

Code Administrator Meeting Summary

Meeting name: Application of Gate 2 Criteria to existing contracted background (Workgroup 9)

Date: 03/07/2024

Contact Details

Chair: Elana Byrne, ESO Code Administrator

Proposer: Alice Taylor, ESO (CMP435), Steve Baker, ESO (CM096)

Key areas of discussion

Topics covered as part of Workgroup discussion:

- Fast Track Disputes Process Update
- LoA Phase 2 implications
- Gate 2 criteria – Forward looking milestones – Part 2
- Offshore in relation to Capacity Reservation
- Query Log Review

The Chair noted the meeting was quorate and began.

Workgroup members asked when the consultation for CMP435 would be available, the ESO answered it could be expected after the CMP434 consultation draft.

Fast Dispute Process

The ESO presented slides on the Fast Dispute Process. The ESO stated that the Fast Dispute Process will not be codified, and therefore will not be discussed in the Workgroup. A Workgroup member suggested that this process be labelled as a “Disagreement Process” rather than a dispute process, so that it is not confused with the current CUSC dispute process.

LoA Phase 2 implications

The ESO presented slides on LoAs & Duplication Checks. A Workgroup member asked if the ESO would discuss applications with the relevant applicants before removing their application via a duplication check, the ESO answered yes. A Workgroup member asked why not perform duplication checks at Gate 1. The ESO stated that they do not have enough information at Gate 1 to figure out which applicant has the greatest chance of progressing. Multiple Workgroup members suggested to swap, in Gate 2, the term LoA to Land Control to avoid confusion with CMP427.

A Workgroup member asked if the ESO was planning on performing duplication checks between Transmission and Distribution connected applicants. The ESO noted that they may introduce a question in the Self Certification document that specifically asks if the applicant is making a Transmission and Distribution connected application using the same land. A Workgroup member stated they did not feel that a sample check is the correct approach, and that using the Land Registry document would work better, which some other Workgroup members did not agree with.

Gate 2 Criteria Updates

The ESO shared slides containing updates on the Gate 2 Criteria. A Workgroup member stated that extensions should be longer than 3 years, as opposed to the ESO preference for the option length of 3 years. Multiple Workgroup members stated they would like it the distinction made clearer what is being codified and what will be covered by guidance. A Workgroup member asked how the ESO expect projects that require network reinforcement to be handled. A Workgroup member asked what the process for dealing with outliers in the Gate 2 Offer timeline was, the ESO stated that these cases will be handled using exemptions.

Offshore in relation to Capacity Reservation

The ESO shared some slides on how Offshore projects related to Capacity Reservation. A Workgroup member stated they believed that treating Offshore and Onshore projects differently is discriminatory, and that any legal challenges to this modification would likely succeed. The ESO stated they are not trying to remove projects that are clearly progressing. Workgroup members asked for the ESO to provide examples of projects that would meet the requirements for Capacity Reservation. Several Workgroup members stated that they did not believe this element of the modification was necessary, with some stating that Capacity Reservation goes against the spirit of the modification. A Workgroup member asked for a breakdown of the 700 GW of applications in the queue, with respect to what percentages are expected to meet Gate 1 and 2.

Query Log Review

The ESO went through the Query Log and addressed any amber queries. Queries were either closed if the question could be answered or further explained by the ESO. A Workgroup member asked for it to be noted that the ESO’s position is to not discuss CNDM in CMP434/435 workgroups going forward, in relation to the Capacity Reservation mechanism. Workgroup members stated they would like to understand more about the CNDM going forward.

Action Review

The Chair asked of there were any objections to closing Action 44, a Workgroup member objected so 44 stayed open. The Chair closed Actions 53, 54, and 58.

