

Workgroup Terms of Reference and Membership

CM096 - Application of Gate 2 Criteria to existing contracted background

Responsibilities

1. The Workgroup is responsible for assisting the STC Modification Panel in the evaluation of STC Modification Proposal **CM096 - Application of Gate 2 Criteria to existing contracted background** raised by **ESO** at the Modifications Panel meeting on **24 April 2024**. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable STC Objectives.

Applicable STC Objectives

- a) Efficient discharge of the obligations imposed upon transmission licensees by transmission licences and the Act
- b) Development, maintenance and operation of an efficient, economical and coordinated system of electricity transmission
- c) Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the distribution of electricity
- d) Protection of the security and quality of supply and safe operation of the national electricity transmission system insofar as it relates to interactions between transmission licensees
- e) Promotion of good industry practice and efficiency in the implementation and administration of the arrangements described in the STC.
- f) Facilitation of access to the national electricity transmission system for generation not yet connected to the national electricity transmission system or distribution system;
- g) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency.

Scope of work

2. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Applicable STC Objectives.
3. In addition, the Workgroup shall consider and report on the following specific issues:

Workgroup Term of Reference

Location in Workgroup Report (to be completed at Workgroup Report stage)

a) Consider Electricity Balancing Regulation implications.	
b) Consider the scope of work identified and whether this is achievable within the timeframe outlined in the Ofgem Urgency decision letter.	
c) Consider what types of existing contracts that CM096 should apply to, and what exemptions are required (if any).	
d) Consider changes to the contractual arrangements for those existing contracted parties that have not met the Gate 2 criteria by the Go-Live Date of 1 January 2025.	
e) Review the transitional arrangements in relation to changes to the contractual arrangements and any associated costs.	
f) Consider the application of the User Commitment methodology to projects in Gate 1 and Gate 2 and the transitional arrangements that may be required for existing connections contracts.	
g) Consider how any new financial instruments associated with connections are cost reflective and predictable.	
h) Consider how the solution(s) conform(s) with the statutory rights in respect of terms and conditions for connection.	
i) Consider the impact of NESO designation of Gate 2 status, and ways to make this non-discriminatory.	
j) The cross Code impacts this modification has, in particular the CUSC and distribution arrangements (e.g. DCUSA).	

<p>k) Consider the relevant content of Annex B of the Ofgem Open letter on connections reform publication.</p>	
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a)	
b)	
c)	
d)	
e)	
f)	
g)	
h)	
i)	
j)	

4. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative STC Modifications arising from Group discussions which would, as compared with the Modification Proposal or the current version of th STC, better facilitate achieving the Applicable STC Objectives in relation to the issue or defect identified.
5. **The extent of the support for the Modification Proposal or any alternative arising from the Workgroup’s discussions should be clearly described in the final Workgroup Report to the STC Modification Panel.**
6. Workgroup members should be mindful of efficiency and propose the fewest number of alternatives possible.
7. All proposed alternatives should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes alternatives which are proposed by the entire Workgroup or subset of members.
8. Following the Consultation period, the Workgroup is required to consider all responses including any WG Consultation Alternative Requests. In undertaking an assessment of any WG Consultation Alternative Request, the Workgroup should

consider whether it better facilitates the Applicable STC Objectives than the current version of the STC.

As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or alternatives. All responses including any WG Consultation Alternative Requests shall be included within the final report including a summary of the Workgroup's deliberations and conclusions. The report should make it clear where and why the Workgroup chairperson has exercised their right under the STC to progress a WG Consultation Alternative Request or a alternative against the majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairperson is employed by the same organisation who submitted the WG Consultation Alternative Request.

- 9. The Workgroup is to submit its final Workgroup Report to the Modifications Panel Secretary on **TBC** for circulation to Panel Members. The final Workgroup Report conclusions will be presented to the STC Modification Panel meeting on **TBC**.

Membership

- 10. It is recommended that the Workgroup has the following members:

Role	Name	Representing
Chair		
Technical Secretary		
Proposer		
Workgroup Member		
Workgroup Member (Alternate)		
Workgroup Member		
Workgroup Member		
Workgroup Member (Alternate)		
Authority Representative		

NB: A Workgroup must comprise at least 3 members (who may be Panel Members). The roles identified with an asterisk in the table above contribute toward the required quorum, determined in accordance with paragraph 14 below.

11. The Chairperson of the Workgroup and the Modifications Panel Chairperson must agree a number that will be quorum for each Workgroup meeting. The agreed figure for this modification is that at least 3 Workgroup members must participate in a meeting for quorum to be met.

12. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each alternative. 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). The Workgroup chairperson shall not have a vote, casting or otherwise]. There may be up to three rounds of voting, as follows:
 - Vote 1: whether each proposal better facilitates the Applicable STC Objectives;
 - Vote 2: where one or more alternatives exist, whether each alternative better facilitates the Applicable STC Objectives than the original Modification Proposal;
 - Vote 3: which option is considered to BEST facilitate achievement of the Applicable STC Objectives. For the avoidance of doubt, this vote should include the existing STC baseline as an option.

The results from the vote and the reasons for such voting shall be recorded in the Workgroup report in as much detail as practicable.

13. It is expected that Workgroup members would only abstain from voting under limited circumstances, for example where a member feels that a proposal has been insufficiently developed. Where a member has such concerns, they should raise these with the Workgroup chairperson at the earliest possible opportunity and certainly before the Workgroup vote takes place. Where abstention occurs, the reason should be recorded in the Workgroup report.

14. Workgroup members or their appointed alternate are required to attend a minimum of 50% of the Workgroup meetings to be eligible to participate in the Workgroup vote.

15. The Technical Secretary shall keep an Attendance Record for the Workgroup meetings and circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the final Workgroup report.

16. The Workgroup membership can be amended from time to time by the STC Modifications Panel.

Terms of Reference Version Control

Issue	Date	Summary of Changes / Reasons	Panel Approval Date
1	XX/XX/20XX	Panel approved Terms of Reference ahead of nominations	XX/XX/20XX