

31 March 2023 CUSC Panel Minutes

CUSC Panel

Date: 31/03/2023 **Location:** Teams

Start: 10:00 **End:** 13:00

Participants

Attendee	Initials	Company
Trisha McAuley OBE	TM	Independent Panel Chair
Paul Mullen	PM	Code Administrator, National Grid Electricity System Operator (Presenter of CMP409)
Teri Puddefoot	TP	Technical Secretary, Code Administrator, National Grid Electricity System Operator
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
Karen Thompson – Lilley	KTL	National Grid Electricity System Operator
Nadir Hafeez	NH	Authority Representative
Paul Jones	PJ	Users' Panel Member

Observers/Presenters

Attendee	Initials	Company
Rashmi Radhakrishnan	RR	BSC Observer
Elana Byrne	EB	Code Administrator, National Grid Electricity System Operator, Observer
Harriet Harmon	HH	Ofgem, Observer for CMP413

Apologies

Attendee	Initials	Company
Andrew Enzor	AE	Users' Panel Member
Mark Duffield	MD	Users' Panel Member (Alternate)

1. Introductions and Apologies

11763. Apologies were received from AE (post meeting) and MD. GG confirmed a declaration of interest relating to CMP398. BD and KTL both noted a declaration of interest relating to CMP413.

2. Minutes from previous meetings

11764. The meeting minutes from the February Panel meeting will be presented at the April meeting for approval.

3. Review of actions log

11765. PM provided the Panel with an update on Action 182. Consumer Scotland have inherited some of the statutory powers of Citizens Advice Scotland and a review of the wording in the CUSC is required to ascertain if modifications are required to be brought forward. PM advised that consideration was still being given to how the Consumer Scotland update could be added to the CUSC but stated that it would likely be part of a housekeeping modification if a change is needed.

4. Chair's update

11766. The Chair advised that she had been invited to an Independent Panel Chair Forum to discuss Energy Codes Reform with Ofgem. An alternate had been sent in her place and further updates will be provided to the Panel in due course.

5. Authority Decisions

11767. 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
CMP384	Apply adjustments for inflation to manifest error thresholds using Indexation	CMP384 Original approved 31 March 2023 and implemented 1 April 2023.

Awaiting Decisions

Modification	What this seeks to achieve	Expected Decision Date
CMP286/CMP287	Seeks increased notice of the Target Revenue (CMP286) and inputs (CMP287) used in the TNUoS Tariff Setting Process	30 September 2023

CMP288	Explicit charging arrangements for customer delays and backfeeds iro transmission connections	Expected decision date was 31 March 2023 but not yet received
CMP292	Introduces a cut-off date for changes to the Charging Methodologies	31 October 2023
CMP298	Process for aggregated assessment of Distributed Generators that impact (or may impact) on the National Electricity Transmission System.	26 April 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.	28 April 2023
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	Expected decision date TBC

Other Updates

11768. No other updates were provided

6. New modifications

11769. The following new modification was presented to the Panel:

[CMP413: Rolling 10-year wider TNUoS generation tariffs](#)

11770. In his capacity as Proposer, BD presented to the Panel that CMP413 seeks to introduce an obligation on the ESO to publish generation tariffs for a rolling 10-year duration and provide the clarity to users and developers on commercial decisions to support the delivery of low carbon infrastructure (across generation and network) at least cost for consumers.

11771. The Panel discussions centred on interaction with the TNUoS Taskforce that is reconvening in April as both the TNUoS Taskforce and CMP413 are considering predictability. HH noted that there is interaction but did not consider that they can't be progressed in parallel. However, she indicated that Ofgem would likely need to carry out an impact assessment, which would affect the Implementation Date (if approved).

11772. The Panel unanimously agreed that CMP413 should follow the Standard governance route and proceed to a Workgroup. The Panel agreed the Terms of Reference for the Workgroup subject to final verification via circulation. **(Post Meeting Note: Workgroup Nominations were issued 3 April 2023 and will close 5pm on 26 April 2023).**

7. In flight modification updates

11773. PM talked the Panel through the progression of the in-flight modifications. The in-flight modifications can be found within the CUSC Panel papers pack on the National Grid ESO website via the following link: <https://www.nationalgrideso.com/calendar/cusc-panel-meeting-31032023>

11774. PM also presented the latest rolling 12-month cross code view of all the Workgroups currently planned in and when Workgroup Reports and Draft Final Modification Reports are planned to be presented to the Panel, together with a view of modifications that are likely to be raised in the same period.

CMP315: TNUoS: Review of the expansion constant and the elements of the transmission system charged for

11775. PM advised the Panel that the analysis on the impact of the solutions on TNUoS tariffs needed to be completed ahead of the Workgroup concluding and this will not be available until 31 March 2023 **(Post Meeting Note: Received and issued to Workgroup 31 March 2023)**. Therefore, the CMP315/CMP375 Workgroup Report will be presented to the May 2023 CUSC Panel. The Panel approved the amended timeline.

CMP330&CMP374: Allowing new Transmission Connected parties to build Connection Assets greater than 2km in length & CMP374: Extending contestability for Transmission Connections

11776. PM informed the Panel that more time is required for the Workgroup to complete the Workgroup Vote post finalisation of the legal text and therefore the Workgroup Report will be presented to April 2023 Panel (rather than March 2023 Panel). The Panel approved the amended timeline.

