

DCP 473 Working Group Meeting 05

02 September 2026 at 10am – Web-conference

Attendee	Company
Working Group Members	
Blessing Ekpe [BE]	SSE
Laura Quinn [LQ]	SPEN
Ian Chadwick [IC]	AEN
Ed Grimsey [EG]	BU-UK
John Harmer [JH]	Waters Wye
Kavya Kavya [KK]	Brook Green Supply
Mark Bellman [MB]	ENWL
Nik Wills [NW]	Stark
Peter Waymont [PW]	UKPN
Ryan Farrell [RF]	NPg
Victoria Burkett [VB]	EON
Code Administrator	
Andy Green [AG]	ElectraLink
Apologies	
Jo Brown [JB]	National Grid

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. PW said that the previous minutes did not fully capture the discussion on his proposed National Terms of Connection (NTC) solution to the deemed contract issue.
- 1.4. He recalled explaining the proposed wording, its rationale and the treatment of third-party rights in some detail. It was agreed that the previous recording would be checked and the minutes updated where necessary. The Chair also acknowledged that the corresponding action to incorporate the NTC approach into Solution A had not been fully reflected in the circulated drafting and agreed to revisit both the minutes and legal text.
- 1.5. 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 for solutions A and C and agree on next steps.

3. Review of Legal Text

- 3.1. The Working Group discussed the treatment of long-term de-energised sites where there is no active customer engagement. PW reiterated that his proposed NTC amendments were intended to provide a contractual route for circumstances in which a supplier might otherwise face charges but no identifiable customer remained.
- 3.2. Working Group members distinguished between legacy sites, where ownership or responsibility may be difficult to establish, and newly de-energised sites, where customer engagement should form part of the de-energisation process.
- 3.3. JH raised concerns that Solution A could leave a supplier carrying charges without a clear means of recovery. In response, members noted that implementation arrangements should allow time to establish responsibility for legacy sites, while clearer communications and operational processes should support new cases.
- 3.4. The group recognised that much of the current difficulty relates to historic sites rather than new de-energisations.

- 3.5. It was noted that this had been discussed at length and was why the alternative solution of reducing/recovering the reserved capacity had been created.
- 3.6. The discussion then turned to the point at which charging should begin and what constitutes reserved capacity. The general principle was that, where a customer retains capacity, they should either pay for it or relinquish it. Working Group members reviewed the available MPAN lifecycle indicators and considered traded status to be the most practical trigger, as there is no industry data item that identifies the first energisation directly. The group accepted traded status as the most workable trigger, subject to the final drafting.
- 3.7. Working Group members next considered whether distributors should be required to apply the process or retain discretion. RF argued for flexibility, noting that the need to recover or release capacity differs between constrained areas and parts of the network with available headroom.
- 3.8. JH PW questioned whether a discretionary approach could create an inconsistent approach across DNOs, particularly where some customers continued to reserve capacity without charge. No final agreement was reached, and the group recognised that the use of “may” or “shall” within the legal text would have material consequences for consistency and fairness and so required further consideration.
- 3.9. The Working Group reviewed the proposed Schedule 16 wording for solution C, including clearer references to CT-metered sites and opportunities to simplify the drafted legal text.
- 3.10. Working Group members identified that the existing drafting could unintentionally extend the overall process beyond the intended 24 months because the notice period would only start after the 24-month threshold had been reached. The group agreed that this sequencing needed to be corrected.
- 3.11. The length of the notice period was also reviewed. Consultation responses had suggested that 24 months was too long, with shorter periods proposed. Several Working Group members felt a reduced period would limit administration time for parties as well as opportunities for gaming while still allowing reasonable time to identify and contact the customer.
- 3.12. Others stressed that complex ownership cases may require flexibility, especially for long term de-energised sites as these were usually the cases where the owner/occupier would be unknown. No final notice period was agreed, although the discussion indicated support for shortening the current proposal.
- 3.13. The Working Group considered the gaming risk on whether a customer might briefly re-energise a site and then de-energise again to reset the notice period. Supplier representatives regarded this as a manageable risk because it would require customer engagement and repeated interactions between the supplier and customer.
- 3.14. This meant that suppliers would be able to establish the reasons behind why these appointments had been booked so close together which would highlight instances of customers trying to reset the notice period.
- 3.15. It was also noted that most suppliers charge for a re-energisation appointment and de-energisation appointment so this would be another tool to deter customers as an up front cost would be incurred, twice, and the customer would have to arrange for someone to be on site for both the re-energisation appointment and the de-energisation appointment.
- 3.16. Whilst it was acknowledged the above would provide some mitigation for the gaming risk, Working Group members accepted that the legal text drafting would still need protection against artificial resets. One option discussed was to disregard energisation lasting less than an agreed threshold.

when calculating the de-energisation period. The Chair agreed to look for precedent wording in earlier DCUSA changes to see if these could support mitigation of the gaming risk within DCP 473.

- 3.17. Working Group agreed that suppliers are generally best placed to contact customers because they hold the contractual relationship and already operate established engagement processes.
- 3.18. The discussion also covered bad debt, warrants and non-payment and what would happen where a customer wanted to retain the capacity but weren't credit worthy. It was noted that supplier processes already include controls for creditworthiness which usually involve paying any outstanding balances in full and providing security deposits. The group therefore considered that these concerns could be managed operationally rather than through increasingly complex legal text drafting.
- 3.19. The meeting closed with several points still to be resolved: the length of the notice period; whether the application should be mandatory or discretionary; the treatment of brief re-energisation to mitigate gaming; and the position of customers wishing to retain capacity while remaining de-energised.

4. Next Steps and Work Plan

- 4.1. Members agreed on the following next steps.
 - The Chair to produce and circulate updated draft legal text following the meeting.
 - Members to meet again on 07 September 2026 at 1pm to review the legal text and outstanding points.

5. Any Other Business

- 5.1. No other business was raised.

6. Next Meeting

- 6.1. The next meeting will be held on 07 September 2026 at 1pm.

New and Open Actions

Action Ref.	Action	Owner	Update
05/01	Andy Green to review the call for Working Group 04 and update the minutes to more accurately reflect the conversation on the NTC legal text drafting for solution A	AG	New action.
02/01	The Chair to update the legal text and share with the working group prior to the meeting on 07 September 2026	AG	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
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	Closed.
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	Closed