

DCUSA Change Proposal (DCP)		At what stage is this document in the process?			
DCP 488: Correction of DCP 440 Legal Text Date Raised: 15 October 2026 Proposer Name: Peter Waymont Company Name: UKPN Party Category: DNO		01 – Change Proposal			
		02 – Consultation			
		03 – Change Report			
		04 – Change Declaration			
Purpose of Change Proposal: This Change Proposal seeks to correct the legal text associated with DCP 440 where it has been identified that the version of legal drafting sent out for voting was not the final legal text circulated to and considered by the DCUSA Panel prior to approval of DCP 440.					
	Impacted Parties: ☒ Suppliers ☒ DNOs ☒ IDNOs ☒ CVA Registrants ☐ OTSO Party ☐ Gas Suppliers ☐ SIP Parties				
	Impacted Clauses: <table border="1"> <thead> <tr> <th>Section/Schedule</th> <th>Clause/Paragraph</th> </tr> </thead> <tbody> <tr> <td>Schedule 16</td> <td>Paragraphs 139 and 140</td> </tr> </tbody> </table>		Section/Schedule	Clause/Paragraph	Schedule 16
Section/Schedule	Clause/Paragraph				
Schedule 16	Paragraphs 139 and 140				

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Indicative Timeline

The Secretariat recommends the following timetable:

Initial Assessment Report	21 October 2026
Consultation Issued to Industry Participants	N/A
Change Report Approved by Panel	18 November 2026
Change Report issued for Voting	19 November 2026
Party Voting Closes	10 December 2026
Change Declaration Issued	15 December 2026

1 Summary

What?

- 1.1 This Change Proposal seeks to correct the legal text associated with DCP 440 where it has been identified that the version of legal drafting awaiting implementation DCUSA on 1 April 2027 does not align with the final legal text circulated to and considered by the DCUSA Panel prior to approval of DCP 440.

Why?

- 1.2 Information recently identified indicates that a draft version of the DCP 440 legal text was circulated within the formal change records and was subsequently approved, despite a later version of legal drafting having been reviewed by legal advisers, agreed by the Working Group and circulated to Panel members shortly before the relevant Panel decision.
- 1.3 As a result, the DCUSA will not reflect the legal text intended to be implemented through DCP 440.

How?

- 1.4 This Change Proposal has reviewed the approved DCP 440 documentation, identified the legal text that formed part of the Panel decision, and amend the DCUSA so that the implemented drafting aligns with the final approved DCP 440 solution.

Who?

- 1.5 The proposal is not intended to introduce any new policy requirements or substantive changes to industry processes. The primary impact is to correct the provisions amended through the draft DCP 44 text that was voted on, such that it reflects the intent of the working group and Panel.

2 Governance

Proposers view on criteria for a CP to be considered Urgent

- 2.1 Does the Change Proposal relate to a current or imminent issue that if not urgently addressed may cause:
- ☒ significant adverse commercial impact upon the Parties (or a class of Party), electricity consumers and/or any other person?
 - ☐ significant adverse impact on the safety and security of the Distribution Network?
 - ☐ one or more Parties to be in breach of the Relevant Instruments or other law?
 - ☐ None of the Above

Proposers view on criteria for a CP to be considered a Part 1 Matter

- 2.2 Do you believe this Change Proposal:

- ☐ is likely to have a significant impact on the interests of electricity consumers?
- ☐ is likely to have a significant impact on competition in one or more of: the generation of electricity; the distribution of electricity; the supply of electricity; and any commercial activities connected with the generation, distribution or supply of electricity?
- ☐ is likely to discriminate in its effects between one Party (or class of Parties) and another Party (or class of Parties)?
- ☐ is directly related to the safety or security of the Distribution Network?

- ☐ amends the governance or the change control arrangements applying to this Agreement?
- ☒ None of the Above

Proposers view on criteria for a CP to be progressed to a Working Group or straight to the Change Report phase

2.3 This proposal does not seek to introduce a new policy position. Rather, it seeks to rectify an apparent discrepancy between:

- the legal text intended to be approved under DCP 440; and
- the legal text subsequently voted on.
- Accordingly, the proposal is administrative and corrective in nature

Suggested progression route for this CP

2.4 The proposer believes this Change Proposal should:

- Be treated as a Part 2 Matter.
- Be progressed as an Urgent Change.
- Proceed directly to the Change Report phase

2.5 It is urgent because the version of legal text voted on will mean all de-energised HH MPANs would be billable rather than only those consuming energy, which was not the intent of DCP440.

