

CUSC Panel Minutes: 25 June 2021

CUSC Panel Minutes: Meeting Number 280

Date: 25/06/2021 **Location:** Microsoft Teams

Start: 10:00am **End:** 1:00pm

Participants

Attendee	Initials	Company
Trisha McAuley	TM	Independent Panel Chair
Paul Mullen	PM	Code Administrator, National Grid Electricity System Operator
Rashpal GataAura	RGA	Technical Secretary, Code Administrator, National Grid Electricity System Operator (Alternative)
Jon Wisdom	JW	National Grid Electricity System Operator
Joseph Dunn	JD	Users' Panel Member
Paul Jones	PJ	Users' Panel Member
Paul Mott	PMO	Users' Panel Member
Nadir Hafeez	NH	Authority Representative
Andy Pace	AP	Users' Panel Member
Mark Duffield	MD	Users' Panel Member
Cem Suleyman	CS	Users' Panel Member
Garth Graham	GG	Users' Panel Member
Andrew Enzor	AE	Users' Panel Member (Alternate)
Jeremy Caplin	JC	BSC Representative (Observer)

Grahame Neale	GN	National Grid Electricity System Operator – Proposer of CMP375
Banke John - Okwesa	BJO	Code Administrator, National Grid Electricity System Operator (Observer)
Apologies	Initials	Company
Ren Walker	RW	Technical Secretary, Code Administrator, National Grid Electricity System Operator
Grahame Neale	GN	National Grid Electricity System Operator

1. Introductions and Apologies for Absence

10902. Apologies were received from Ren Walker and Grahame Neale.

2. Approval of minutes from previous meetings

10903. The meeting minutes from the CUSC Panel held on 28 May 2021 will be approved at the CUSC Panel on 30 July 2021 alongside the minutes from the CUSC Panel on 25 June 2021.

3. Action log

10904. The CUSC Panel reviewed the open actions from the meeting held on 28 May 2021, which can be found on the Actions Log.

4. Chair update

10905. TM had no further updates for the Panel.

5. Authority decisions

10906. NH stated that there had been no Decisions since the last normal Panel meeting.

Awaiting Decisions

10907. NH provided an update at the Panel on Modifications awaiting decisions. NH advised that, since 4 May 2021, Ofgem have published a table that provides the expected decision date, or date Ofgem intend to publish an impact assessment or consultation for code modifications/proposals that are with them for decisions. NH told the Panel that this was last updated on 17 June 2021 and is published [here](#). The summary table below sets out which Modifications are with the Authority decision together with the expected decision date:

Modification	Expected Decision Date
CMP335/336 and CMP343/340	Consultation on CMP343 to be published 10 May 2021. Expected decision dates for all these Modifications is 27 August 2021.
CMP280	30 June 2021 (previously 8 June 2021)
CMP292	30 September 2021 (previously 30 June 2021) as Ofgem consider this to be low priority
CMP300	9 July 2021 (previously 4 June 2021) as Ofgem noted that CMP300 has raised some legal issues that are taking more time to address than previously anticipated. Post Meeting Note: send back decision received 9 July 2021, next steps to be discussed at Panel on 30 July 2021

CMP326	Final Modification Report received 10 June 2021 – expected decision date 10 August 2021
CMP365	Final Modification Report received 10 June 2021 – expected decision date 16 July 2021 Post Meeting Note: decision received approving the CMP365 Original Proposal on 16 July 2021 – to be implemented 30 July 2021

10908. Following a conversation with the Code Administrator, the Chair highlighted some concerns that expected decision dates were moving back without any clear rationale why and this could impact communications between the Code Administrator and impacted stakeholders.
10909. NH noted that he had discussed this with PM and agreed that, in the absence of publishing, he would provide rationales to PM and Panel as to why dates have moved, which will help communications between the Code Administrator and impacted stakeholders.
10910. NH also noted that this new approach of publishing expected decision dates is a six month trial and will be reviewed ~ September 2021.
10911. Panel Members asked for an Authority update on when their ‘minded to decision’ on Access SCR will be published (**Post Meeting Note: this was published 30 June 2021**).

