on whether certain scenarios (e.g. bad debt, revenue protection, insolvency) should be treated differently. It was agreed that industry views should be sought before introducing any exemptions into the legal text and as such, a question is to be asked on this topic.
- 4.12. Below is a table of the questions the Working Group agreed to ask.

Number	Questions
1	Do you understand the intent of this CP?
2	Do you support the principles of this CP?
3	Are there any alternative solutions that the Working Group have not considered, both as part of DCP 463 and 473? If so, please elaborate.
4	Is a period of 24 months an appropriate timescale before any charges/capacity removal for de energised sites occurs? If not please explain why and provide any alternative timescales
5	Are the processes open to gaming? If so, please elaborate on how and why and any steps that can be taken to mitigate?
6	Which of the 4 suggested solutions do you prefer?
7	Which of the suggested solutions in your opinion most reduces the extent of socialisation of the cost of unused capacity?
8	What are your thoughts on the customer contact process that has been suggested for the 3 alternative solutions?
9	<u>For Suppliers only</u> , what are the processes/obligations you have to follow to ensure that any de energisation or energisation change is valid and correctly recorded? If there are specific obligations, i.e. in the REC/BSC, what are they?
10	Are there any other steps you take to establish who is responsible for a site?

11	Should there be an exemption for certain type of scenarios such as a site that is de energised for revenue protection purposes, bad debt, bankruptcy etc. If so, what scenarios should be exempt and what should the process look like?
12	Is the legal text sufficiently clear on what processes need to be followed before the capacity is removed or DUoS charges are passed by the DNO to the Supplier?
13	Do you consider that the proposal better facilitates the DCUSA Objectives? If so, please detail which of the Objectives you believe are better facilitated and provide supporting reasons. If not, please provide supporting reasons.
14	Do you agree with the proposed implementation date? If not, please provide supporting reasons.
15	Are you aware of any wider industry developments that may impact upon or be impacted by this CP?
16	Do you have any other comments on DCP 473?

- 4.13. The Chair agreed to update the consultation document and legal texts based on discussions and to circulate it to members along with the legal text with the aspiration of sending the consultation document out to industry on 19 May 2026 for period of 15 Working Days.

Action 02/01 - The Chair to update the consultation document and legal texts based on discussions and to circulate to members.

5. Next Steps and Work Plan

- 5.1. Members agreed on the following next steps.

- The Chair to produce and circulate draft legal text following the meeting.
- The Chair to update the consultation document based on discussions and to circulate to members.
- Members to meet again on 15 June 2026 at 1pm to review the legal text and consultation.

6. Any Other Business

- 6.1. No other business was raised.

7. Next Meeting

- 7.1. The next meeting will be held on 13 June 2026 at 1pm.

New and Open Actions

Action Ref.	Action	Owner	Update
01/01	VB to look into whether a consequential change will be needed to the REC (the RMP Life Cycle Schedule and the Secure Data Exchange Schedule).	VB	open.
02/01	Action 02/01 - The Chair to update the consultation document and legal texts based on discussions and to circulate to members.	The Chair	New action.

Closed Actions

Action Ref.			Update
07/01	The Secretariat to update the minutes as per discussions at Meeting 07 and reupload them to the website.	The Chair	Action closed. <i>Complete.</i>
07/02	The Chair to identify current obligations on Suppliers regarding identifying unknown occupiers/customers.	The Chair	Action closed. <i>Discussed during the meeting.</i>
07/03	The Chair to investigate and clarify Supplier obligations regarding maintaining contracts for non-domestic customers, especially in scenarios where Suppliers may not wish to supply a customer.	The Chair	Action closed. <i>Discussed during the meeting.</i>
07/04	The Chair to produce a draft of the consultation and issue to members, along with a process map of the agreed steps.	The Chair	Action closed.

			<i>Complete.</i>
01/04	The Secretariat to seek legal advice (and Ofgem views thereafter) once the Consultation responses have been collated and reviewed.	The Chair	Closed
01/02	The Chair agreed to reach out to REC to ask that a representative attends the next meeting to discuss potential consequential changes.	The Chair	Closed
01/03	The Chair to produce and circulate draft legal text following the meeting.	The Chair	Closed
01/04	The Chair to look into whether a DCP can be assessed against both the Charging Objectives and the DCUSA General Objectives.	The Chair	Closed
01/05	The Chair to update the consultation document based on discussions and to circulate to members.	The Chair	Closed