



Trisha McAuley OBE
Independent Chair
CUSC & Grid Code Panel

Nadir Hafeez
Ofgem
By email

29 April 2024

Dear Nadir

Connection and Use of System Code (CUSC) Modification Panel Request for Urgency and Recommended Timetable for **CMP435: Application of Gate 2 Criteria to existing contracted background**

On 19 April 2024, ESO raised **CMP435**. The Proposer sent a request to the CUSC Panel Secretary for this modification to be treated as urgent.

CMP435 seeks to revise the current connections process to enable the timely connection of projects to meet net zero.

All documentation for this modification can be located via the following link:

[CMP435 Application of Gate 2 Criteria to existing contracted background](#)

The CUSC Modifications Panel ("the Panel") on 26 April 2024, considered **CMP435** and the associated request for urgency. This letter sets out the views of the Panel on the request for urgent treatment and the procedure and timetable that the Panel recommends.

The Proposer set out their rationale for Urgency against Ofgem's Urgency criteria (a) which is as follows:

a) A significant commercial impact on parties, consumers or other stakeholder(s).

We consider that Urgent treatment of the "Application of Gate 2 Criteria to existing contracted background" Modification is also required in parallel in order to have combined significant impact from the go live date of 1 January 2025.

Since publication of the Connections Action Plan in November 2023, the transmission and distribution connection queue has continued to grow relentlessly and, at the current rate of growth, the total connections queue is likely to exceed 800GW by the end of 2024. Without intervention, we expect this trend to continue with a forecast average increase of ~20GW for transmission being added every month beyond end 2024, which could lead to a 1000GW+ queue by the time necessary changes are in place if an urgent timeline is not followed.

This modification is intended to ensure that viable, ready to progress projects can receive earlier connection dates, and more quickly remove speculative

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connection applications from the queue. This should address the current issue that ready to progress projects are held up behind stalled, slow to progress or speculative applications. The gated process, proposed by this change, supports this by prioritising readier and/or more viable projects as it avoids allocating capacity to projects that aren't ready to progress (Please see the Proposal form for full justification).

b) A significant impact on the safety and security of the electricity and/or gas systems

N/A

c) A party to be in breach of any relevant legal requirements

N/A

Panel Consideration of the Request for Urgency

The Panel considered the request for urgency with reference to [Ofgem Guidance on Code Modification Urgency Criteria](#). The unanimous view of the Panel is that **CMP435 does meet** Ofgem's Urgency criteria¹. Therefore, the recommendation of the Panel is that **CMP435 should** be treated as an Urgent CUSC Modification Proposal.

Panel members set out their rationale behind this decision:

- The Panel unanimously agreed with the Proposer's justification for urgency against Ofgem's criteria (a)
- Whilst agreeing that the Proposal met Ofgem's Urgency criteria, a Panel Member disagreed that the modification had a clearly defined defect and scope, explaining that without understanding the impact on the Tech register and the connections queue it can't be said it is a defined defect.
- A Panel Member queried whether both CMP434 and CMP435 needed to be Urgent and in tandem. The Proposer advised that in order to ensure that the full set of connection reform modifications are ready for implementation on the 1 January 2024 both modifications needed to progress on the same timeline.
- A Panel Member commented that it would be important to ensure legal certainty for the go-live in January 2025 for new and existing connection contracts and therefore the Workgroups for both CMP434 and CMP435 should take into account the existing statutory rights, with respect to the terms and conditions for connection.

¹ Ofgem's current view is that an urgent modification should be linked to an imminent issue or a current issue that if not urgently addressed may cause:

- a) A significant commercial impact on parties, consumers or other stakeholder(s); or
- b) A significant impact on the safety and security of the electricity and/or gas systems; or
- c) A party to be in breach of any relevant legal requirements.



Procedure and Timetable

The Panel discussed an appropriate timetable for **CMP435** in the instance that urgency is granted.

The Panel agreed that **CMP435** subject to Ofgem's decision on Urgency should follow the attached Code Administrator's proposed timetable (Appendix 1 **Urgent recommendation**). In Appendix 2 of this letter, the Code Administrator has also provided the timeline if this follows standard timescales with the assumption that Panel prioritise this high in the prioritisation stack.

Panel noted that if urgency is required, there would be;

- A Workgroup nomination period of less than 15 Business Days
- A Workgroup Consultation period of less than 15 Business Days
- Code Administrator Consultation period of less than 15 Business Days;
- There would be less than 5 clear Business Days between publication of the Draft Final Modification Report and Panel's recommendation; and
- There would be less than 5 clear Business Days for Panel to check that their Recommendation Vote had been recorded correctly

Under CUSC Section 8.24.4, we are now consulting the Authority as to whether this Modification is an Urgent CUSC Modification Proposal.

Please do not hesitate to contact me if you have any questions on this letter or the proposed process and timetable. I look forward to receiving your response

Yours sincerely

Trisha McAuley OBE
Independent Chair of the CUSC and Grid Code Panel

Appendix 1 – Urgent Timeline

Modification Stage	Date
Modification presented to Panel	26 April 2024
Workgroup Nominations (4 Business Days)	26 April 2024 to 02 May 2024
Ofgem grant Urgency	01 May 2024 (5pm)
Workgroup 1	07 May 2024
Workgroup 2	15 May 2024
Workgroup 3	23 May 2024

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Workgroup 4	29 May 2024
Workgroup 5	04 June 2024
Workgroup 6	12 June 2024
Workgroup Consultation (8 Business Days)	25 June 2024 to 05 July 2024
Workgroup 7	16 July 2024
Workgroup 8	19 July 2024
Workgroup 9	23 July 2024
Workgroup 10	31 July 2024
Workgroup 11	06 August 2024
Workgroup report issued to Special Panel (2 Business Days)	13 August 2024
Panel sign off that Workgroup Report has met its Terms of Reference	16 August 2024
Code Administrator Consultation (9 Business Days)	19 August 2024 to 02 September 2024
Draft Final Modification Report issued to Special Panel (3 Business Days)	09 September 2024
Special Urgent Panel undertake recommendation vote	13 September 2024
Final Modification Report issued to Panel to check votes recorded correctly	13 September 2024 (2pm-4pm)
Final Modification Report issued to Authority	13 September 2024 (by 5pm)
Authority Decision	30 September 2024
Date of Implementation	01 January 2025

Appendix 2 – Standard Timeline

Modification Stage	Date
Modification presented to Panel	26 April 2024
Workgroup Nominations	01 May 2024 to 22 May 2024
Workgroup 1	05 June 2024
Workgroup 2	10 August 2024
Workgroup 3	11 October 2024
Workgroup 4	15 November 2024
Workgroup 5	22 January 2025
Workgroup 6	13 February 2025
Workgroup Consultation (15 Business Days)	19 March to 09 April 2025
Workgroup 7	30 April 2025
Workgroup 8	14 May 2025
Workgroup 9	11 June 2025
Workgroup 10	09 July 2025
Workgroup 11	13 August 2025
Workgroup report issued to Panel	18 September 2025
Panel sign off that Workgroup Report has met its Terms of Reference	26 September 2025
Code Administrator Consultation (15 Business Days)	02 October 2025 to 23 October 2025

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Draft Final Modification Report issued to Panel and Industry	21 November 2025
Draft Final Modification Report presented to Panel / Panel Recommendation Vote	29 November 2025
Final Modification Report issued to Panel to check votes recorded correctly	03 December to 10 December 2025
Submit Final Modification Report to Authority	11 December 2025
Authority Decision	TBC
Date of Implementation	TBC

Appendix 3 – Panel Urgency Vote

See separate attachment