6. New modifications

CMP375 ‘Enduring Expansion Constant & Expansion Factor Review following CMP353’

10912. JW (acting in the capacity of Proposer of CMP375) delivered a presentation on CMP375 to the CUSC Panel. JW explained that CMP375 seeks to amend the calculation of the Expansion Constant & Expansion Factors to better reflect the growth of and investment in the National Electricity Transmission System (NETS).
10913. JW explained that as approved under CMP353, the current Expansion Constant (EC) and Expansion Factors (EFs) are currently fixed at the value used in 2020/21 plus relevant inflation for each following year. As part of CMP353 the ESO committed to bring forward a further modification proposal to consider the enduring methodology for calculating the EC and EFs and whether a different approach to their creation and formulation should be considered.
10914. JW stated that without an enduring methodology to calculate EC and EF there is a risk that the charging methodology will not appropriately reflect the incremental costs of the system to Users. CMP375 aims to create this new methodology. JW confirmed that CMP375 is a broad proposal to create a new methodology to calculate EC and EF to replace the temporary solution introduced by CMP353.
10915. The Panel considered the interactions with CMP375 and CMP315 and noted the CMP315 Proposer’s desire to run CMP375 and CMP315 in parallel rather than amalgamate into one combined Modification.
10916. JD also noted that Ofgem, in their decision letter on CMP353, had stated “*we would expect NGENSO to revisit the issue of rezoning alongside the development of any future change to the expansion constant*”. JW stated that the ESO would raise the Rezoning Modification after the progression of the Expansion Constant Modification.

10917. The CUSC Panel unanimously agreed that CMP375 should follow a standard governance route and proceed to Workgroup. The Panel agreed the Terms of Reference but asked for these to be circulated post meeting for any fine-tuning (**Post Meeting Note: Terms of Reference circulated 28 June 2021 for any further proposed changes by 2 July 2021**)
10918. The Panel also agreed that CMP375 and CMP315 should be worked alongside each other in parallel but not at this stage formally amalgamated. PM noted that amalgamation is an option further down the line (as per CUSC 8.19.2), depending on progress of CMP375 and CMP315.

7. In Flight Modification Updates

10919. PM talked the Panel through the progression of the in-flight modifications. The in-flight modifications can be found within the CUSC Panel papers pack on the National Grid ESO website via the following link:

<https://www.nationalgrideso.com/industry-information/codes/connection-and-use-system-code-cusc-old/meetings/cusc-panel-meeting-4>

10920. PM re-iterated that the Code Administrator's current drive is to improve/build on its project management and charring capability and ensure that each Modification has a clear end to end timeline and that each Workgroup has a clear purpose. PM presented a rolling 12 month cross code view of all the Workgroups currently planned in and when Workgroup Reports and Draft Final Modification Reports are planned to be presented to Panel, and a view of modifications that are likely to be raised in the same period.
10921. PM noted that, as at 25 June 2021, there were 13 Workgroups planned cross code (10 CUSC) in July and a number of CUSC Workgroups conclude in the summer. PM added that there is a potentially urgent Grid Code Modification ("Grid Code Compliance with Fault Ride Through Requirements" (GC0151)) that was raised at the Grid Code Review Panel on 24 June 2021, which would mean 3 further Workgroups in July and 2 in August, if granted Urgency, so that would mean a delay to the re-start of CMP304 and CMP344.

CMP363/CMP364 'TNUoS Demand Residual charges for transmission connected sites with a mix of Final and non-Final Demand & Definition changes for CMP363'

10922. The Panel was asked to agree a revised timeline, noting that the Workgroup Report will be presented to September 2021 Panel rather than June 2021 Panel, given the comments received as part of the Workgroup Consultation. PM stated that the implementation date is highly likely now to be 1 April 2023 (rather than 1 April 2022). In light of this, it is prudent to factor in Ofgem's decision on the suite of Transmission Demand Residual Modifications (expected end August 2021) before presenting the Workgroup Report to Panel. The Panel agreed the revised timeline for CMP363/CMP364.

