

Workgroup Consultation Response Proforma

CMP434: Implementing Connections Reform

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:	Tobias Burke	
Company name:	Energy UK	
Email address:	Tobias.burke@energy-uk.org.uk	
Phone number:	+44 20 7747 2953	
Which best describes your organisation?	<input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network Operator <input type="checkbox"/> Generator <input checked="" 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
- 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							
1	Do you believe that the Original Proposal better facilitates the Applicable Objectives?	<p>Mark the Objectives which you believe the Original solution better facilitates:</p> <table border="1"> <tr> <td>Original</td> <td><input checked="" type="checkbox"/>A</td> <td><input checked="" type="checkbox"/>B</td> <td><input checked="" type="checkbox"/>C</td> <td><input checked="" type="checkbox"/>D</td> </tr> </table>	Original	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input checked="" type="checkbox"/> C	<input checked="" type="checkbox"/> D
Original	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input checked="" type="checkbox"/> C	<input checked="" type="checkbox"/> D			
<p>Energy UK notes that, while the proposal does help facilitate the objectives, more work to reduce the connection queue and speed up connection times will be needed following the go live date in January 2025.</p> <p>Various updates to the Transmission License will be needed regarding core principles and obligations in order to achieve the desired effect of this proposal.</p>							
2	Do you support the proposed implementation approach? (see pages 59-61)	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>					
<p>Energy UK agrees with the proposed approach to timelines, though, as also detailed in response to the CMP 435 consultation, there are concerns regarding the implementation timelines and the implications for some parties attempting to connect through the 'transition' or 'cut-off' periods. Further transparency about the interdependencies and timelines for this work would be welcome.</p> <p>There are concerns from industry regarding implementation following the latest discussions of the Connections Plan Advisory Group (CPAG) and recent code working group sessions regarding timescales for those in the queue to be compliant before the cutoff date for Gate 2 land rights requirements.</p> <p>The overarching connections reform timeline is deemed to have been set back by 6 weeks based on the impacts of the general election and other delays. Timelines previously set out are now expected to be delayed and additional clarification of the impacts these delays and further decisions from the authority regarding any extension of timelines are expected to have on code modification development and implementation is needed. As timelines are getting pushed out, smaller firms especially need fair notice in advance and sufficient time to submit evidence by. The whole of industry needs these timescales to be appropriate to enable investment to flow.</p>							

	<p>If the ESO is building up the ability to deliver across the queue then industry needs to have certainty about the timeline and process to address the entire queue, not just the 335 GW that could reportedly meet Gate 2 criteria. While that wider framework is outside of the gift of the code modification implementation process, some clear communication on how each of these elements impacts on others would be welcome.</p> <p>The ESO is expected to set out further elements of proposed changes to Gate 2 requirements at the next meeting of working groups, with anticipated further work and consultation. This process suggests significant changes that cannot be made within existing ESO mechanisms and further work will be required. Clarification regarding how these processes will impact timelines for implementation would be welcome.</p> <p>Until now, the connections reform process has not delivered on more widely involving stakeholders and socialising the progress of the connection reforms. The ESO, Ofgem, and Network Operators need to urgently provide clarity on whether or not the go-live date of 1 January 2025 is still achievable and, if not, what is the contingency plan and how will delays be communicated.</p> <p>There is a real potential for legal challenge that may require Government to step in with a more specific programme for implementation in order to avoid said challenges. The Royal Academy of Engineering refers to this possibility in their recent paper titled 'Rapid decarbonisation of the GB electricity system'.</p> <p>This uncertainty persists at a time when the methodologies for the Gate 2 criteria and Connection Network Design Methodology (CNDM) are not yet produced. Energy UK appreciates the tight timescales the ESO are working with to produce this and so we urge transparency with their design and the degree of codification they will entail.</p>
3	<p>Do you have any other comments?</p> <p>As in response to the CMP 435 consultation, Energy UK members note the following:</p> <ul style="list-style-type: none"> • Some members question whether, in the long run, land rights should be the primary determining factor in managing the connection queue. While there is some concern from those currently in the connection queue of pursuing the implementation of such requirements in time for the 'go live' date, we would cautiously support the use of some financial commitments, such as a Contracts for Difference (CfD) or Capacity Market (CM) contract, to show intention to connect. However, this must not be used as a stand-in for land rights as qualifying criteria. • The connections queue is now over 700GW and there is some concern that 335 GW of that queue is made up of projects that are confident they could get land rights and other Gate 2 requirements in place by the end of year according to the latest Call for Information. If elements to further restrict or refine the queue come in later on, that would impact investment and could have unintended consequences. There is a need to take further measures to speed