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

11777. PM advised the Panel that the Workgroup to discuss the Workgroup Consultation was held on 20 January 2023 and next steps agreed. The next (and final) Workgroup meeting was scheduled for 27 March 2023, in line with timing of analysis re: impact on existing TNUoS bill-payers (however, although some Workgroup Members met on 27 March 2023, the meeting was not quorate so a final Workgroup meeting will be held 17 April 2023). This means that the Workgroup Report will be presented to the April 2023 (rather than February 2023) Panel. The Panel approved the amended timeline.

CMP393: Using Imports and Exports to Calculate Annual Load Factor for Electricity Storage

11778. PM advised that the timeline requires extension to allow additional time for analysis (now received) and additional time to review the solution and finalise the Workgroup Consultation. The Panel approved the amended timeline.

11779. The next Modification Tracker will be published on 6 April 2023.

8. Discussion on Prioritisation

11780. The Panel reviewed the prioritisation stack. The updated Prioritisation Stack can be found via the following link: [CUSC Prioritisation Stack as at 31 March 2023.xlsx \(live.com\)](https://live.com/CUSC/Prioritisation%20Stack%20as%20at%2031%20March%202023.xlsx)

11781. For each Modification in the prioritisation stack, the Panel have determined if the Priority is “High”, “Medium to High”, “Medium”, “Low to “Medium” or Low”. Panel continue to review the prioritisation stack on a monthly basis and every quarter hold a more in-depth review (ahead of this review, Proposers will be asked to provide updated justification against the prioritisation criteria).

11782. The CUSC Panel discussed the prioritisation of the following Modification:

Modification	What this seeks to achieve	Panel Comments	Position in Prioritisation Stack
CMP413	Seeks to introduce an obligation on the ESO to publish generation tariffs for a rolling 10-year duration and provide the clarity to Users and developers on commercial decisions to support delivery of low carbon infrastructure (across generation and network) at least cost for consumers.	Panel recognised the materiality for TNUoS bill payers and complexity and the Proposer's desire for as early implementation date as possible (ideally 1 April 2024). However, Panel did recognise that 1 April 2025 was the earliest realistic implementation date, which means more time potentially available to assess, and there are other areas looking at similar topics. Therefore, on balance, Panel agreed to place as "Medium to High" in the prioritisation stack.	Medium to High

9. Workgroup Reports

11783. The following Workgroup Reports were presented to the Panel:

[CMP376: Inclusion of Queue Management process within the CUSC](#)

11784. PM advised the Panel that 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.

11785. PM noted that this is a complex Modification with a high level of interest and the varied solutions reflect the differing positions of key stakeholder groups when considering Queue Management. He added that some solutions only differ based on who the Queue Management arrangements should apply to and that the Implementation Date is later for the Dynamic Queue Management options to allow STC changes to be developed.

11786. The Panel agreed that the Terms of Reference have been met and agreed for CMP376 to proceed to Code Administrator Consultation. **(Post Meeting Note: The Code Administrator Consultation was published on 3 April 2023 and will close at 5pm on 4 May 2023).**

[CMP398: GC0156 Cost Recovery mechanism for CUSC Parties](#)

11787. PM presented to 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.

11788. The Panel agreed that the Terms of Reference have been met and agreed for CMP398 to proceed to Code Administrator Consultation. The Code Administrator Consultation will be aligned with that for GC0156 (currently planned to run 3 May 2023 to 5pm on 2 June 2023).

10. Draft Final Modification Reports

11789. PM presented the following Draft Final Modification Report to the Panel:

[CMP410: Payment Timescales for Monthly Payments](#)

11790. PM presented to the Panel that CMP410 seeks to update payment timescales for monthly payments where invoices are issued late.

11791. PM added that there were no responses to the Code Administrator Consultation that was run from 28 February 2023 to 21 March 2023

11792. Panel unanimously agreed that CMP410 should be implemented. A 15 working days appeal window will run from 14 April 2023 to 5pm on 9 May 2023. If no appeals are received in this period, CMP410 will be implemented on 16 May 2023.

11. Standing Groups

Transmission Charging Methodology Forum (TCMF)

11793. KTL provided a summary of the topics to be discussed at the next TCMF meeting on 6 April 2023, which include Connection Reform, an update on STAR Billing System and Isolated MITS - Impact on TNUoS. The papers and presentations for this meeting can be found via the following link: [Transmission Charging Methodologies Forum \(TCMF\) - 06.04.2023 | ESO \(nationalgrideso.com\)](#)

Joint European Stakeholder Group (JESG)

11794. No further updates for the Panel.

Governance Standing Group

11795. No further updates for the Panel.

EU Codes

11796. NH noted that the call for input (issued 14 December 2022), following the government response on Energy Code reform published in April 2022, closed on 2 February 2023 and the non-confidential responses have been published [here](#).

12. Update on other Industry Codes

11797. RR advised there are some Market Wide Half Hourly Code modifications that are in the pipeline for the BSC and that the change team will likely be in touch with Stakeholders to review cross code impacts.

11798. RR provided an update on the Government and Ofgem's responses to the consultation re: Elexon ownership, and this can be found [here](#).

13. Relevant Interruptions Claim Report

11799. No further updates for the Panel.

14. Governance

11800. No further updates for the Panel.

15. Horizon Scan

11801. No further updates for the Panel.

16. Code Administrator Update

11802. No further updates for the Panel.

17. Any Other Business

11803. No further updates for the Panel.

The next CUSC Panel meeting will be held on 28 April 2023 at 10:00 at Faraday House.