CMP361/CMP362 'BSUoS Reform: Introduction of an ex ante fixed BSUoS tariff & Consequential Definition Updates'

10923. The Panel was asked to agree a revised timeline for CMP361/CMP362. PM stated that the Workgroup Report will be presented to November 2021 Panel rather than September 2021

Panel to align with the timing of Ofgem’s draft analysis, which is being conducted by Frontier Economics. The Panel agreed the revised timeline for CMP361/CMP362.

CMP330 ‘Allowing new Transmission Connected parties to build Connection Assets greater than 2km in length & CMP374 ‘Extending contestability for Transmission Connections’

10924. The Panel was asked to agree a revised timeline for CMP330/CMP374. PM stated that that the Workgroup Report will be presented to September 2021 Panel rather than August 2021 Panel to allow sufficient scrutiny ahead of the second Workgroup Consultation. The Panel agreed the revised timeline for CMP330/374.

CMP298 ‘Updating the Statement of Works process to facilitate aggregated assessment of relevant and collectively relevant embedded generation’

10925. The Panel was asked to agree a revised timeline for CMP298. PM noted that the Workgroup Report will be presented to September 2021 Panel rather than August 2021 Panel to allow further refinement of the legal text ahead of the Workgroup Consultation. PM confirmed that there is no impact on the date that the Final Modification Report is planned to be sent to Ofgem. The Panel agreed the revised timeline for CMP298.

8. Discussions on Prioritisation

10926. The Panel reviewed the Prioritisation Stack. This can be found via the following link:

<https://www.nationalgrideso.com/industry-information/codes/connection-and-use-system-code-cusc-old/meetings/cusc-panel-meeting-4>

10927. The Panel reviewed the following modifications and their position on the Prioritisation Stack:

Modification	Comments	Position in Prioritisation Stack
CMP375	CMP375 was presented to the June 2021 Panel. Panel agreed that CMP315 will be progressed in parallel with CMP375 with Workgroups on the same day. Panel noted that CMP375 is a complex change and agreed that it is better to commence this as soon as possible and provide clarity for stakeholders on the future of the Expansion Constant and placed this “High” in the prioritisation stack. Given the interaction with CMP315, CMP315 will remain high in the prioritisation stack.	Placed as “High”
CMP315		Remain as “High”
CMP363/CMP364	Panel noted that implementation is expected to be delayed by 1 year from 1 April 2022 to 1 April 2023. However, as this is only Ofgem's minded to position (and therefore is not yet confirmed), the June 2021 Panel agreed to leave CMP363/364 as "High" in the prioritisation stack and re-consider at the next Panel	Remain as “High”

	after Ofgem's minded to position is confirmed.	
CMP316	Some Panel members noted that there has been greater interest in co-location over the last 2-3 months and a Panel Member believed more sites will be re-purposed in the near future. Therefore, the June 2021 Panel agreed to change the priority from "Medium" to Medium to High". Code Admin have previously reached out to the Proposer to get confirmation of numbers and content of Workgroups needed, which they will use to draw up a timeline and agreed to chase Proposer accordingly.	Moved from "Medium" to "Medium to High"
CMP291	A Panel Member (and Proposer of CMP291) noted that the revised terms of reference for GC0117 ask the GC0117 Workgroup to consider the work done on CMP291). Therefore, although the Panel Member (and Proposer of CMP291) was not specifically seeking to raise the priority of CMP291, it now seems that CMP291 is considered relevant to the work of both GC0117 and also the Open Networks project and therefore there is a case for it to be moved up the prioritisation stack. Panel questioned whether there was indeed any dependency on GC0117 needing CMP291 to progress and Code Admin agreed to discuss with the Grid Code Review Panel ESO and Code Admin representatives to understand this further. Therefore, CMP291 will remain "Low" in the prioritisation stack.	Remain as "High"

10928. The full discussions on each Modification can be found by following this [link](#).

9. Workgroup Reports

10929. No Workgroup Reports were presented to Panel.

10. Draft Final Modification Reports

CMP370 'Revision of the Connection Offer acceptance period for interactive connection offers'

10930. PM delivered a presentation on CMP370 to the CUSC Panel. PM advised that a new Interactivity policy has been developed collaboratively with industry through the Energy Networks Association (ENA) Open Network Projects. CMP370 seeks to align the CUSC with this Interactivity policy.