	<p>up connection times after the 'go live date' given the sheer scale of projects willing and able to meet the Gate 2 criteria.</p> <ul style="list-style-type: none"> There is concern that there is too great a reliance on guidance over codification in the CMP 434 and CMP 435 proposals, principally with respect to the Gate 2 criteria, CNDM, Significant Modification Application, Project Designation and Capacity Reallocation. We understand the instinct of the ESO to rely on guidance in order to allow a degree of flexibility for further reform after January 2025 as the system moves towards strategic planning. However, connecting new projects to meet the UK's decarbonisation goals also requires investor certainty and relying on guidance over codification dilutes this much needed confidence to invest in the UK's low carbon energy sector at a time when other countries are also seeking to attract investment. 	
4	<p>Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?</p>	<p><input type="checkbox"/> Yes (the request form can be found in the Workgroup Consultation Section)</p> <p><input checked="" type="checkbox"/> No</p>
<p>Click or tap here to enter text.</p>		

Specific Workgroup Consultation questions

5	<p>Do you agree with the elements of the proposed solution?</p> <p>Element 7 has been de-scoped and 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>	
	<p>Element 1: Proposed Authority approved methodologies and ESO guidance (see pages 9-10, 55)</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>Overall, Energy UK agrees with the proposed content of the methodologies and guidance.</p> <p>Codification of Gate processes is needed more than guidance. Energy UK recognises the need for flexibility given Element 14 regarding Project Site Location the ongoing reforms, but investment requires legal certainty, especially given the new Government's targeted 2030 timeline for a net-zero power system.</p> <p>Uncertainty remains for connection times until Gate 2 Criteria Methodology and CNDM is approved by Ofgem. There won't be much time between approval and 'go line in January 2025' for industry to input and feedback.</p>		
	<p>Element 2: Introducing an annual application window and two formal gates, which are known as Gate 1 and Gate 2 (i.e. the Primary Process) (see pages 11, 35-36)</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

<p>Energy UK agrees with the overall proposal for implementing two formal gates.</p> <p>Energy UK agrees with the proposal to pursue separately measures to integrate the Crown Estate or Crown Estate Scotland into the connection application process at a later date. Serious thought and transparency will be needed as to how the two bodies would be integrated.</p> <p>Regarding the Distribution Forecasted Transmission Capacity (DFTC), Energy UK supports this measure as essential to ensure the new connections process does not discriminate against distribution connecting projects which frequently struggle with delayed connection timelines from DNOs and stricter application criteria. At the same time, we stress the need for the ESO to ensure a level playing field and avoid distortions in the market between those connecting at the transmission level and the distribution level.</p>	
<p>Element 3: Clarifying which projects go through the Primary Process (see pages 11-12, 35-36)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Energy UK agrees to the overall outlined scope of which types of projects would go through the primary process.</p> <p>It should be noted that, as part of the transmission charging reform workstream, it has been proposed that a modification be brought to the CUSC committee to allow embedded generators to accede as a party and so remove the need for a Bilateral Embedded Generator Agreement (BEGA). The ESO should be aware of how this may affect which projects are in scope of reform.</p>	
<p>Element 4: Significant Modification Applications concept, including the proposed criteria and the proposed level of codification (see pages 12-13, 36-39)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Energy UK agrees with the overall rationale for the Significant Modification Application process. The clarification from the ESO regarding projects that do not significantly affect power flows entering the Primary Process, as well as other clarifications, are welcome.</p> <p>Far more clarity is needed from the ESO,. This need for additional clarity includes:</p> <ul style="list-style-type: none"> • Additional clarification and codification regarding exactly what constitutes a 'significant' change of location and thus a requirement to go through the Primary Process. • How a technology change application would affect a changed point of connection and what implications that might have for land requirements. It is unclear, for example, if a significant modification of technology and location would be counted as two significant modifications requiring review or one. • Clarity and codification of whether significant modification would be processed at the following Gate 1 or Gate 2 window is required. It is not sufficient for this 	

