

Public

CUSC Panel

Friday 13 December 2024

Online Meeting via Teams

Public

WELCOME

Purpose of Panel & Duties of Panel Members

The **Panel** shall be the standing body to carry out the **functions** referred to in CUSC – Section 8 CUSC Modification (8.3.3)

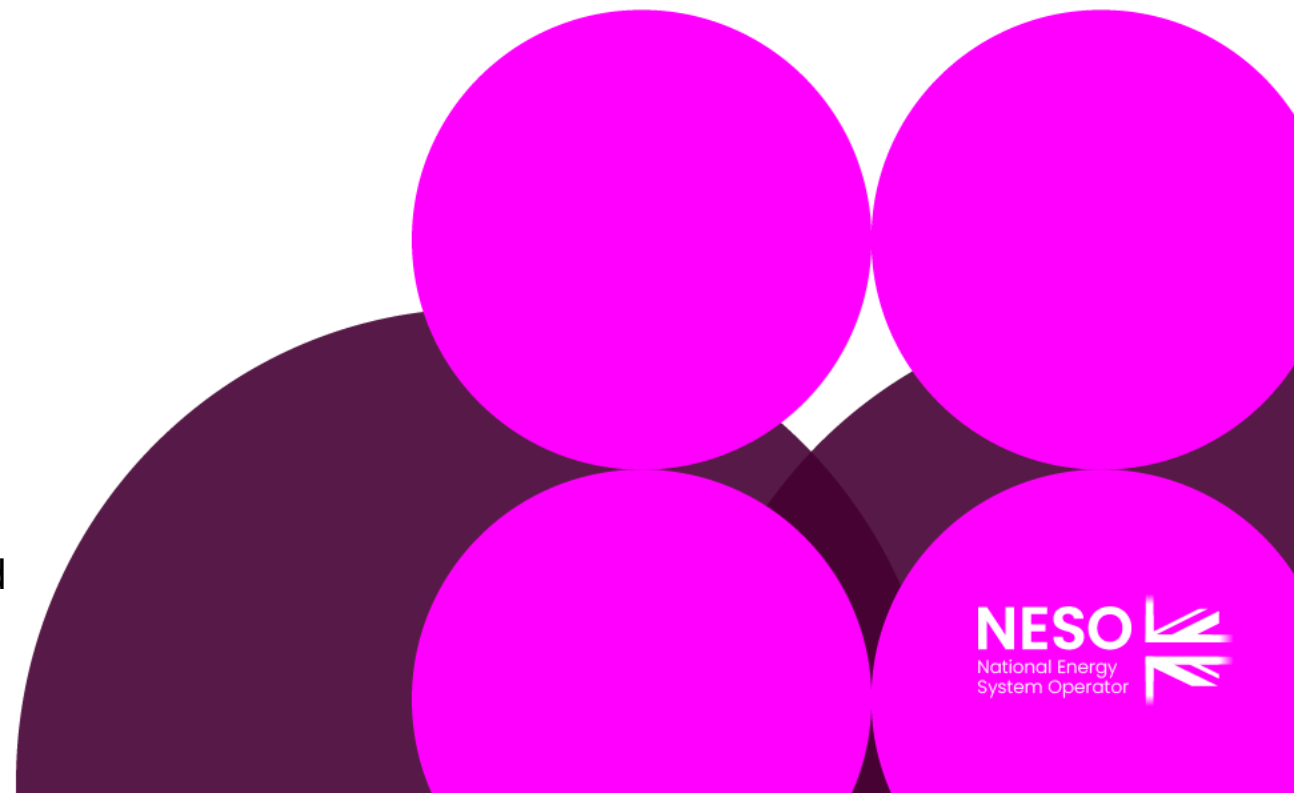
The **Panel** shall endeavour at all time to operate:

- In an **efficient, economical and expeditious manner**, taking account of the complexity, importance and urgency of particular CUSC Modification Proposals; and
- With a view to ensuring that the CUSC facilitates **achievement of the Applicable CUSC Objectives**.

Duties of Panel Members & Alternates (8.3.4)

1. Shall act **impartially** and in accordance with the requirements of the **CUSC**; and
2. Shall not have any **conflicts of interest**.

