CMP434 Implementing Connections Reform
CM095 Implementing Connections Reform

Workgroup Meeting 21, 03 September 2024
Online Meeting via Teams

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WELCOME

Agenda

Topics to be discussed	Lead
Timeline	Chair
Scene Setting – Workgroup 21	Proposer
Walkthrough of the approach to the CMP434 draft legal text	AQ
Actions Log	Chair
Any Other Business	Chair
Next Steps	Chair

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Timeline

Claire Goult – ESO Code Administrator

CMP434 Implementing Connections Reform Timeline

Post Workgroup Consultation		
CMP434 Workgroup 21	03/09/24	~~Alternative Vote/~~ A walkthrough of the approach to the 434 legal text with initial draft/thinking
CMP434 Workgroup 22	11/09/24	~~WACM legal text~~ TBC
CMP434 Workgroup 23	17/09/24	~~Finalise WG Report & ToR, WG vote~~ TBC
CMP434 Workgroup Report to Panel	20/09/24	
CMP434 Panel to agree whether ToR have been met	25/09/24	Special Panel
Post Workgroups		
CMP434 Code Administrator Consultation	26/09/24 – 10/10/24	
CMP434 Draft Final Modification Report to Panel	16/10/24	
CMP434 Final Modification Report to Panel to check Votes	22/10/24	Special Panel
CMP434 Final Modification to Ofgem	22/10/24	
CMP434 Decision Date	13/12/24	
CMP434 Implementation Date	01/01/25	

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CM095 Implementing Connections Reform Timeline

Post Workgroup Consultation		
CM095 Workgroup 21	03/09/24	~~Alternative Vote/~~A walkthrough of the approach to the 434 legal text with initial draft/thinking
CM095 Workgroup 22	11/09/24	~~WACM legal text~~ TBC
CM095 Workgroup 23	17/09/24	~~Finalise WG Report & ToR, WG vote~~ TBC
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Workgroup 21 Scene Setting

Ruby Pelling, Proposer

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Meeting Objectives

What is the focus of the meeting?	What is the ask of the workgroup?	What is the desired output of the meeting?	What should not be discussed?
• A walkthrough of the approach to the CMP434 legal text with initial draft/thinking	• Understanding of approach and thinking on the CMP434 legal text	• To be clear on the approach and thinking behind the initial draft CMP434 legal text	• Debate and discussion on the approach and thinking and initial draft CMP434 legal text

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Walkthrough of the approach to the CMP434 legal text

Angie Quinn, SME

Actions Log
Claire Goult – ESO Code Administrator

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Actions Log

Action	Workgroup	Owner	Action	Update	Due by	Status
11	WG2	ALL	Add agenda time to respond to papers provided by Workgroup members		WG4	Open
20	WG6	JN/AQ	Updated action: Consider legal perspective on the ESO being able to designate projects	Remain open until new solution discussed	TBC	Open
22	WG6	RP	Consider if an impact assessment by the ESO on the proposed solution is achievable within the current timescales		TBC	Open
24	WG7	MO	Consult ESO legal team to consider using existing legal definitions for clarification (substantial modification) and reconsider terminology being used (material/significant/allowable)	To remain open until legal text review	TBC	Open
31	WG9	MO	More detail requested by Workgroup to make a judgement on Connection Point and Capacity Reservation (including offshore)	Remain open until new solution discussed	TBC	Open
35	WG10	AC/AQ	ESO to confirm whether additional uncertainty clauses (which have been appearing in offers recently) will remain		TBC	Open
38	WG11	MO	Updated action: To expand on licence change conditions/obligations, including any suggested changes to the Licensed offer timescales	ESO not drafting licence text suggestions	TBC	Open
40	WG11	RF	To share licence changes programme timescales with Workgroup		TBC	Open
41	WG12	PM	To share analysis/feedback which informs the Gate 2 period offer acceptance to submission of application for Planning Consent		TBC	Open
43	WG16	DH/GL	Investigate whether changes are required to STCP 18-7 based on the CMP434 solution	Anticipated that no changes need to be made but will confirm once any proposed changes to the current CMP434 solution have been confirmed.	ASAP	Open
49	WG17	MO	Updated action: SMEs to share a short summary of the methodologies and their underlying principles. This should include a plan for development of methodologies, including timescales and engagement approach with stakeholders.	Ongoing discussion with Ofgem	TBC	Open