<p>to be managed at the ESO's discretion or their interpretation of a 'significant' or 'extremely significant' modification.</p> <ul style="list-style-type: none"> • What would constitute a 'significant' modification for distribution connections to the transmission level. Input from DNOs and embedded generators will be needed to feed into that guidance. <p>If the ESO intends to codify the concept of significant change, this should be closely informed by the existing definitions outlined in the Connection Use of System Code (CUSC).</p> <p>Wider input is required on the guidance development for Significant Modification Application. Most notably, input from demand projects seeking connection is needed as the parameters for what constitutes a significant modification appear to be notably different to generation.</p> <p>The intention to introduce a 'Material Technology Change' policy, separate from the existing workstream will only serve to confuse connecting parties and it is better to focus on codifying significant modification guidelines in line with existing CUSC definitions.</p>	
<p>Element 5: Clarifying any Primary Process differences for customer groups (see pages 13-14, 35-36)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Energy UK supports the use of the DFTC as a measure better suited for those embedded generators applying at the D-level.</p> <p>However, questions remain regarding the legal arrangements pertaining to the current proposed approach to advancing connections at the distribution level and the transmission level and confusion about what information (for example regarding land rights) is needed for D-level connections given the DNO-TO process can take a significant amount of time.</p> <p>Further transparency from the ESO is required on:</p> <ul style="list-style-type: none"> • How the development of DFTC will interact with the Gate processes and the subsequent requirements of connecting customers. • Specific arrangements for DFTC's interaction with the Gate process regarding the move towards more strategic planning in the future is also needed. • How different consumer types including distribution connected projects will be impacted by SSEP. <p>Regarding Letter of Authority (LoA) requirements for offshore projects, Energy UK agrees with the decision to remove the option to explore The Crown Estate or Crown Estate Scotland to apply for connection themselves. The interaction of both bodies with the connection process is best explored by Government as the industry moves towards strategic planning and greater coordination with GB Energy.</p>	
<p>Element 6: Setting out the process and criteria in relation to Application Windows and Gate 1, including</p>	<p><input checked="" type="checkbox"/> Yes</p>

introducing an offshore Letter of Authority equivalent as a Gate 1 application window entry requirement for offshore projects (see pages 15-16, 39-40)	<input type="checkbox"/> No
<p>Generally, the criteria set out for Gate progression appears right minded.</p> <p>However, as stated before, equivalence between those applying for connection at distribution and transmission level must be ensured. Further codified clarity is needed on the requirements for application between the transmission and distribution level, notably regarding advancing and rights and how interactions between the connecting customer and DNOs would be managed.</p> <p>To avoid the excessive delays seen from many DNOs in submitting Project Progressions, obligations must be placed on them to deliver within their license conditions.</p> <p>Codified clarity is also needed on how the ESO would consider extensions to the signing periods for Gate 1 if actions from the ESO were delayed or vital queries from the customer not answered in a timely manner.</p> <p>There are also questions regarding the application of criteria and progression to Gate 2 for non-firm connections. It is concerning to see a heavy reliance on non-firm connections with a lack of clearly defined limitations and guardrails to ensure that these offers do not simply result in a more complex business model for connecting parties and a more strained energy system. Clear timelines for when a connection becomes firm and how much reliance on firm connections is deemed acceptable before rapid network reinforcement is mandated would be welcome additions to ensure non-firm connections do not become the standard.</p> <p>Finally, greater transparency on the delivering of Gate criteria reform and what being done to prepare the process for anticipatory investment, harmonisation with other key Government workstreams and strategic planning would be welcome.</p>	
Element 7: Fast Track Disagreement Resolution Process (de scoped from this modification – see pages 16, 58)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Energy UK agrees that existing dispute resolution routes are sufficient and as such agrees that this element be de-scoped.	
Element 8: Longstop Date for Gate 1 Agreements (see pages 16, 40-41)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Energy UK agrees with the principal of planning longstop dates in Gate 1 agreements to address speculative queue applications.	
However, most indicative dates given at Gate 1 will be over 3 years and actions required from various parties, including the ESO and the local authorities or	

