

CUSC Panel Minutes

30 June 2023

CUSC Panel Minutes

Date: 30/06/2023	Location: Microsoft Teams
Start: 10:00 AM	End: 12:30 PM

Participants

Attendee	Initials	Representing
Trisha McAuley	TM	Independent Panel Chair
Milly Lewis	ML	Panel Secretary, Code Administrator Representative
Shazia Akhtar	SA	Panel Technical Secretary, Code Administrator
Teri Puddefoot	TP	Panel Technical Secretary (support)
Andrew Enzor	AE	Users' Panel Member
Andy Pace	AP	Consumers' Panel Member
Binoy Dharsi	BD	Users' Panel Member
Cem Suleyman	CS	Users' Panel Member
Garth Graham	GG	Users' Panel Member
Grace March	GM	Users' Panel Member
Joe Dunn	JD	Users' Panel Member
Nadir Hafeez	NH	Authority Representative
Rashmi Radhakrishnan	RR	BSC Representative (Observer)
Claire Huxley	CH	Alternate Panel Member, National Grid ESO

Apologies

Attendee	Initials	Representing
Paul Jones	PJ	Users' Panel Member
Karen Thompson-Lilley	KTL	Panel Member, National Grid ESO

Presenters / Observers

Attendee	Initials	
Claire Goult	CG	Observer, National Grid ESO
Martin Cahill	MC	Presenter, ESO
Pedro Arcain	PA	Observer, Ofgem
Scott Keen	SK	Presenter Triton Power
Alex Aristodemou	AA	Observer, ESO Legal
Lisa Waters	LW	Presenter, WYE

1. Introductions and Apologies

11848. Apologies were received from Karen Thomson-Lily and Paul Jones. No declarations of interest were noted.

2. Minutes from previous meetings

11890. The minutes from the CUSC Panel held on 26 May 2023 were approved.

3. Review of actions log

11891. The Panel agreed the Action **182** should remain open.

11892. The Panel agreed that Action **184** could be closed, and NH agreed to provide an update to the Panel when appropriate. An additional action was captured for Code Admin to provide an update when available (**Action 186**: Sarah Carter and Jon Wisdom to provide an update on the work being done around Code Manager workstream)

11893. Panel members agreed to close Action **185**.

4. Chair’s update

11894. There were no Chair updates.

5. Authority Decisions

11853. Ofgem provided an update on Modifications that have been decided upon, together with those currently awaiting their decision.

Decisions since last CUSC Panel

Modification	What this seeks to achieve	Decision
CMP379	Seeks to clarify how TNUoS demand zones and therefore TNUoS demand tariffs and charges should be determined for transmission-connected demand users who connect at the boundaries of multiple DNO areas	Send back on 09 June 2023 due to an inconsistency between the proposed solution (as described in the FMR) and the corresponding legal text.

CMP286/CMP287	Seeks increased notice of the Target Revenue (CMP286) and inputs (CMP287) used in the TNUoS Tariff Setting Process	Send back on 30 June 2023 due to the FMR with a single set of Panel voting and a single proposed legal text; and a lack of analysis of the impact of CMP287 alone.
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Awaiting Decisions

Modification	What this seeks to achieve	Expected Decision Date
CMP288	To introduce explicit charging arrangements to recover additional costs incurred by Transmission Owners and TNUoS liable parties because of transmission works undertaken early due to a User initiated delay to the Completion Date of the works, or to facilitate a backfeed.	07 July 2023 Authority Representative at April 2023 Panel noted that decision would be an Authority send-back.
CMP292	Introduces a cut-off date for changes to the Charging Methodologies	25 August 2023 (previously 30 June 2023)
CMP298	Process for aggregated assessment of Distributed Generators that impact (or may impact) on the National Electricity Transmission System.	21 August 2023 (previously 7 July 2023)
CMP344	Clarifies that the allowed revenue for Transmission Owners recovered from Transmission Users under the Charging Methodologies is fixed for each onshore price control period for onshore transmission licensees and at the point of asset transfer for OFTOs.	06 October 2023 (previously 28 June 2023)
CMP376	Seeks to implement the queue management process into CUSC including introducing a right for the Electricity System Operator (ESO) to terminate contracted projects which are not progressing against agreed milestones.	15 September 2023

11854. Ofgem publish a table that provides expected decision dates, or dates that they intend to publish an impact assessment or consultation, for code modifications/proposals that are with them for decision. This was last updated on 05 July 2023 and is published [here](#).

