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## Code Administrator 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@nationalenergyso.com](mailto:cusc.team@nationalenergyso.com) by **5pm GMT on 26 November 2024**. Please note that any responses received after the deadline or sent to a different email address will not be accepted.

Please be aware that late responses will not be accepted.

If you have any queries on the content of this consultation, please contact [elana.byrne@nationalenergyso.com](mailto:elana.byrne@nationalenergyso.com) and [catia.gomes@nationalenergyso.com](mailto:catia.gomes@nationalenergyso.com) or [cusc.team@nationalenergyso.com](mailto:cusc.team@nationalenergyso.com)

Respondent details	Please enter your details	
<b>Respondent name:</b>	Ciaran Fitzgerald / Deborah MacPherson	
<b>Company name:</b>	Scottish Power Renewables	
<b>Email address:</b>	<a href="mailto:cfitzgerald@scottishpower.com">cfitzgerald@scottishpower.com</a>	
<b>Phone number:</b>	07867 191168	
<b>Which best describes your organisation?</b>	<input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network Operator <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 Panel or the industry for further consideration*)

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**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 Code Administrator Consultation questions		
1	Please provide your assessment for the proposed solution(s) against the Applicable Objectives?	Mark the Objectives which you believe the proposed solution(s) better facilitates:
		Original <input checked="" type="checkbox"/> a <input checked="" type="checkbox"/> b <input type="checkbox"/> c <input checked="" type="checkbox"/> d
		WACM1 <input checked="" type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input checked="" type="checkbox"/> d
		<ul style="list-style-type: none"> <li>• In our view, the original proposal provides a viable solution to address the defect and is an improvement on the baseline. We recognize the need for significant change to the connections process and believe that the original proposal provides an appropriate structure, which can facilitate the further changes required to achieve the ultimate aims of TMO4+. As has been discussed by workgroup members during the workgroup meetings and in the report, it should be highlighted that the detailed processes and procedures that will sit within the new structure will be housed within the methodologies, and as such are not being assessed as part of this consultation.</li> </ul>

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		<ul style="list-style-type: none"> <li>WACM 1 - We support this proposal, primarily for its benefits within the 435 process. We believe this proposal will benefit users in ensuring transparency of the potential queue and allow users to make more informed investment decisions. It will also minimize wasted efforts by NESO and the network businesses by facilitating the reduction of the queue at an earlier stage, and prior to the gated design process.</li> </ul>
2	Do you have a preferred proposed solution?	<input type="checkbox"/> Original <input type="checkbox"/> WACM1 <input type="checkbox"/> Baseline <input checked="" type="checkbox"/> No preference
		Click or tap here to enter text.
3	Do you support the proposed implementation approach?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		<ul style="list-style-type: none"> <li>We support the implementation approach having understood the challenges NESO are facing in implementing the significant reforms within an accelerated timeframe. However, we do have the following concerns over the implementation approach:             <ul style="list-style-type: none"> <li>The lack of detail and defined dates within the implementation approach mean it cannot be properly assessed as acceptable or otherwise.</li> <li>This lack of detail also makes it impossible for industry participants to fully plan for the implementation.</li> <li>As is noted in the consultation document, there are various changes and approvals required prior to implementation. We would see this as a significant risk to the high-level programme set out in the Implementation Approach</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"> <li>• Since 02/09/24, any applications for a direct connection into the transmission network have been resulting in a transitionary offer. On current timescales, a project could have secured gate 2 readiness in early September 2024, could wait until early 2026 before receiving a Gate 2 grid agreement. This would mean that the project must choose to continue to invest and develop, without key information including point of connection, securities/liabilities, and connection costs.</li> <li>• We do not believe that the impact on DNOs and the embedded generation projects has been fully considered or developed in line with the NESO proposals. If the necessary processes are not in place for DNOs and their customers to align with those projects connecting at transmission, they will be placed in a disadvantaged position from go live. We believe this remains a key risk area.</li> <li>• For CMP435 projects, the evidence window is noted as closing a minimum of 2 weeks after opening. We feel that the significant admin involved in submitting the declarations and supporting evidence, would require a window of at least 4 weeks. It also notes that there would be a minimum of 4 weeks from the implementation date until the window opens. For this to be feasible, there would need to be a very clear and well communicated process for providing evidence and declarations, well in advance of the implementation date.</li> </ul>
4	Do you have any other comments?	Click or tap here to enter text.
5	Do you agree with the Workgroup's assessment that the modification does not impact the Electricity	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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	Balancing Regulation (EBR) Article 18 terms and conditions held within the CUSC?	We are satisfied that the modification does not impact the EBR Article 18 terms and conditions.
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