Actions

Action number	Workgroup Raised	Owner	Action	Comment	Due by	Status
2	WG1	AT	Document that charging and user commitments will be out of scope for CMP435		N/A	Open
12	WG2 (amended post WG4)	LH/AC	Discuss possibility of further impact assessment (RFI data). Discuss impact assessments of solution options in terms of effects on the current and future queue.	ESO have confirmed that they will not pursue the use of consultants at this time	Ongoing	Open
14	WG2	AT/PM	Update WG topics	Further updates to be made post WG4	WG5	Open
16	WG2	LH	Look into securities for offers	To be referenced in WG6 - update TBC	June 2024	Open
20	WG3	RW, AT	TOs and ESO meeting needed to discuss data	Information to be brought back to the	Ongoing	Open

			available to review capital contributions for 2024	WG and discussed in context of transitional arrangements		
21	WG3	ESO Connecti ons Team	When considering transitional arrangements, include guidance for staged projects	To be covered in WG10	WG6	Open
28	WG4	PM	Work through different scenarios for progressing/not progressing through the Gates (accept, reject, refer) considering conditions such as restrictions on availability		Ongoing	Open
34	WG5	Code Gov, Propose rs, SME	Assess the agenda for 16 July (considering time needed to review consultation responses)		Ongoing	Open
36	WG5	Angie	Statement from ESO as to the CAP150 powers and how they are applied /can be applied re: ongoing compliance (include link to CAP150 info on ESO website)		Ongoing	Open
42	WG6	LH	Check with legal as to the clock start dates for new applications considering the point of implementation after an Authority decision (is 15th of November date is legally acceptable as the Gate 1 process only comes to existence 10 Working days after Authority decision?)		Ongoing	Open
44	WG6	RM	Confirmation about whether NESO designation applications, decisions and decision rationales would be published.		Ongoing	Open
45	WG6	RM	Confirm when NESO designation guidance is likely to be finalised (NESO Designation Methodology, CND Methodology and Gate 2 Criteria Methodologies)		Ongoing	Open
49	WG7	RP	To provide feedback gathered from Friday 21 June meeting with DNOs on distribution mirroring the low level dispute process proposed in CMP435/CM096	This item was deprioritised at the call on the 21st June. Expectation is to discuss on the 28th June at Baringa workshop	Ongoing	Open

51	WG7	ESO Connections Team	To update on guidance on transitional arrangements for staged projects	To be covered in WG10	WG8	Open
53	WG7	Code Governance	To update slide 57 from WG7 for wording relating to alternatives and the need for a defect.		Ongoing	Closed
54	WG8	PM	5 th option to manage risk of early planning submissions to be added to the list (rectification period).		WG9	Closed
55	WG8	PM	Forward looking milestones illustrative examples for staged offers (same and different technologies).		5 th July	Open
56	WG8	MO	Clarification with legal regarding guidance and introduction of any new obligations.		Ongoing	Open
57	WG8	MO	ESO set out the processes and timing for determining liability and security for April 2025 and October 2025.		Ongoing	Open
58	WG8	HM	ESO set out how the new fast track process fits within the existing disputes / escalation process of the CUSC and Transmission Licence.		WG9	Closed
59	WG8	MO	Provide WG with the list of documents outside the mod, the principles for guidance docs and timelines for the development of methodology documents.		Ongoing	Open
60	WG8	RP	(Replacement for action 35) Provide relevant updates from SCG		Ongoing	Open
61	WG8	PM	Amendments to action 52) ESO to confirm intention for % evidence checks vs 100% checks for CMP376.		WG10	Open
62	WG8	PM	ESO to enquire with Ofgem about them setting % evidence check level.		Ongoing	Open
63	WG9	HM	Consideration of 'dispute' process being renamed to avoid confusion with the formal CUSC process (e.g. disagreement process)		Ongoing	Open

64	WG9	FS	Reference term for 'land rights' document to avoid confusion with LOA	Ongoing	Open
65	WG9	FS	ESO to look into the data checks between D + T by ESO (data transfer) for criteria/duplication	Ongoing	Open
66	WG9	PM	Self cert letter to ask for explicit declaration if applying for Gate 2 via Distribution and Transmission routes (re duplication checks)	Ongoing	Open
67	WG9	SA	SA to email FS and PM with scenarios for multiple technologies used on an area of land	Ongoing	Open
68	WG9	FS/PM	Clarification of what ESO mean by Red Line Boundary in the solution	Ongoing	Open
69	WG9	AT	Clarification as to what CNDM is in the query log re: action 89	Ongoing	Open
70	WG9	PM	Clarification on what dates will determine queue position	Ongoing	Open
71	WG9	DD	ESO to consider identifying projects intended to benefit from Offshore Capacity Reservation in the context of CMP435	Ongoing	Open
72	WG9	RM/JH	Workgroup request appendix/annex re: transmission connection queue – how many projects impacts re diff tech and dates + information on the RFI for the consultation (majority/minority party)	Ongoing	Open

