

Code Administrator Consultation Response Proforma**CMP376: Inclusion of Queue Management process within the CUSC**

Industry parties are invited to respond to this consultation expressing their views and supplying the rationale for those views, particularly in respect of any specific questions detailed below.

Please send your responses to cusc.team@nationalgrideso.com by **5pm on 4 May 2023**. Please note that any responses received after the deadline or sent to a different email address may not receive due consideration.

If you have any queries on the content of this consultation, please contact Paul Mullen paul.j.mullen@nationalgrideso.com or cusc.team@nationalgrideso.com.

Respondent details	Please enter your details
Respondent name:	Robert Newton
Company name:	Zenobē Energy Limited
Email address:	robert.newton@Zenobē.com
Phone number:	07342 169677

I wish my response to be:

(Please mark the relevant box)

☒ Non-Confidential

☐ Confidential

Note: A confidential response will be disclosed to the Authority in full but, unless agreed otherwise, will not be shared with the Panel or the industry and may therefore not influence the debate to the same extent as a non-confidential response.

For reference the Applicable CUSC (non-charging) Objectives are:

- The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;*
- Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the sale, distribution and purchase of electricity;*
- Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and*
- Promoting efficiency in the implementation and administration of the CUSC arrangements.*

**The Electricity Regulation referred to in objective (c) 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.*

Please express your views in the right-hand side of the table below, including your rationale.

Standard Code Administrator Consultation questions					
1	Do you believe that the CMP376 Original proposal and/or WACMs 1-11 inclusive better facilitate the Applicable Objectives?	Mark the Objectives which you believe each solution better facilitates:			
		Original	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
		WACM1	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
		WACM2	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
		WACM3	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
		WACM4	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
		WACM5	<input type="checkbox"/> A	<input type="checkbox"/> B	<input type="checkbox"/> C <input type="checkbox"/> D
		WACM6	<input type="checkbox"/> A	<input type="checkbox"/> B	<input type="checkbox"/> C <input type="checkbox"/> D
		WACM7	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
		WACM8	<input type="checkbox"/> A	<input type="checkbox"/> B	<input type="checkbox"/> C <input type="checkbox"/> D
		WACM9	<input type="checkbox"/> A	<input type="checkbox"/> B	<input type="checkbox"/> C <input type="checkbox"/> D
		WACM10	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
		WACM11	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input type="checkbox"/> C <input checked="" type="checkbox"/> D
<p>Zenobē views the concept of queue management as a potentially effective measure to ensure only viable projects that are being actively progressed by their developers are able to retain a place in the connection queue.</p> <p>Zenobē believes the concept of the original proposal would address the identified defect.</p> <p>WACM1/2 – We do not see WACM1 as likely to have a material effect either way on the overall success of the queue management process. While it is agreed that the requirement to “agree a programme” could potentially create issues given it is unclear what assessment method the TO/NGESO would apply prior to “agreeing” a programme, we note that the proposed change to “submit a programme” also creates risk as there is no specification as to what constitutes an acceptable programme. If the WACM 1 proposal is accepted, we support it being applied in the form described in WACM 2.</p> <p>WACM3/4 – We do not see WACM3 as having a material effect either way on the overall success of the queue management process. While the definitive timescales are welcome we consider the</p>					

		<p>evidence required to meet this milestones (e.g. an exclusivity agreement) as being relatively light and hence the timescales should not pose a barrier to projects. If the WACM 3 proposal is accepted, we support it being applied in the form described in WACM 4.</p> <p>WACM5/6 – It is unclear what process would be applied when determining bilaterally negotiated milestones. Therefore we consider this WACM to have the potential to introduce a lack of transparency to the proposed queue management process and hence do not believe it better facilitates the CUSC objectives compared to the original.</p> <p>WACM7 – We believe applying the proposed queue management process to as many projects as possible will create the greatest benefit in terms of allowing active projects to progress. We believe this WACM better facilitates the CUSC objectives than the original proposal.</p> <p>WACM8/9 – We believe that the actual methodology for dynamic queue management is unclear and that without a clear understanding of what would actually be implemented this proposal cannot be considered to better facilitate the CUSC objectives and would create additional uncertainty over the treatment of stalled projects.</p> <p>WACM10 – We believe this WACM may bring minor benefits without negatively affecting the CUSC objectives</p> <p>WACM11 – We support the concept of allowing a User to avoid termination in the event that they are awaiting award of a governmental or regulatory subsidy. However, we do not support the WACM8 element of the overall WACM 11 proposal.</p>
2	Do you support the proposed implementation approach?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3	Do you have any other comments?	<p>Zenobē believes queue management should be applied to existing agreements, so consider WACM7 as better than the current state and the original proposal.</p> <p>Zenobē is neutral about WACMs that propose minor changes (1 and 3) and do not consider these to be better or worse than the original proposal (but are better than the current state). If those were to be implemented, we</p>

	<p>would support the WACM 2 and 4 versions to ensure application to existing contracts too.</p> <p>Zenobē does not support WACM5 or WACM6 as we consider these to introduce a lack of transparency into the the process.</p> <p>Zenobē does not support WACM8 or WACM9 as there is no clear methodology for how this complex process would be implemented.</p> <p>Zenobē is neutral on WACM10, we consider it to be better than the current state but no better or worse than the original proposal.</p> <p>Zenobē supports the element of WACM 11 related to deferring termination in the event a User is awaiting governmental or regulatory subsidy but not the dynamic queue management part of this proposal.</p>
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