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Workgroup Consultation Response Proforma

CMP471: Interim Connection Date Delay Process Ahead of CMP434 Gated Application Window

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@neso.energy by **5pm** on **24 July 2026**. 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@neso.energy

Respondent details	Please enter your details	
Respondent name:	Lamin Saidy Vulart	
Company name:	Qair Scotland Limited	
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Phone number:	0151 212 3300	
Which best describes your organisation?	☐ Consumer body ☐ Demand ☐ Distribution Network Operator ☒ Generator ☐ Industry body ☐ Interconnector	☐ Storage ☐ Supplier ☐ System Operator ☐ Transmission Owner ☐ Virtual Lead Party ☐ Other

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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)

***The Electricity Regulation referred to in objective g) 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.*

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

- i. *The efficient discharge by the Licensee of the obligations imposed on it by the Act and by this licence*;*
- ii. *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;*
- iii. *Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency **; and*
- iv. *Promoting efficiency in the implementation and administration of the CUSC arrangements.*

* See Electricity System Operator Licence

***The Electricity Regulation referred to in objective (iii) is Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the*

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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.

For reference, (for consultation questions 5 & 6) the Electricity Balancing Regulation (EBR) Article 3 Objectives and regulatory aspects are:

- a) fostering effective competition, non-discrimination and transparency in balancing markets;*
- b) enhancing efficiency of balancing as well as efficiency of national balancing markets;*
- c) integrating balancing markets and promoting the possibilities for exchanges of balancing services while contributing to operational security;*
- d) contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector while facilitating the efficient and consistent functioning of day-ahead, intraday and balancing markets;*
- e) ensuring that the procurement of balancing services is fair, objective, transparent and market-based, avoids undue barriers to entry for new entrants, fosters the liquidity of balancing markets while preventing undue market distortions;*
- f) facilitating the participation of demand response including aggregation facilities and energy storage while ensuring they compete with other balancing services at a level playing field and, where necessary, act independently when serving a single demand facility;*
- g) facilitating the participation of renewable energy sources and supporting the achievement of any target specified in an enactment for the share of energy from renewable sources.*

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What is the EBR?

The Electricity Balancing Regulation (EBR) is a European Network Code introduced by the Third Energy Package European legislation in late 2017.

The EBR regulation lays down the rules for the integration of balancing markets in Europe, with the objectives of enhancing Europe's security of supply. The EBR aims to do this through harmonisation of electricity balancing rules and facilitating the exchange of balancing resources between European Transmission System Operators (TSOs). Article 18 of the EBR states that TSOs such as the NESO should have terms and conditions developed for balancing services, which are submitted and approved by Ofgem.

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 facilitate the Applicable Objectives versus the current baseline?	Mark the Objectives which you believe the Original Solution better facilitates than the current baseline:	
		Original	☒ i ☒ ii ☐ iii ☒ iv ☒ v ☐ None
		Click or tap here to enter text.	
2	Do you support the proposed	☒ Yes ☐ No	

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	implementation approach?	We support this approach, as we believe connections reform has introduced significant delays to project delivery. Without the flexibility to defer connection dates, some projects may become commercially unviable.
3	Do you have any other comments?	We think it needs to be noted that this mechanism may end up blocking the queue if people submit a request to delay their connection date when it is not truly needed due to delivery purposes.
4	Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?	☐ Yes (the request form can be found in the Workgroup Consultation Section) ☒ No Click or tap here to enter text.
5	Does the draft legal text satisfy the intent of the modification?	☒ Yes ☐ No Click or tap here to enter text.
6	Do you agree with the Workgroup's assessment that the modification does not	☒ Yes ☐ No

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	impact the Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the Code?	Yes, we agree with the workgroup that the modification does not impact the Electricity Balancing Regulation (EBR) Article 18 terms. Allowing projects to defer their connection dates does not reduce their likelihood of participating in the balancing market. It may increase participation by enabling projects that might otherwise become commercially unviable due to an inability to meet their original connection date to remain viable and ultimately connect to the system.
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Specific Workgroup Consultation questions

