

# Code Administrator Meeting Summary

## Meeting name: CMP434 & CM095 Workgroup 23

---

Date: 17/09/2024

---

### Contact Details

Chair: **Claire Goult** [Claire.Goult@nationalgrideso.com](mailto:Claire.Goult@nationalgrideso.com)

Proposer: **Ruby Pelling** [ruby.pelling@nationalgrideso.com](mailto:ruby.pelling@nationalgrideso.com)

---

## Key areas of discussion

The key areas in Workgroup 23 were to review Alternative Requests, Draft Legal Text Discussion, and the OFGEM open letter. The Chair noted quoracy and began the Workgroup.

A Workgroup member asked about ESO templates going in the Methodologies, the ESO stated these templates are the self-declaration documents.

### OFGEM Open Letter

A Workgroup member asked the ESO to clarify what they were going to propose in the future as the open letter insinuated that the ESO would raise further proposals. A Workgroup member asked if OFGEM were set on continuing with the Methodologies approach rather than setting out all of the details in the Codes, an Authority Representative stated that was their current intent.

### Draft Legal Text Review

The Chair handed over to the ESO's Legal SME to present the draft text, where comments left by Workgroup members were discussed to see if further clarification was required. Workgroup members debated on whether Bay Reservation should only apply to new connection sites, rather than all connections sites. Workgroup members discussed if having the Methodologies determining terms and conditions of a connection agreement was legally robust. DNO Workgroup members raised concerns on only having 10 business days to hand over information on Embedded Distributed prospective connections, and what exactly the Legal text said their obligations are. Workgroup members asked about the dispute process for Embedded Generation, and what the compensation would be for an applicant that was found to have met the requirements but now missed their Gate window.

### Alternative request review

Slides on Alternative Request 26 were presented by SSE Generation. Workgroup members asked if this proposal would have users show their land rights, the Alternative Proposer stated not during the gates but during the queue management milestones. A Workgroup member asked how Embedded Generation would be treated in this Alternative, the Alternative Proposer stated that these projects would likely be dealt with by CP30, and that they would come back in a future Workgroup with a developed answer. Workgroup members showed concerns that this Alternative may be too dependent on CP30 being developed by the end of the year, as they do not think CP30 will be ready by then.

Workgroup members debated how the financial aspect of this Alternative could have impacts on how projects apply for connections.

Alternatives 7 and 9 have been withdrawn.

### Actions

Actions 22, 41, 43, 50, 53, 55, 57, 62, 63, 64, 68, 71, 74, and 76 were closed.

Action 49 was kept open so the ESO could provide more depth.

### Next steps

Actions to be circulated to Workgroup members.

### Actions

Action number	Workgroup Raised	Owner	Action	Comment	Due by	Status
11	WG2	All	Add agenda time to respond to papers provided by Workgroup members	Ongoing	WG4	Open
20	WG6	JN/AQ	Consider legal perspective on NESO designation	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	ESO not drafting licence text suggestions	TBC	Open

			changes to the Licensed offer timescales			
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 the underlying principles of this modification. This should include a plan for development of methodologies, including timescales and engagement with stakeholders.	Ongoing discussion with Ofgem	TBC	Open
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	Some requests could be so significant that, if accepted, the project would	TBC	Closed

			restarted or having the contract terminated, etc	not retain their contracted 'queue' position		
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 whether 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	Closed
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.		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	No update	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.	No Update	TBC	Open
61	WG19	RPa/MO	Element 17 - To confirm BEGA application information 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
62	WG19	RPa	Element 17 – To provide a pictorial representation of BEGA/BELLA process as proposed	Update provided in WG22	TBC	Closed
63	WG19	Rpa	Element 17 – Create an additional swimlane/s for chevron diagram for BEGA/BELA	Update provided in WG22	TBC	Closed
64	WG20	Rpa	Element 17 - To produce prescribed timelines/timescales (Garths request as per slide 13) for both small and large	Update 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).		TBC	Open
67	WG20	PA/JI	Offline discussion regarding Alternative Request 3 proposal	Considered but declined – request info from members	TBC	Closed

				land/planning experts or raise Alternative to suggest different time sales		
68	WG20	MO	Consider workshops to allow discussion time for forward looking milestones and expectations for planning		TBC	Open
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	Closed
72	WG21	TE/CH	Amend Alternative Request Proposal 22 and feedback to Workgroup		TBC	New
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)		TBC	New
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		TBC	New
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

Attendees

Name	Initial	Company	Role
Claire Goult	CG	Code Administrator, ESO	Chair
Lizzie Timmins	LT	Code Administrator, ESO	Chair
Andrew Hemus	AH	Code Administrator, ESO	Tech Sec
Stuart McLarnon	SM	Code Administrator, ESO	Tech Sec
Graham Lear	GL	ESO	Proposer
Ruby Pelling	RP	ESO	Proposer
Rory Fulton	RF	Ofgem	Authority Representative
Alison Price	AP	ESO	SME
Angela Quinn	AQ	ESO	SME
Michael Oxenham	MO	ESO	SME
Paul Mullen	PM	ESO	SME
Alex Ikonc	AI	Orsted	Workgroup Member
Allan Love	AL	SPT	Workgroup Member
Andy Dekany	AD	NGV	Workgroup Member
Barney Cowin	BC	Statkraft	Workgroup Member
Ben Adamson	BA	Low Carbon	Workgroup Member
Bill Scott	BS	Eclipse Power Networks	Workgroup Member
Brian Hoy	BH	Electricity North West Limited (ENWL)	Workgroup Member
Claire Hynes	CH	RWE Renewables	Workgroup Member
Claire Witty	CW	Scottish Power Energy Networks	Workgroup Member
Deborah MacPherson	DM	Scottish Power Renewables	Workgroup Member
Donald Fu	DF	NatPower Marine	Workgroup Member
Garth Graham	GG	SSE Generation	Workgroup Member
Grant Rogers	GR	Qualitas Energy	Workgroup Member
Greg Stevenson	GS	SSEN Transmisson (SHET)	Workgroup Member
Helen Stack	HES	Centrica	Workgroup Member
Hugh Morgan	HM	Green Generation Energy Networks Cymru Ltd	Workgroup Member
Joe Colebrook	JC	Innova Renewables	Workgroup Member
Kyran Hanks	KH	CUSC Panel member	Workgroup Member
Laura Henry	LH	NGED	Workgroup Member

Luke Scott	LS	Northern Powergrid	Workgroup Member
Mark Field	MF	Sembcorp Energy (UK) Limited	Workgroup Member
Mireia Barenys	MB	Lightsourcebp	Workgroup Member
Mpumelelo Hlophe	MH	Fred Olsen	Workgroup Member
Ravinder Shan	RS	FRV TH Powertek Limited	Workgroup Member
Richard Woodward	RW	NGET	Workgroup Member
Rob Smith	ROS	Enso Energy	Workgroup Member
Sam Aitchison	SA	Island Green Power	Workgroup Member
Sean Galton	SG	Uniper	Workgroup Member
Zygimantas Rimkus	ZR	Buchan Offshore Wind	Workgroup Member