

DCP 473 Working Group Meeting 07

23 September 2026 at 10:00am – Web-conference

Attendee	Company
Working Group Members	
Blessing Ekpe [BE]	SSE
Chris Ong [CO]	UKPN
Christopher Butcher [CB]	Smartest Energy
Ed Grimsey [EG]	BUUK
Edda Dirks [ED]	SSE
Ian Chadwick [IC]	AEN
John Harmer [JH]	Waters Wye
Kelly McLaughlin [KM]	NGED
Laura Quinn [LQ]	SPEN
Liam Sweeney [LS]	Ofgem
Nik Wills [NW]	Stark
Peter Waymont [PW]	UKPN
Ryan Farrell [RF]	NPg
Victoria Burkett [VB]	EON
Code Administrator	
Andy Green [AG]	ElectraLink
Hannah Proffitt [HP]	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. The Working Group approved the minutes.
- 1.4. A summary of the open actions and updates are included in the appendix.

2. Purpose of the Meeting

- 2.1. The Chair explained that the purpose of the meeting was to discuss the outstanding issues, review the legal text and discuss next steps.

3. Discuss Outstanding Issues

- 3.1. The Chair highlighted that at the previous meeting, the group were unable to reach a consensus on whether legacy sites should be treated differently to non-legacy/newly de-energised sites within solution C (the removal of reserved capacity). The Chair suggested having two variations of solution C, one that treated legacy and non-legacy sites the same with a grace period for both, and another variant where legacy sites retain their capacity for longer than newly de-energised sites.
- 3.2. RF questioned the need for a longer grace period for legacy sites as Suppliers are not required to locate customers or arrange contracts under solution C. JH explained that the original rationale was the backlog of long-term de-energised sites and the need to notify affected parties.
- 3.3. The group clarified that Solution C is intended to recover unused capacity rather than charge customers by default, and agreed to proceed with one common process for legacy and newly de-energised sites using a 12-month period rather than separate grace periods.
- 3.4. JH highlighted the risk within solution C that a customer could seek to retain their capacity but not pay for it, the Supplier would then receive charges. The group agreed that the legal text will need to clarify that Supplier agreement is needed if the customer wishes to retain capacity.
- 3.5. PW raised the scenario in which a customer agrees to pay but the Supplier declines to establish the necessary billing arrangement. The group considered a general obligation for the Supplier to consent unless there is a reasonable explanation not to, such as bad debt or credit concerns. The group agreed not to include specific exemptions within the legal text.
- 3.6. Regarding solution C, the group considered what an appropriate timeframe would be for a site to be deenergised before capacity is removed. The group agreed that the 24 month period used in the consultation was too long as the solution mainly involves notification rather than extensive customer investigation.
- 3.7. The group supported 12 months as a practical compromise as it would allow for addressing property damage, refits, tenant changes and Supplier or DNO processes.
- 3.8. JH questioned whether, on the date of implementation, all legacy sites would have their capacity reduced to zero as they have been deenergised for more than 12 months. RF noted that the group

had previously discussed giving the customer a minimum of six months' notice before any action is taken.

- 3.9. For clarity, ED requested timeline diagrams for the solution C process covering different scenarios including legacy sites, sites de-energised on the implementation date and sites de-energised afterwards. The group agreed that these timelines should be included in the Change Report. RF produced a first draft of the diagrams.
- 3.10. Members discussed the process and RF considered that the formal DCUSA process should begin only once the change is implemented, although JH proposed showing an optional pre-warning period after Ofgem's decision on the proposal and before implementation. The Chair clarified that any pre-warning would be discretionary and should not be included in the timeline diagrams or legal text.
- 3.11. ED asked that a timeline diagram is also created for solution A for comparison purposes. RF agreed to work with JH offline to finalise the diagrams and to submit them to the Chair for inclusion in the Change Report.

Action 07/01 – JH and RF to work together to finalise the timeline diagrams and send to the Chair once complete.

