

CMP434: Implementing Connections Reform

Workgroup Terms of Reference and Membership

Responsibilities

1. The Workgroup is responsible for assisting the CUSC Modification Panel in the evaluation of CUSC Modification Proposal **CMP434: Implementing Connections Reform** raised by the **ESO** at the Modifications Panel meeting on **26 April 2024**. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable CUSC Objectives.

Applicable CUSC (non-charging) Objectives

- 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.

2. It should be noted that additional provisions apply where it is proposed to modify the CUSC Modification provisions, and generally reference should be made to the Transmission Licence for the full definition of the term.

Scope of work

3. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Applicable CUSC Objectives.
4. 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)

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<p>a) Consider the implementation and transitional arrangements</p>	<ul style="list-style-type: none"> • Implementation Approach p3, p78 • Workgroup consultation summary p25 • Legal text discussions relating to the Original solution p51-54 • Alternative requests p57-63 • WACM discussions p64-68 • Discussion on Annex B of the Open Letter on Connections Reform p54-56
<p>b) Review and support the legal text drafting;</p>	<ul style="list-style-type: none"> • Legal text discussions relating to the Original solution p51-54 • WACM discussions p64-68 • Annex 10 – Legal Text • Discussion on Annex B of the Open Letter on Connections Reform p54-56
<p>c) Consider the cross Code impacts this modification has, in particular the STC and distribution arrangements (e.g. DCUSA)</p>	<ul style="list-style-type: none"> • Workgroup considerations - Discussions on: Elements 10 (p39), 16 (p48-50), 17 (p71-73) • Interactions p5, p79 • Alternative requests p57-63 • WACM discussions p64-68 • Discussion on Annex B of the Open Letter on Connections Reform p54-56
<p>d) Consider any potential licence changes which may be required, liaising with the Authority as required to discuss them.</p>	<ul style="list-style-type: none"> • Workgroup considerations - Discussions on Elements: 1 (p26-27), 9 (p37-38), 11 (p39-46), 15 (p48), 16 (p48-50) • Legal text discussions relating to the Original solution p51-54 • Interactions p5, p79 • Discussion on Methodologies p54
<p>e) Consider the scope of application for the proposed solution by technology/project type including changes to existing connected Users and any acceptable criteria for any exclusions or alternative approaches which may be needed.</p>	<ul style="list-style-type: none"> • Workgroup considerations - Discussions on Elements: 2 (p10-12), 3 (p12-13), 4 (p13), 5 (p14-16), 11 (p39-46), 12 (p46) • Legal text discussions relating to the Original solution p51-54
<p>f) Consider the interactions between the proposed solution(s) and distribution connection processes.</p>	<ul style="list-style-type: none"> • Workgroup considerations - Discussions on Elements: 6 (p36-37), 11 (p39-46), 12 (p46), 13 (p47-48), 17 (p71-73)

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	<ul style="list-style-type: none"> • Legal text discussions relating to the Original solution p51-54 • Interactions p5, 79 • Alternative requests p57-63 • WACM discussions p64-68 • Discussion on Annex B of the Open Letter on Connections Reform p54-56
g) Consider the accessibility and transparency of new processes for Users as much as possible, particularly new entrants.	<ul style="list-style-type: none"> • Implementation Approach p3, p78 • Legal text discussions relating to the Original solution p51-54 • WACM discussions p64-68 • Discussion on Methodologies p54 • Discussion on Annex B of the Open Letter on Connections Reform p54-56
h) Briefly consider any future policy development which may be beneficial to enhance the proposed 'minimum viable product' solutions.	<ul style="list-style-type: none"> • Consideration of options considered by the WG were de-scoped and removed from the solution p68-73 • Legal text discussions relating to the Original solution p51-54
i) Consider Electricity Balancing Regulation implications.	<ul style="list-style-type: none"> • Legal text discussions relating to the Original solution p51-53 • Annex 10 – Legal Text
j) Consider mechanisms to ensure projects progress from Gate 1 to Gate 2 including financial instruments	<ul style="list-style-type: none"> • Consideration of options considered by the WG were de-scoped and removed from the solution p68-73 • Legal text discussions relating to the Original solution p51-53
k) Consider the impact of NESO designation of Gate 2 status, and ways to make this non-discriminatory.	<ul style="list-style-type: none"> • Workgroup considerations - Element 9 p37-38 • Legal text discussions relating to the Original solution p51-53 • Alternative requests p57-63 • WACM discussions p64-68 • Discussion on Methodologies p54
l) Consider how the solution(s) conforms with the statutory rights with respect to terms and conditions for connection.	<ul style="list-style-type: none"> • Workgroup considerations - Element 11 p39-45 • Discussion on Methodologies p54

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	<ul style="list-style-type: none"> • Legal text discussions relating to the Original solution p51-53 • Alternative requests p57-63 • WACM discussions p64-68
m) Consider the relevant content of Annex B of the Open letter on connections reform publication.	<ul style="list-style-type: none"> • Discussion on Annex B of the Open Letter on Connections Reform p54-56

5. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative CUSC Modifications (WACMs) arising from Group discussions which would, as compared with the Modification Proposal or the current version of the CUSC, better facilitate achieving the Applicable CUSC Objectives in relation to the issue or defect identified.