Attendees (excluding Observers)

Name	Initial	Company	Role
Elana Byrne	EB	Code Administrator, ESO	Chair
Stuart McLarnon	SM	Code Administrator, ESO	Technical Secretary
Tammy Meek	TM	Code Administrator, ESO	Technical Secretary
Alice Taylor	AT	ESO	Proposer CMP435
Steve Baker	SB	ESO	Proposer CM096
Alex Curtis	AC	ESO	Subject Matter Expert
Anca Ustea	AU	ESO	Subject Matter Expert
Dovydas Dyson	DD	ESO	Subject Matter Expert
Holli Moon	HM	ESO	Subject Matter Expert
Paul Mullen	PM	ESO	Subject Matter Expert
Richard Paterson	RP	ESO	Subject Matter Expert
Salvatore Zingale	SZ	OFGEM	Authority Representative
Alex Rohit	AR	Statkraft	Workgroup Member Alternate CMP435
Andrew Colley	AC	SSE Generation	Workgroup Member Alternate CMP435
Andy Dekany	AD	National Grid	Workgroup Member CMP435
Callum Dell	CD	INV Energy	Workgroup Member CMP435
Charles Deacon	CDe	Eclipse Power Solutions	Workgroup Member CMP435
Claire Hynes	CH	RWE Renewables	Workgroup Member CMP435 &CM096
Clare Evans	CE	Scottish Power Renewables	Workgroup Member Alternate CMP435
Ed Birkett	EB	Low Carbon	Workgroup Member CMP435
Gareth Williams	GW	Scottish Power Transmission	Workgroup Member CMP435 &CM096
Garth Graham	GG	SSE Generation	Workgroup Member CMP435
Greg Stevenson	GS	SSEN Transmission	Workgroup Member CMP435 &CM096
Helen Snodin	HS	Fred Olsen Seawind	Workgroup Member CMP435 & CM096
Jack Purchase	JP	NGED	Workgroup Member CMP435
James Devriendt	JD	UK Power Networks	Workgroup Member CMP435
Jamie Leslie	JL	Qualitas Energy	Workgroup Member Alternate CM0969

Joe Colebrook	JC	Innova Renewables	Workgroup Member CMP435 & CM096
Jonathan Hoggarth	JH	EDF Renewables	Workgroup Member CMP435
Jonathan Whitaker	JW	SSEN Transmission	Workgroup Member Alternate CMP435
Jonathan Wood	JWo	Tarchon	Workgroup Member CMP435
Kyran Hanks	KH	WWA Ltd	Workgroup Member CMP435 & CM096
Luke Scott	LS	Northern Powergrid	Workgroup Member Alternate CMP435
Mark Field	MF	Sembcorp Energy	Workgroup Member CMP435
Michelle MacDonald Sandison	MS	SSE Distribution	Workgroup Member CMP435
Mireia Barenys	MB	Lightsourcebp	Workgroup Member Alternate CMP435
Niall Stuart	NS	Buchan Offshore Wind	Workgroup Member CMP435
Nina Sharma	NSh	Drax	Workgroup Member Alternate CMP435
Nirmalya Biswas	NB	Northern Powergrid	Workgroup Member CMP435
Paul Jones	PJ	Uniper	Workgroup Member CMP435 & CM096
Paul Youngman	PY	Drax	Workgroup Member CMP435 & CM096
Phillip Robinson	PR	ITPEnergised	Workgroup Member CMP435
Ravinder Shan	RS	FRV TH Powertek Limited	Workgroup Member CMP435
Rebecca Dean	RD	NGV	Workgroup Member Alternate CMP435
Richard Woodward	RW	NGET	Workgroup Member CMP435 & CM096
Rob Smith	RS	ENSO Energy	Workgroup Member CMP435
Sam Aitchison	SA	Island Green Power	Workgroup Member CMP435
Samuel Railton	SR	Centrica	Workgroup Member CMP435 & CM096
Sean Gauton	SG	Uniper	Workgroup Member Alternate CMP435
Steffan Jones	SJ	Electricity North West Limited	Workgroup Member CMP435
Tim Ellingham	TB	RWE Renewables	Workgroup Member Alternate CMP435

Tony Cotton

TC

Energy Technical & Renewable
Services

Workgroup Member
CMP435 & CM096
