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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:	Harriet Eckweiler	
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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 ☒ None
		☐ None SSEN Transmission does not consider that the Original Proposal better facilitates the Applicable CUSC Objectives when compared with the current baseline. We recognise and understand the concerns raised regarding the alignment of contractual Completion Dates with project delivery programmes. However, we are not persuaded that	

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		that the proposed solution represents the most efficient and proportionate way to address the issue. Gate 2 to the Whole Queue is currently being delivered by NESO, TOs and DNOs, in line with the Joint Industry Plan (JIP). Across the industry, significant resource is being deployed to undertake system studies and develop Gate 2 offers within tight timescales. The Original Proposal would increase the complexity of the programme delivery and divert critical resource away from ongoing Gate 2 assessments and offer production activities. In practice, implementation of the proposed modification would result in delays to the delivery of revised Gate 2 offers and to the timelines set out within the JIP. This would subsequently also impact the timescales for opening the first TMO4+ application window. The proposal also interacts with wider industry activities happening over the same period. In particular, Gate 2 offers will provide customers with certainty to support future allocation rounds and investment decisions. Delays to the issuing of revised offers could therefore have consequential impacts on customers seeking to participate in upcoming market mechanisms.
2	Do you support the proposed	☐ Yes ☒ No

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	implementation approach?	We do not support the proposed implementation approach. As noted above, the proposed process would require to be established and delivered alongside an already complex and time-critical G2TWQ programme. It would require NESO and TOs to assess delay requests, assess the impacts on network and outage planning, including the impact on other Users, and would require further updates and issuing of revised offers, whilst also managing technical and customer queries relating to Gate 2 offers. Introducing an additional Completion Date Delay process during this period would create competing resource demands, increase operational complexity and subsequently delay Gate 2 outcomes. SSEN Transmission believes that delivering revised Gate 2 offers and maintaining momentum in delivering these should continue to be the focus, and priority. Any routes to enable connection date delays should not impact this programme and activity.
3	Do you have any other comments?	SSEN Transmission acknowledges the issue identified by the Proposer and the importance of contractual Completion Dates aligning with project delivery programmes. Any changes, however, should be targeted and clearly bounded, supported by evidence and capable of being implemented without compromising the delivery of G2tWQ, the Joint Industry Plan or wider customer requirements arising from Connections Reform. SSEN Transmission also notes that under Connections

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		Reform, CP30 capacity was allocated and the Gate 2 queue established using project connection dates as a key input. The proposal does not currently set out any clear parameters or limits on allowable delay periods.
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 Transmission Owners are not permitted to raise a CUSC Workgroup Alternative Request. As outlined above, SSEN Transmission considers that industry focus should remain the continued delivery of Gate 2 to the Whole Queue (G2tWQ) outcomes, in line with the Joint Industry Plan. Should a targeted intervention be necessary ahead of the first application window, an alternative approach would be to consider requests for connection date delays through a formal NESO- led modification application process following completion of Phase 2 studies and issuance of offers. Such a process should be clearly documented, with a clear and transparent process to ensure consistency, fairness and visibility for all eligible customers. SSEN Transmission notes that any process, including this alternative, to enable connection date delays will have implications for the timing of the first TMO4+ application window. These

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		impacts should be fully considered when assessing any alternatives and its implementation timescales.
5	Does the draft legal text satisfy the intent of the modification?	☒ Yes ☐ No
		Overall, the legal text does satisfy the current intent and stage of the modification. This will need to be continuously reviewed as the proposal continues to be developed and with consideration of any changes.
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
		Yes. We agree that the modification does not appear to directly impact the EBR Article 18 terms and conditions held within the Code.