6. New Modifications

11862. No new modifications proposals were presented to the Panel.

7. In flight modification updates

11863. ML talked the Panel through the progression of the in-flight modifications. The modification tracker can be found on the National Grid ESO website via the following link:

<https://www.nationalgrideso.com/document/159906/download>

CMP379: Determining TNUoS demand zones for transmission - connected demand at sites with multiple Distribution Network Operators (DNOs)

11864. ML explained that on 06 June 2023, Ofgem sent back the CMP379 Final Modification Report for further work and directed Panel to revise and resubmit the CMP379 Final Modification Report, due to being unable to form an opinion on it due to an inconsistency between the

proposed solution (as described in the Final Modification Report) and the corresponding legal text. following the Authority Send back decision, the Panel were required to agree next steps.

11865. The Send back letter states due to the discrepancy between the Proposer's solution section within the FMR referring to a 'predominant DNO' solution and the legal text referencing 'weighted average' solution '[...]it is unclear to us whether Workgroup voting proceeded on an understanding that the solution was the 'predominant DNO' solution or 'weighted average' solution'
11866. ML and MC stated that there was written confirmation from all Workgroup members that they had understood, and voted on the basis, that the solution was the 'weighted average' not the 'predominant DNO' solution. The Panel agreed that the amended wording for the Proposer's solution of the report should be circulated to the Workgroup and that the modification should then proceed to Code Administrator Consultation.
11867. The second Code Administrator Consultation will run from 05 July 2023 until 5pm 26 July 2023.

CMP392: Transparency and legal certainty as to the calculation of TNUoS in conformance with the Limiting Regulation

11868. ML advised that a timeline extension was required to allow for additional Workgroups to finalise the Legal Text.
11869. The Panel approved the timeline update.

CMP396: Re-introduction Of BSUoS on Interconnector Lead Parties

11870. ML informed the Panel that following the ESO legal opinion questioning the legality of this modification the Proposer intended to continue with the proposal and sought the Panels view on how to progress.
11871. The Panel were asked to consider if this modification should go back the Workgroup or proceed straight to Code Administrator Consultation.
11872. Some Panel members queried the governance on this, and ML confirmed that it could proceed to Code Administrator Consultation without Workgroup vote but that the Code Administrator Consultation would only include the Proposal and the legal opinion. Additionally, it was noted that modifications are not able to be withdrawn by Panel, only by the Proposer.
11873. The Proposer stated that it was of importance that industry has visibility of the legal opinion.
11874. CH expressed concern over the modification proceeding straight to Code Administrator Consultation and the impacts that this may have on ESO relationship with European Union.
11875. The Proposer highlighted the intent of the modification being to protect the interest of Consumers.
11876. PA informed the Panel that Ofgem consider the benefit to consumers and understand the value and opportunity in the proposal within policy but note that this is narrowed to a legal opinion.
11877. Consideration was also given to the risk of Authority send back.
11878. The Panel unanimously agreed that the CMP396 should proceed directly to Code Administrator Consultation, with dates to be confirmed.

CMP408: Allowing consideration of a different notice period for BSUoS tariff settings

11879. ML advised the Panel that a timeline extension was required to allow for further Workgroup meetings to finalise the legal text and Workgroup Report content.
11880. The Panel approved the timeline change.

CMP413: Rolling 10-year wider TNUoS generation tariffs

11881. The Panel were asked to consider a change to the Terms of Reference (ToR) for this modification (see slides).
11882. The Panel approved the changes requested.

8. Prioritisation Stack / Dashboard

11883. The Panel reviewed the prioritisation stack and agreed that no changes were required.
11884. The prioritisation stack can be found via the following link:

<https://www.nationalgrideso.com/document/280861/download>

9. Workgroup Reports

11885. There were no Workgroup Reports presented to the Panel.

10. Draft Final Modification Reports (DFMR)

CMP331: Option to replace generic Annual Load Factors (ALFs) with site specific ALFs

11886. ML presented to the Panel that CMP331 aims to provide new generators with the option to replace the generic Annual Load Factors (ALFs) used to determine their TNUoS charges with a user-provided ALF.
11887. The Panel has recommended by majority that the Proposer's solution is implemented. The Final Modification Report will be sent to Ofgem on 12 July 2023.

