

Workgroup Consultation Response Proforma

CMP434: Implementing Connections Reform

Industry parties are invited to respond to this consultation expressing their views and supplying the rationale for those views, particularly in respect of any specific questions detailed below.

Please send your responses to cusc.team@nationalgrideso.com by **5pm on 06 August 2024**. Please note that any responses received after the deadline or sent to a different email address may not receive due consideration.

If you have any queries on the content of this consultation, please contact cusc.team@nationalgrideso.com

Respondent details	Please enter your details	
Respondent name:	Dennis Gowland	
Company name:	Research Relay Ltd	
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Which best describes your organisation?	<input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network <input checked="" type="checkbox"/> Generator <input type="checkbox"/> Industry body <input type="checkbox"/> Interconnector	<input type="checkbox"/> Storage <input type="checkbox"/> Supplier <input type="checkbox"/> System Operator <input type="checkbox"/> Transmission Owner <input type="checkbox"/> Virtual Lead Party <input type="checkbox"/> Other

I wish my response to be:
 (Please mark the relevant box)

- Non-Confidential** (*this will be shared with industry and the Panel for further consideration*)
- Confidential** (*this will be disclosed to the Authority in full but, unless specified, will not be shared with the Workgroup, Panel or the industry for further consideration*)

For reference the Applicable CUSC (non-charging) Objectives are:

- a) *The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;*
- b) *Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the sale, distribution and purchase of electricity;*
- c) *Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and*
- d) *Promoting efficiency in the implementation and administration of the CUSC arrangements.*

*The Electricity Regulation referred to in objective (c) is Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (recast) as it has effect immediately before IP completion day as read with the modifications set out in the SI 2020/1006.

Please express your views in the right-hand side of the table below, including your rationale.

Standard Workgroup Consultation questions		
1	Do you believe that the Original Proposal better facilitates the Applicable Objectives?	Mark the Objectives which you believe the Original solution better facilitates: Original <input checked="" type="checkbox"/> A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D
	Yes	
2	Do you support the proposed implementation approach? (see pages 59-61)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Subject to some comments later in the submission.	
3	Do you have any other comments?	
	It would seem to be imperative that Guidance (which will be used in conjunction with Codes) is clear and available to users –especially as the time between probable Ofgem approval and go –live will be over the Festive Period.	
4	Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?	<input type="checkbox"/> Yes (the request form can be found in the Workgroup Consultation Section) <input checked="" type="checkbox"/> No
	Click or tap here to enter text.	

Specific Workgroup Consultation questions		
5	Do you agree with the elements of the proposed solution? Element 7 has been de-scoped and Element 10 is proposed to be codified within the STC through modification CM095 . Please provide rationale for your answer and any suggestions for improvement to each element?	
	Element 1: Proposed Authority approved methodologies and ESO guidance (see pages 9-10, 55)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Subject to comments re non-CUSC guidance/methodologies in later answers. I would emphasise that where projects need to satisfy both DNO and ESO requirements that the process is made clear from the outset and to avoid ‘grey	

<p>areas' of uncertainty which could add risk to such projects versus directly connected users.</p>	
<p>Element 2: Introducing an annual application window and two formal gates, which are known as Gate 1 and Gate 2 (i.e. the Primary Process) (see pages 11, 35-36)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>It seems from the WG report that pre-applications will be dropped – will there be a process to have one to one contact with an ESO rep in advance of a formal application to Gate 1?</p>	
<p>Element 3: Clarifying which projects go through the Primary Process (see pages 11-12, 35-36)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>The final bullet point on page 12 indicates a 2 –stream approach. Will this provide uncertainty?</p>	
<p>Element 4: Significant Modification Applications concept, including the proposed criteria and the proposed level of codification (see pages 12-13, 36-39)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Though it seems it will be, at least in part, subjective and dependent upon a 'learn as we go' approach which will be dependent on the clarity and accuracy of guidance which should be regularly updated as more data becomes available. In particular, if the level of impact to other users is not quantified/codified - which may well be very difficult – then there would need to be a clear list of parameters within which a project would need to fit to avoid the risk to the viability of a project through having to go back to the start of the process. One of the parameters could be technology type of co-location where such a project may give wider benefits in terms of local/wider networks.</p>	
<p>Element 5: Clarifying any Primary Process differences for customer groups (see pages 13-14, 35-36)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Yes these will need to be clarified including for LOAs 'Land Rights' for Offshore/Near Shore for assets deemed to be part of the responsibility of a generator to connect. Given that time will between go –live and the opening/closure of the first Gate 1 window will be so soon and with such a short duration - Will it be enough time for projects to get clarification if they have to also have to interact with ENO or Crown Estate/Crown Estate Scotland? The proposed 6 week window beginning 1.1.25 would seem to be inadequate. Could there be 2 Gate 1 windows in Year 1, say 6 months apart? Obtaining LOA's could be a real barrier to entry for some projects where government bodies/institutions would be the 'Landowner'.</p>	
<p>Element 6: Setting out the process and criteria in relation to Application Windows and Gate 1, including introducing an offshore Letter of Authority equivalent as a Gate 1 application window entry requirement for offshore projects (see pages 15-16, 39-40)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>See above re Offshore/Near Shore</p>	
<p>Element 7: Fast Track Disagreement Resolution Process (de</p>	<p><input type="checkbox"/> Yes</p>

