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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:	Gareth Williams	
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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
		Applicable Objective (i) We acknowledge the concerns raised regarding the potential misalignment between a projects program and the TOs program resulting from the G2tWQ process. However, we are not currently persuaded that the defect and proposal have been sufficiently evidenced to demonstrate that the proposed modification is the most efficient and proportionate solution.	

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		G2tWQ is being delivered by NESO, TOs and DNOs in line with the TMO4+ decision taken by Ofgem and is supported by the Joint Industry Plan (JIP). Introducing an additional Completion Date Delay process at this stage would create further complexity and will invalidate any assurance given by NESO and TOs that G2tWQ JIP is deliverable. We note that the argument for this change is based on the April 2027 trigger for securities, liabilities and capital contribution payments. There is limited evidence the User or NESO can deliver the required contractual updates prior to these changes being processed by TOs and NESO months ahead of the April 2027 date. Implementation of CMP471 as proposed will create a material risk to the delivery of the JIP through accommodating potentially large volumes of delay requests. Applicable Objective (ii) We recognise the concerns raised regarding the challenges some Users may face in aligning their project programs with TO delivery programs during the G2tWQ process. However, we do not consider that the proposed solution is necessary to facilitate effective competition. During the implementation of Connections Reform, a number of mechanisms were introduced to help Users manage project delivery risk. These included the transition ‘pause’ process from Jan 2025 to May 2025 and the accompanying exceptions process, both providing an opportunity for Users to review and amend a projects scope prior to implementation of CMP435. Project Protections were also introduced to assure qualifying projects that they could continue to deliver.
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		Therefore, we are not persuaded that the current proposal is likely to facilitate more effective competition than the current baseline. Applicable Objective (iii) Neutral Applicable Objective (iv) The current G2tWQ process was developed through extensive industry engagement and is being delivered through the JIP. Introducing a new modification process at this stage will add complexity to an already resource intensive programme, necessitating delays to delivery. Little evidence has been provided to substantiate the timelines in the proposal. Or that the risk associated with misaligned programs and the April 2027 trigger for capital contributions, securities and liabilities can be mitigated through contract management between September 2026 and January 2027. The payment processes being dependent on a signed agreement between all parties. Therefore, we do not consider the proposal to better facilitate efficiency in implementation and administration of the CUSC arrangements than the current baseline.
2	Do you support the proposed implementation approach?	☐ Yes ☒ No Whilst we recognise the concerns raised by the proposer and the need for a timely implementation, we do not consider the proposed implementation approach is realistic, practical or proportionate in

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		the context of ongoing Connection Reform activities. NESO and TOs are currently focused on delivering to the JIP program and the issuance of Gate 2 Offers in accordance with the TMO4+ decision from Ofgem. The resources required to design, implement, govern and operate a new temporary modification process are limited and are already fully engaged on delivering G2tWQ offers. TOs have provided assurance to DESNZ regarding deliverability of the JIP. Introducing a new modification process at this stage creates a material risk to the JIP, with a potentially significant volume of completion date delay requests. In our view approval of this modification would invalidate the assurances provided to DESNZ to date, requiring reassessment and delays to the JIP. The proposed implementation timescale of 10 business days following an Authority decision is not achievable. Unless NESO and TOs undertake implementation activities at risk ahead of a decision, it is impossible to see how the necessary processes, governance and internal assurance activities could be developed and implemented within 10 business days. Even if NESO and TOs were willing to proceed at risk, the resources required are currently fully committed to the delivery of the JIP and Gate 2 Offers. We also note that the proposal does not consider how the additional implementation and operational
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		costs associated with the process will be funded. Given the resource intensive nature of the proposal and the assumption this process can effectively run alongside Phase 2 Offers, a clear assessment of funding and cost recovery arrangements would be required. In our view the objectives identified by the proposer could be addressed through alternative mechanisms that present lower delivery risks. Refer to Question 4. For example, NESO and TOs to be given sight of Phase 1 and Phase 2 completion date delays ASAP. These must be before commencing Phase 2 studies in the case of NGET and SPT, to provide an opportunity to account for these in the current plan. In addition, a dedicated, time-limited application window following the completion of the G2tWQ offer process would enable completion date amendments to be considered without introducing additional complexity during a critical phase of Connections Reform delivery. For these reasons, SPT considers that the implementation approach requires further consideration and must be adequately evidenced.
3	Do you have any other comments?	While we recognise that CMP471 will help User's delay their connection dates, there is also a risk it will negatively impact on TOs T3 delivery programs. While projects have been considered holistically to date in G2tWQ, reassessment of individual connection date delays and impacts on allocated

