

Workgroup Consultation Response Proforma

CMP435: Application of Gate 2 Criteria to existing contracted background

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:	Christie Sims	
Company name:	British Solar Renewables Ltd	
Email address:	Christie.sims@bsrenergy.com	
Phone number:	+44 7885 971 119	
Which best describes your organisation?	<input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Generator <input type="checkbox"/> Industry body <input type="checkbox"/> Interconnector	<input checked="" 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:

- The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;
- 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;
- 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.

Standard Workgroup Consultation questions		
1	Do you believe that the Original Proposal better facilitates the Applicable Objectives?	<p>Mark the Objectives which you believe the Original solution better facilitates:</p> <p>Original <input checked="" type="checkbox"/>A <input checked="" type="checkbox"/>B <input type="checkbox"/>C <input checked="" type="checkbox"/>D</p> <p>I believe that something needs to be done to allow the efficiency of the network to improve, but the implementation of this overall feels rushed. There doesn't seem to be consideration of how if a DNO-level project leapfrogs others in the transmission queue, how they're going to progress at the DNO level. Some DNO connection dates are delayed due to 132kV replacement boards that the DNO has to install at the GSP, this would require milestone alterations at the ESO level for projects that achieve Gate 2 far ahead of when the DNO can connect them. There have been some non-EIA planning applications that require two years of wintering bird surveys. Which also puts estimates planning dates out of alignment despite a developer doing everything they can to get the project into planning.</p>
2	Do you support the proposed implementation approach? (See page- 57-58)	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>Distribution projects can sort out land rights, which currently seems to be the criteria for Gate 2, in the early stages of the projects depending on the landowner's approach to unknown connection dates. This should allow DNO projects to move to Gate 2 without artificially going through Gate 1, where Gate 1 is already delayed due to the reliance on the DNO processing the application. The concern to add is the speed of implementation of these proposals means that there won't be much time between the requirements being published, and the documents of evidence being needed. If the requirements are different than expected, even subtly, it can take 6 month to renegotiate these complex land agreements,</p>
3	<p>Do you have any other comments?</p> <p>Land rights on their own are unlikely to noticeably reduce the queue, due to most projects having those available. However any requirement to have committed planning ahead of Gate 2 would be putting planning in blind. Some local authorities are not interested in allowing planning extensions, stating connection delays are developers risk, and some planning permissions are based on start of construction, not start of operation, so the approach of a technical start to maintain planning validity is not the panacea it might have been presented as.</p>	

	I would also like to add that the extremely short turnaround for this consultation means reviewing and assessing all of the code changes has been extremely difficult. The consultation timing for when a large percentage of the workforce will be on annual leave means the range and quality of the responses is likely to be lower than usual. While the urgency of the code review is understood, this consultation has been rushed.	
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 type="checkbox"/> No
Click or tap here to enter text.		

Specific Workgroup Consultation questions

5	<p>Do you agree with the elements of the proposed solution for CMP435? <i>Please note that the application of these elements may be different to CMP434, therefore please answer the questions in respect to CMP435.</i></p> <p>Elements 2,4,6,7,12,15,17 and 18 are not part of the CMP435 Proposal and is only part of the CMP434 Proposal. Element 10 is proposed to be codified within the STC through modification CM095.</p> <p>Please provide rationale for your answer and any suggestions for improvement to each element?</p>	
Element 1: Proposed Authority approved methodologies and ESO guidance (see Page 8-10,29)		<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>The extremely short turnaround times coupled with the expectation not to include any industry voices makes this impossible to agree with. While I appreciate this is an urgent review, this is one of the biggest changes to the basic setup of grid applications that has been looked at in years, moving from “First Come First Served”, and while the overall aims are valuable, the impact can’t be investigated without the Gate 2 requirements being clear</p>		
Element 3: Clarifying which projects go through the Primary Process (See pages 10-11,29-31)		<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Scope seems fine although it’s worth highlighting that DNO projects that are meant to directly connect to GSPs, are at the same level of land disadvantage as transmission connected projects when the new GSP location is unknown. This is made worse for DNO projects as currently changing the red line is disallowed, meaning if the Statement of Works comes back with a new GSP that’s 10km away this is the same as killing the project.</p>		