scoped from this modification – see pages 16, 58)	<input checked="" type="checkbox"/> No
The proposer is not proposing any solution on which I can comment. Without a clear process there would seem to be a greater risk of dispute including legal challenge given the wide ranging changes to the status quo.	
Element 8: Longstop Date for Gate 1 Agreements (see pages 16, 40-41)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
It seems reasonable as a starting point though project by project flexibility is envisaged.	
Element 9: Project Designation (see pages 17-18, 48-49)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
It would seem to be implicit that transparency would be critical – especially as this element is projected to be non-codified. That would necessitate clear parameters and criteria to be published and updated by ESO.	
Element 10: Connection Point and Capacity Reservation (proposed to not be codified within the CUSC, but is intended to be codified within the STC through modification CM095 – see pages 18-20 and the CM095 Workgroup Consultation , pages 6-10 https://www.nationalgrideso.com/document/322801/download)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will Network owners be ready for the opening of Gate 1/ first Gate 2?	
Element 11: Setting out the criteria for demonstrating Gate 2 has been achieved and setting out the obligations imposed once Gate 2 has been achieved (see pages 20-24, 42-46)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
With reservations – LOAs/Options pathway need to be clear for Offshore/Near-shore projects (including where landfall substation is the responsibility of a Network Owner and may not yet be known). What about necessary onshore cable runs to a, for instance, DNO substation? Red line boundary proposals seem to be sensible with a reasonable degree of flexibility. Co-location within the boundary/possible extension boundary a subsequent to the original application (in particular those now included in CMP435 arrangements) such as adding storage or H2 production alongside an onshore wind farm – doesn't seem to be addressed in the report (but I may have missed this in these extensive documents and short time). Would the addition of a second element mean that the whole project would revert to Gate 1? Planning Submission – it makes more sense to keep the CMP376 arrangements – as justified in my response to a later question. Forcing a project to go for consent too early risks running out of time between consent and construction. Timescales (as Table on page 24) are in my opinion too optimistic as far as the proposal is concerned. Where bird studies are needed there is normally a requirement for 2 full seasons of study.	
Element 12: Setting out the general arrangements in relation to Gate 2 (see pages 25-26, 47)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
As further discussed in later questions – a single Gate 1 with an immediate opening on go-live and with only a 6 week opportunity would seem to be inadequate in the first year. Yes	

<p>agreed that probably 3 gate 2 windows per year would be adequate (certainly at least 2).</p>	
<p>Element 13: Gate 2 Criteria Evidence Assessment (see pages 26-27, 47-48)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>It would seem vital that those projects which have to enter a 'twin track' with ESO and DNO do not get 'lost in the middle' given the short timeframe of the windows.</p>	
<p>Element 14: Gate 2 Offer and Project Site Location Change (see pages 28, 46)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Click or tap here to enter text.</p>	
<p>Element 15: Changing the offer and acceptance timescales to align with the Primary Process timescales (e.g. a move away from three months for making licenced offers) (see pages 29, 42-46)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Click or tap here to enter text.</p>	
<p>Element 16: Introducing the proposed Connections Network Design Methodology (CNDM) (see pages 29, 53-55)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Click or tap here to enter text.</p>	
<p>Element 17: Introducing the concept of a Distribution Forecasted Transmission Capacity (DFTC) submission process for Distribution Network Operators (DNOs) and transmission connected Independent Distribution Network Operators (iDNOs) to forecast capacity on an anticipatory basis for Relevant Embedded Small Power Stations or Relevant Embedded Medium Power Stations aligned to the Gate 1 Application Window (see pages 30-33, 51-53)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Subject to comments below.</p>	
<p>Element 18: Set out the process for 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 (see pages 33-34, 51-53)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>As long as it is transparent and criteria clearly identified so that projects connecting through this means are not held back.</p>	
<p>6 Are there any elements of the proposal which you believe should not be included as part of this proposed solution, which the Proposer believes represents the 'Minimum Viable Product' reforms required to the connections process? If not, why not? (Please note the element number in each of your responses if applicable)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

