

Workgroup Consultation Response Proforma

CMP435: Application of Gate 2 Criteria to existing contracted background

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 06 August 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 cusc.team@nationalgrideso.com

Respondent details	Please enter your details	
Respondent name:	John Greasley	
Company name:	Xlinks Morocco UK Power Project (MUPP)	
Email address:	John.greasley@xlinks.co	
Phone number:	07908520002	
Which best describes your organisation?	<input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network <input type="checkbox"/> Operator <input checked="" 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 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** (*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 Workgroup, Panel or the industry for further consideration*)

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*

d) *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.

Standard Workgroup Consultation questions		
1	Do you believe that the Original Proposal better facilitates the Applicable Objectives?	Mark the Objectives which you believe the Original solution better facilitates: Original <input checked="" type="checkbox"/> A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D We consider the proposal is neutral to Objective C
2	Do you support the proposed implementation approach? (See page- 57-58)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to comments below
3	Do you have any other comments? MUPP considers that the connections reform process should consider offshore 'mega' projects such as MUPP where the majority of assets are outside of the UK and its territorial waters. We consider that if CMP434/435 is implemented as per the Working Group consultation, there is a risk that MUPP will not be able to demonstrate in the specified timeframe that it has in place the land options required to satisfy Gate 2 criteria. MUPP is following the Development Consent Order (DCO) process in the UK to provide more confidence that it will secure the necessary Compulsory Purchase (CPO) powers. Our DCO application is due to be submitted later in 2024 and therefore any CPO powers would not be in place in time for the proposed process. We consider that this is an unintended consequence of the proposals, and alternatives should be in place to avoid unnecessary delays to projects such as MUPP. In these circumstances developers should be able to demonstrate tangible project progress via other means such as offshore surveys, DCO pre-application milestones and submission, clear progress towards financial close etc. We believe that this could be agreed between the developer and the ESO on a project-by-project basis. Without an alternative process it is likely that projects could be delayed, and investor confidence would be significantly eroded. We note that the Working Group consultation for CMP434 (page 48) makes specific reference to projects located overseas, but it is not clear to us that any specific accommodation is proposed for such projects.	
4	Do you wish to raise a Workgroup Consultation	<input type="checkbox"/> Yes (the request form can be found in the Workgroup Consultation Section) <input checked="" type="checkbox"/> No

Alternative Request for the Workgroup to consider?	
Click or tap here to enter text.	

Specific Workgroup Consultation questions

5	<p>Do you agree with the elements of the proposed solution for CMP435? <i>Please note that the application of these elements may be different to CMP434, therefore please answer the questions in respect to CMP435.</i></p> <p>Elements 2,4,6,7,12,15,17 and 18 are not part of the CMP435 Proposal and is only part of the CMP434 Proposal. Element 10 is proposed to be codified within the STC through modification CM095.</p> <p>Please provide rationale for your answer and any suggestions for improvement to each element?</p>	
	Element 1: Proposed Authority approved methodologies and ESO guidance (see Page 8-10,29)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Subject to full transparency, consultation and Authority approval	
	Element 3: Clarifying which projects go through the Primary Process (See pages 10-11,29-31)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	There should be alternative arrangements for offshore 'mega' projects where the majority of assets are outside of the UK and its territorial waters.	
	Element 5: Clarifying any Primary Process differences for customer groups (See pages 11-12,32)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Same comment as per Element 3	
	Element 8: Longstop Date for Gate 1 Agreements (See pages 12-13, 32-33)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
	Element 9: Project Designation (See pages 14-15, 33-34)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Any methodology for project designation must be transparent, fully consulted upon and approved by the Authority.	
	Element 11: Setting out the criteria for demonstrating Gate 2 has been achieved and setting out the obligations imposed once Gate 2 has been achieved (See pages 16-21, 34-39)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Subject to our response to Qu. 3	
	Element 13: Gate 2 Criteria Evidence Assessment (See pages 22-23, 39-40)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

	Subject to our response to Qu. 3	
	Element 14: Gate 2 Offer and Project Site Location Change (See pages 23-24, 40-41)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Subject to our response to Qu. 3	
	Element 16: Introducing the proposed Connections Network Design Methodology (CNDM) (See pages 24-25, 41-42)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	The Connections Network Design Methodology must be transparent, fully consulted upon and approved by the Authority.	
	Element 19: Contractual changes (See pages 26-28, 43-46)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	No response provided	
	Element 20: Cut Over arrangements (See page 28, 47)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	No response provided	
6	Are there any elements of the proposed CMP435 solution - as per Q5 - which you believe are not appropriate to include when you consider how to most effectively implement TMO4+ to projects in the existing contracted background (as opposed to the process for new applicants via CMP434)? If yes, please provide supporting justification.	<input type="checkbox"/> Yes <input type="checkbox"/> No
	No response provided	
7	In relation to Q6, are there any features which you believe are missing in the proposed CMP435 solution that would more effectively facilitate implementation of TMO4+ to the existing contracted background. If yes, please provide details and justification. No response provided	<input type="checkbox"/> Yes <input type="checkbox"/> No
8	Do you believe any groups of projects should be exempt from the scope of CMP435 or from some elements of the proposed solution? If so, please advise on which groups and elements and provide rationale to why.	<input type="checkbox"/> Yes <input type="checkbox"/> No
	No response provided	
9	Do you believe that the proposed solution could duly or unduly discriminate against any particular types of projects? If so, do you believe this is justified?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	As indicated above, processes need to be considered for offshore 'mega' projects. If this is not done then there is a risk that this type of project is unduly discriminated against which we do not believe is justified.	