

CMP434 Implementing Connections Reform

CM095 Implementing Connections Reform

Workgroup Meeting 23, 17 September 2024
Online Meeting via Teams

WELCOME



Agenda

Topics to be discussed	Lead
Timeline	Chair
Scene Setting – Workgroup 23	Proposer
CMP434 Draft Legal Text Discussion	ALL
CMP434 Alternative Requests Update	ALL
Query Log Update	Chair
Actions Log Review	Chair
Any Other Business	Chair
Next Steps	Chair

Timeline

Claire Goult – ESO Code Administrator

CMP434 Implementing Connections Reform Timeline

** Post STC Panel 1pm

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Pre-Workgroup	
Proposal raised	19/04/2024
Proposal submitted to Panel	26/04/2024
Workgroup Nominations	26/04/2024 - 02/05/2024
Urgency Decision	01/05/2024
Workgroups	
Workgroup 1	07/05/2024
Workgroup 2	14/05/2024
Workgroup 3	16/05/2024
Workgroup 4	22/05/2024
Workgroup 5	28/05/2024
Workgroup 6	05/06/2024
Workgroup 7	11/06/2024
Workgroup 8	13/06/2024
Workgroup 9	18/06/2024
Workgroup 10	20/06/2024
Workgroup 11	25/06/2024
Workgroup 12	01/07/2024
Workgroup 13	04/07/2024
Workgroup 14	11/07/2024
Workgroup 15	16/07/2024
Workgroup 16	18/07/2024
Workgroup Consultation	25/07/2024 - 06/08/2024
Workgroup 17	13/08/2024
Workgroup 18	19/08/2024
Workgroup 19	20/08/2024
Workgroup 20	27/08/2024
Workgroup 21	03/09/2024

Workgroup Continuation		Key Objectives*
Workgroup 22	11/09/2024	CMP434 Alternative Request Review and update/RFI/ CMP434 and CM095 Terms of Reference Review
Workgroup 23	17/09/2024	CMP434 Draft legal Text discussion/Alternative Request Update/Query Log Update/Action Log Review
Workgroup 24	23/09/2024	CMP434 Alternative Requests finalised and Alternative Request Vote
Workgroup 25	25/09/2024**	CMP434 WACMs development/Potential STCPs and STCs Alternatives for CM095 based off CMP434 WACMs
Workgroup 26	30/09/2024	CMP434 ToR Discussion/ Initial Workgroup Report Drafting Review/ Action Log
Workgroup 27	08/10/2024	CMP434 WACMs Draft Legal Text Discussion
Workgroup 28	09/10/2024	CM095 ToR Discussion/Initial Workgroup Report Drafting Review
Workgroup 29	14/10/2024	CM095 Draft Legal Text, WASTMs and STCPs/ Potential STCPs
Workgroup 30	15/10/2024	Finalise Workgroup Report Discussion CMP434
Workgroup 31	21/10/2024	Finalise Workgroup Report Discussion CMP434/CM095
Workgroup 32	22/10/2024	Complete sign of ToR and Workgroup Vote CMP434 (Part 1)
Workgroup 33	23/10/2024	Complete sign of ToR and Workgroup Vote CMP434/CM095 (Part 2)
Workgroup 34	28/10/2024	Final Review of Workgroup Reports

Post Workgroups		Key info
Workgroup Report submitted to Panel	05/11/2024	
Panel to agree whether ToR have been met	08/11/2024	Special Panel to be arranged
Code Administrator Consultation	11/11/2024 - 22/11/2024	9 Business Days
Code Administrator Consultation Analysis and DFMR generation	25/11/2024 - 12/12/2024	13 Business Days
Draft Final Modification Report to Panel	13/12/2024	
Panel Recommendation Vote	20/12/2024	Special Panel to be arranged
Final Modification to Ofgem	20/12/2024	
Decision Date	Q1 2025	
Implementation Date	Q2 2025	

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Workgroup 7	11/06/2024
Workgroup 8	13/06/2024
Workgroup 9	18/06/2024
Workgroup 10	20/06/2024
Workgroup 11	25/06/2024
Workgroup 12	01/07/2024
Workgroup 13	04/07/2024
Workgroup 14	11/07/2024
Workgroup 15	16/07/2024
Workgroup 16	18/07/2024
Workgroup Consultation	25/07/2024 - 06/08/2024
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Workgroup 23 Scene Setting

Ruby Pelling, Proposer

Meeting Objectives

What is the focus of the meeting?