7	What submission mechanism (post offer negotiation or a formal modification application route) is most appropriate to process a Completion Date Delay Request for Users that have not accepted a Gate 2 Offer?	We believe the most appropriate approach would be via a request submitted to NESO, not a formal modification application. This process should, however, be limited to only amending the connection date to avoid additional delays and enable connection dates to be deferred more efficiently.
8	Would you anticipate using the Connection Date Delay process to change your Gate 2 modification Offer?	☒ Yes ☐ No

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9	If yes to question 8, for what reasons?	We would use the Connection Date Delay process due to having projects with upcoming connection dates that are not ready to connect due to extensive delays (e.g. planning consent) and uncertainty caused by connections reform.
10	Do you believe the legal text is sufficiently clear without requiring supporting information within the Gated Modification Guidance?	☒ Yes ☐ No Click or tap here to enter text.
11	Would you propose any variations to the supporting information within the updated Gated Modification and Queue Management Guidance (see Annex 7 and 8)?	No, we think the associated guidance is thorough and provides enough detail.
12	Are there any ramifications from excluding DNO embedded projects that are not already catered for in the separate connections process?	No, we do not believe there would be any significant ramifications from excluding embedded generation from the CMP471 process. As discussed at the workgroup, embedded generation projects already benefit from greater flexibility through their relevant DNO in regard to their connection date and are generally able to connect after the connection date specified in their connection offer. As a result, they are

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		unlikely to require access to the proposed connection date change mechanism.
13	If the NESO securities delay proposal were to be progressed, could it potentially resolve the concerns in relation to your relevant projects, or do you feel that a date change mechanism proposed with CMP471 would be more useful in respect of your projects?	We believe the connection date change mechanism proposed in CMP471 would still be necessary, as it addresses a different issue from a securities delay. While a securities delay may provide additional flexibility, some developers would still be unable to achieve their existing connection date. We therefore agree with the Working Group that the most effective and equitable approach is for CMP471 and a securities delay mechanism to operate alongside one another, providing developers with both greater flexibility and increased certainty.
14	The Original proposal includes 60 Business Days for NESO to respond to a Connection Date Delay Request. Do you believe this is: a) too long, b) about right, or c) too short – and why?	☐ Too Long ☒ About right ☐ Too short We believe that 60 Business Days provides an appropriate timeframe for responding to a connection date delay request. This allows NESO sufficient time to undertake any assessments and complete the required work to determine whether a delayed connection date can be accommodated.
15	In CUSC 18, there is currently no proposed legal text describing the interaction between a Gate 2 Modification Offer	Yes, we think that clarity is required surrounding this topic on if G2 offers need to be signed despite a developer seeking a connection date delay. Whilst we believe the Gate 2 offer should remain valid but be reissued with a revised connection date, more clarity is

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	validity period (3 months) and a Connection Date Delay Request which is made within that period. Do you believe there should be explicit drafting on this topic, and what that relationship should be?	needed on if the Gate 2 offer would be cancelled, the acceptance period paused, or the acceptance period extended.
16	Do you perceive any benefits or drawbacks to not including explicit provision for consequential updates to the Appendix J Construction programme in line with any delay to the Completion Date arising from this mechanism?	We believe there are drawbacks to not updating Appendix J as part of the connection offer delay process. Leaving Appendix J unchanged would create uncertainty for developers regarding their construction timelines and the obligations expected of them. Where a connection date is deferred, it would be more appropriate to update Appendix J accordingly, providing developers with a complete and accurate view of their project position, key milestones, and ongoing requirements.
17	Do you perceive any interactions with commercial frameworks, such as Government's Contract for Difference (CfD) or Capacity Market (CM)?	There may be some interaction with CfDs and CM. If a project delays its connection date, then it may be outside of the CfD delivery window, resulting in the project losing its CfD. The situation is the same for CM in that the project may need to give up its CM participation if the connection date is delayed beyond when the project is required. Developers would need to be mindful of this when requesting connection date

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		delays to ensure this doesn't have a material impact on the project itself, CfDs or CM participation.
18	Do you agree that 20 Business Days after receipt of a relevant Offer, or 20 Business Days beginning 10 days following the Implementation Date is sufficient to submit the required Completion Date notices to NESO?	We believe that 20 business days is an adequate timeframe for developers to submit this information to NESO. This timeframe is sufficient for developers but will also reduce further delays in the process.