	Click or tap here to enter text.	
7	As per question 6, are there any additional features which you believe should be included as part of Minimum Viable Product reform to the connections process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Click or tap here to enter text.	
8	Do you agree that the Gate 1 process should be a mandatory process step, or do you think Gate 1 should be an optional process step with projects being able to apply straight into the Gate 2 process if the project meets both the relevant Gate 2 and Gate 1 criteria?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Projects should be able to enter at Gate 2 if they fulfil the necessary requirements under both Gates.	
9	Do you believe that the proposed Gate 1 and Gate 2 process could duly or unduly discriminate against any types of projects? If so, do you believe this is justified?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	2 questions in 1 here. Undue discrimination is not allowed under the codes. Where is it clear and justified, it should be allowable to make decisions between project types based on 'different things can have different outcomes'. For instance where storage would geographically –particularly where local networks are concerned– enable more efficient use of the Transmission System they could take precedence over projects which may well rely on their operation. Indeed such strategic projects may enable new generation to come on earlier.	
10	Please provide your views on the proposed options ((a) to (e) on page 45) to mitigate the risk of requiring a developer to submit their application for planning consent earlier than they would in their development cycle (with the risk this consent could expire and any extension from the Planning Authority is not automatic).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	This is a pivotal consideration as viable projects are already at or near to their consent expiration date and where making a 'token start' is not an option. Projects have had to go again to appeal where local councils may have changed in terms of policy in the interim after initial consent. Option D would seem to be the safest option in that it would be tied to an expected connection date. If a project had the possibility (due to network availability) of advancement on their connection date it would take the risk of not being able to respond if they had otherwise been compliant with Gate 2 requirements.	

11	Do you agree that DFTC should be included as part of CMP434? If not, do you believe that the reformed connections process can function without DFTC? Please justify your answer. (see pages 30-34, 51-53)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>At present –as far as I can see – the definitions of power station size (MW) is still variable between TOs (areas). Does its incorporation into CMP434 rely on these now being fixed across all the TO areas? It would seem sensible for DFTC to be included, but probably where projects are relatively small (probably no greater than 30MW) and can make use of conditions at local GSPs which would lead to more efficient use of the wider Transmission System and enabling more generation to connect earlier. It is understood from the WG report that BELLA/BEGA projects would be expected to conform to CMP434/435 (having said that it is still a little unclear – for example in regard to ENA where a DNO (BELLA/BEGA connected project has entered Gate 2 but where milestones may include DNO requirements). When will we see the outcome of input from ENA into CMP434 governance and a level of harmonisation?</p>		
12	The Proposer intends to set out supporting arrangements for TMO4+ via a combination of guidance and methodologies (e.g. DFTC, CNDM, Project Designation, Gate 2 Criteria). Do you anticipate any issues with having these outside of Code Governance? (see Pages 9-10, 55)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>There is always a risk when using guidance over codification – as the former can be subject to interpretation (or even legal dispute). However the urgent need for Connections Reform would seem to require a certain degree of flexibility (and learning ‘on the hoof’) but will rely to a greater extent on the skill and understanding within ESO in order for TMO4+ to proceed other than through innumerable code changes. Issues such as changes to locations of grid supply points come to mind where affected projects should not be penalised or forced to use a Mod App process (which, itself, is not clearly defined by the Proposal). There should be a clear and accessible route to dispute (and better still, Pre-Dispute) where guidance rather than code is being used to - in the view of the user – impact on a negative way to a project. An example may be the Energy Density Table used for the LOA (post CMP427).</p>		