- Discuss draft Legal Text feedback
- Alternative Request Update
- Query Log Update
- Review action log

What is the ask of the Workgroup?

- Clarification questions and discussion on the draft Legal Text to aid understanding
- Provide feedback on the proposed Alternative Requests
- Provide feedback on query log and action log

What is the desired output of the meeting?

- To understand the Draft Legal Text
- To understand the proposed Alternative Requests and support in their development
- Completed actions/queries are resolved and closed

What should not be discussed?

- Discussion on the Connection Reform Event Slides.
- Discussion on Ofgem's Open Letter

CMP434 Draft Legal Text Discussion

Claire Gault – ESO Code Administrator

CMP434 Alternative Requests Update

Claire Goult – ESO Code Administrator

CMP434 Alternative Request 25

Claire Hynes - Alternative Request Proposer

CMP434 Alternative Request 26

Garth Graham - Alternative Request Proposer

Alternatives Summary

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<u>Number</u>	<u>Proposer Name</u>	<u>Proposer Organisation</u>	<u>What does this Alternative suggest?</u>	<u>Update post Workgroup 20</u>
1	Simon Lord	Engie	Firm access only available to projects that are fully formed and formally in the planning process.	Confirmation no amendments
2	Phillip Addison	EDF	This alternative proposes to remove the current proposed restrictions to build capacity outside of the red line boundary.	No update
3	Phillip Addison	EDF	The current proposed forward planning milestone are to be removed from the proposal. The current Queue Management planning milestone dates will be used instead.	Offline discussion to take place with Jade Ison (Action 47)
4	Steffan Jones/Brian Hoy	ENWL	Clarifying the definition of embedded schemes that will follow the Primary Process	No update
5	Steffan Jones/Brian Hoy	ENWL	Raising the lower threshold at which embedded schemes that will follow the Primary Process	No update
6	Steffan Jones/Brian Hoy	ENWL	To amend the threshold at which embedded schemes will follow the Primary Process	No update
7	Zachary Gray	Hydrostor Inc	To provide greater certainty to all LDES projects, requesting regulatory alignment between future connection reforms, consents, and procurements by considering further provisions for LDES beyond pumped hydro.	Withdrawn to be explored in another space outside CMP434
8	Helen Stack	CBS Energy Storage Assets UK Limited	Inclusion of wording within the proposal and subsequent CUSC legal text requiring DNOs to include all applicable Embedded Projects that provide a competent Gate 2 compliance application / submission of evidence within the Gate 2 application window as part of the DNOs fully completed Gate 2 application to the ESO. This would have to be within the codified period of time (currently 10 business days as per the "Rebaseline Proposal") following closure of the given window.	Aligned with Alternative Request 23 -Alternative 8 removing reference to a timeframe given the rebaselined ESO proposal introduces this and Alternative 23 seeks to extend Proposed combination with Alternative Request 8 proposed by Workgroup member as another choice
9	Deborah Walker	ABO Energy	Extend the timeline for implementation	Request withdrawn due to timeline update - email confirmation of official withdrawal received 29/8
10	Eibhlin Norquoy	Point and Sandwick Power Limited	To provide an indication of cost within the Gate 1 offer. Indication of costs ahead of application to Gate 2 would enable developers to undertake early planning for costs, securities, and liabilities and be in a better financial position to be able to accept a Gate 2 offer. This will be especially important for Embedded Generation which is not familiar with Transmission costs.	Minor amendments – implementation date and removes a reference to a page number To amend solution after small/med/large embedded clarification – possibly raise a further Alternative/discussion with RW/RP over illustrative charging examples