Actions Log

Action	Workgroup	Owner	Action	Update	Due by	Status
50	WG18	AQ	Provide the ESO view on the legal position associated with Element 1 of the Proposal in the context of the Ofgem decision-making process on code change		TBC	Open
51	WG18	HM	Provide further explanation/evidence on the perceived flexibility / timing differences between changing the content of a methodology and changing the content of a code.		TBC	Open
53	WG18	DD/SG	Clarify whether developer requested changes within a Significant Modification Application could potentially be so significant that they result in an application having to be restarted or having the contract terminated, etc	will be clarified once guidance drafted	TBC	Open
55	WG18	DD	Re-review consultation feedback specific to the ESO position on any Non-GB Projects (as consulted on within the WG Consultation) and either confirm that the position still remains unchanged or confirm new position to the Workgroup.	Ongoing	TBC	Open
56	WG18	MO	Confirmation of whether financial instruments will be raised as a separate modification.	Intention would be to raise as a separate distinct urgent code modification.	TBC	Closed
57	WG18	AQ	Consider Innova response and confirm whether ESO feels that Element 9 is consistent with Electricity Regulations in terms of discrimination.		TBC	Open
58	WG18	PM	Clarify whether anything in Proposal could allow the Gate 2 criteria to be amended and applied retrospectively i.e. with a Gate 2 project then no longer being a Gate 2 project, even where it is complying with its ongoing compliance obligations.		TBC	Open
59	WG19	PM	Element 11 – Produce examples to provide clarification to the Workgroup (slide 25) on how using installed capacity could work in practice		TBC	Open
60	WG19	PM	Element 11 – Consider Workgroup Member request to provide analysis to show which projects could benefit from the Proposals (slide 26) to have a milestone adjustment ability for ESO e.g. where a developer asks for an earlier date and gets a later date, or asks for and gets a later date (but this is due to a normal programme timescales e.g. mega projects) to avoid unintended outcomes.		TBC	Open
61	WG19	RPa/MO	Element 17 - To confirm whether BEGA application information references location i.e. in relation to what happens where a relevant small or medium EG project gets a different GSP to what they expected (as a result of the Gate 2 process and via the DNO) (Garths question)		TBC	Open
62	WG19	RPa	Element 17 – To provide a pictorial representation of BEGA/BELLA process as proposed	Slides in appendix WG21	TBC	Closed
63	WG19	RPa	Element 17 – Create an additional swimlane/s for chevron diagram for BEGA/BELA	Slides in appendix WG21	TBC	Closed

Actions Log

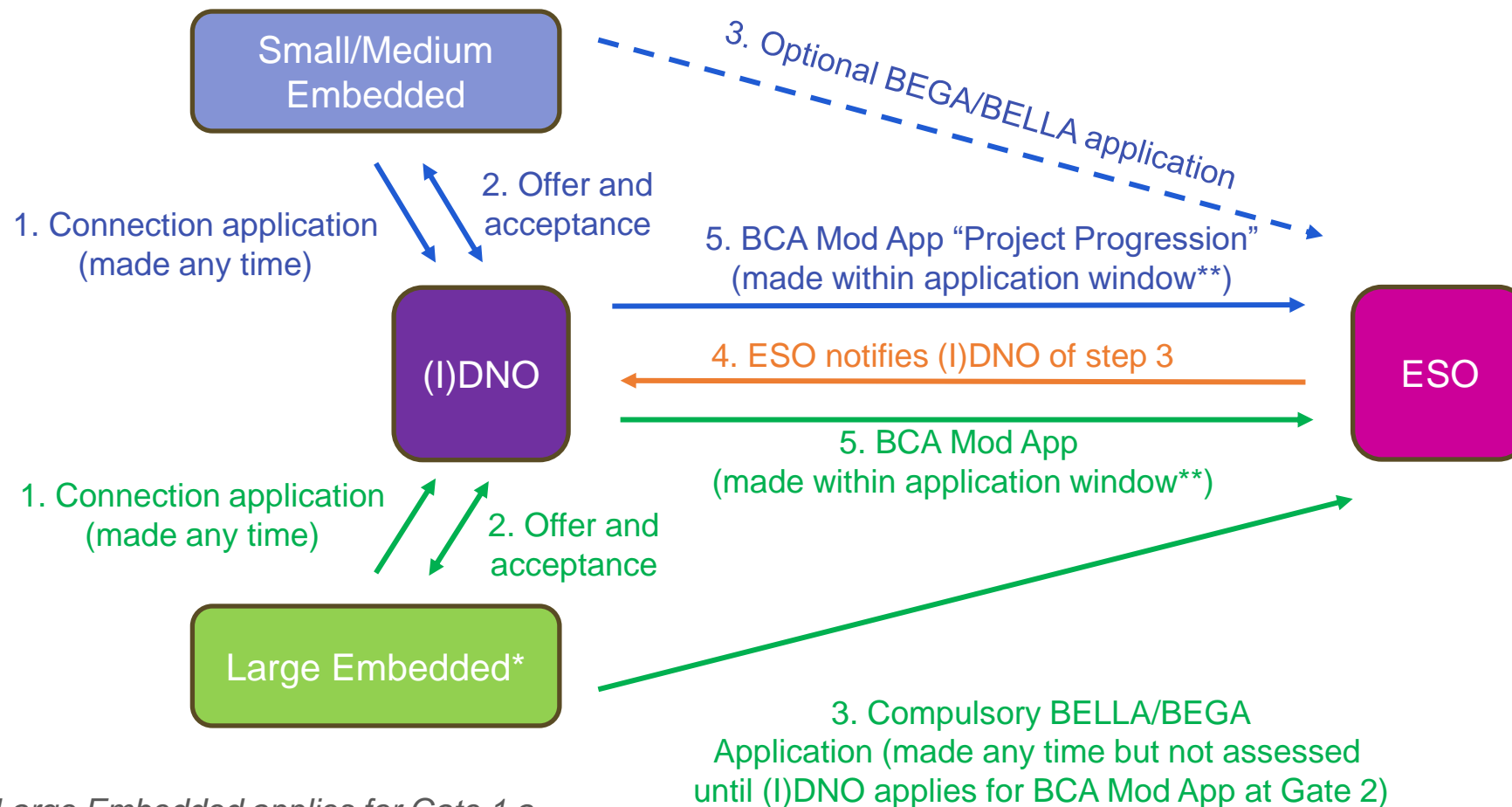| Action	Workgroup	Owner	Action	Update	Due by	Status
64	WG19	RPa	Element 17 - To produce prescribed timelines/timescales (Garths request as per slide 13) for both small and large	Slides in appendix WG21	TBC	Closed
66	WG19	MO	More information on timeline on CP30 plans/impacts to be shared once the are available (to compare to the code change programme, including voting timetable).		TBC	Open
67	WG20	PA/JI	Offline discussion regarding Alternative Request 3 proposal		TBC	Open
68	WG20	MO	Consider workshops to allow discussion time for forward looking milestones and expectations for planning		TBC	Open
69	WG20	CG	To reach out to ESO to consider Alternative Request 7 raised and what further information would be required from the Proposer to respond to questions raised in WG20 with regards to novel technologies.	Chair reached out for a response from SMEs	TBC	Closed
70	WG20	CG	A request from a Workgroup member to share CPAG minutes from 22 July 2024	WG21 Papers	TBC	Closed