Element 5: Clarifying any Primary Process differences for customer groups (See pages 11-12,32)	<input type="checkbox"/> Yes <input type="checkbox"/> No
I don't have experience of offshore projects but appreciate they and interconnectors are likely to require a slightly different process from the land based projects.	
Element 8: Longstop Date for Gate 1 Agreements (See pages 12-13, 32-33)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Long stop for Gate 1 is fine, as long as flexibility is allowed due to changes in POC from NGET. In some cases, the POC is going to be 10 miles away from original positioning. Long stop date will be required to prevent everything sitting in Gate 1 forever that isn't viable.	
Element 9: Project Designation (See pages 14-15, 33-34)	<input type="checkbox"/> Yes <input type="checkbox"/> No
This could be used as a bias for certain technologies, again it's asking for commentary ahead of publishing the details of the criteria. In theory there is nothing wrong with prioritising nation-critical infrastructure, but it's important that these kind of projects have a high barrier to qualify.	
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 16-21, 34-39)	<input type="checkbox"/> Yes <input type="checkbox"/> No
The Gate 2 criteria is the part of this that needs the closest inspection, as it is by this criteria that the whole impact of the scheme will be measured. Too easy to pass and there will be no real change to the connection queue, but requiring planning "blind" without a confirmed connection date will make it very difficult for any developer to progress schemes reliably. The requirement to continue being compliant with Gate 2 is good, allowing a time for renegotiation (land agents being a key slow down in this process). I would highlight that the land requirements for "100% of the project" can be open to some argument. For example, shared technology schemes can meet their capacity requirements with BESS, and still have the option of searching for more solar land, assuming they have a shared BESS/solar grid offer. Taking away this option for increasing land later would artificially reduce the amount of generation installed in the UK, and there is no clear disadvantage for allowing this flexibility as long as there is sufficient land for the BESS to use all of the allocated grid capacity. This subtlety on land requirements should remind flexible and shouldn't impact the effectiveness of the Gate 2 process. Requiring the full land for ALL of the technologies involved, rather than just enough technology of at least one type to reach the TEC, takes away any potential betterment of projects of which several are still likely to be in development for 10 years. This wouldn't reflect a forward thinking approach.	
Element 13: Gate 2 Criteria Evidence Assessment (See pages 22-23, 39-40)	<input type="checkbox"/> Yes <input type="checkbox"/> No

	The use of self-certification letters does cut down on the admin of both sides of the contract, which is useful. I've mentioned reservations about the details of the red line in element 11 above	
	Element 14: Gate 2 Offer and Project Site Location Change (See pages 23-24, 40-41)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	The ability for TSO projects to change their red line makes sense in terms of their POC changing significantly. However it does create a distortion as large GSP-connected DNO projects are also susceptible to these levels of location change, and they aren't allowed to change their red line at all (beyond NGED's 50% rule, which won't help in this instance)	
	Element 16: Introducing the proposed Connections Network Design Methodology (CNDM) (See pages 24-25, 41-42)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	The announcement of there being a methodology without being clear on that methodology means offering opinions on this is difficult. .	
	Element 19: Contractual changes (See pages 26-28, 43-46)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	As a developer with over 90 current projects, how they are handled under the new system is critical to us. Would accepting a gate 2 offer without a requested earlier connection date disqualify the project from the accelerated connections scheme that is currently being run across multiple GSPs?	
	Element 20: Cut Over arrangements (See page 28, 47)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
6	Are there any elements of the proposed CMP435 solution - as per Q5 - which you believe are not appropriate to include when you consider how to most effectively implement TMO4+ to projects in the existing contracted background (as opposed to the process for new applicants via CMP434)? If yes, please provide supporting justification.	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
7	In relation to Q6, are there any features which you believe are missing in the proposed CMP435 solution that would more effectively facilitate implementation of TMO4+ to the existing contracted background. If yes, please provide details and justification.	<input type="checkbox"/> Yes <input type="checkbox"/> No
8	Do you believe any groups of projects should be exempt from the scope of CMP435 or from some elements of the proposed solution? If so, please advise on which groups and elements and provide rationale to why.	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
9	Do you believe that the proposed solution could duly or unduly discriminate against any particular types of projects? If so, do you believe this is justified?	<input type="checkbox"/> Yes <input type="checkbox"/> No

I think the land requirements remove some flexibility from hybrid projects which would not be harmful to keep, while it would reduce the scope of projects as they pass through the system. A combined solar/storage application may have sufficient land for the full TEC amount of storage but only some small solar, and over the years of development find other land that can be used to increase the solar to match the storage level. This is likely to require significantly more land, however the project would have been able to meet Gate 2 with smaller lands due to meeting the TEC with storage alone. There is no advantage to punishing solar like this and it would result in less MW being deployed and less efficient use of the transmission network.