Alternatives Summary

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11	Eibhlin Norquoy	Point and Sandwick Power Limited	In order to fully comply with objective (c) of CUSC, and especially alignment with articles of Regulation (EU) 2019/943 requiring “to ensure fair conditions of competition in the internal electricity market”, introduce an alternative to unfair connection regulation for Community Generators by considering a specific “Community” Project Designation. Community Generators have repeatedly been shown to deliver many times more value and return locally and have considerably more local acceptability and support when compared to embedded generation in general. The Alternative should both increase the installed capacity and value, and speed to build out of embedded Community led generation across the networks so furthering the overall aims of this reform. Furthermore, it addresses increasing fairness and inclusion challenges by recognising the additional benefits these generators bring to society through the additional operating restrictions they have in place in order to ensure benefit from their actions is socialised, the fact that speculation is effectively not a practical feature for them, and to compensate for the unbalanced conditions and lack of resources faced when Community Generators have to compete with the corporations in the new ‘first ready, first served’ approach of the connection reform.	Minor amendments made – implementation date and removes a reference to a page number Consider interaction with Alternative Request 25 when it is presented/Consider workgroup feedback
12	Eibhlin Norquoy	Point and Sandwick Power Limited	In order to fully comply with objective (c) of CUSC, and especially alignment with articles of Regulation (EU) 2019/943 requiring “to ensure fair conditions of competition in the internal electricity market”, introduce provisions so a proportion of any planned new grid infrastructure would be ring-fenced for use by Community Generators in the first instance. If community companies do not apply to use the capacity within a defined period (e.g., 5 to 7 years), the capacity can then be released back into the wider market. Community Generators have repeatedly been shown to deliver many times more value and return locally and have considerably more local acceptability and support when compared to embedded generation in general. The Alternative should both increase the installed capacity and value, and speed to build out of embedded Community led generation across the networks so furthering the overall aims of this reform. Furthermore, it addresses increasing fairness and inclusion challenges by recognising the additional benefits these generators bring to society through, the additional operating restrictions they have in place in order to ensure benefit from their actions is socialised, the fact that speculation is effectively not a practical feature for them, and to compensate for the unbalanced conditions and lack of resources faced when, Community Generators have to compete with the corporations in the new ‘first ready, first served’ approach of the connection reform.	Amendments to Alternative 12 are more to align the alternative with the latest redline version given that Gate 1 is no longer mandatory.
13	Ed Birkett	Low Carbon	This proposed alternative would codify a simple capacity reallocation mechanism, with terminated capacity being offered to the next project that has passed Gate 2 and can take advantage of that terminated capacity.	Revised this following WG feedback to provide clarification on the impact on Elements 9 and 10. Consider if this is in scope of CMP434

Number	Proposer	Proposer Organisation	What does this Alternative suggest?	Update
14	Ed Birkett	Low Carbon	This Alternative Request would codify the proposed restrictions on changes to project RLB post-Gate 2. The original solution does not propose to codify these new restrictions, instead proposing to house the restrictions in the proposed Gate 2 Criteria Methodology.	Review dependent on the draft Legal Text.
15	Grant Rogers	Q-Energy Sustainable Investments Ltd	Remove DFTC from the proposed solution. DFTC is proposed as a forecast however existing DNO datasets already indicate this in the same way DFTC is intended to e.g. connections application data and the ECR's confirm the relevant generation applicants and the upstream GSP's at DNO level.	Removal? Was to remain until full solution evident
16	Grant Rogers	Q-Energy Sustainable Investments Ltd	Remove Element 14 from the proposed solution. This would limit/stop the ability to move site location post Gate 2 Offer.	Removal? Was to remain until full solution evident
17	Grant Rogers	Q-Energy Sustainable Investments Ltd	Alternative to Element 18. A new process, preferably codified, to address how DNOs and transmission connected iDNOs notify the ESO of Relevant Embedded Small Power Stations or Relevant Embedded Medium Power Stations which meet Gate 2 criteria	No update
18	Luke Scott	Northern PowerGrid	We would like the existing Allowable change rules to remain in place, and for us not to adopt the proposed significant change element.	Request considered to be withdrawn – still awaiting official confirmation.
19	Joe Colebrook	Innova Renewables	Remove Element 9: Project Designation from the Original proposal.	Confirmed no amendments required.
20	Philip John	Epsilon Generation Limited	Planning submission or permission is required as part of Gate 2 criteria	Currently being reconsidered
21	Philip John	Epsilon Generation Limited	Reintroduction of Element 14 and to remove the current proposed restrictions to build capacity outside of the red line boundary.	Currently being reconsidered
22	Claire Hynes	RWE	For Users to provide the date they expect to submit planning consent to the ESO post Gate 2 when the outcome of Transmission Owner (TO) site studies is known and a point of connection is provided.	Proposer to review request and consider Workgroup feedback
23	Laura Henry/ Jack Purchase	NGED	To change the proposal in Element 12 for the time that DNOs and IDNOs have to submit the evidence to demonstrate that projects connecting to their networks have met the Gate 2 criteria (and also the full technical data submission required for a project progression), from 10 working days to 20 working days	Proposed combination with Alternative Request 8 proposed by Workgroup/possibility of providing analysis/ AP to consult with LH in terms of flex/ consider other ways to mitigate this issue (RPW)
24	Phillip John	Epsilon	Introduction of Planning Consent within the Gate 2 Criteria Process	New Alternative Request submitted – currently being reconsidered along with 20 and 21
25	Claire Hynes	RWE	Obligation to Codify the Methodologies and Guidance Documents under Connection Reform	New Request submitted 30/8 Consider if this is in scope of CMP434
26	Garth Graham	SSE	To create a single process that will apply to new and existing projects. It seeks to filter projects based on (i) Gate 1 - system need (i.e., alignment with UK Government-backed plans); and Gate 2 - project commitment, plus recognition that, by securing grid connection, other project developers forgo the opportunity to connect their projects. Projects are then subject to the full suite of existing Queue Management Milestones to ensure they progress.	New Alternative Request submitted 12.9.24