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		resources would need to be considered. This could result in a change to the User's completion date, but no change to the completion date of TO works. This would mean User's see the expected financial benefits. This modification will also have a negative impact on our supply chain as it is uneconomical and poor relationship management to stop and start the procurement process. Again, the TO could explore continuing with the works, only delaying the completion date of the User works. There is also the risk of TOs failing to meet their Connections ODI if Completion Date Delay Requests are not included in the exemptions for the ODI. NESO applies to the TO using the Scheme Briefing Note (SBN) (STCP 18-1 Appendix B1), which includes the 'Requested Completion Date'. The principle being TOs will look to issue on offer with a completion date on or after this date. This principle should be maintained in all applications from NESO. It is not clear from the workgroup consultation and update guidance whether a Completion Date Delay Request aligns with this principle.
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 SP Transmission is unable to raise a Workgroup Alternative, as TOs are not permitted to raise

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		workgroup alternatives under the CUSC modification process. Notwithstanding this, we believe there are alternative approaches that could address the concerns identified by the proposer whilst minimising impacts on the delivery of the JIP and TO construction programs. SPT are open to working with NESO and other workgroup parties on considering these Alternatives further. Potential Alternative 1 We believe Ofgem should have an option to quickly approve a solution with minimal disruption to Phase 2 Offer production for SPT and NGET. Therefore, we propose a short, time-limited application window, consistent with the timescales proposed under CMP471, through which Users could notify NESO of a completion date delay. NESO could then use this information to update the Batched Scheme Briefing Note and allow TOs to account for the latest developer requested date during preparation of Phase 2 Offers. This would avoid the need for a separate modification process. For the avoidance of doubt, we consider Ofgem should have an option to address Phase 2 offers directly. Information on Phase 1 delay requests would be gathered at the same time to support Phase 2 Offers. But Phase 1 would need to be addressed through a subsequent CUSC modification proposal, CMP434 window or process initiated by NESO.
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		This alone may be challenging for NESO to implement, hence why this Alternative would be extremely narrow in scope, allowing a timely conclusion to CMP471 workgroups and quick Ofgem decision. This approach is entirely dependent on G2tWQ Phase 2 offer timescales and therefore would require an immediate Authority decision with NESO preparing at risk. In order for this to successfully deliver the objectives of CMP471, consideration would need to be given to having a hard back-stop date for an Ofgem decision. Given SSENT's JIP timeline, they would not benefit from this approach first time around. Potential Alternative 2 Building on the above, a further option would be to combine this early time-limited application window, which addresses information provision to SPT and NGET for Phase 2 offers, with a dedicated, time-limited application window following completion of the TOs offer process in G2tWQ, in Q1 2027. In other words, a Phase 3 of the JIP. This would provide an opportunity for Users who have received a Phase 1 Offer to seek completion date amendments, once immediate pressure associated with the JIP has reduced. In our view this would enable the required amendments to be considered more efficiently whilst minimising risk to delivery of the JIP, resource and wider objectives associated with Connections Reform (such as Demand, AI GZs, CfD AR8 etc).
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		Whilst we acknowledge this does not address User's risk associated with misaligned programs and payment milestones (across Capital Contribution, Securities and Liabilities), we do not believe this risk is mitigated through the original proposal either. This is due to NESO and TO timescales to prepare the inputs for these invoices prior to the April 2027 trigger. At this time, we have been unable to ascertain what the final drop-dead date that NESO need to receive signed agreements by for securities, liabilities and capital contributions to be invoiced in line with the Gate 2 Agreement.
5	Does the draft legal text satisfy the intent of the modification?	☒ Yes ☒ No
		For CMP471, the draft legal text does satisfy the intent of the modification, however, we do not agree that the modification better facilitates the applicable objectives.
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?	☒ Yes ☐ No
		We agree that the modification does not impact the European Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the code.