Shall not be representative of, and shall act without undue regard to the particular interests of the persons or body of persons by whom he/she was appointed as Panel Member and any Related Person from time to time.



Approval of Panel Minutes

Approval of Panel Minutes from the Meetings held

25 October 2024 and 08 November 2024

Public

Action Log

Chair's Update

Authority Decisions and Update (as of 05 December 2024)

Decisions Received since last Panel Meeting

- None received

Decisions Pending

Modification	FMR submitted	Expected Decision Date
CMP315 'TNUoS Review of the expansion constant and the elements of the transmission system charged for' and CMP375 'Enduring Expansion Constant & Expansion Factor Review'	07/02/2024	07/02/2025 (previously 29/11/2024)
CMP316 'TNUoS Arrangements for Co-located Generation Sites'	12/06/2024	24/01/2025 (Previously 29/11/2024 and 30/09/2024)
CMP330&CMP374 'Allowing new Transmission Connected parties to build Connection Assets greater than 2km in length and Extending contestability for Transmission Connections'	10/08/2023	TBC Subject to CMP414 send back
CMP397 'Consequential changes required to CUSC Exhibits B and D to reflect CMP316 (Co-Located Generation Sites)'	12/06/2024	24/01/2025 (Previously 29/11/2024 and 31/10/2024)
CMP403 'Introducing Competitively Appointed Transmission Owners & Transmission Service Providers (Section 14)'	11/06/2024	31/01/2025 (previously 30/09/2024)
CMP404 'Introducing Competitively Appointed Transmission Owners & Transmission Service Providers (Section 11)'	11/06/2024	31/01/2025 (previously 30/09/2024)
CMP436 'Update CUSC arrangements to replace the Electricity Arbitration Association with the London Court of International Arbitration (LCIA) (Non-Charging)'	07/08/2024	12/02/2025 (Previously 06/12/2024)
CMP437 'Update CUSC arrangements to replace the Electricity Arbitration Association with the London Court of International Arbitration (LCIA) (Charging)'	07/08/2024	12/02/2025 (Previously 06/12/2024)

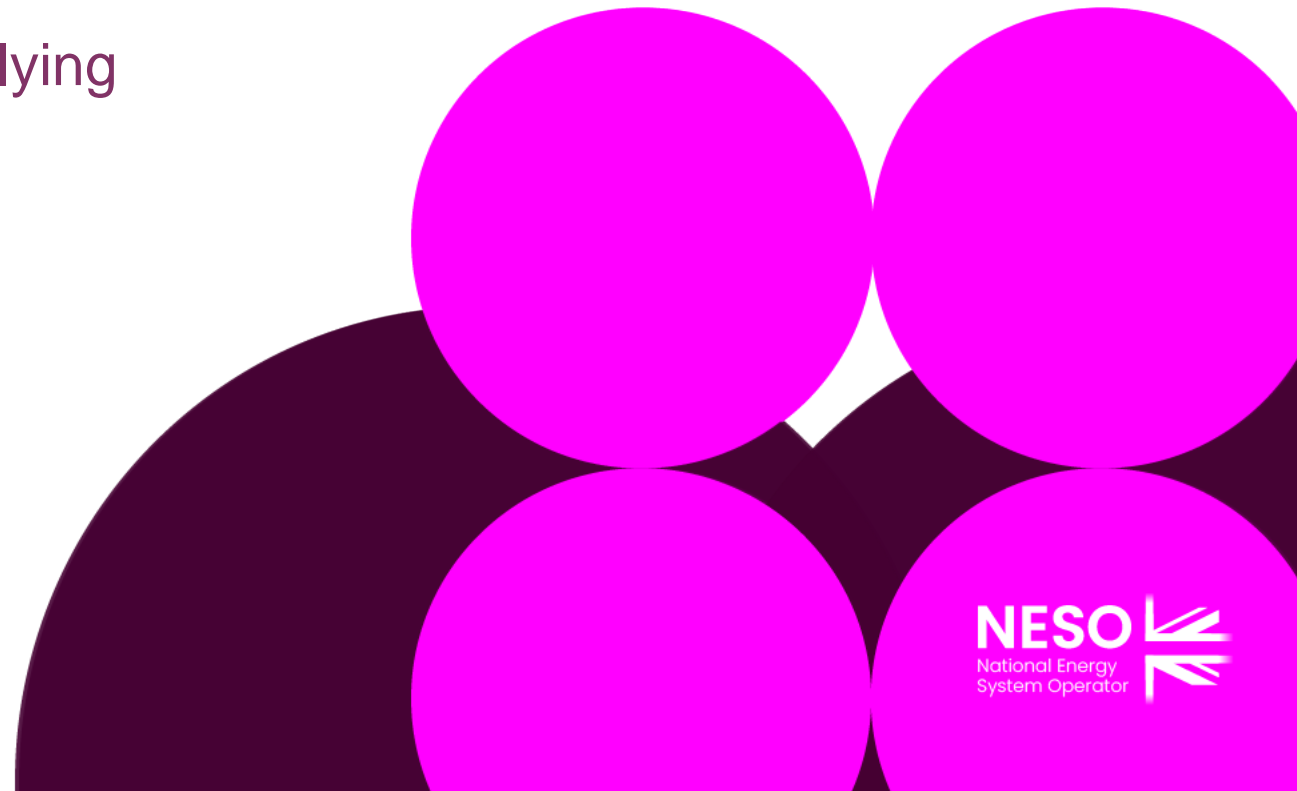
The Authority's publication on decisions can be found on their website below:

<https://www.ofgem.gov.uk/publications/code-modificationmodification-proposals-ofgem-decision-expected-publication-dates-timetable>

Draft Final Modification Report

CMP441 – Reducing the Credit risk of supplying
non-embedded Hydrogen Electrolysers

Catia Gomes



Code Administrator Consultation Responses

Summary of Code Administrator Consultation Responses :

Code Administrator Consultation was run from 29 October 2024 to 19 November 2024 and received 2 non-confidential responses Key points were:

- One respondent stated that the change would better facilitate ACO's a), b), c) and d). The respondent noted that the current discrepancy acts as a barrier in delivering large projects. The proposed solution protects a small number of legacy and dated use cases, whilst supporting growth in decarbonising the energy system.
- One respondent stated that the change would better facilitate ACO b). The respondent noted that this will provide consistency with the DCUSA and may facilitate more competition in Supply in some circumstances.

Legal Text issues raised in the Consultation

One respondent highlighted two issues:

- Two terms used within the legal text changes should be in bold as they are defined terms.
- The formulation of the implementation date is regarded as not optimal as it includes an absolute date, 25 January 2025. Any mention of an absolute date carries with it the “timing out” risk

Legal text as per Code Admin Consultation:

3.6.9.7 **Save for Non-Embedded Customers with Connection Sites connected after [1st January 2025 or such other date determined by the Authority], a Non-Embedded Customer** shall provide its **Supplier** on request and as soon as is reasonably practicable with the details of any **Downstream Parties** including (but not limited to) contact names, addresses, email addresses, and telephone numbers.

3.6.9.8 **Save for Non-Embedded Customers with Connection Sites connected after [1st January 2025 or such other date determined by the Authority], prior to a Supplier instructing The Company to Deenergise the Non-Embedded Customer's Connection Site(s) under Paragraph 3.6.9.1:**

Proposed changes to the legal text following Code Admin Consultation:

Downstream Parties

- (g) Save for Non-Embedded Customers with Connection Sites connected on or after the date of implementation of CMP441 as determined by the Authority, a Non-Embedded Customer shall provide its **Supplier** on request and as soon as is reasonably practicable with the details of any **Downstream Parties** including (but not limited to) contact names, addresses, email addresses, and telephone numbers.

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v1.25 – 01 October 2024

CUSC v1.25

- (h) Save for Non-Embedded Customers with Connection Sites connected on or after the date of implementation of CMP441 as determined by the Authority, Prior to a Supplier instructing The Company to Deenergise the Non-Embedded Customer's Connection Site(s) under Paragraph 3.6.9.1:

Code Administrator Consultation – Legal Text Changes.

What do the CUSC Governance Rules say?