Query Log Update

Claire Goult – ESO Code Administrator

Actions Log Review

Claire Goult – ESO Code Administrator

Actions Log

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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	To remain open until legal text review 17/9	TBC	Open
22	WG6	RP	Consider if an impact assessment by the ESO on the proposed solution is achievable within the current timescales	The necessary analysis will be provided to Ofgem as and when they require it but this will be outside of the code process	TBC	Closed
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 17/9	TBC	Open
31	WG9	MO	More detail requested by Workgroup to make a judgement on Connection Point and Capacity Reservation (including offshore)	To remain open until legal text review 17/9	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	SME view – DNV analysis did not add anything further, no public data available. Credible data sources were timings provided by WG and consultation respondents	TBC	Closed
43	WG16	DH/GL	Investigate whether changes are required to STCP 18-7 based on the CMP434 solution	Changes not considered to be required to STCP 18-7	ASAP	Closed
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 CP30/Methodology event mid-September	TBC	Open

Action	Workgroup	Owner	Action	Update	Due	Status	19
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	Draft Legal Text provided	TBC	Closed	
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	Some requests could be so significant that, if accepted, the project would not retain their contracted 'queue' position	TBC	Closed	
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.	SME – amended position is within the redline text	TBC	Closed	
56	WG18	MO	Confirmation of when financial instruments will be raised as a separate modification.	ESO are currently performing an options assessment, and outcome of that (i.e. the specific option we proceed with) will dictate the timelines that we will need to follow.	TBC	Open	
57	WG18	AQ	Consider Innova response and confirm whether ESO feels that Element 9 is consistent with Electricity Regulations in terms of discrimination.	Draft Legal Text provided	TBC	Closed	
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.	Ongoing - To remain open until legal text review 17/9	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	Ongoing – Will be added to the appropriate guidance	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.	Ongoing	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)	GG content with RPa email response?	TBC	Closed	