6. The Workgroup should become conversant with the definition of Workgroup Alternative CUSC Modification which appears in Section 11 (Interpretation and Definitions) of the CUSC. The definition entitles the Group and/or an individual member of the Workgroup to put forward a WACM if the member(s) genuinely believes the WACM would better facilitate the achievement of the Applicable CUSC Objectives as compared with the Modification Proposal. The extent of the support for the Modification Proposal or any WACM arising from the Workgroup’s discussions should be clearly described in the final Workgroup Report to the CUSC Modifications Panel.

7. Workgroup members should be mindful of efficiency and propose the fewest number of WACMs possible.

8. All proposed WACMs should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes WACMs which are proposed by the entire Workgroup or subset of members.

9. There is an obligation on the Workgroup to undertake a period of Consultation in accordance with CUSC 8.20. The Workgroup Consultation period shall be for a period of 15 working days as determined by the Modifications Panel.

10. 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 CUSC Objectives than the current version of the CUSC.

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As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or WACMs. 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 CUSC to progress a WG Consultation Alternative Request or a WACM 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.

11. The Workgroup is to submit its final Workgroup Report to the Modifications Panel Secretary on **05 November 2024** for circulation to Panel Members. The final Workgroup Report conclusions will be presented to the CUSC Modifications Panel meeting on **08 November 2024**.

Membership

12. It is recommended that the Workgroup has the following members:

Role	Name	Representing
Chair	Claire Goult	NESO Code Administrator
Technical Secretary	Andrew Hemus	NESO Code Administrator
Proposer	Ruby Pelling*	NESO
Workgroup Member	Allan Love*	Scottish Power Transmission
Workgroup Member	Andy Dekany*	NGV
Workgroup Member	Anthony Cotton*	Green Generation Energy Networks Cymru Ltd.
Workgroup Member (Alternate)	Ben Adamson*	Low Carbon
Workgroup Member	Bill Scott*	Eclipse Power Networks
Workgroup Member	Brian Hoy*	Electricity North West
Workgroup Member (Alternate)	Charles Yates*	Fred Olsen Seawind
Workgroup Member (Alternate)	Ciaran Fitzgerald*	Scottish Power Renewables

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Workgroup Member	Claire Hynes*	RWE Renewables
Workgroup Member	Garth Graham*	SSE Generation
Workgroup Member	Grant Rogers*	Qualitas Energy
Workgroup Member	Greg Stevenson*	SSEN Transmission
Workgroup Member	Helen Stack*	Centrica
Workgroup Member (Alternate)	Jack Purchase*	NGED
Workgroup Member (Alternate)	James Jackson*	Orsted
Workgroup Member	Joe Colebrook*	Innova Renewables
Workgroup Member	Kyran Hanks*	WWA
Workgroup Member (Alternate)	Mohammad Bilal*	UKPN
Workgroup Member (Alternate)	Nina Sharma*	Drax
Workgroup Member (Alternate)	Nirmalya Biswas*	Northern Powergrid
Workgroup Member	Paul Jones*	Uniper
Workgroup Member	Phillip Addison*	EDF Renewables
Workgroup Member	Ravinder Shan*	FRV TH Powertek Limited
Workgroup Member	Richard Woodward*	NGET
Workgroup Member	Rob Smith*	Enso Energy
Workgroup Member (Alternate)	Rohit Alexander*	Statkraft
Workgroup Member (Alternate)	Ross O'Hare*	SSEN
Workgroup Member	Sam Aitchison*	Island GP
Workgroup Member	Wendy Mantle*	SPEN
Workgroup Member	Zygimantas Rimkus*	Buchan Offshore Wind
Authority Representative	Lee Wilkinson	Ofgem

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Authority Representative	Liam Cullen	Ofgem
Authority Representative	Rory Fulton	Ofgem

The above table only includes the Workgroup members or Alternates who voted within the Workgroup Vote held on 04 November 2024, the Code Administrator and Authority Representatives.
Please refer to the attendance log (Annex 13) for a full list of Workgroup members and Alternates for CMP434.

NB: A Workgroup must comprise at least 5 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.

13. 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 5 Workgroup members must participate in a meeting for quorum to be met.
14. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each WACM. 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 CUSC Objectives;
 - Vote 2:** where one or more WACMs exist, whether each WACM better facilitates the Applicable CUSC Objectives than the original Modification Proposal;
 - Vote 3:** which option is considered to BEST facilitate achievement of the Applicable CUSC Objectives. For the avoidance of doubt, this vote should include the existing CUSC 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.

15. 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.

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- 16. 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.

- 17. 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.

- 18. The Workgroup membership can be amended from time to time by the CUSC Modifications Panel.

Terms of Reference Version Control

Issue	Date	Summary of Changes / Reasons	Panel Approval Date
1	19/04/2024	Panel approved Terms of Reference ahead of nominations	26/04/2024
2	22/05/2024	Panel approved Terms of Reference at the May CUSC Panel	31/05/2024