

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:	Kara Davies	
Company name:	Solar Energy UK	
Email address:	kdavies@solarenergyuk.org	
Phone number:	kdavies@solarenergyuk.org	
Which best describes your organisation?	<input checked="" 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 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 type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D
<p>Dear CUSC Team,</p> <p>We would like to extend our thanks for the opportunity to engage with the code modification changes. We appreciate the scale of the challenge faced by the networks in their transition to net zero and recognize the considerable effort that has gone into connections reform to date.</p> <p>Solar Energy UK is committed to engaging meaningfully with the connections reform process. However, in this instance, we found it challenging to do so effectively due to the tight deadline and timing of the consultation. Furthermore, we are concerned that a significant amount of detail is being devolved into separate methodologies and guidance, rather than being codified. This makes it extremely difficult to confidently interrogate the modification proposals fully.</p> <p>The lack of codification is a key area of concern. We are still awaiting clear TMO4+ guidance and urge the ESO to provide this as quickly as possible, given the tight timescales of the reform process. Additionally, it is imperative that the guidance itself goes through an industry consultation process before being initiated.</p> <p>We would like to highlight a few notable areas of concern within the code modification consultations:</p> <ol style="list-style-type: none"> 1. Changing Site: There are significant concerns regarding element 14 of the CMP435 proposal. Allowing wholesale land changes after Gate 2 undermines due diligence and could lead to speculative applications. The relocation of a project site after Gate 2 undermines the very essence of what a "project" entails. When a customer applies for a project, it is tied to a specific location and design. Permitting the site to be moved after Gate 2 negates this concept and promotes the idea of treating capacity as a tradable commodity—precisely the problem we are trying to overcome. From a customer perspective, if the point of connection (POC) to the network is not as expected, the options should be to either make it work or withdraw the application. Our biggest concern with Element 14 is that it opens the door to potential gaming. 			

2. **DNO/TO Interface:** The DFTC does not address the current issues in terms of allocating capacity or providing a clear process/methodology. This needs to be reconsidered to ensure that the allocation of capacity is managed effectively. More broadly we are concerned about the lack of attention given to the distribution queue within the connections reform process. The distribution queue is as equally important in our transition to net zero and the industry has yet to receive clarity on key issues including what happens to existing distribution queue positions and how capacity is allocated at gate 2 – and what if any regard is given to current queue positions.
3. **NESO Designation:** The possibility of arbitrary interventions by the ESO under the NESO Designation process is also troubling, as it could negatively impact legitimate developers. The proposal's alignment with DNO processes should be reconsidered, as the current approach seems to contradict established, effective practices at the DNO level, potentially causing confusion and inefficiencies.

We urge the networks to consider the changes they are proposing within the context of the new Government's ambitions, particularly Labour's goal of trebling solar capacity by the end of this Parliament and its enthusiasm for faster delivery. The Government is reactivating the Solar Taskforce, a joint government-industry body charged with establishing the practical measures needed to reach 70GW of generation capacity by 2035. A significant component of this Taskforce is Grid reform, and we urge the ESO to engage with the Taskforce process actively.

More broadly, we are concerned about the rhetoric surrounding solar and energy storage in closed CPAG/CDB meetings. Current discussions around implementing technology limits aimed specifically at solar fundamentally oppose the mantra of connections reform, i.e., first ready, first connect. The ESO and grid operators have always maintained a technology agnostic approach, and such punitive reforms appear to go against this principle. Indeed, it could even undermine the Government's overarching priority to decarbonise the power system, given that solar is the lowest cost form of zero carbon power generation. Given these recent discussions, it also raises a significant concern about the adavance of allowing NESO designation without defining what that entails.

Given these concerns, we would like to propose a bilateral meeting to discuss the issues outlined in this letter in more detail.

Thank you for your attention to these matters. We look forward to your response and hope to work together to ensure a fair and effective connections reform process.

Yours sincerely,

Chris Hewett

Chief Executive
Solar Energy UK

2	Do you support the proposed implementation approach? (See page- 57-58)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Click or tap here to enter text.		
3	Do you have any other comments?	
Click or tap here to enter text.		
4	Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?	<input type="checkbox"/> Yes (the request form can be found in the Workgroup Consultation Section) <input type="checkbox"/> No
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 type="checkbox"/> Yes <input type="checkbox"/> No
Click or tap here to enter text.		
Element 3: Clarifying which projects go through the Primary Process (See pages 10-11,29-31)		<input type="checkbox"/> Yes <input type="checkbox"/> No
Click or tap here to enter text.		
Element 5: Clarifying any Primary Process differences for customer groups (See pages 11-12,32)		<input type="checkbox"/> Yes <input type="checkbox"/> No
Click or tap here to enter text.		
Element 8: Longstop Date for Gate 1 Agreements (See pages 12-13, 32-33)		<input 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 type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
	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 type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
	Element 13: Gate 2 Criteria Evidence Assessment (See pages 22-23, 39-40)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
	Element 14: Gate 2 Offer and Project Site Location Change (See pages 23-24, 40-41)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
	Element 16: Introducing the proposed Connections Network Design Methodology (CNDM) (See pages 24-25, 41-42)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
	Element 19: Contractual changes (See pages 26-28, 43-46)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
6	Element 20: Cut Over arrangements (See page 28, 47)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Click or tap here to enter text.	
	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.	
7	Click or tap here to enter text.	
	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.	
	Click or tap here to enter text.	
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.	
	Click or tap here to enter text.	

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 type="checkbox"/> Yes <input type="checkbox"/> No
Click or tap here to enter text.		