DCP 473 Working Group Meeting 10

07 October 2026 at 10:00am – Web-conference

Attendee	Company
Working Group Members	
Blessing Ekpe [BE]	SSE
Chris Ong [CO]	UKPN
Ed Grimsey [EG]	BUUK
Edda Dirks [ED]	SSE
Ian Chadwick [IC]	AEN
John Harmer [JH]	Waters Wye
Kelly McLaughlin [KM]	NGED
Liam Sweeney [LS]	Ofgem
Nik Wills [NW]	Stark
Ryan Farrell [RF]	NPg
Victoria Burkett [VB]	EON
Code Administrator	
Andy Green [AG]	ElectraLink
Apologies	
Jo Brown [JB]	National Grid
Peter Waymont [PW]	UKPN
Hannah Proffitt [HP]	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. 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 feedback received from Gowlings on the legal text and to review the Change Report.

3. Review/Legal Text

Legal Text Feedback/New Proposed Alternative Solution

3.1. The Working Group revisited the outstanding question concerning the proposed 28-day period under Solution E.

3.2. ED advised that she had contacted relevant colleagues but had not yet received feedback. She considered that there could be reasons why 28 days may not be the most appropriate period and suggested that the group should revisit the advantages and disadvantages before reaching a final position. The Chair agreed that further consideration was required.

3.3. The Chair confirmed that the legal adviser had been asked to prepare drafting for the relevant solutions and had also been asked to consider the Working Group's previous discussions concerning short periods of re-energisation and potential gaming. However, the revised legal text had not been received in time for the meeting.

3.4. The Working Group considered whether it was appropriate to undertake a detailed review of Solution E during the meeting.

3.5. JH noted that Solution E appeared similar in principle to an approach he had suggested during an earlier Working Group meeting. He was therefore supportive of continuing to explore the option.

3.6. However, members considered that a detailed discussion would be more productive once the legal text had been received.

3.7. ED also considered that it would be preferable for the proposer and other Working Group members to be present for the detailed discussion. CO agreed, noting that there was little value in the Working Group attempting to construct detailed drafting while revised legal text was already being prepared and key Working Group members weren't present.

3.8. The Chair summarised that the main outstanding issue for Solution E remained the 28-day payment period. The Working Group needed to determine whether 28 days was appropriate or whether a different period should be adopted. The Working Group therefore agreed to defer the detailed Solution E discussion until the legal text was available and the relevant members could participate.

3.9. The Working Group reviewed the updated Solution C timeline diagrams. RF highlighted an outstanding scenario where a site re-energised towards the end of the 12-month period but did not remain energised for the six months required to reset the process.

3.10. Two possible approaches were considered. Under the first, the 12-month period would effectively pause while the site was energised and resume if the site subsequently de-energised within six months. Under the second, the 12-month period would continue to run irrespective of the short period of energisation.

3.11. ED initially considered that pausing the period appeared closer to the original intention, as periods of energisation below six months were not intended to reset the process. RF, however, considered that allowing the 12-month period to continue was more consistent with the treatment of short periods of energisation occurring earlier in the process. Pausing the period only where re-energisation happened towards the end could therefore create different treatment depending upon when the re-energisation occurred.

3.12. JH supported the second approach, considering it both simpler to document and closer to the intention of the solution. He also reminded the group that customers would retain the ability to keep capacity where they were prepared to pay the associated charges.

3.13. Following further discussion, the group reached a view that the 12-month clock should continue to run and should not pause during a short period of re-energisation. A site would need to remain energised for at least six months for the previous process to cease to apply. No dissent was raised to this approach.

3.14. The Chair agreed to update the Change Report to make the intended treatment clear, including the position where a customer re-energises towards the end of the 12-month period and subsequently becomes de-energised again before completing six months of continuous energisation.

3.15. The Working Group agreed that the timeline diagrams remained useful in demonstrating how the different solutions would operate.

3.16. RF agreed to develop a timeline for Solution A. The Working Group considered that Solution A was relatively straightforward, although it may be useful for the diagram to distinguish between legacy sites that were already de-energised when the change was implemented and sites that became de-energised after implementation.