10931. At the Panel, held on 30 April 2021, the CUSC Panel unanimously agreed that CMP370 should follow standard governance route and proceed straight to Code Administrator Consultation, after further clarifications sought from Panel had been addressed. The Code Administrator Consultation was held from 14 May 2021 to 5pm on 7 June 2021 with 2 non-confidential responses received.
10932. PM advised the Panel that following the closure of the Code Administrator Consultation, the Proposer (after discussion with the respondent who raised concerns on the definition of “Interactivity” and a further Legal view for ESO), has proposed changes to the definition of Interactivity. The CUSC Panel considered these changes and agreed that these changes were not typographical. CUSC Panel therefore agreed that a 2nd Code Administrator Consultation would be run (specifically re: the definition of Interactivity) for 5 working days between now and the July 2021 Panel at which the CMP370 Draft Final Modification Report will be presented for Panel recommendation vote. **ACTION (Post Meeting Note: 2nd Code Administrator Consultation running from 13 July 2021 to 5pm on 20 July 2021)**

CMP371 ‘Assessing CUSC Modification Proposals against charging and standard objectives

10933. PM delivered a presentation on CMP371. PM advised the Panel that CMP371 seeks to update CUSC Section 8 such that it is possible, under one CUSC Modification Proposal, to change CUSC provisions relating to Connection Charges, and Use of System Charging Methodologies alongside noncharging provisions.
10934. At the Panel, held on 30 April 2021, the CUSC Panel unanimously agreed that CMP371 should follow a standard governance route and proceed straight to Code Administrator Consultation. The Code Administrator Consultation was held from 11 May 2021 to 5pm on 2 June 2021 with 4 non-confidential responses received.
10935. The CUSC Panel on 25 June 2021 discussed the responses to the Code Administrator Consultation specifically:
- As to whether this is consistent with the requirements of the Transmission Licence. NH noted that he welcomes the Modification and doesn’t currently see any issues with the Transmission Licence; however, he confirmed that Ofgem would consider all representations made before arriving at a final decision. Panel Members also noted that the final decision would be made by Ofgem; and
 - How the Panel vote would work with the majority agreeing that the Panel would vote against both the charging and standard objectives and provide a single recommendation on a CUSC Modification Proposal as a whole.
10936. The Panel held their recommendation vote on CMP371. The Panel by majority agreed recommended that CMP371 should be implemented. The Final Modification Report will be issued to Ofgem on 7 July 2021 **(Post Meeting Note: Final Modification Report issued to Ofgem 7 July 2021)**

CMP372 ‘CUSC changes to reflect the terms of the UK’s departure from the EU’

10937. PM delivered a presentation on CMP372. PM advised the Panel that CMP372 seeks to ensure that retained EU law functions effectively in the context of the CUSC following the UK-EU Trade and Cooperation Agreement and the end of the transition period. It will ensure that the CUSC takes into account the provisions in the relevant Statutory Instruments prepared under the European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020
10938. The CUSC Panel on 30 April 2021 unanimously agreed that CMP372 should proceed straight to Code Administrator Consultation and, after clarification post-Panel on the legal text, agreed via circulation that CMP372 should follow self-governance.
10939. The CUSC Panel held their determination vote on CMP372. The Panel unanimously determined this should be implemented. **(Post Meeting Note: The Appeals Window was opened from 7 July 2021 and will close 5pm on 28 July 2021. If no appeals are received by 5pm on 28 July 2021, CMP372 will be implemented on 3 August 2021).**

11. Standing Groups

Transmission Charging Methodology Forum (TCMF)

10938. JW advised the Panel that TCMF was held on 3 June 2021. The presentation slides and minutes from the meeting can be found via the following link:

<https://www.nationalgrideso.com/transmission-charging-methodology-forum-and-cusc-issues-steering-group>

The next TCMF meeting will be held on 8 July 2021.

