

CMP376 Workgroup 7

17 November 2022

Online Meeting via Teams

WELCOME



nationalgridESO

The slide features several decorative yellow lines. In the top left, there are several thin, curved lines that sweep upwards and to the right. In the bottom right, there are three thick, parallel diagonal lines that sweep upwards and to the right, starting from the bottom left and extending towards the top right. The background is a solid light blue.

Objectives and Timeline

Paul Mullen - National Grid ESO Code Administrator

Timeline for CMP376

Milestone	Date	Milestone	Date
Workgroup Nominations (15 working days)	Closed	Panel sign off that Workgroup Report has met its Terms of Reference	24 February 2023
Workgroups 1 – 5	28 October 2021, 13 December 2021, 28 January 2022, 6 September 2022 and 27 September 2022	Code Administrator Consultation (15 Working Days)	27 February 2023 to 20 March 2023 (5pm)
Workgroup 6 – Agree the Milestone timings; Agree how Modification Applications impact on the Milestones set out in the Construction Agreement; Clarify the Original proposal and confirm if any possible alternatives; Review updated version of Legal Text; and Note possible questions to be raised as part of the Workgroup Consultation	21 October 2022	Draft Final Modification Report (DFMR) issued to Panel (5 working days)	23 March 2023
Workgroup 7 – Clarify solutions to be consulted upon, check in on Transmission vs Distribution differences, finalise Legal Text, finalise Workgroup consultation (including agreeing Workgroup Consultation questions), check in on progress vs Terms of Reference	17 November 2022	Panel undertake DFMR recommendation vote	31 March 2023
Workgroup Consultation (20 Working Days)	25 November 2022 to 23 December 2022 (5pm)	Final Modification Report issued to Panel to check votes recorded correctly (5 working days)	4 April 2023
Workgroups 8 and 9 - Assess Workgroup Consultation Responses, further review of Original and alternatives (including legal text) and carry out Alternative Vote	9 January 2023 and 26 January 2023	Final Modification Report issued to Ofgem	12 April 2023
Workgroup 10 - Finalise solution(s) and legal text, agree that Terms of Reference have been met, Review Workgroup Report and hold Workgroup Vote	8 February 2023	Ofgem decision	TBC
Workgroup report issued to Panel (5 working days)	16 February 2023	Implementation Date	10 working days after Authority Decision

Actions from last meeting

Paul Mullen - National Grid ESO Code Administrator

Actions from last meeting

	Owner	Action	Due by	Status
1	Paul Mullen	Timeline – Confirm if revised timeline was approved at CUSC Panel on 28 October 2022	31 October 2022	Closed – it was approved
2	ESO	Process - Ensure any differences between the Transmission and Distribution milestones and process are clearly shown including Milestone durations and Termination provisions	10 November 2022	Closed – within draft Workgroup Consultation issued 4 November 2022
3	ESO	Evidence – Confirm whether or not a User needs to have agreed cable routes or easements to satisfy Milestone M3	10 November 2022	Closed - User will not need to have agreed cable routes or easements to satisfy Milestone M3
4	Paul Mullen / Ruth Roberts working with the ESO	Modification Applications - Include a table in the Workgroup Consultation setting out for specific scenarios how the proposed CMP376 Original will be applied to these	3 November 2022	Closed – within draft Workgroup Consultation issued 4 November 2022
5	Paul Mullen / Ruth Roberts working with the ESO	Milestones – Include a pros and cons table in the Workgroup Consultation of measuring the time period back from the contracted completion date to either the date of the offer, the date of acceptance by the User or the effective date of the agreements	3 November 2022	Closed – within draft Workgroup Consultation issued 4 November 2022
6	Paul Mullen / Ruth Roberts	Workgroup Consultation – Issue 1 st draft of Workgroup Consultation including updated Workgroup Consultation questions and reflecting the discussion on Implementation Approach	3 November 2022	Closed –issued 4 November 2022

Actions from last meeting

Action Number	Owner	Action	Due by	Status
7	ESO	Legal Text - Issue updated version of Legal text (based on comments at Workgroup Meeting* and those sent in advance by a Workgroup Member) *Right to terminate or will terminate? confirm evidence requirements for M3, M5 and M6 (what does “agree” mean?); cross referencing of “On Track” and “Termination” in Exhibit as well, Appeals/Disputes process, confirm whether or not Evidence will be in body of CUSC or Exhibits	3 November 2022	Closed – issued 15 November 2022
8	Workgroup	Legal Text – Provide comments on Legal Text	11 November 2022 – now 3pm on 16 November 2022	Closed
9	Workgroup	Workgroup Consultation – Provide tracked change comments on 1 st draft	14 November 2022 (5pm)	Closed
10	Paul Mullen / Richard Woodward	Implementation – Seek initial Ofgem view on proposal to insert end-date for all current contracted applications to be moved across to the new Queue Management arrangements	17 November 2022	Open

Workgroup Consultation – Review Showstopper / conflicting comments (based on what has been sent by 5pm on 14 November 2022)

Paul Mullen

Legal Text final Review – Showstopper comments

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Next Steps

Paul Mullen - National Grid ESO Code Administrator

Annex 1 - Terms of Reference

Paul Mullen - National Grid ESO Code Administrator

CMP376 Terms of Reference V2

Workgroup Term of Reference

- a) Consider EBR implications.
- b) Consider how the ESO communicates its acceptance (or not) of the evidence of milestone completion provided by the User.
- c) Consider how the ESO will monitor User compliance, verify evidence provided by Users, and when action is taken to enact any termination rights.
- d) Consider interaction with other provisions in the CUSC, Construction Agreements and Connection Agreements that deal with project delays and termination of agreements (e.g. Quarterly Updates).
- e) Consider how this is enacted when a User seeks to delay beyond their originally contracted milestone dates i.e. does this lead to automatic termination of any Construction Agreement or is there any scope to delay connection dates. Consider previous work on CAP150 in this regard.
- f) Consider requirement to ensure Construction Agreement Milestones (Appendix J) responsibilities are clearly defined specifically with respect to consents and land rights.
- g) Consider any strategic or regulatory driver behind reallocation of capacity following a termination e.g. Electricity System Restoration Standard.
- h) Consider the route to align Transmission and Distribution agreements for same User connections, including consideration of whose milestones take priority for User compliance.
- i) Consider how other CUSC arrangements may need to change as a result of promoting Users up the queue following a termination of another User (e.g. User Commitment for those Users, who are allowed to advance their connection date).
- j) Clarify any enduring interaction between the CUSC legal text and the ENA Queue Management guidance document.