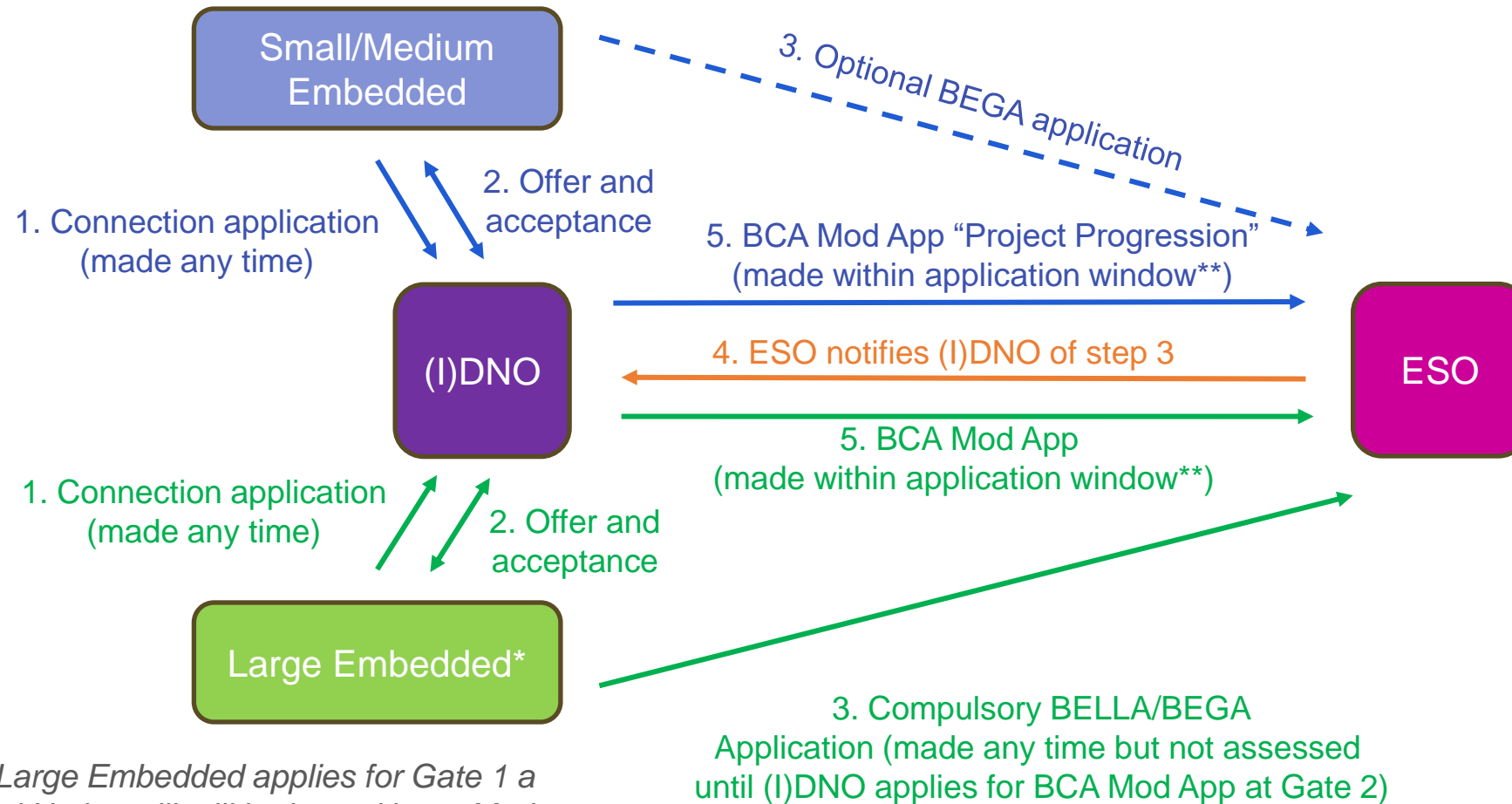
Actions Log

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62	WG19	RPa	Element 17 – To provide a pictorial representation of BEGA/BELLA process as proposed	Update to be provided in WG22	TBC	Closed
63	WG19	RPa	Element 17 – Create an additional swimlane/s for chevron diagram for BEGA/BELA	Update to be provided WG22	TBC	Closed
64	WG19	RPa	Element 17 - To produce prescribed timelines/timescales (Garths request as per slide 13) for both small and large	Update to be provided in WG22	TBC	Closed
66	WG19	MO	More information on timeline on CP30 plans/impacts to be shared once they are available (to compare to the code change programme, including voting timetable).	CP30/Methodology event in mid-September	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	Considered but declined – request info from members land/planning experts or raise Alternative to suggest different time sales	TBC	Closed
71	WG21	AP	ESO to confirm whether in practice new GSPs (related to DNOs or Transmission connected iDNOs) will ever not have relevant EG associated with them in future	Update from AP WG22	TBC	Open
72	WG21	TE/CH	Amend Alternative Request Proposal 22 and feedback to Workgroup		TBC	Open
73	WG21	LH	Provide analysis/evidence of the impact of Alternative Request 23 (NGED) and consider alternative ways of solving the issue e.g. more windows (PY comment)	Jack Purchase will provide an update at WG22	TBC	Open
74	WG21	LH/HS	Proposers of Alternative Requests 8 and 23 to liaise and consult on whether proposals may be merged	Agreed to retain two separate requests but amended to be more aligned	TBC	Closed
75	WG21	AQ/LH	RE – Alternative Request 23 - To consult legal teams as to whether a 10- or 20-day obligation is most appropriate within the CUCS or in the licence	NGED legal team believe the obligation would be better place din the CUSC than the licence where there is less specific detail on processes	TBC	Open
76	WG21	MO	Provide Workgroup feedback to the ESO Policy and Change team on the absence of wider industry consultation on the Technology Change Guidance Paper	Feedback has been provided to the team who are considering it	TBC	Closed

