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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](mailto: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](mailto:cusc.team@neso.energy)

| Respondent details                             | Please enter your details                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                   |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Respondent name:</b>                        | John Gaffney                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                   |
| <b>Company name:</b>                           | Northland Power                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                   |
| <b>Email address:</b>                          | John.Gaffney@Northlandpower.com                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                   |
| <b>Phone number:</b>                           | Click or tap here to enter text.                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                   |
| <b>Which best describes your organisation?</b> | <input type="checkbox"/> Consumer body<br><input type="checkbox"/> Demand<br><input type="checkbox"/> Distribution Network Operator<br><input checked="" type="checkbox"/> Generator<br><input type="checkbox"/> Industry body<br><input type="checkbox"/> Interconnector | <input type="checkbox"/> Storage<br><input type="checkbox"/> Supplier<br><input type="checkbox"/> System Operator<br><input type="checkbox"/> Transmission Owner<br><input type="checkbox"/> Virtual Lead Party<br><input type="checkbox"/> Other |

I wish my response to be:

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(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 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:

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- 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.*

### 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.

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**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?                                                                                | <p>Mark the Objectives which you believe the Original Solution better facilitates than the current baseline:</p> <table border="1"> <tr> <td>Original</td> <td> <input checked="" type="checkbox"/>i   <input type="checkbox"/>ii   <input type="checkbox"/>iii   <input checked="" type="checkbox"/>iv   <input type="checkbox"/>v<br/> <input type="checkbox"/>None </td> </tr> </table> <p>Dealing with these delay requests as part of the Gate 2 Offer process will lead to significant overall efficiencies for NESO, TOs and Users by avoiding these delay requests occurring in the first Gated Modification Window. Tackling these as part of the Gate 2 Offer process saves opening an additional process to address date changes, which will inevitably be required..</p> <p>This approach shall also give NESO/TOs the earliest possible sight of true project connection timeframes ensuring increased efficiency in planning &amp; progression of TO works.</p> | Original | <input checked="" type="checkbox"/> i <input type="checkbox"/> ii <input type="checkbox"/> iii <input checked="" type="checkbox"/> iv <input type="checkbox"/> v<br><input type="checkbox"/> None |
| Original                                  | <input checked="" type="checkbox"/> i <input type="checkbox"/> ii <input type="checkbox"/> iii <input checked="" type="checkbox"/> iv <input type="checkbox"/> v<br><input type="checkbox"/> None |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |          |                                                                                                                                                                                                   |
| 2                                         | Do you support the proposed implementation approach?                                                                                                                                              | <p><input checked="" type="checkbox"/>Yes</p> <p><input type="checkbox"/>No</p> <p>Click or tap here to enter text.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |          |                                                                                                                                                                                                   |
| 3                                         | Do you have any other comments?                                                                                                                                                                   | <p>Many of the delays to project schedules have been driven by Connection Reform process delays. It has already been recognised that Connection Reform delays may require projects to have their queue management milestones deferred to later dates</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          |                                                                                                                                                                                                   |

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|  |  | <p>(QMM Exceptions Process already accommodates this). It follows that Connection Reform delays will also have impacted the Connection Dates that (some) projects are able to meet – as such, a mechanism like CMP471 is required to enable Connection Dates to be aligned with project delays driven by Connection Reforms. It is not logical to allow QMM changes driven by Connection Reform delays and not allow Connection Date delays.</p> <p>Given the delays described above are not project driven, then it is only reasonable that correction to Connection Dates is achieved in the most efficient way possible and avoid the need &amp; costs for Users to immediately submit a formal gated mod app having just signed a Gate 2 offer.</p> <p>It is also important to note, and we would ask NESO to do so, that Connection Reform delays don't necessarily result in like-for-like project delays. Some project development activities are seasonal, e.g. expensive offshore ground investigations, and may need to be delayed 12months (or more) for a much shorter delay in receiving a Gate 2 offer. Where evidence of such non-like-for-like delays can be provided by the developer, then this must be accounted for when agreeing updated queue management milestones and Connection Dates. This point should be considered and articulated in any update to queue management guidance.</p> <p>With regard to subsequent years – we'd like to point out the risk of <b>not being able to Mod App in advance of Trigger Date</b> could reoccur in future years. For example, if NESO only hold a single Gated Window in a given year, and it is not ~9months+ in advance of</p> |
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|   |                                                                                                  | <p>01/04/## then parties may not receive their gated mod offer in advance of their trigger date. It is highly recommended that this is considered by NESO in determining the number and timing of future Gated Application Windows.</p> <p>Finally we note that NESO are considering freezing securities for parties that have Trigger Dates of 01.04.27 (given parties inability to Mod App in time). Whilst this would be welcome, we feel that BOTH security AND liability should be frozen, not just security. In a business-as-usual (BaU) scenario Users are able to Mod App (to delay Connection Dates) to ensure BOTH securities and liabilities better marry with their evolving project schedule – the issues arising from Connection Reform delays have deprived Users of this BaU process – we consider this to be unreasonable, penalising Users when the issues have been created by Connection Reform delays.</p> |
| 4 | Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider? | <p><input type="checkbox"/> Yes (the request form can be found in the <a href="#">Workgroup Consultation Section</a>)</p> <p><input checked="" type="checkbox"/> No</p> <p>Click or tap here to enter text.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 5 | Does the draft legal text satisfy the intent of the modification?                                | <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|   |                                                                                                                                                                                     | Click or tap here to enter text.                                                                           |
| 6 | Do you agree with the Workgroup's assessment that the modification does not impact the Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the Code? | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br>Click or tap here to enter text. |

