

CMP376

WACM1

The legal text for WACM1 is the same as the legal text for the original CMP376 apart from the changes shown in **red and strikethrough** below to

- (i) Paragraph 16.3 (The User Progression Milestones and Evidence) of the new CUSC Section 16 specifically the first table (setting out the milestones and evidence) and third table (Construction Progression Milestones) within that Paragraph.

Milestone	Detail	Evidence	Milestone Period
Milestone 1) Initiated Statutory Consents and Planning Permission	Where statutory consents are required for the construction of the User's project, the User must begin the process of seeking statutory consents, including Planning Permission for the project within the timescales and be able to provide the required evidence.	Submission of planning application to the relevant Statutory Authority or, if the User's project does not require a statutory consent, a declaration from the User to that effect.	See table (varies with lead time).
Milestone 2) Secured Statutory Consents and Planning Permission	Where required for the construction of the User's project, the User must have secured statutory consents, including Planning Permission for the project within the timescales and be able to provide the required evidence	The planning decision notice confirms planning permission has been granted and that this permission allows the User to meet the terms included in its Construction Agreement . Compliance with this milestone is ongoing.	See table (varies with lead time)
Milestone 3) Secure Land Rights	The User must have secured the required land rights to enable the construction of the project. The User may be the	The User shall provide documentation to demonstrate that: (i) The User is an owner or tenant of the land on which the proposed site is or will be situated; or	See table (varies with lead time)

	owner/occupier of the land or has the necessary agreement from the owner/occupier.	<p>(ii) The User has entered into an agreement to lease the land from the owner of the land on which the proposed site is or will be situated; or</p> <p>(iii) The User has an option to purchase or to lease the land from the owner of the land on which the proposed site is or will be situated; or</p> <p>(iv) The User has entered into an exclusivity agreement in relation to the land with the owner of the land on which the proposed site is or will be situated; or</p> <p>(v) For an offshore site, the User has entered into an agreement for occupation or use of the seabed upon which the User's project (excluding any OTSDUW) is or will be located</p> <p>Nb the obligation is to secure and evidence the land right for the site of the installation e.g. Power Station so the evidence does not relate to rights e.g. easements associated with that site or OTSDUW.</p> <p>Compliance with this milestone is ongoing.</p>	
Milestone 4) N/A for Transmission	This milestone does not apply for Transmission	Null	Null
Milestone 5) Contestable Design Works Submission	This milestone will apply where a User has gone down the	Written confirmation from the Relevant Transmission Licensee that design obligations as bilaterally agreed in a	See table (varies with lead time)

	contestable route for connection.	User-Self Build agreement have been received.	
Milestone 6) Agree-Submit Construction Plan	The User must have agreed submit a construction plan for the detailed User's Works with to The Company which demonstrates how they will be progressing the User's Works to achieve the Completion Date .	<p>The User's construction plan shall demonstrate how the User will be ready for the Commissioning Programme Commencement Date and Completion Date. This must include a detailed programme for the User's Works with a fixed start and end date as agreed with the Relevant Transmission Licensee, and be a programme aligned with the Commissioning Programme Commencement Date and Completion Date.</p> <p>The User's programme of works construction plan shall demonstrate how the User will be ready for the Commissioning Programme Start Date and Completion Date. It shall as a minimum contain the following details.</p> <ul style="list-style-type: none"> • Start and end date of the User's Works • User award of main procurement/construction and installation contracts • User start construction on site date • User completion of works required for the 	See table (varies with lead time)

		<p>Commissioning Programme to commence.</p> <ul style="list-style-type: none"> Commissioning Programme Commencement Date aligned with Appendix J Completion Date 	
Milestone 7) Project Commitment	This milestone demonstrates that the project has the necessary commitment or backing for it to proceed.	<p>One of the following:</p> <ul style="list-style-type: none"> • Binding contract issued by the User for main plant equipment; or • Capital contribution payments made to The Company in advance of connection; or • A decision paper from a formal, minuted meeting of the User's board of directors evidencing Final Investment Decision (FID); or • award of a governmental or regulatory subsidy which provides financial support or incentive to the User's project. 	See table (varies with lead time)
Milestone 8) Project Construction	Project construction is the project phase ie the period from when a User begins the site works to carry out construction of its project until completion of the User's Works	<p>Commence construction according to the construction plan agreed submitted under Milestone 6.</p> <p>Evidence for meeting this milestone will be a letter from the User's board of directors or equivalent to state construction has commenced.</p>	See table (varies with lead time)

The date by which a **User Progression Milestone** has to be achieved is derived from the following Tables working backwards from the **Completion Date** (or where staged, relevant **Completion Date**) in a **Connection Offer** to the date on which the **Connection Offer** is made by **The Company** to the **User**.

The **User Progression Milestones** are categorised as **Conditional Progression Milestones** and **Construction Progression Milestones**. Different rights and obligations on **The Company** to terminate the **User's Construction Agreement** apply for each of these categories.

As noted above compliance with the **Conditional Progression Milestones** is measured on an ongoing basis.

Conditional Progression Milestones

Retained Distribution Milestone Names for consistency	From 0 up to 2 years (0 – 729 days) from contracted Completion date	2 up to 3 years (730 – 1094 days) from contracted Completion date	3 up to 4 years (1095 to 1459 days) from contracted Completion date	4 up to 5 years (1460 – 1824 days) from contracted Completion date	5 years (1825 days) and above from contracted Completion date
Milestones:	All durations referenced back from contracted Completion Date				
M1 - Initiate Planning Consent	Bilaterally negotiated	18 months	24 months	36 months	48 months
M2 - Secure Consent		12 months	18 months	24 months	30 months
M3 - Land Rights		21 months	27 months	39 months	51 months

Construction Progression Milestones

Retained Distribution Milestone Names for consistency	From 0 up to 2 years (0 – 729 days) from contracted Completion date	2 up to 3 years (730 – 1094 days) from contracted Completion date	3 up to 4 years (1095 to 1459 days) from contracted Completion date	4 up to 5 years (1460 – 1824 days) from contracted Completion date	5 years (1825 days) and above from contracted Completion date
Milestones:	All durations referenced back from contracted Completion Date				
M5 - Contestable	Bilaterally negotiated	12 months	15 months	18 months	21 months

Design Works Submission					
M6 - Agree Submit Construction Plan		9 Months	12 months	15 months	18 Months
M7 - Project Commitment		6 Months	9 months	12 months	15 Months
M8 - Initiate Construction		3 months	6 Months	9 months	12 months

(ii) Appendix Q in CUSC Exhibit 3 Part 1 and Part 11 and Exhibit 3A

APPENDIX [Q] **QUEUE MANAGEMENT PROCESS – USER PROGRESSION MILESTONES**

The table below specifies the dates (derived in accordance with **CUSC** Section16) for the **User Progression Milestones** in respect of the **User's** project and the application of the **Queue Management Process**.

Conditional Progression Milestones

Milestone	Date due
M1 – Initiate Planning Consent	
M2 – Secure Consent	
M3 – Land Rights	

Construction Progression Milestones

Milestone	Date due
M5 – Contestable Design Works Submission	
M6 – Agree Submit Construction Plan	
M7 – Project Commitment	
M8 – Initiate Construction	