Action 62, 63 64 Update - BEGA/BELLA Illustration of Process and Indicative Timeline

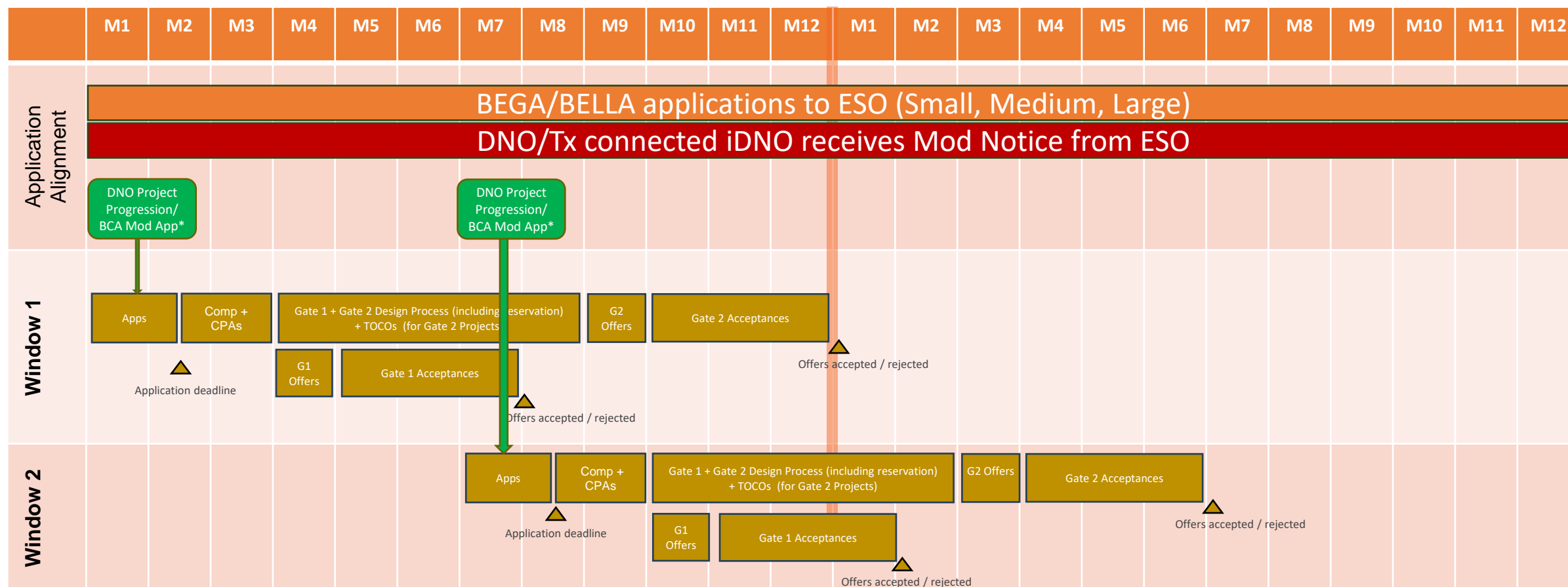
Action 62 – A simplified view of proposed BEGA/BELLA process



**If Large Embedded applies for Gate 1 a Mod Notice will still be issued but a Mod App will not be required for submission to create a Gate 1 offer (submission of Mod App applicable for a Gate 2 offer)*