<p>landowners issuing land rights would make timescales for displaying competence notably tight for many applicants.</p> <p>One option could be to provide guidance, backed by some codification, on the longstop date being based on meeting progression milestones and Gate 2 criteria by certain agreed dates.</p>	
<p>Element 9: Project Designation (see pages 17-18, 48-49)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>On the basis that Project Determination has the potential to accelerate the connection of essential projects for the energy transition, such as long duration storage, Energy UK would cautiously support this proposal.</p> <p>There is some concern about potential misuse of this policy or how it might be used in the future. Therefore, clear codified guidance and a route to recourse is needed to prevent the ESO from using this as a mechanism to pick winners in the connection queue over others.</p>	
<p>Element 10: Connection Point and Capacity Reservation (proposed to not be codified within the CUSC, but is intended to be codified within the STC through modification CM095 – see pages 18-20 and the CM095 Workgroup Consultation, pages 6-10)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Energy UK welcomes the clarification that projects connecting as part of co-ordinated network design, or a developer in respect of Network Services Procurement would still be required to go through the same Gate process as others.</p> <p>Further transparency on the overall governance regime is needed. Specifically, concerns relating to 1) competition, 2) transparency, 3) equity of process, 4) efficiency for the consumer and 5) a level playing field for investment.</p> <p>The longer longstop date for offshore projects under this process could discriminate against the connection of some onshore projects compared to offshore. Levelising the Gate 1 longstop dates for System Operator Transmission Owner Code Procedure (STCP) projects and non-STCP projects should be considered.</p>	
<p>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 20-24, 42-46)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>The criteria for Gate 2 goes some way to better managing connection applications. Nonetheless, more remains to be done and efforts must be made to balance the need to allow the progression of connections reform whilst ensuring investment certainty at this critical time.</p>	

There remains significant uncertainty regarding the application of Gate 2 criteria for those connecting at the distribution level and what information is required.

Serious consideration needs to be given to any burden being placed on both connecting customers and DNOs to gather and submit information given the limited resources available and long timescales involved in current processes.

Energy UK members have also raised concerns regarding the ESO's preference for much of the Gate 2 criteria to remain uncodified and instead be determined by guidance approved by Ofgem. While Energy UK recognises the need for flexibility as the two gate process evolves and the network transitions towards more strategic planning, greater certainty for those investing in projects and trying to connect is required.

There are also questions regarding the application of criteria and progression to Gate 2 for non-firm connections with uncertainty about the amount of Gate 2 offers that will be non-firm and if this will become a new normal.

There is some notable concern regarding the recent proposals in the latest CPAG meetings regarding financial criteria for a potential 'Gate 3' proposal. Clarity is rapidly needed on the governance framework for this and how it would interact with Gate 1 and 2 processes. The potential for investment uncertainty and legal challenge at this critical juncture is very real.

Significant work has gone into establishing the proposed requirements for extending projects outside of the red line boundaries. These appear rightminded and should fairly address the concerns from industry. Nonetheless, as practises regarding use of land, amendments to land use and use of different technologies progresses, these stipulations will require regular revision.

Energy UK would also note continued uncertainty regarding the exact treatment of how to mitigate the risk of the Gate processes not aligning with development cycles and the need to incentivise projects to progress their applications. If the ESO means to pursue a 'Gate 3' based on financial viability, then showing intent through securing of PPA, CfDs, CM contracts or other agreements should be considered as viable criteria. Meanwhile, route to recourse should be considered for a range of blockers, for example if planning and land rights expire prior to a Gate 2 timeline.

Proposals for or hybrid or 'backward' and 'forward' looking M1 Milestones is likely to lead to either unreasonable burden on developers to secure permits ahead of development cycles or result in some gaming of the system. Forward looking milestones, especially M2 milestones which developers have little control over, would not be suitable for projects with longer connection dates.

