

Code Administrator Meeting Summary

Meeting name: CM079 Workgroup 4 - Consideration of STC/STCP changes in relation to CMP330/374

Date: 02/06/2023

Contact Details

Chair: **Elana Byrne ESO**, elana.byrne@nationalgrideso.com

Proposer: **Richard Woodward NGET**, richard.woodward@nationalgrid.com

Key areas of discussion

Modification Process Overview

The Chair shared a slide showing the Workgroup the Modification process and highlighted that we were at the refine solution phase and advised that the Proposer would be giving a high-level view of the Modification. The Proposer informed the group that this was a consequential Proposal from CUSC modifications CMP330/374 and CMP414 that are currently going through the modification process also.

The Chair advised the group of the intention for voting qualification would start from this Workgroup session as there had been changes to participants and this the session were starting up after a break. No objections were raised by the Workgroup, but it was noted to update the absent members of the Workgroup of this intention.

Due to the hiatus of this Workgroup process the Chair advised that the Workgroup consultation would focus on discussion from this point onwards, but background context would be shared for information to the group. No objections were raised but it was noted to update the absent members of the Workgroup of this intention.

Group expectations were discussed, and the Proposer gave a summary of key consideration of the solution to the group.

Terms of Reference

Workgroup Terms of Reference were shared by the Chair and the group were asked if they had any comments. The Proposer advised the Workgroup that CMP414 needed to be incorporated into the scope and that they would like to consider the wider regulatory impacts this modification has, particularly in relation to the price control or special license condition for onshore Transmission Owners (TO).

ESO's representative raised a point that a STCP modification would also be needed, the Proposer agreed and went on to advise the group that if there were material impacts of CM079 Ofgem will need to approve (if there are no material impacts, STCP Panel can approve for the *Proposer* to raise a STCP modification).

Another ESO representative raised a point that in the related CUSC modifications the price control issue was going to be a separate discussion with TOs and Ofgem. The Proposer responded to say something was drafted in relation to the issues, they went on to say that what they are advocating for in the STC modification cannot fix the price control or license, but there will be a lot of consequences of how the modification CM079 needs to be implemented that will culminate in license enforcement or price control actions. Therefore, through increasing the Terms of Reference slightly for CM079 is going one stage beyond the CUSC modification.

The Chair suggested going through the Terms of Reference from A to E to ensure the Workgroup were happy with each point. It was suggested that CMP414 be added to section A for completeness. The Workgroup agreed.

It was suggested that Point D included CMP414 and the Workgroup agreed.

The Proposer suggested wording for Point E, the Workgroup discussed some slight changes, and this point was agreed.

Timeline Overview

The Chair talked through the timeline dates and an ESO representative updated the group on the implementation dates suggested for the CUSC modifications. There was some discussion between the Proposer and ESO representative. The Proposer suggested an action for ESO to keep the Workgroup informed of the implementation discussion for the CUSC modification, and the Chair advised that this would be taken away to be able to confirm what updates can be shared in line with the modification process.

Proposer's Solution Map

The Proposer talked through the different stages in the process that would need changing and listed STC sections they thought would need updating.

They then went on to talk through points from CUSC modification discussions and how they may impact the STC Modification.

The Proposer advised the Workgroup that he thought there need to be something in the definitions on contestability and other members agreed. Also, a new STC procedure may be needed for the intervention and dispute process, but this is something that can be worked out going forward.

An ESO representative advised they were happy with the initial approach and thought between now and the next Workgroup some legal text would need drafting based on the Proposer's process thoughts.

The Proposer responded to say he thought schedules 8 and 9, Glossary and Definitions (Section J) and STC 18-1 are the target areas of the STC requiring changes and agreed to take an action to create version 3 of the Solution Map slide with update on how the Workgroup see the process working and what legal text changes will be needed. A comparison can then be done between the presented slide and the updated version.

The Proposer clarified the following as an agreed solution:

1. Define contestability
2. Offer/Application clarifications (largely within the STCPs)
3. Identify the intervention criteria and process
4. Confirm the Adoption Agreement principles and process

5. Disputes process

AOB Next Steps

The Chair raised a question of the raising of the STCP Modification and the Proposer suggestion this was a conversation for the next meeting but was happy to raise the Modification when needed.

Actions Summary

- Chair to share an updated version of the Terms of Reference, using the agreed text, with the Workgroup before being submitted to Panel
- High level action for Code Admin team and ESO Representative to see when updates can be shared by respective parties with the group regarding the related CUSC modifications
- Proposer to draft legal text and consult with ESO regarding contestability and ramifications of proposed changes (ESO to involve the internal ESO legal team)
- ESO to identify whether anything further needs to feature in the legal text for TO support
- The Proposer and TO Workgroup members are to action the following and feedback to Chair/Tech Sec ahead of the next Workgroup:
 - Investigate the process of failure and whether it is codified in the STC or dealt with elsewhere relating to the adoption agreement/price controlling and report back to the next Workgroup session.
 - Consider changes to the application fee type i.e., variable or fixed solutions.
- ESO to also discuss the application fee type internally
- Proposer to update the Solution Process map, this will then be shared with the Workgroup

Next Steps

Summary to be shared with Workgroup and actions to be completed.

Attendees

Name	Initial	Company	Role
Elana Byrne	EB	Code Administrator, ESO	Chair
Deborah Spencer	DS	Code Administrator, ESO	Tech Sec
Richard Woodward	RW	NGET	Proposer
Stephen Baker	SB	ESO	ESO Rep
Neil Dewar	ND	ESO	ESO Rep
Joe Jordan	JJ	SPT	Workgroup Member
Michelle McDonald Sandison	MMS	SSE	Workgroup Member