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

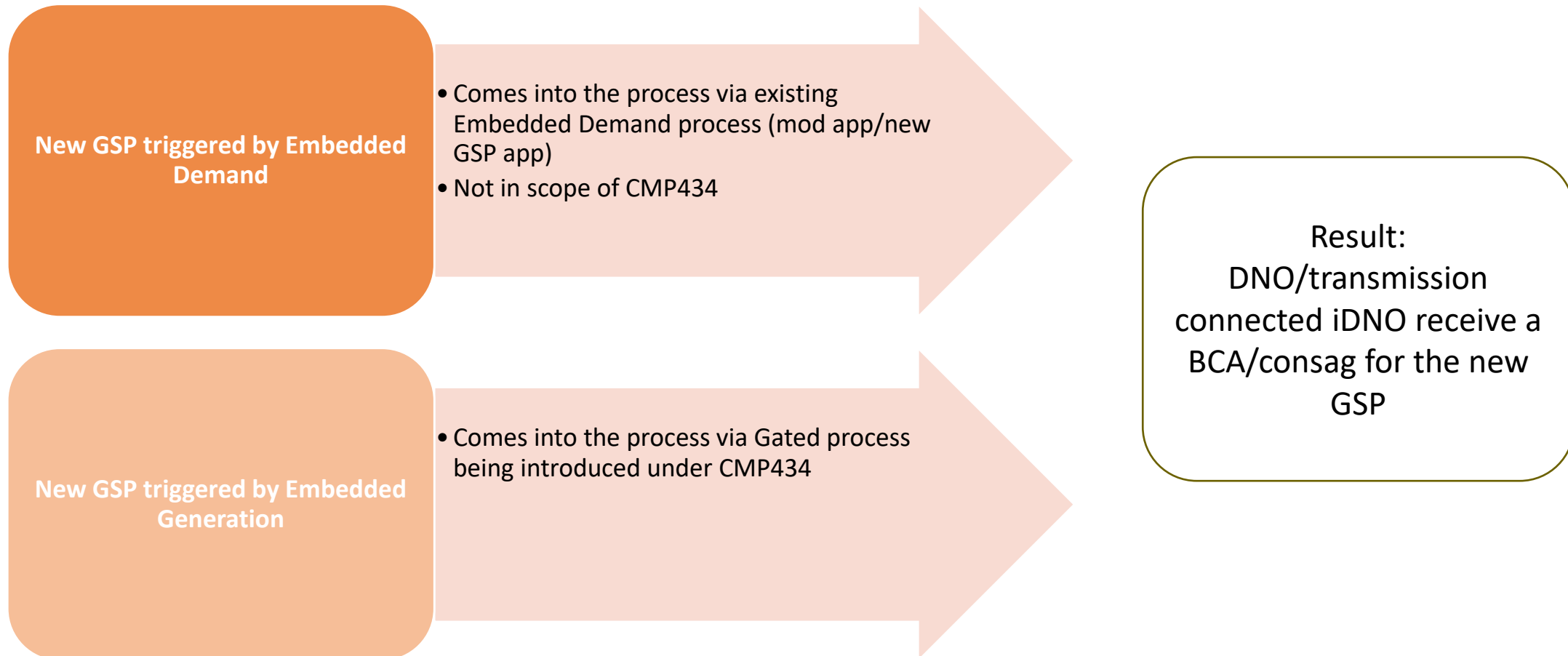
Action 63/64 - Indicative BEGA/BELLA timeline diagram for Gate 2 offer



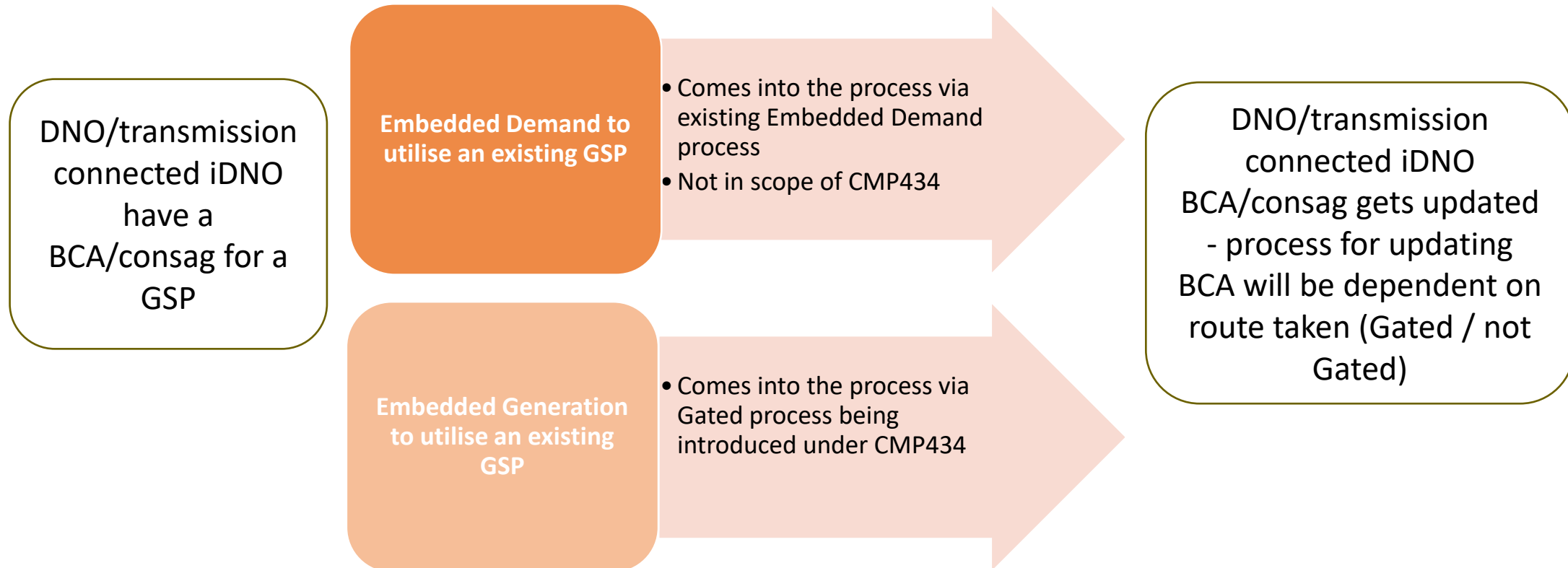
DNO has up to 10 working day after Application Window closes to provide technical information

