

CUSC Amendment Proposal Form	CAP:176
<p>Title of Amendment Proposal: Correction of errors contained in the CUSC provisions for post-implementation reviews for Urgent Amendment Proposals</p>	
<p>Description of the Proposed Amendment <i>(mandatory by proposer):</i></p> <p>This Amendment Proposal seeks to amend the process described in the CUSC through which a review will be conducted following implementation of an Urgent Amendment Proposal (8.21.1.9). This proposal seeks to make explicit how such a review will take place and tidy up the existing CUSC provisions which currently contain some errors.</p> <p>The proposal also seeks to correct an error in the clause relating to post-implementation review after implementation of an amendment in accordance with the Transmission Licence other than pursuant to the standard Amendment Procedures (8.23.5).</p>	
<p>Description of Issue or Defect that Proposed Amendment seeks to Address <i>(mandatory by proposer):</i></p> <p>The current wording within the CUSC regarding post-implementation review following implementation of an Urgent Amendment Proposal contains a defect in that reference is made to Working Group Alternative Amendments (WGAAs), and the possibility for Working Groups to conduct the review. Under the CUSC provisions this would in fact not be possible as following implementation there would be no Working Group established through which such a review could be conducted nor Amendment Proposal to which a WGAA may be raised. As such the provisions within the CUSC could not reasonably be applied to such a post-implementation review, and recent experience (particularly with CAP168 and CAP170 which were progressed as Urgent Amendment Proposals) has shown that the deficiency in this wording has caused confusion with regards the interpretation of the clause.</p> <p>This Amendment Proposal, therefore, seeks to introduce appropriate provisions within CUSC 8.21.1.9 to reflect how such a post-implementation review of an Urgent Amendment Proposal would be conducted.</p> <p>The proposal also seeks to introduce that such a review “may” be actioned, or “shall” where there appears to be a reasonable level of support for such a review. This will ensure that such a review only takes place where it is deemed to be necessary by the CUSC Amendments Panel.</p> <p>Finally section 8.23.5 of the CUSC describes the process through which a review will be conducted should amendment to the CUSC be made in accordance with the Transmission Licence (other than pursuant to the standard Amendment Procedures). This clause also makes reference to WGAAs – which again could not be raised in this instance as there will be no original Amendment Proposal against which such an alternative could be raised. As such this proposal seeks to clarify that the review would seek to determine if an alternative Amendment Proposal would better facilitate the objectives as opposed to a WGAA.</p>	
<p>Impact on the CUSC <i>(this should be given where possible):</i> Sections 8.21.1.9 and 8.23.5 of the CUSC will require amendment.</p>	
<p>Impact on Core Industry Documentation <i>(this should be given where possible):</i> None</p>	
<p>Impact on Computer Systems and Processes used by CUSC Parties <i>(this should be given where possible):</i> None</p>	
<p>Details of any Related Modifications to Other Industry Codes <i>(where known):</i> None</p>	

Justification for Proposed Amendment with Reference to Applicable CUSC Objectives**
(mandatory by proposer):

National Grid believes that this proposal will better facilitate CUSC Applicable Objective (a):
(a) The efficient discharge by the licensee of the obligations imposed upon it under the Act and by the Transmission Licence by:

i) Clarifying the process through which a post-implementation review will take place following implementation of an Urgent Amendment Proposal;

ii) Clarifying the process through which a post-implementation review will take place following amendment to the CUSC in accordance with the Transmission Licence (other than pursuant to the standard Amendment Procedures)

Details of Proposer: Organisation's Name:	National Grid
Capacity in which the Amendment is being proposed: (i.e. CUSC Party, BSC Party or "National Consumer Council")	CUSC Party
Details of Proposer's Representative: Name: Organisation: Telephone Number: Email Address:	Carole Hook National Grid 01926 654211 carole.hook@uk.ngrid.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Alex Thomason National Grid 01926 656379 Alex.thomason@uk.ngrid.com
Attachments (Yes/No): Yes If Yes, Title and No. of pages of each Attachment:	
Please see annex 1 to this Amendment Proposal for the proposed drafting to support the amendment (1 page).	

Notes:

- Those wishing to propose an Amendment to the CUSC should do so by filling in this "Amendment Proposal Form" that is based on the provisions contained in Section 8.15 of the CUSC. The form seeks to ascertain details about the Amendment Proposal so that the Amendments Panel can determine more clearly whether the proposal should be considered by a Working Group or go straight to wider National Grid Consultation.
- The Panel Secretary will check that the form has been completed, in accordance with the requirements of the CUSC, prior to submitting it to the Panel. If the Panel Secretary accepts the Amendment Proposal form as complete, then he will write back to the Proposer informing him of the reference number for the Amendment Proposal and the date on which the Proposal will be considered by the Panel. If, in the opinion of the Panel Secretary, the form fails to provide the information required in the CUSC, then he may reject the Proposal. The Panel Secretary will inform the Proposer of the rejection and report the matter to the Panel at their next meeting. The Panel can reverse the Panel Secretary's decision and if this happens the Panel Secretary will inform the Proposer.

The completed form should be returned to:

Bali Virk
 Commercial
 National Grid

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Or via e-mail to: Bali.Virk@uk.ngrid.com

(Participants submitting this form by email will need to send a statement to the effect that the proposer acknowledges that on acceptance of the proposal for consideration by the Amendments Panel, a proposer which is not a CUSC Party shall grant a licence in accordance with Paragraph 8.15.7 of the CUSC. A Proposer that is a CUSC Party shall be deemed to have granted this Licence).

3. Applicable CUSC Objectives** - These are defined within the National Grid Electricity Transmission plc Licence under Standard Condition C10, paragraph 1. Reference should be made to this section when considering a proposed amendment.

Annex 1 - Draft text proposed to modify the CUSC

- 8.21.1.9 Where an **Urgent Amendment Proposal** results in an amendment being made in accordance with Paragraph ~~8.21.1.5~~ **8.23**, the **Amendments Panel** may or (where it appears to the Amendments Panel that there is a reasonable level of support for a review amongst CUSC Parties) shall, following such amendment, action a Standing Group determine whether or by a Working Group in accordance with Paragraphs 8.17 or 8.18 on terms specified by the **Amendments Panel** ~~in order~~ to consider and report as to whether any alternative amendment ~~Working Group Alternative Amendment~~ could, as compared with ~~the such~~ amendment ~~being made~~ better facilitate achieving the **Applicable CUSC Objectives** in respect of the subject matter of that **Urgent Amendment Proposal**.
- 8.23.5 If an amendment is made to the **CUSC** in accordance with the **Transmission Licence** but other than pursuant to the other **Amendment Procedures** in this Section 8, the **Amendments Panel** shall determine whether or not to submit the amendment for review by a **Standing Group** in accordance with Paragraph 8.18 on terms specified by the **Amendments Panel** in order to consider and report as to whether any alternative amendment ~~Working Group Alternative Amendment~~ could, as compared with the amendment being made better facilitate achieving the **Applicable CUSC Objectives** in respect of the subject matter of the original amendment.