- 3.12. CO suggested a hybrid approach of changing the National Terms of Connection so that charging would begin after a short period, allowing Suppliers time to contact customers and, where no responsible party could be found, act on the customer's behalf to remove capacity or disconnect the site. CO suggested that this could reduce bad-debt exposure while avoiding the complexity of two competing solutions.
- 3.13. RF explained that solution C already permits capacity removal after notification without customer response, so no new alternative was adopted.

4. Review Legal Text

- 4.1. The Chair presented current legal text drafting to the Working Group for review. The main discussion points are summarised below and the updated legal text is included as **Attachments 1 and 2**.

Solution A

- 4.2. The group agreed that the pre-drafted text was appropriate.

Solution C

- 4.3. Schedule 16

- Capacity Reduction – The group discussed whether wording was needed to allow the Distributor to remove some of the capacity. The group agreed that the wording should be updated to state that the Distributor could remove the agreed capacity.
- Fixed Charges – The group agreed to add wording to clarify that where the Customer wishes to retain or reduce their capacity with the Distributor, and the Supplier agrees such an agreement not to be unreasonably withheld, Distribution Use of System charges will apply.

- 4.4. Schedule 2B – National Terms of Connection

- Gaming Mitigation - The group examined brief re-energisation intended to restart the 12-month period. The working draft used a 28-day threshold, with periods of energisation lasting 28 days or less treated as not resetting or removing the underlying de-energisation period. The group noted that the end-of-period scenario remained difficult to express clearly, so the wording will be referred to Gowling for legal drafting.

4.5. The Chair agreed to issue the updated legal text to Gowling for legal review following the meeting.

Action 07/02 - The Chair to send the legal text to Gowling for legal review following the meeting.

4.6. The group decided that a further consultation was unnecessary as the proposal had not changed fundamentally. The Chair agreed that work would now begin to draft the Change Report.

Action 07/03 - The Chair to begin drafting a Change Report for discussion at the next meetings.

5. Next Steps and Work Plan

5.1. Members agreed on the following next steps.

- JH and RF to work together to finalise the timeline diagrams and send to the Chair once complete.
- The Chair to send the legal text to Gowling for legal review following the meeting.
- The Chair to begin drafting a Change Report for discussion at the next meetings.
- The group to meet again on Monday 05 October at 10am and Wednesday 07 October at 2pm to work on the Change Report.

6. Any Other Business

6.1. No other business was raised.

7. Next Meeting

7.1. The dates of the next meetings are Monday 05 October at 10am and Wednesday 07 October at 2pm.

8. Attachments

- Attachment 1 - DCP 473 Legal text Solution A 23.9.26
- Attachment 2 - DCP 473 Legal text Solution C 23.9.26

New and Open Actions

Action Ref.	Action	Owner	Update
06/01	Review the available site data and share relevant analysis with the working group, including the age profile of de-energised sites.	The Chair	Action ongoing. <i>The Chair advised that this is ongoing.</i>
06/02	Check how supplier contractual arrangements may affect the treatment or pass-through of charges where a customer elects to retain capacity.	VB	Action ongoing. <i>VB advised that this is ongoing, however that for the previous and current Supplier they worked for, if the site was de-energised, the charges would stop.</i>
07/01	JH and RF to work together to finalise the timeline diagrams and send to the Chair once complete.	The Chair	New action.
07/02	The Chair to send the legal text to Gowling for legal review following the meeting.	The Chair	New action.
07/03	The Chair to begin drafting a Change Report for discussion at the next meetings.	The Chair	New action.

Closed Actions

Action Ref.			Update
06/03	Draft a document setting out the Solution C processes and prepare a shell consultation for review at the next working group meeting.	The Chair	Action closed. <i>Process for solution C discussed during the meeting. Members agreed that a further consultation is not required.</i>
06/04	Issue the invitation for the next meeting on 23 September 2026, 10:00-13:00.	The Chair	Action closed. <i>Complete.</i>