Action 71 Update - Interaction of Embedded Generation and Embedded Demand under CMP434

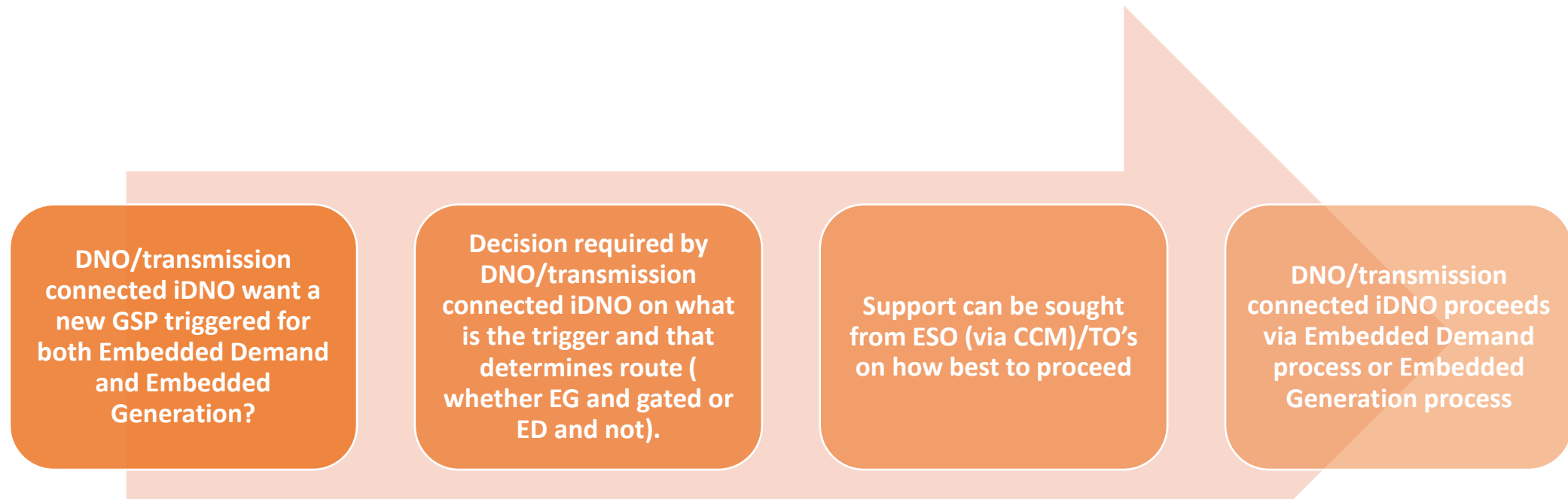
New GSP triggered



Existing GSP



New GSP triggered by both Embedded Demand and Embedded Generation



Recommendation: ESO could seek to produce guidance as part of CMP434 to help support decision making if WG deem this useful. ESO view is that this sits better in guidance than legal text.

Any Other Business

Claire Goult – ESO Code Administrator

Next Steps

Claire Goult – ESO Code Administrator

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 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 alternative request and an indication of the impacts of those amendments or effects; and
- where possible, an indication of the impact of the proposed alternative 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?

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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