3.17. The Chair explained that, for legacy sites, charging would commence from implementation, whereas a subsequently de-energised site would begin to incur the relevant charges when it became de-energised. Any activity undertaken by Suppliers or other parties before implementation to identify and contact affected customers would remain at their discretion rather than being codified within DCUSA.

3.18. The Working Group agreed that further timeline work for Solution E should follow once the outstanding legal drafting had been received and the operation of the solution had been agreed.

3.19. The Chair noted that an additional matter remained regarding whether Solutions A, C and E should share a common implementation date or whether separate dates might be appropriate because some solutions could potentially be implemented more quickly than others.

3.20. Given that further consideration of Solution E was still required, the group agreed that the matter would be better considered when the group reconvened.

3.21. The Working Group concluded that, while useful progress had been made in clarifying the Solution C re-energisation scenario and the presentation of Solution A within the Change Report, it would not be productive to continue the detailed Solution E discussion without the outstanding legal text.

3.22. The Chair therefore proposed that the Working Group reconvene once the drafting had been received and the proposer was available.

4. Next Steps and Work Plan

4.1. Following a discussion of availability, Friday 16 October 2026, 14:00 to 16:00 was identified as the preferred next meeting slot, subject to attendees' availability.

4.2. The Chair confirmed that, ahead of that meeting, the Change Report would be updated to reflect the discussion, particularly the rationale for continuing to progress Solution A; the revised description of how Solution E arose following the legal review; the agreed treatment of short periods of re-energisation under Solution C; and the updated timeline diagrams.

5. Any Other Business

5.1. No other business was raised.

6. Next Meeting

6.1. The date of the next meeting is Friday 16 October at 2pm.

New and Open Actions

Action Ref.	Action	Owner	Update
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.**
08/01	The group to revisit the discussion on the proposed 28 day period in the new solution (Solution E) and to check this against Supplier processes and any relevant licensing requirements.	All	**New action.**
08/03	RF to update the timeline diagrams in line with decision to update the energisation period from 28 days to 6 months. RF to also create a diagram for Solution A.	RF	**New action.**
08/03	RF to update the timeline diagrams in line with decision to update the energisation period from 28 days to 6 months. RF to also create a diagram for Solution A.	RF	**New action.**
09/01	Amend the Change Report to explain the proposer's rationale for continuing to progress Solution A following the legal review, and highlight the wording to Peter Waymont.	The Chair	**New action.**
09/02	Amend the Change Report so that Solution E is described as having been developed by the Working Group following the legal review, rather than being proposed by the legal adviser.	The Chair	**New action.**
09/03	Update the Solution C section of the Change Report to reflect the agreed treatment where a site re-energises for less than six months, including that the 12-month clock does not pause.	The Chair	**New action.**

09/04	Produce/update timeline for Solution A, including consideration of legacy and newly de-energised sites.	RF	**New action.**
09/05	Circulate the outstanding revised legal text to the Working Group once received.	The Chair	**New action**

Closed Actions

Action Ref.			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 closed.**
07/01	JH and RF to work together to finalise the timeline diagrams and send to the Chair once complete.	The Chair	**Action closed.**
07/02	The Chair to send the legal text to Gowlings for legal review following the meeting.	The Chair	**Action closed.**
07/03	The Chair to begin drafting a Change Report for discussion at the next meetings.	The Chair	**Action closed.**
08/02	The Chair to ask Gowlings to prepare legal text for the new alternative solution (Solution E), including wording on backdating.	The Chair	**Action closed.**
08/04	The Chair to refer to Gowlings regarding the possibility of the gaming clause including consideration of cumulative patterns, such as a site being de-energised for a specified proportion of a longer reference period, rather than relying only on one continuous period.	The Chair	**Action closed.**

08/05	The Chair to ask Gowlings to include an obligation in the Solution C legal text for DNOs to contact the customer following capacity removal, stating that capacity had been reduced to zero and explaining what would be required for future re-energisation.	The Chair	**Action closed.**