Any Other Business
Claire Goult – ESO Code Administrator

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Next Steps
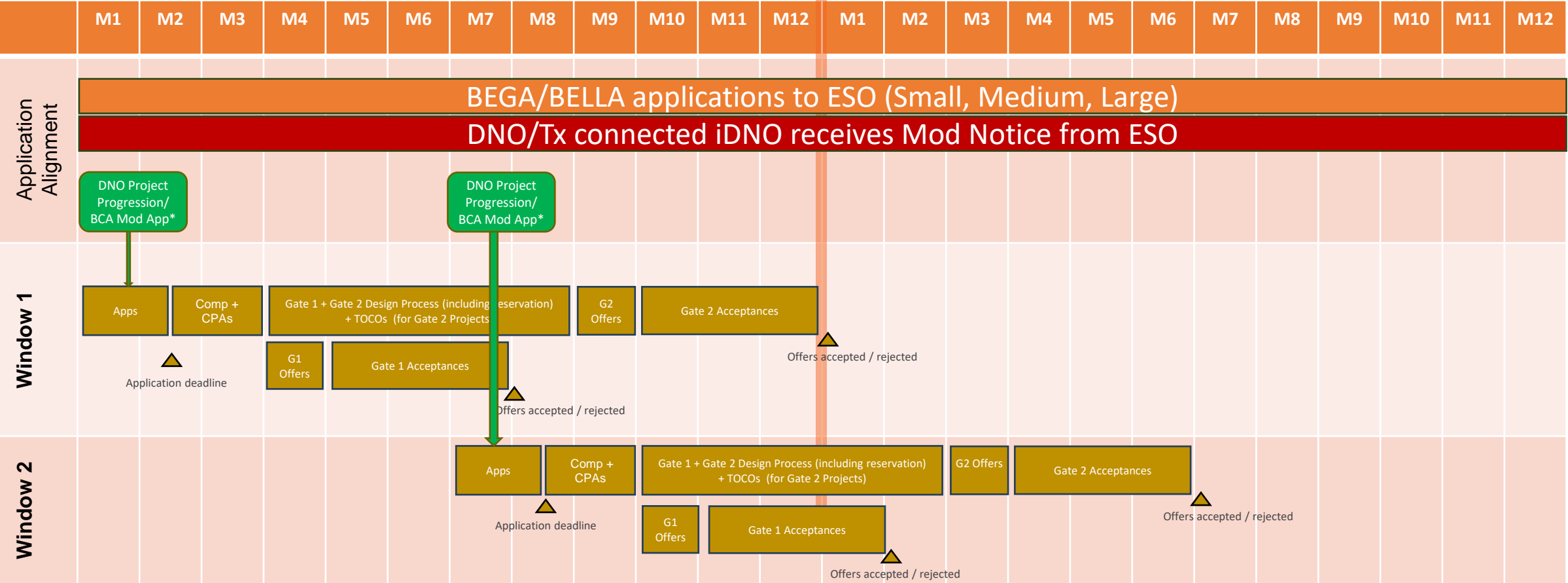## Claire Goult – ESO Code Administrator

