DCUSA Change Report	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:** Eastern Power Networks **Party Category:** DNO	01 - Change Proposal 02 - Consultation 03 - Change Report 04 - Change Declaration

Purpose of the Change Proposal

The purpose of this Change Proposal ("CP") is 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.

This document is issued in accordance with Clause 11.20 of the DCUSA and details DCP 488' Correction of DCP 440 Legal Text'.

Parties are invited to consider the proposed amendment (Attachment 1) and submit their votes **by 10 December 2026** using either:

- the manual voting form (Attachment 3) and sending to dcusa@electralink.co.uk; or
- via the online voting form which will be available on the following page of the DCUSA website: https://www.dcusa.co.uk/change/correction-of-dcp-440-legal-text/

Votes received after this date cannot be counted.

The voting process for the proposed variation and the timetable of the progression of the CP through the DCUSA Change Control Process is set out in this document.

If you have any questions about this paper or the DCUSA Change Process, please contact the DCUSA by email to dcusa@electralink.co.uk or telephone 020 7432 3011.

Impacted Parties

Suppliers, DNOs, IDNOs & CVA Registrants

Impacted Clauses

Schedule 16 Paragraphs 139 and 140

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Any Questions?

Contact

Code Administrator

dcusa@electralink.co.uk

0207 432 3011

Proposer

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Timetable

Activity	Date
Initial Assessment Report	21 October 2026
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
Implementation Date	01 April 2027

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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.

2 Governance

2.1 The DCUSA Panel has approved DCP 488 as a Part 2 Matter. This reflects the Panel's view that the change corrects and clarifies the legal drafting intended for DCP 440, without making a further policy change that would require another Ofgem decision.

3 Why Change?

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:

3.2.1 the DCP 440 Change Report documentation initially contained draft legal text;

3.2.2 the revised legal drafting was subsequently provided following legal review;

3.2.3 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

3.2.4 the legal text ultimately voted on by Parties, for incorporation into the DCUSA, did 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 to ensure that the DCUSA accurately reflects that position.

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4 Relevant Objectives

Assessment Against the DCUSA Objectives

4.1 For a DCUSA CP to be approved it must be demonstrated that it better facilitates the DCUSA Objectives. There are five General Objectives and six Charging Objectives. The full list of objectives is documented in the DCUSA.

4.2 The Proposer considers that the following DCUSA Charging Objective is better facilitated by this CP.

	DCUSA General Objectives	Identified impact
☐	1. that compliance by each DNO Party with the Charging Methodologies facilitates the discharge by the DNO Party of the obligations imposed on it under the Act and by its Distribution Licence;	Neutral
☐	2. that compliance by each DNO Party with the Charging Methodologies facilitates competition in the generation and supply of electricity and will not restrict, distort, or prevent competition in the transmission or distribution of electricity or in participation in the operation of an Interconnector (as defined in the Distribution Licences);	Neutral
☐	3. compliance by each DNO Party with the Charging Methodologies results in charges which, so far as is reasonably practicable after taking account of implementation costs, reflect the costs incurred, or reasonably expected to be incurred, by the DNO Party in its Distribution Business; and	Neutral
☐	4. that, so far as is consistent with Clauses 3.2.1 to 3.2.3 (i.e., Charging Objectives 1 to 3), the Charging Methodologies, so far as is reasonably practicable, properly take account of developments in each DNO Party's Distribution Business;	Neutral
☐	5. that compliance by each DNO Party with the Charging Methodologies facilitates 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; and	Neutral
☑	6. that compliance with the Charging Methodologies promotes efficiency in its own implementation and administration.	Positive

4.3 The Proposer believes that 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.

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5 Impacts & Other Considerations

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

5.1 No impacts have been identified.

Impacts on other Codes

5.2 No impacts on other industry codes have been identified.

Consumer Impacts

5.3 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

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

Are there any wider industry impacts?

5.5 No wider industry impacts have been identified.

6 Implementation

6.1 If DCP 488 is approved by DCUSA Parties, it will be implemented on 01 April 2027. The DCP 488 legal text will therefore replace the DCP 440 legal text on the same date that the DCP 440 arrangements take effect.

6.2 This means that, although the earlier DCP 440 legal text has been approved and is scheduled for implementation on 01 April 2027, if DCP 488 is approved, the updated DCP 488 legal text will take effect on that same date instead. This will ensure that the updated version of the legal text, rather than the earlier version included in the DCP 440 Change Report, is incorporated into the DCUSA.

7 Legal Text

Difference between the DCP 440 and DCP 488 legal text

7.1 Both versions deal with sites that are recorded in MPAS as de-energised but for which non-zero metering advances are received. Both versions provide for two different approaches to charging during the period while the energisation status is corrected – one approach to apply to MHHS and one approach to apply to non-MHHS.

7.2 However, the updated DCP 488 legal text more accurately reflects the position described in the DCP440 Change Report and in Ofgem's decision. In particular, the DCP488 legal text:

- confirms that no charges apply for Half Hourly sites which are correctly recorded in MPAS as de-energised – this is the position prior to the implementation of DCP440 and was clearly identified as the continuing intention in the Change Reports and the Ofgem decision – it was expressly not the intention of DCP440 to apply charges for sites that are correctly identified as de-energised -

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the intention was to deal with sites that are incorrectly identified as de-energised - the DCP440 legal text inadvertently provides for charges to be applied; and

- confirms in paragraph 139(b) that the approach for MHHS metering points applies only while the metering points are subject to MHHS – this is implicit given that (a) is said to apply while MHHS metering points are not subject to MHHS but does technically need to be expressly stated (otherwise (a) and (b) overlap).

7.3 The key purpose of DCP488 is to make sure that charges are not applied for Half Hourly sites which are correctly recorded in MPAS as de-energised.

7.4 The DCP488 legal text also makes drafting and structural improvements, including clarifying the interaction between the opening paragraph of 139 and sub-paragraphs (a) and (b) and clarifying that paragraph 140 is not used. These changes are helpful because they provide a clearer and more precise description of how charging should operate. However, they do not change the overall purpose or policy approved through DCP 440.

7.5 Attachment 1 is a redline against the DCUSA text as amended by DCP440 and Attachment 2 is a redline against the DCUSA text as it stood before DCP440.

7.6 The two sets of legal text have been provided for context; however, the substance of the two versions is identical.

8 Code Specific Matters

Reference Documents

8.1 There are no additional reference documents included with this document.

9 Recommendations

9.1 The Panel approved this Change Report on 18 November 2026. The Panel considered that the Change Report contains sufficient information to enable Parties to understand the impact of the proposed amendment and to vote on this CP.

10 Attachments

- Attachment 1 – DCP 488 Legal Text (redline against the DCUSA text as amended by DCP440)
- Attachment 2 – DCP 488 Legal Text (redline against DCUSA text prior to DCP440)
- Attachment 3 – DCP 488 Voting Form

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