

## Code Administrator Meeting Summary

**Meeting name: CMP330/CMP374 Workgroup 10**

**Date:** 16 March 2022

### Contact Details

**Chair:** Banke John-Okwesa

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### Key areas of discussion

- Aims of the meeting were to review the legal text, the Workgroup Terms of Reference (ToR) and the Modification Timeline.
- It was discussed that the modifications impact sections other than Section 14 of the CUSC (S2, S7 and S11) and so a separate modification should be raised to capture these changes (CUSC Governance currently requires that modifications affecting Section 14 are raised separately to modifications affecting other sections of CUSC). It was broadly agreed that the discussion on these changes should continue to be picked up as part of the CMP330/374 Workgroup and that the new modification should be raised proposing a straight to Code Administrator Consultation governance route, in order to align timings with CMP330/374.
- The ESO rep shared the outcome from the last CM079 Workgroup meeting (STC modification). Discussions were around the dispute process and ESO/Ofgem role / capacity to facilitate this.
- There was a discussion around quantifying the benefits of the modification within the Workgroup Report. There was some support for more numerical evidencing around number of connection applications per year.
- The Workgroup discussed the timing of when a User raises a dispute and what this means for the status of the User's Connection Agreement. It was stated that the TOs need to know whether they are able to intervene when there has been a dispute, and the User also needs to know what they can do in this situation. There was also the question of whether build can continue during a dispute process. It was broadly agreed that this needs to be made clear.

- The Original Proposal changes the process for disputes when it comes to contestable works. It was explained that this process would require more involvement from Ofgem than there is currently. The Ofgem rep took this away to consider.
- It was further discussed that what constitutes as a legitimate dispute should be defined. There was suggestion of the User having to prove they are materially impacted in order to raise a dispute.
- The legal text was reviewed and comments were annotated on the legal text document.
- The Workgroup reviewed progress against their Terms of Reference. It was agreed that some of the Terms were no longer relevant to these modifications. It was suggested more should be discussed regarding
  - warranties for assets (ToR (b))
  - transitional arrangements and implementation (ToR (h))

### AOB & Next steps

- The next Workgroup meeting is currently planned for 31 March 2022. However, the Workgroup has fed back that another Workgroup meeting is required to finalise the legal text and discuss the remaining Terms of Reference ahead of carrying out the Workgroup Vote.
- The ESO rep took an action to find out when the legal text can be updated by. The Workgroup also considered that Ofgem will not issue a decision on the modification until they have received CM079 which is currently running a month behind this modification.
- An action was taken to share an updated timeline with the Workgroup.

### Actions

Action Number	Date Raised	Owner	Action	Comment	Due by	Status
43	02.02.2022	NW (ESO)	Fully assess the process/ dispute resolution process the ESO needs to take up including resourcing - consider whether the ESO is able to facilitate this before it is adopted in the CUSC  Develop and circulate draft legal text following Workgroup review, comments and suggestions  Provide feedback from Legal	To be circulated offline		Open
45	16.03.2022	WG	To quantify benefits of work that could be contestable	To be circulated offline		Open
46	16.03.2022	FM	To consider and feedback the role of Ofgem in the process for disputes in relation to contestable works			Open
47	16.03.2022	Code Admin	To advise the Workgroup of the next workgroup meeting date			

For further information, please contact the Code Administrator.