- 8.23.4 A draft of the **CUSC Modification Report** shall be tabled at the **Panel Meeting** prior to submission of that **CUSC Modification Report** to the **Authority** as set in accordance with the timetable established pursuant to Paragraph 8.19.1 at which the Panel may consider any minor changes to the legal drafting, which may include any issues identified through the **Code Administrator's** consultation and:
- (i) if the change required is a typographical error the **CUSC Modifications Panel** may instruct the **Code Administrator** to make the appropriate change and the **Panel Chairman** will undertake the **CUSC Modifications Panel Recommendation Vote**; or
 - (ii) if the change required is not considered to be a typographical error then the **CUSC Modifications Panel** may direct the **Workgroup** to review the change. If the **Workgroup** unanimously agree that the change is minor the **CUSC Modifications Panel** may instruct the **Code Administrator** to make the appropriate change and the **Panel Chairman** will undertake the **CUSC Modifications Panel Recommendation Vote** otherwise the **Code Administrator** shall issue the **CUSC Modification Proposal** for further **Code Administrator** consultation after which the **Panel Chairman** will undertake the **CUSC Modifications Panel Recommendation Vote**.
 - (iii) if a change is not required after consideration, the **Panel Chairman** will undertake the **CUSC Modifications Panel Recommendation Vote**.

Code Admin must present the proposed legal text changes

Panel have 3 choices:

- **Agree the changes are typographical and instruct Code Admin to make the change under 8.23.4(i). Then we carry out Recommendation Vote; or**
- **Agree the changes are not needed under 8.23.4(iii). Then we carry out Recommendation Vote; or**
- **Under 8.23.4(ii) Direct the Workgroup to review the changes or ask for a further Code Administrator Consultation to be issued**

CMP441– the asks of Panel

- AGREE** whether or not the proposed changes to the legal text are typographical
- NOTE** that this Modification does not impact the Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the CUSC?
- VOTE** whether or not to recommend implementation
- NOTE** next steps