Proposer's view on prioritisation

Prioritisation Criteria	High Impact
Strategic Direction Statement <i>Alignment: The CP strongly supports key government energy policy actions that require immediate progress and aligns with SDS priorities under the Act Now category.</i>	No
Complexity: <i>The CP is highly complex, with a fast-approaching deadline, significant implementation challenges, and a requirement for extensive stakeholder engagement.</i>	No
Importance: <i>The CP addresses a high-risk or critical issue, making timely action important for stakeholders as it is anticipated to deliver substantial benefits and value.</i>	Yes The text as voted on would oblige distributors to bill all de-energised HH sites, which is not the expected outcome and consequently may not be what system developers re working to.
Priority Category: <i>(To be considered High priority all 3 Criteria must be High Impact.)</i>	High

- 2.6 This is an urgent change and so the prioritisations shouldn't be necessary but this is High if urgency is not agreed.

3 Reasons for raising the Change Proposal

- 3.1 Following a review of historic DCP 440 documentation, it has been identified that multiple versions of legal text existed during the final stages of the DCP 440 process.
- 3.2 Evidence suggests that:
- DCP 440 Change Report documentation initially contained draft legal text;
 - revised legal drafting was subsequently provided following legal review;
 - that revised drafting was agreed by the Working Group and circulated to DCUSA Panel members as part of a late-paper update prior to the relevant Panel meeting; and
 - the legal text ultimately vote don for incorporation into DCUSA may not reflect that final version.
- 3.3 This means the drafting voted on does not accurately reflect the Panel-approved solution and therefore warrants corrective action.
- 3.4 The purpose of this proposal is therefore to establish the correct wording intended to be implemented through DCP 440 and ensure that the DCUSA accurately reflects that position.

4 Solution and Legal Text

Solution Overview

- 4.1 In drafting this Change Proposal, it should be noted that:
- A review was undertaken of all DCP 440 Change Report documentation, supporting legal reviews and Panel papers;
 - The definitive version of the DCP 440 legal text approved by the Working Group and issued as a later paper to the Panel was identified; and
 - The DCUSA should be updated such that the legal text reflects the correct version as approved by the Working Group.
- 4.2 The proposal is not intended to revisit the policy intent, objectives or approved solution associated with DCP 440.

Legal Text Amendments

- 4.3 Legal text is a straight swap. The intent is to remove/expunge the text changes circulated with DCP440 and replace it with the correct text. The text that was voted on, which is to be removed/expunged, is given as Attachment A, the correct text as approved by the Panel is given as Attachment B.

Legal Text Commentary

- 4.4 The legal text associated with this proposal will be limited to correcting drafting inconsistencies arising from the implementation of the incorrect version of the DCP 440 legal text.

- 4.5 The intent is to ensure that the DCUSA accurately reflects the version of legal drafting approved through the DCP 440 governance process rather than introducing new obligations or altering the approved policy outcome.

Addition/Amendment to DCUSA Owned Market Message (Data Flow) or Data Item

- 4.6 N/A

Market Message (Data Flow) / Data Item Commentary

- 4.7 N/A

5 Relevant Objectives

- 5.1 The proposer considers that this Change Proposal better facilitates:

Objective 4

- 5.2 The promotion of efficiency in the implementation and administration of the DCUSA.

DCUSA General Objectives

- | | |
|--|-----------------|
| 1) The development, maintenance and operation by the DNO Parties and IDNO Parties of efficient, co-ordinated, and economical Distribution Networks | Neutral |
| 2) The facilitation of effective competition in the generation and supply of electricity and (so far as is consistent therewith) the promotion of such competition in the sale, distribution and purchase of electricity | Neutral |
| 3) The efficient discharge by the DNO Parties and IDNO Parties of obligations imposed upon them in their Distribution Licences | Neutral |
| 4) The promotion of efficiency in the implementation and administration of the DCUSA | Positive |
| 5) Compliance with the EU Internal Market Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators | Neutral |
- 5.3 Maintaining accurate legal text within the DCUSA is fundamental to the effective implementation and administration of the Agreement. Correcting discrepancies between approved modifications and implemented drafting improves transparency, legal certainty and confidence in the DCUSA change process.
- 5.4 No other DCUSA General Objectives are considered materially affected at this stage.

6 Impacts & Other Considerations

Impacts on any Significant Code Review (SCR) or other significant industry change projects

6.1 No impacts have currently been identified.

Impacts on Other Codes

6.2 No impacts on other industry codes have currently been identified.

Grid Code..... ☐ SEC... ☐ CUSC... ☐ None..... ☒

Distribution Code... ☐ REC.... ☐ BSC..... ☐

Impacts on DCUSA Owned Data Flows

6.3 No impacts identified.

Consumer Impacts

6.4 The proposal is not expected to have a direct consumer impact. Its purpose is to ensure the DCUSA accurately reflects the approved DCP440 solution.

Environmental Impacts

6.5 The proposer does not consider that implementation of this Change Proposal would be likely to have a material impact on greenhouse gas emissions.

7 Implementation

Lead Time for Implementation

7.1 Implementation should occur on 01 April 2027 which is the same date that DCP 440 is scheduled to be implemented.

Proposed Implementation Date

7.2 01 April 2027

8 Recommendations

The Code Administrator will provide a summary of any recommendations/determinations provided by the Panel in considering the initial Change Proposal. This will form part of a Final Change Report.