Joint European Stakeholder Group (JESG)

10939. GG advised that the JESG meeting was held on 8 June 2021. The meeting papers can be found via the following link:

<https://www.nationalgrideso.com/industry-information/codes/european-network-codes-old/meetings/jesg-meeting-13-july-2021>

The next JESG meeting will be held on 13 July 2021.

Governance Standing Group

10940. No further updates.

EU Codes

10941. No further updates for Panel.

12. Update on other Industry Codes

10942. No further updates for the Panel.

13. Relevant Interruptions Claim Report

10943. There were no updates at this Panel.

14. Governance

CUSC Panel Elections Update

10944. PM advised the Panel that the CUSC elections take place bi-annually and it will determine the CUSC (Users') Panel members and Alternates for the period 1 October 2021 – 30 September 2023. PM told the Panel that there were **seven (7)** seats available for Users' Panel members and **five (5)** Users' Alternate members. More details information regarding what has happened so far and what will follow can be found within the Panel slides by following this [link](#).

10945. PM noted there remain issues in keeping CUSC Schedule 1 continually up to date with the data needed for the CUSC Elections process and advised that there would be a lessons learnt session with the data owners on 7 July 2021 (**Post Meeting Note: now 4 August 2021**) to ensure a robust process is in place where the data needed for the CUSC Elections 2021 is updated throughout the year. PM agreed to take an action and keep Panel informed - **ACTION**

15. Horizon Scan

10945. No further updates for Panel.

16. Forward Plan Update

Enhancing the Quality of the Legal Text

10946. PM previously mentioned at May 2021 Panel, that the Code Administrator had already put steps in place to enhance the quality of the legal text. PM referred to a programme of works and that legal resource had been recruited, At June 2021 Panel PM provided a detailed updated on these works and stated that the aim was to provide consistency, incorporate check steps and ultimately build quality to minimise the risk of legal text re-work further down the process. Panel noted that they also have a role to play (when the original Modification proposal, Workgroup Report and Draft Final Modification Report are presented to them) in ensuring the legal text is robust. The slides presented can be found [here](#).

17. AOB

General Discussion on Covid-19

10948. The Panel had no further comments.

ESO Newsletter

10949. PM advised the Panel that the ESO have recently started producing a weekly round-up email to give the latest updates on what it is doing to deliver against its core roles as an ESO as it works to enable the energy transition. Within the newsletter, there is a section which summarises the recent code updates for that week.

10950. The Panel feedback on the Newsletter was that either they hadn't seen it or, if they had, they were concerned that there was missing content and that it seemed to focus on what the ESO feel is important. The Panel suggesting using the approach used by Ofgem in their daily update, which informs stakeholders on anything that was published in that particular day such that nothing is missed off.

10951. PM welcomed Panel's feedback and advised the Panel that he would share this feedback with ESO's Corporate Affairs team (**Post Meeting Note: CUSC Panel feedback and that received at GCRP and STC were shared with ESO Corporate Affairs' team on 30 June 2021 and a representative from the ESO Corporate Affairs' team is planning to present an update at a future Panel**)

Code Administrator Survey

10952. NH noted that there would be an extension to the closing date for the Code Administrator Survey. Panel members shared concerns with Ofgem that there is no flexibility in the questions that Savanta are asking e.g. if you said you had an interest in BSC at the start but not as close to it, you still get asked all the questions about BSC. NH agreed to share this feedback with Savanta.

The next CUSC Panel meeting will be held on Friday 30 July 2021 via Microsoft Teams.