

Workgroup Consultation Response Proforma**CMP427: Update to the Transmission Connection Application Process for Onshore Applicants**

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@nationalgrideso.com by **5pm on 26 January 2024**. 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 Catia Gomes catia.gomes@nationalgrideso.com or cusc.team@nationalgrideso.com.

| Respondent details | Please enter your details | |
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| Respondent name: | Fiona Casey | |
| Company name: | Scottish Hydro Electric Transmission plc | |
| Email address: | fiona.casey@sse.com | |
| Phone number: | 07880 983 562 | |
| Which best describes your organisation? | <input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network <input type="checkbox"/> Operator <input 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 checked="" 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☐ Confidential

Note: A confidential response will be disclosed to the Authority in full but, unless agreed otherwise, will not be shared with the Panel or the industry and may therefore not influence the debate to the same extent as a non-confidential response.

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

- The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;*
- 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;*
- Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and*
- 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 Workgroup Consultation questions | | |
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| 1 | Do you believe that the Original Proposal better facilitate the Applicable Objectives? | <p>Mark the Objectives which you believe each solution better facilitates:</p> <p>Original <input checked="" type="checkbox"/>A <input checked="" type="checkbox"/>B <input type="checkbox"/>C <input checked="" type="checkbox"/>D</p> <p>Objective A – Positive</p> <p>The LoA should act as a hurdle to spurious applications, meaning that the overall numbers of spurious applications should be somewhat lower. As an Onshore TO we welcome this as believe this will reduce the number of speculative applications in a timely fashion and should be a productive start to the suite of Connections Reform focussed code changes. To that end, it should have a positive impact on the efficient discharge of our obligations.</p> <p>Objective B – Positive</p> <p>By reducing the volume of spurious applications, the LoA should reduce the instances of valid projects being stalled behind spurious applications. To that end, it should have a positive impact on effective competition.</p> <p>Objective C – Neutral</p> <p>We believe the impact will be neutral, however we do note that the successful implementation of the LoA will mean industry achieving a recommendation from the Ofgem/DESNZ Connections Action Plan.</p> <p>Objective D – Positive</p> <p>Similar to Objective A, the benefits of this proposal should have a positive impact on the efficient management of the connections queue.</p> |
| 2 | Do you support the proposed implementation approach? | <p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>We agree with the push for a swift implementation of this modification, however we note ESO's intention to publish guidance for Users and landowners; the 10 business day implementation period may be useful additional time for ESO to collaborate with Workgroup members to develop and finalise this guidance in advance of go-live, if this</p> |

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| | | <p>guidance is not finalised sooner. We do not think the modification should be implemented before the guidance is finalised as this could cause some confusion for both industry and landowners.</p> <p>We are also keen to ensure that new processes to be carried out by the ESO (land registry checks etc.) in relation to LOAs are finalised and efficient prior to implementation.</p> |
| 3 | Do you have any other comments? | <p>We note the importance of ensuring the LoA process is robust and delivers efficiencies and benefits for industry. To this end, we welcome the ESO's intention to raise a separate, follow-up modification which will likely cover: duplication checks and processes; LoAs for Modification Applications, Offshore and Interconnector applications; and annual reviews with Users. We encourage ESO to explore whether discussion/debate of these issues could be brought forward prior to Ofgem's approval of CMP427 so that the implementation of any follow-up modification can happen sooner.</p> <p>We welcome further workgroup discussion on the scope to make the current modification more robust following the conclusion of this consultation.</p> |
| 4 | Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider? | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>We do not wish to raise any alternatives.</p> |

Specific Workgroup Consultation questions

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| 5 | Do you believe that the proposed LoA meets the objectives set out by Ofgem and DESNZ in CAP? If not, please provide your rationale. | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The CAP set out the requirement to codify the requirement for new connection applications to submit an LoA. The proposed LoA meets that requirement.</p> <p>The CAP also set out the requirement to review and consider options to strengthen the LoA requirements; the proposed separate follow-up CUSC modification should achieve this recommendation.</p> |
| 6 | Do you believe that an LoA should have a | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> |

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| | <p>validity period? If so, please provide a timescale and your rationale.</p> | <p>We feel that, once the new reformed connections process is implemented, it would be logical for any LoA 'apply by' validity period to reflect the time between application windows. This would allow a User to secure an LoA after closure of one application window for use in the next application window.</p> <p>Therefore in our view, if the reformed connections process is run on a 12-month frequency there should be an 'apply by' validity period of 12 months, for a 6-month frequency there should be an 'apply by' validity period of 6 months and for a 9-month frequency it should be 9 months.</p> <p>For the time being, prior to the introduction of the new reformed connections process, we feel a 12 month 'apply by' validity period would be appropriate.</p> <p>Once the User has applied (within the 'apply by' validity period), the LoA should remain valid until the User has secured land rights (or the project has been terminated).</p> |
| 7 | <p>Do you agree, in principle, with the concept of an Energy Land Density table? If not, please provide your rationale.</p> | <p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>We agree that this table is useful for the ESO to use for a quick sense-check as to whether the application seems appropriate and valid.</p> |
| 8 | <p>Do you agree with format and the categories proposed in the Energy Land Density table? If not, please provide your rationale.</p> | <p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>The format and categories seem sensible to us, but we note that feedback from Users will be more relevant/important for this question.</p> |
| 9 | <p>Do you have different values that you can provide for the Energy Land Density table? If so, please provide your rationale.</p> | <p><input type="checkbox"/>Yes <input checked="" type="checkbox"/>No</p> <p>These values are best provided by Users.</p> |
| 10 | <p>Do you believe that the LoA should be in the form of a standard template? If not, please provide your rationale.</p> | <p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>We strongly believe that a standard template is appropriate for a number of reasons:</p> |

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| | | <ul style="list-style-type: none"> • It will make the process quicker for landowners/Users as they will not need to draft and agree their own letter(s). • It will make the process quicker for ESO as they will only have to check that the correct template has been used and the letter has been signed, rather than undertaking a scrutinous line-by-line review of each LoA. • It removes any risk of any party unscrupulously or unintentionally adding any wording which later causes themselves or another party negative unintended consequences. |
| 11 | Do you believe the use of the word “authorise” within the LoA, could have adverse legal consequences? If so, please provide your rationale. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No We do not think that this wording should cause any adverse legal consequences. |
| 12 | Do believe the proposed LoA template is suitable for all jurisdictions (England & Wales, and Scotland)? If not, please provide your rationale. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We are not aware of any reason why the templates would not be suitable for use across all jurisdictions. |
| 13 | Do you believe that the technology type should be included in the LoA template? If you not, please provide your rationale. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The letter/process is slightly more robust if the landowner is made aware of and acknowledges the technology type. It is not at all onerous for the User to include a note of the technology type on the LoA. |
| 14 | Do you consider the exemption approach to deal with exceptional circumstances appropriate? If not please provide your rationale. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We agree that it is important that the LoA process does not unduly detriment any type of project and for that reason the exemption approach is sensible. |