Specific Workgroup Consultation questions

7	What submission mechanism (post offer negotiation or a formal modification application route) is most appropriate to	If this proposal is progressed, it should be managed through a formal Modification Application route. A formal application route via NESO provides clear governance, transparency, auditability and consistency of treatment across Users. Consideration and details of
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	process a Completion Date Delay Request for Users that have not accepted a Gate 2 Offer?	how this interacts with the offer acceptance process and timescales will have to be addressed.
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
10	Do you believe the legal text is sufficiently clear without requiring supporting information within the Gated Modification Guidance?	☐ Yes ☒ No No, we believe the legal text requires supporting guidance and further clarification. In particular, the guidance should clearly set out eligibility, assessment criteria, evidence requirements, any parameters within which delays are allowable, treatment of accepted and unaccepted offers, consequences and timeframes for offer acceptance and validity, and the role of TO assessment. Without this supporting information, there is a risk of inconsistent expectations and inconsistent application and delivery.
11	Would you propose any variations to the supporting	In relation to the Gated Modification guidance a review should be undertaken to ensure clarity on the assessment process for connection date delays and

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	information within the updated Gated Modification and Queue Management Guidance (see Annex 7 and 8)?	circumstances where this may be rejected or an alternative proposed. This will ensure clarity and transparency as to how requests will be assessed and determined.
12	Are there any ramifications from excluding DNO embedded projects that are not already catered for in the separate connections process?	SSEN Transmission considers that excluding DNO embedded projects may create inconsistency between different categories of projects. Any approach must ensure that embedded projects are appropriately considered where they affect transmission network planning, reinforcement requirements, outage planning or the contracted background.
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?	A securities delay proposal may address part of the concern raised by Users, particularly where the immediate issue relates to security, liability or capital contribution exposure ahead of April 2027. SSEN Transmission believes that there is value in considering whether there are any targeted mitigations that could be implemented that would be more proportionate than introducing a Completion Date change mechanism through CMP471, provided they are clearly defined and do not undermine the delivery of G2TWQ.
14	The Original proposal includes 60 Business Days for NESO to respond to a Connection Date Delay Request. Do you	☐ Too Long About right ☒ Too short

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	believe this is: a) too long, b) about right, or c) too short – and why?	Whilst SSEN Transmission recognises the benefits of a clearly defined 60-day timeframe, we do not believe there is sufficient information on the volume of requests expected to demonstrate the appropriateness of the timeframe or that the proposed timeframe can be achieved without creating delivery risks. In addition, we do not believe that this gives sufficient consideration to the fact that this activity will be undertaken whilst connections reform activities continue, or the need for any engagement with customers when considering requests. Providing a timeline to respond aligned to a range (eg 60-90 days) would better reflect the practical realities of the assessment process, whilst providing transparency for customers.
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 is made within that period. Do you believe there should be explicit drafting on this topic, and what that relationship should be?	Yes. There should be explicit drafting covering the relationship between the Gate 2 Modification Offer validity period and any Completion Date Delay Request submitted within that period. The drafting should confirm whether the offer validity period is paused, extended or continues to run, and should clearly state the consequences where a request remains under assessment when the original offer validity period expires. This is essential to avoid uncertainty for Users, NESO and TOs.
16	Do you perceive any benefits or drawbacks	There are drawbacks to not including explicit provision for consequential updates to the relevant construction

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	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?	programme. If a Completion Date is delayed, any associated TO construction programme, outage requirements and delivery milestones may also need to be reviewed and updated. Failing to recognise this creates a risk of misalignment between the contractual Completion Date and the practical delivery programme.
17	Do you perceive any interactions with commercial frameworks, such as Government's Contract for Difference (CfD) or Capacity Market (CM)?	Yes. The proposal would interact with commercial frameworks such as CfD and Capacity Market arrangements where project delivery dates, milestones or offer timing affect customers wishing to submit bids, consider financing or delivery obligations.
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 do not agree that the proposed approach is sufficient or appropriate at this stage of Connections Reform. As noted above we are currently focused on delivery of Gate 2 offers as part of G2tWQ. Implementation of the proposed process would require NESO and TOs to establish and deliver this process, diverting resources away from these critical G2tWQ activities. As set out in our response to Question 4, should a targeted intervention be considered necessary, SSEN Transmission believes this would be more appropriately considered following each TOs completion of Phase 2 studies and issuance of Gate 2 offers, through a clearly defined and transparent NESO-

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		led modification process, with dates and timeframes for delay requests appropriately set up to reflect this. This would avoid disrupting the current delivery of Phase 2 studies and offers which SSEN Transmission is currently actively progressing.
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