Appendix – Action Update

Action 62 – A simplified view of proposed BEGA/BELLA process

Small/Medium Embedded

3. Optional BEGA/BELLA application

1. Connection application (made any time)

2. Offer and acceptance

(I)DNO

5. BCA Mod App "Project Progression" (made within application window**)

4. ESO notifies (I)DNO of step 3

5. BCA Mod App (made within application window**)

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1. Connection application (made any time)

2. Offer and acceptance

Large Embedded*

3. Compulsory BELLA/BEGA Application (made any time but not assessed until (I)DNO applies for BCA Mod App at Gate 2)

*If Large Embedded applies for Gate 1 a Mod Notice and Mod App are not required to create a Gate 1 offer

** Plus 10 working days provided no customers can be added after the Gate 2 window closes

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Action 63/64 - Indicative BEGA/BELLA timeline diagram for Gate 2 offer

Raising an Alternative Request Information

What is the Alternative Request?

What is an Alternative Request? The formal starting point for a Workgroup Alternative Modification to be developed which can be raised up until the Workgroup Vote.

Who can raise an Alternative Request? Any CUSC Party, BSC Party, the Citizens Advice or the Citizens Advice Scotland may (subject to Paragraph 8.20.20) raise a Workgroup Consultation Alternative Request in response to the Workgroup Consultation. If you are not a CUSC Party, but are nominated by a CUSC Schedule 1 Party, please submit a statement in writing from the nominating party to confirm submission of the Alternative Request on their behalf. No Workgroup Consultation Alternative Request may be raised by any CUSC Party during any second or subsequent Workgroup Consultation.

What do I need to include in my Alternative Request form? The requirements are the same for a Modification Proposal you need to articulate in writing:
- a description (in reasonable but not excessive detail) of the issue or defect as outlined in the Original Proposal which the alternative seeks to address compared to the current proposed solution(s);
- the reasons why the you believe that the proposed alternative request would better facilitate the Applicable Objectives compared with the current proposed solution(s) together with background information;
- where possible, an indication of those parts of the Code which would need amending in order to give effect to (and/or would otherwise be affected by) the proposed alterative request and an indication of the impacts of those amendments or effects; and
- where possible, an indication of the impact of the proposed alterative request on relevant computer systems and processes.

How do Alternative Requests become formal Workgroup Alternative Modifications? The Workgroup will carry out a Vote on Alternatives Requests. If the majority of the Workgroup members or the Workgroup Chair believe the Alternative Request will better facilitate the Applicable Objectives than the current proposed solution(s), the Workgroup will develop it as a Workgroup Alternative Modification.

Who develops the legal text for Workgroup Alternative Modifications? ESO will assist Proposers and Workgroups with the production of draft legal text once a clear solution has been developed to support discussion and understanding of the Workgroup Alternative Modifications.

Voting Information

What is the Alternative Vote?

To participate in any votes, Workgroup members need to have attended at least 50% of meetings. The vote shall be decided by simple majority of those present at the meeting at which the vote takes place (whether in person or by teleconference)

Stage 1 – Alternative Vote

• Vote on whether Workgroup Alternative Requests should become Workgroup Alternative CUSC/ STC Modifications.

• The Alternative vote is carried out to identify the level of Workgroup support there is for any potential alternative options that have been brought forward by either any member of the Workgroup OR an Industry Participant as part of the Workgroup Consultation.

• **Should the majority of the Workgroup OR the Chair believe that the potential alternative solution may better facilitate the CUSC/ STC objectives than the Original then the potential alternative will be fully developed by the Workgroup with legal text to form a Workgroup Alternative CUSC modification (WACM)/ STC modification (WASTM)** and submitted to the Panel and Authority alongside the Original solution for the Panel Recommendation vote and the Authority decision.

What is the Workgroup Vote?

To participate in any votes, Workgroup members need to have attended at least 50% of meetings. The vote shall be decided by simple majority of those present at the meeting at which the vote takes place (whether in person or by teleconference)

Stage 2 – Workgroup Vote

- 2a) Assess the original and Workgroup Alternative (if there are any) against the relevant Applicable Objectives compared to the baseline (the current code)
- 2b) Vote on which of the options is best.

Alternate Requests cannot be raised after the Stage 2 – Workgroup Vote