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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?	Where Users have not accepted a Gate 2 Offer, they will fall to Gate 1 and will have to re-apply at the next application window. SPT take the view that the offer should be accepted prior to a further modification. Gate 2 Offers through the G2tWQ exercise have been progressed based on the information submitted by NESO to TOs in the Batched Scheme Briefing Note. Any modification to that information would either require an acceptance and subsequent modification or a fresh 'clock start'. SPT's ask is that changes to the connection date in the TOCA are progressed in a manner consistent with our obligations under Transmission Owner Special Licence Condition 4.4, Connection Output Deliver Incentive. This specifies that Completion Date changes must be processed through a modification application from NESO. Any alternative mechanism, if to be approved by the Authority, will require an accompanying direction from Ofgem to address TO concerns on this matter.
8	Would you anticipate using the Connection Date Delay process to change your Gate 2 modification Offer?	☐ Yes ☐ No N/A
9	If yes to question 8, for what reasons?	N/A This question is for Users to respond to.
10	Do you believe the legal text is sufficiently clear without requiring supporting	☐ Yes ☒ No

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	information within the Gated Modification Guidance?	If CMP471 is approved, we believe that the supporting information within the draft Gated Modification Guidance is required to make it clear that the Completion date delay request will be assessed by TOs within the prescribed timescales and their expert opinion will determine if the change will be approved. Additional guidance is required to provide that clarity (see below).
11	Would you propose any variations to the supporting information within the updated Gated Modification and Queue Management Guidance (see Annex 7 and 8)?	NESO applies to the TO using the Scheme Briefing Note (SBN) (STCP 18-1 Appendix B1), which includes the 'Requested Completion Date'. The principle being TOs will look to issue on offer with a completion date on or after this date. This principle should be maintained in all applications from NESO. Any delay request must fall within defined network impact limits, which should be set out clearly in the Gated Modification Guidance. The guidance should specify the circumstances in which a CDDR may not be granted following a TO assessment.
12	Are there any ramifications from excluding DNO embedded projects that are not already catered for in the separate connections process?	We are unaware of any ramifications from excluding DNO embedded projects that are not already catered for in the separate connections process.
13	If the NESO securities delay proposal were to be progressed could it potentially	N/A – this question for Users to answer.

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	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?	
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 A Connection Date Delay Request would, in practice, be comparable to those undertaken for a Modification Application. Existing BAU modification timescales currently allow 2 months and 14 days for TO activities alone, equating to 61 business days. The proposed 60 business days does not appear to account for the additional activities required by NESO to prepare the BCA. But fundamentally, the proposal does not sufficiently recognise the operational context in which these requests would be processed. The proposed timescales assume that the Connection Date Delay Requests can be assessed broadly in parallel with existing Gate 2 Offers. However, it does not account for the resource capacity across NESO and TOs. The proposal has not attempted to quantify the potential volume of requests that may be submitted. Without a clear understanding of the likely

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		number, and complexity, of these applications it is impossible to assess whether the proposed 60-day time scale is achievable. We are also concerned that the proposal does not adequately consider the interaction with the JIP. NESO and TOs have provided assurance to DESNZ that the current program is deliverable. Any additional process introduced at this stage would inevitably compete for the same NESO and TO resources. The proposed implementation timetable further compounds this challenge. Given the short period between an Authority decision and implementation, any additional resource would likely need to be recruited or procured and trained, ahead of approval and is therefore a risk. There is currently no associated certainty that these costs would be recoverable. Therefore, the absence of a robust impact assessment significantly limits confidence in the deliverability of the proposed process and timescales. SPT does not consider that the proposed 60 business days for NESO to respond is achievable and too short.
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	SPT consider that explicit drafting is required to define the interaction between a Gate 2 Offer validity period and a Connection Date Delay Request submitted during this period. Consideration would need to be given to the proposed drafting and the TOCO validity period, as any extension of Gate 2 offer acceptance timescales would have impacts on the TO. It also must be recognised

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	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?	that such extensions would have impacts on other G2tWQ processes, such as TO considerations for Gate 1 (without Reservation) projects. This topic does not exclusively sit within the CUSC and must be considered under the STC and STCP. Consideration must also be given to if or how this proposal, or alternatives may interact with a future application window under CMP434. Before this future application window TOs require clarity on the contracted background. SPT believes that further consideration should be given to explicit drafting within the legal text and any extension to the TOCO validity period within STCP discussions.
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?	SPT would update Appendix 6 TO construction program and outages. Any delay to the Completion date arising from this mechanism would trigger programme/cost profile updates.
17	Do you perceive any interactions with commercial frameworks, such as Government's	This modification proposal will necessitate a delay to the Joint Industry Plan. This will have implications for CfD AR8 Gate 2 offers.

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	Contract for Difference (CfD) or Capacity Market (CM)?	
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?	This is for Users to consider. For SPT any extension of this timescale would have knock on impacts on our ability to consider Connection Date Delay Requests for Phase 2 Offers.