### Specific Workgroup Consultation questions

|   |                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| 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? | <p>We believe, to keep processes as efficient as possible, that post offer negotiation should be used in place of a need for a formal modification application.</p> <p>Where project delays are driven by Connection Reform delays then Users, who have already suffered significant uncertainty/delay, should not have to face further uncertainty and costs associated with a formal modification application process.</p> |
| 8 | Would you anticipate using the Connection Date Delay process to change your Gate 2 modification Offer?                                                                                                        | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                                                       |

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| 9  | If yes to question 8, for what reasons?                                                                                                                 | We would use this process where projects have had to delay development works due to Connection Reform Connection Date uncertainties that have been significantly exacerbated by Connection Reform delays.                                                                                                                                                                                                                                                                                                                                                                 |
| 10 | Do you believe the legal text is sufficiently clear without requiring supporting information within the Gated Modification Guidance?                    | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><br>We are unsure, but see no harm in providing whatever supporting information might be available.                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11 | Would you propose any variations to the supporting information within the updated Gated Modification and Queue Management Guidance (see Annex 7 and 8)? | Further to our response to question 3, we believe relevant guidance documents should recognise that delays to Connection Reforms don't necessarily result in like-for-like project delays. We believe that the guidance document should acknowledge that some project development works may be seasonal in nature and that there will be instances where project delays due to Connection Reform delays are greater than like-for-like. We believe that, where this can be evidenced, then queue management milestone and Connection Dates should be updated accordingly. |
| 12 | Are there any ramifications from excluding DNO embedded projects that are not already catered for in the separate connections process?                  | No response.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 13 | If the NESO securities delay proposal were                                                                                                              | We believe that the CMP471 mechanism would be more useful, this is because it will provide much earlier                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



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|    | 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? | certainty of the revised Connection Date (and QMMs) that our projects, TO and NESO are working towards. This in turn ensures we can commit to project development activities and obtain serious supply chain engagement for our projects.                                                                                                                                                                                                         |
| 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?                              | <input type="checkbox"/> Too Long<br><input checked="" type="checkbox"/> About right<br><input type="checkbox"/> Too short<br><p>It is a little unclear to us if parties would work to address other (no Connection Date) related issues with the original Gate 2 offer in parallel with NESO/TO work to assess the delay request. It would seem sensible to do so, but it would be good to have some guidance for all parties on this point.</p> |
| 15 | In CUSC 18, there is currently no proposed legal text describing the interaction between a Gate 2 Modification Offer validity period (3 months) and a Connection Date Delay Request which                            | This question is related to the text we provided in response to the previous question. If guidance was to state that parties should continue to negotiate the non-date related parts of the Gate 2 offer in parallel with the assessment of the delay request, then perhaps the validity period on receipt of the update Gate 2 offer (with new Connection Date, if accommodated) could be a little shorter than 3monts. We believe that this     |

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|    | is made within that period. Do you believe there should be explicit drafting on this topic, and what that relationship should be?                                                                                           | should either be codified or included in the appropriate guidance note.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 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? | It would seem highly likely that the dates in Appendix J would need to be updated in instances where delay requests can be accommodated. It would seem disjointed and inefficient to update Connection Dates and leave Appendix J dates unchanged. If there is a credible rationale for not updating Appendix J dates at the same time, then there should be guidance to encourage these to be negotiated asap between parties – but not requiring a Mod App, as this would immediately strip out the efficiencies that CMP471 delivers. |
| 17 | Do you perceive any interactions with commercial frameworks, such as Government's Contract for Difference (CfD) or Capacity Market (CM)?                                                                                    | Only that it would be helpful to quantify the extent to which delays are NESO/TO/Connection Reform delay driven as opposed to solely project driven delays. This may be required to ensure developers are able to identify, under their support contracts, where connection delays have occurred outwith their control                                                                                                                                                                                                                   |
| 18 | Do you agree that 20 Business Days after receipt of a relevant Offer, or 20 Business Days beginning 10                                                                                                                      | Yes, that should be sufficient if the means of notification is straight forward.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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|  | days following the Implementation Date is sufficient to submit the required Completion Date notices to NESO? |  |
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