<p>In general, the proposal of M1 being forward looking, as per option a, is not reasonable if the connection date is firmed up at Gate 2 and there is no prospect to advance it further.</p> <p>Energy UK therefore supports the use of the earlier of: i. the Queue Management Milestone M1 ("M1") calculated back from the connection date (as per current CMP 376 arrangements); or ii. M1 calculated forwards (based on a standard time period for each planning type) starting from when the developer has initiated planning consents (and not from when the substation location is confirmed as per option c) to move from acceptance of the Gate 2 offer to M1.</p>	
<p>Element 12: Setting out the general arrangements in relation to Gate 2 (see pages 25-26, 47)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Energy UK broadly agrees with the proposed general arrangements for the Gate 1 to Gate 2 windows.</p> <p>The ESO must seriously consider ensuring as much of this process as possible is codified to ensure investor certainty.</p>	
<p>Element 13: Gate 2 Criteria Evidence Assessment (see pages 26-27, 47-48)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Energy UK remains concerned that this approach will lessen the burden to ensure all evidence is correctly submitted.</p> <p>Clear guidance backed by code modifications is required if the ESO are proposing to sample check a proportion of applications.</p>	
<p>Element 14: Gate 2 Offer and Project Site Location Change (see pages 28, 46)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>This particular measure, as described, is unnecessary and, as long as the change of location should not significantly affect electricity flows on the network, as defined in what constitutes a Significant Modification Application, existing proposals should sufficiently cover project location change requirements.</p> <p>While clear efforts have been made in this proposal to avoid its use to 'game' the connection queue, if implemented, Energy UK would urge caution with the use of the 12-month location change allowance and that its use is clearly codified.</p>	
<p>Element 15: Changing the offer and acceptance timescales to align with the Primary Process timescales (e.g. a move away from three months for making licenced offers) (see pages 29, 42-46)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Energy UK broadly agrees with this proposal.</p>	

Element 16: Introducing the proposed Connections Network Design Methodology (CNDM) (see pages 29, 53-55)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Energy UK broadly supports this mechanism to better coordinate network design going forward. There will remain significant uncertainty on investment decisions until the CNDM (in addition to the Gate 2 Criteria Methodology) is created and approved given its importance to information developers of what information they must submit.</p>	
Element 17: Introducing the concept of a Distribution Forecasted Transmission Capacity (DFTC) submission process for Distribution Network Operators (DNOs) and transmission connected Independent Distribution Network Operators (iDNOs) to forecast capacity on an anticipatory basis for Relevant Embedded Small Power Stations or Relevant Embedded Medium Power Stations aligned to the Gate 1 Application Window (see pages 30-33, 51-53)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Energy UK broadly supports the use of DFTC as a mechanism to better manage embedded generation connections while coordinating connections at the system level. It is essential to ensure the Minimum Viable Product (MVP) for connections reform does not discriminate against smaller projects connecting at the D-level. There is a need for efforts to ensure a level playing field for T-level and D-level connections, as the current approach may result in a distortive effect of fees not applying for DNO DFTC submissions and the risk that this may not be cost-reflective for the ESO.</p> <p>Given the historic delays Distribution-connecting customers face, with inconsistent application requirements and timelines from DNOs in progressing connections, enshrining obligations within the licenses of DNOs will be essential to ensuring the effective implementation of DFTC.</p> <p>Under current proposals, there is a mismatch in the process for T-connection and the process for estimating demand for connections at D-level. There is a need for clarity on how both would work together.</p> <p>The DFTC will need to be better integrated with Transmission Operator (TO) modelling to be more accurate in ensuring connections can move ahead across levels in a coordinated manner under wider strategic planning and delivery. There is an overall need for consistency across the T-level Gate process workstream and the DFTC workstream.</p>	
Element 18: Set out the process for how DNOs and transmission connected iDNOs notify the ESO of Relevant Embedded Small Power Stations or Relevant Embedded Medium Power Stations which meet Gate 2 criteria (see pages 33-34, 51-53)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