CMP398: GC0156 Cost Recovery mechanism for CUSC Parties

11888. ML advised the Panel that GC0156 will place new obligations, within the Grid Code, upon CUSC Parties who are not contracted with the ESO as Restoration Service Providers. CMP398 proposes to introduce a codified cost recovery mechanism to prevent the affected parties being commercially disadvantaged by the implementation of the new obligations.
11889. The Panel discussed a response from the Code Administrator Consultation which highlighted that a point that had been raised in the Workgroup Consultation had not been addressed. It was suggested that the Workgroup Chair communicate with the respondent to confirm that their view had been taken into consideration. The Panel agreed that this would be suitable.
11890. Some Panel members queried the wording in the DFMR for WACM2.
11891. The Panel has recommended by majority that the Proposer's solution, WACM1 and WACM2 better facilitate the CUSC Applicable Objectives. The Final Modification Report will be sent to Ofgem on 11 July 2023.

CMP412: CMP398 Consequential Charging Modification

11892. ML informed the Panel that CMP412 seeks to facilitate the implementation of CMP398 and proposes change to Section 14 (BSUoS) to ensure that any validated costs arising via the CMP398 solution are recovered (as happens today with black start costs via BSUoS).
11893. The Panel has recommended by majority that the Proposer's solution is implemented. The Final Modification Report will be sent to Ofgem on 11 July 2023.

11. Standing Groups

Transmission Charging Methodology Forum (TCMF)

11894. Panel were advised that the the last meeting was held 08 June 2023, and covered the following items:

- Update on enduring BNUoS Subgroup and TNUoS Taskforce
- Update on potential modification
- Connections five-point plan
- New CISG subgroup created
- VAT Treatment

The next meeting was planned for 06 July 2023.

12. European Updates

Joint European Stakeholder Group (JESG)

11895. The Panel were advised that the last meeting was held on 13 June 2023, where they received an update from ESO on compensation methodology, EBR re-mapping and MRLBC. The papers and presentations for the last meeting can be found via the following link: [JESG Meeting – 13 June 2023 | ESO \(nationalgrideso.com\)](#)
11896. The next meeting in July is likely to be cancelled, with the next meeting taking place on 08 August 2023.

13. Updates on other Industry Codes

11897. ML updated the Panel on GC0156 and informed the Panel that this went to Grid Code Review Panel. ML noted that further work was required ahead of the Panel Recommendation vote.
11898. RR advised the Panel that the BSC consequential modification for GC0156 had commenced.
11899. NH advised the Panel that Ofgem have appointed a new Head of Industry Codes named Lisa Vango.

14. 14. Relevant Interruptions Claim Report

11900. No further updates for the Panel.

15. 15. Governance

Workgroup Alternative CUSC Modification Withdrawal

11901. ML discussed with the Panel that, going back to CMP330 and CMP374, the ESO has changed position to support the Original rather than a WACM that was raised. It was questioned if a WACM can be withdrawn.
11902. ML confirmed that the CUSC is silent on this process and suggested that a modification could be raised to allow for an WACM proposer to withdrawn when appropriate. Legal agreed that this is open to interpretation.
11903. A Panel member noted that in the case of a WACM, should the proposer not wish to continue with it that another Workgroup member (but not other CUSC users) could pick it up.
11904. The Panel agreed that Code Admin should take a cross code view of this to ensure consistency and carry out further work. It was agreed that this should be low priority.

16. Horizon Scan

11905. There were no updates at this Panel meeting.

17. Code Administrator Update

11906. There were no updates at this Panel meeting.

18. Any Other Business (AOB)

11907. ML advised that the CUSC Panel elections nominations would be live from 30 June 2023 until 28 July 2023

19. Close

11908. The Chair brought the meeting to a close.

The next CUSC Panel meeting will be held on 28 July 2023 via Microsoft Team.

New Modification Proposals are to be submitted by 13 July 2023.

CUSC Panel Papers Day is 20 July 2023.