

CUSC Modification Proposal Form

CMP409: Housekeeping Modification as a result of CMP363 Ofgem decision

Overview: As part of their [decision on CMP363](#), Ofgem identified 2 changes that need to be made ahead of CMP363 implementation on 1 April 2023

Modification process & timetable



Status summary: The Proposer has raised a modification and is seeking a decision from the Panel on the governance route to be taken.

This modification is expected to have a: Low impact

ESO and CUSC Parties

Proposer’s recommendation of governance route

Fast-track Self-Governance modification

Who can I talk to about the change?

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What is the issue?

As part of their [decision on CMP363](#), Ofgem identified 2 changes that need to be made ahead of CMP363 implementation on 1 April 2023.

These were:

- Legal text for CMP363 WACM1 contains the following sentence: '*This Declaration shall clearly identify the Metering Systems used to isolate and identify gross Final Demand Consumption from any other Consumption at the Mixed Demand Site.*' Ofgem consider that this text is duplicative of the sentence preceding it and has the potential to cause ambiguity and confusion as to application of the provisions; and
- The following sentence in the Legal text for CMP363 WACM1 appears to contain a typographical error: '*consumption metered at each asset which is does not consume Final Demand*'

Why change?

Without this change, arguably this could create confusion for stakeholders when CMP363 is implemented 1 April 2023.

What is the proposer's solution?

Proposed changes shown in **red text** to the CUSC 14.15.144a Legal Text as approved by CMP363 WACM1:

"For Mixed Demand Sites connected to the NETS, the provisions of 14.15.144 shall be applied to the Mixed Demand Site's gross Consumption except where a valid Declaration is provided by the User. This Declaration shall clearly identify the Metering Systems (or Operational Metering Equipment where a Metering System is not viable) used to isolate and identify gross Final Demand Consumption from any other Consumption at the Mixed Demand Site. ~~This Declaration shall clearly identify the Metering Systems used to isolate and identify gross Final Demand Consumption from any other Consumption at the Mixed Demand Site.~~ A Mixed Demand Site's gross Final Demand Consumption shall either be measured using meters installed at each Final Demand asset, or alternatively, be calculated as the difference between the Mixed Demand Site's gross Consumption as metered at the site boundary, and consumption metered at each asset which **is** does not consume Final Demand. Should a valid Declaration be provided, any Consumption not associated with Final Demand will be removed before the provisions of 14.15.144 are applied. Where it is unclear whether the Consumption is Final Demand or not, it will be treated as Final Demand."

Legal Text

See "What is the proposer's solution?" above

What is the impact of this change?

Proposer's assessment against CUSC Charging Objectives

Relevant Objective	Identified impact
(a) That compliance with the use of system charging methodology facilitates effective competition in the generation and supply of electricity and (so far as is consistent therewith) facilitates competition in the sale, distribution and purchase of electricity;	Neutral
(b) That compliance with the use of system charging methodology results in charges which reflect, as far as is reasonably practicable, the costs (excluding any payments between transmission licensees which are made under and accordance with the STC) incurred by transmission licensees in their transmission businesses and which are compatible with standard licence condition C26 requirements of a connect and manage connection);	Neutral
(c) That, so far as is consistent with sub-paragraphs (a) and (b), the use of system charging methodology, as far as is reasonably practicable, properly takes account of the developments in transmission licensees' transmission businesses;	Neutral
(d) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and	Neutral
(e) Promoting efficiency in the implementation and administration of the system charging methodology.	Positive Makes the legal text clearer for all parties

**The Electricity Regulation referred to in objective (d) is Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (recast) as it has effect immediately before IP completion day as read with the modifications set out in the SI 2020/1006.

When will this change take place?

Implementation date

1 April 2023

Date decision required by

27 January 2023

Implementation approach

No systems or processes will need to be amended as a result of this proposal.

Proposer's justification for governance route

Governance route: **Fast-track Self-Governance modification**

The modification is a housekeeping modification required as a result of an error or factual change, which in this case is Correcting minor typographical errors

Interactions

- Grid Code BSC STC SQSS
 European EBR Article 18 Other Other
 Network Codes T&Cs¹ modifications

None, except CUSC CMP363

Acronyms, key terms and reference material

Acronym / key term	Meaning
BSC	Balancing and Settlement Code
CMP	CUSC Modification Proposal
CUSC	Connection and Use of System Code
EBR	Electricity Balancing Regulation
ESO	Electricity System Operator
STC	System Operator Transmission Owner Code
SQSS	Security and Quality of Supply Standards
T&Cs	Terms and Conditions
WACM	Workgroup Alternative CUSC Modification

Reference material

- None

¹ If your modification amends any of the clauses mapped out in Exhibit Y to the CUSC, it will change the Terms & Conditions relating to Balancing Service Providers. The modification will need to follow the process set out in Article 18 of the Electricity Balancing Guideline (EBR – EU Regulation 2017/2195) – the main aspect of this is that the modification will need to be consulted on for 1 month in the Code Administrator Consultation phase. N.B. This will also satisfy the requirements of the NCER process.