	<p>Energy UK broadly agrees with the proposed process for DNO notification of embedded generation connection to the ESO.</p> <p>Serious consideration needs to be given to the burden being placed on both connecting customers and the DNOs to gather and submit any needed information given the limited resources available and long timescales involved in their interaction.</p> <p>While this proposal goes some way to clarifying the information exchanges needed between the embedded connecting party, the DNO and the ESO, greater clarity is required on the differences in information submissions required at distribution level in comparison to the transmission level.</p>	
6	<p>Are there any elements of the proposal which you believe should not be included as part of this proposed solution, which the Proposer believes represents the 'Minimum Viable Product' reforms required to the connections process? If not, why not? (Please note the element number in each of your responses if applicable)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>Element 14 regarding Project Site Location, as described, is unnecessary.</p> <p>So long as the change of location would not significantly affect electricity flows on the network, as defined in what constitutes a Significant Modification Application, existing proposals should sufficiently cover project location change requirements.</p> <p>Concerns do remain regarding the potential for gaming of the approach if codification is avoided, and this will need to be continuously monitored.</p>	
7	<p>As per question 6, are there any additional features which you believe should be included as part of Minimum Viable Product reform to the connections process?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>While the overall content of the MVP reforms is right minded, the proposals for the Gate process criteria, Significant Modification Application, Project Designation, and CNDM should be codified in a timely manner rather than based mostly on guidance as part of the MVP.</p>	

	<p>Energy UK recognises the need for the ESO to maintain some flexibility as the Gate process is iterated as the network moves towards strategic design. However, at this critical juncture in the energy transition, investment certainty is needed, and threats of frequent guidance changes in the coming year discourages this much needed certainty.</p>	
8	<p>Do you agree that the Gate 1 process should be a mandatory process step, or do you think Gate 1 should be an optional process step with projects being able to apply straight into the Gate 2 process if the project meets both the relevant Gate 2 and Gate 1 criteria?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>Energy UK agrees that the Gate process should be mandatory.</p>	
9	<p>Do you believe that the proposed Gate 1 and Gate 2 process could duly or unduly discriminate against any types of projects? If so, do you believe this is justified?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
	<p>If the Gate process is equitably applied to all connecting parties, it should not unduly discriminate against types of projects. Nonetheless, the cost reflectivity of DFTC applicants not paying application fees at Gate 1 remains a concern in terms of equitable application to all projects.</p> <p>If the powers described under Project Designation and the use of Capacity Reservation were put in place, there are specific areas with potential for market distortions. Additional engagement and transparency would be welcome in relation to this.</p>	
10	<p>Please provide your views on the proposed options ((a) to (e) on page 45) to mitigate the risk of requiring a developer to submit their application for planning consent earlier than they would in their development cycle (with the risk this consent could expire and any extension</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

	from the Planning Authority is not automatic).	
	<p>In general, the proposal of M1 being forward looking, as per option a, is not reasonable if the connection date is firmed up at Gate 2 and there is no prospect to advance it further.</p> <p>Energy UK therefore supports the use of the earlier of: i. the Queue Management Milestone M1 ("M1") calculated back from the connection date (as per current CMP 376 arrangements); or ii. M1 calculated forwards (based on a standard time period for each planning type) starting from when the developer has initiated planning consents (and not from when the substation location I confirmed as per option c) to move from acceptance of the Gate 2 offer to M1.</p>	
11	<p>Do you agree that DFTC should be included as part of CMP434? If not, do you believe that the reformed connections process can function without DFTC? Please justify your answer. (see pages 30-34, 51-53)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>While some Energy UK members have concerns regarding maintaining a level playing field between for those connecting at directly to transmission and those through DFTC, overall DFTC is an appropriate mechanism for those connecting at the distribution level within the proposed Gate system and should be included as part of CMP 434 given the need to progress connections reform at pace.</p> <p>This should be paired with separate measures to implement obligations on DNOs for response times and connections progressions enshrined in DNO licenses.</p> <p>Should DFTC not be included within CMP 434, the MVP must retain the ability for Small Medium Embedded Generators to avoid the annual application window.</p>	
12	<p>The Proposer intends to set out supporting arrangements for TMO4+ via a combination of guidance and methodologies (e.g. DFTC, CNDM, Project Designation, Gate 2 Criteria). Do you anticipate any issues with having these outside of Code Governance? (see Pages 9-10, 55)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

Issues may emerge from the proposed preference to rely more heavily on guidance for CNDM, Project Designation, Gate 2 Criteria, and various areas of Significant Modification Application.

Vital methodologies like CNDM and Gate 2 criteria are yet to be decided and are crucial for investment decisions at this critical time, especially if the UK is to meet its 2030 decarbonisation objective.