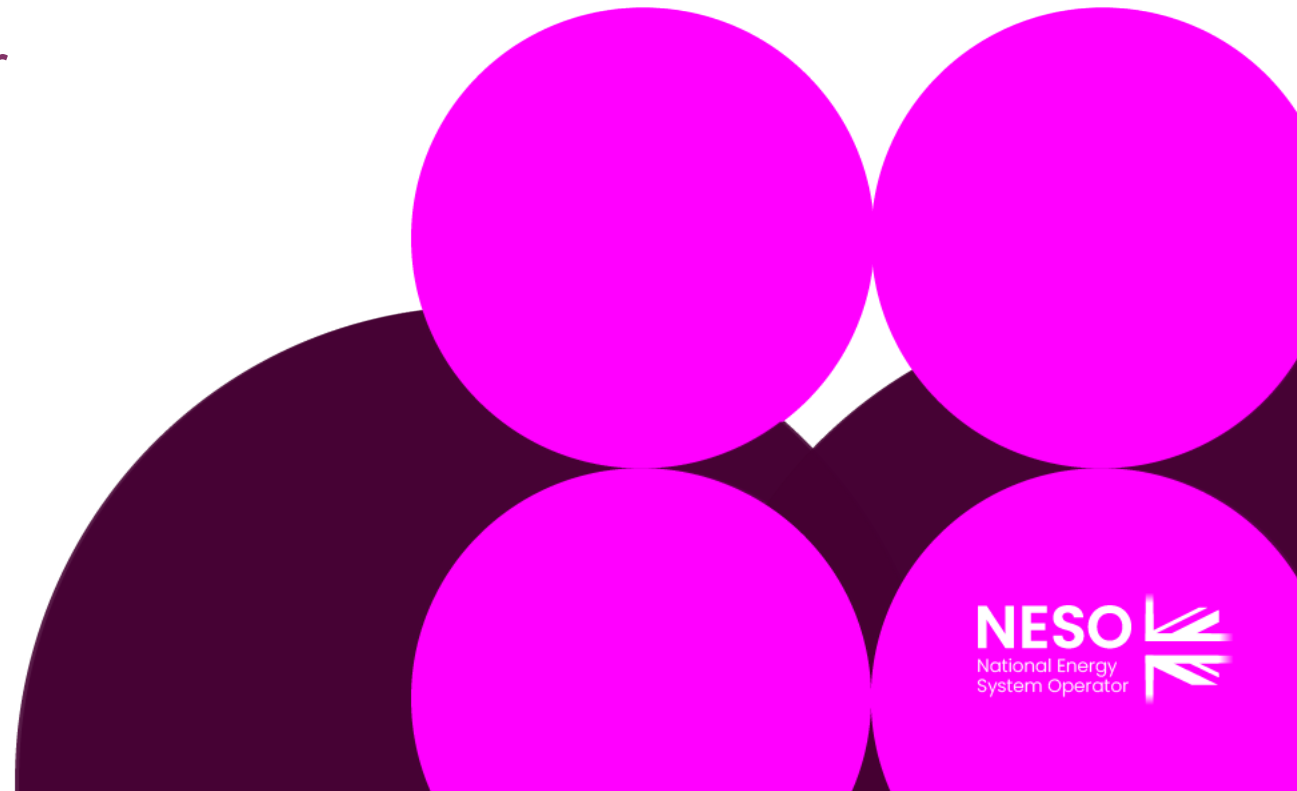
CMP441 Next Steps

Milestone	Date
Draft Final Modification Report presented to Panel	13 December 2024
Final Modification Report issued to Panel to check votes recorded correctly (5 business days)	13 December 2024
Submission of Final Modification Report to Ofgem	23 December 2024
Ofgem decision date	TBC
Implementation Date	10 business days after Ofgem decision

Draft Final Modification Report

CMP443 – Removing references to “Fax” or “Facsimile” within the CUSC

Catia Gomes



Code Administrator Consultation Responses

Summary of Code Administrator Consultation Responses :

- Code Administrator Consultation was run from 29 October 2024 to 29 November 2024 and received 1 non-confidential response.

Key points were:

- The respondent stated that the change would better facilitate objective (a) and (d). The respondent believe that the proposed solution will improve efficiencies in relation to the communication between Users and the NESO Control Centre and that key communications relating to processes such as system restoration should be more efficient.
- The respondent believes the approach will ensure the new solution can be rolled out to Users using a phased approach.
- The respondent stated that while the proposed solution does impact the EBR Article 18 terms and conditions held within the CUSC, believes that these interactions are minimal.

CMP443 – the asks of Panel

- NOTE** that this Modification does impact the Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the CUSC?
- Do you have any comments as to whether or not the proposed changes concur with the EBR Article 3 Objectives?
- VOTE** whether or not to recommend implementation
- NOTE** next steps

CMP443 Next Steps

Milestone	Date
Draft Final Modification Report presented to Panel	13 December 2024
Final Modification Report issued to Panel to check votes recorded correctly (5 business days)	18 December 2024 – 10 January 2025
Submission of Final Modification Report to Ofgem	13 January 2025
Ofgem decision date	TBC
Implementation Date	10 business days after Ofgem decision

Discussions on Prioritisation

- **AGREE** Monthly Review of Prioritisation Stack

Standing Groups

Updates on all standing groups relevant to CUSC panel e.g. potential for future governance changes or modifications

TCMF – ESO Panel Member

Previous meetings:

- 21 November 2024 (Cancelled), last meeting 07 November 2024
- [Meeting materials and Headline Report](#)

Next meeting: 09 January 2025

European Updates

Updates on all European developments relevant to CUSC panel e.g. potential for future governance changes or modifications

European Code Development – Nadir Hafeez

Joint European Stakeholder Group – Garth Graham

Previous meeting – 12 November 2024 (Cancelled) and 08 October 2024 - [Meeting materials and Headline Report](#)

Next meeting – TBC

Updates on other industry codes

- 27 November 2024 STC Panel [Panel Papers and Headline Report](#)
- 28 November 2024 Grid Code Review Panel [Panel Papers and Headline Report](#)
- 29 November 2024 CUSC Panel [Panel Papers and Headline Report](#)

Activities ahead of the next Panel Meeting

Transmission Charging Methodologies Forum	09 January 2025
Modification Proposal Deadline for January Panel	16 January 2025
Papers Day	23 January 2025
Panel Meeting	31 January 2025 Faraday House

Close

Trisha McAuley, OBE

Independent Chair, CUSC Panel