

Public

# Special CUSC Panel

Monday 10 March 2025

Online Meeting via Teams



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# 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.

# Inflight Modification Updates

## CMP316 Authority Send-Back

On 13 December 2024, Ofgem [sent back](#) the CMP316 Final Modification Report for further work and directed Panel to revise and resubmit the CMP316 Final Modification Report,

- The legal text for the Original Proposal includes a range of formatting and grammatical errors which raise the risk of ambiguity and misinterpretation.
- The legal text for WACM1 has resolved some of the issues present in the Original Proposal. However, it has also repeated other issues and introduced new formatting, grammatical and mathematical errors which raise the risk of ambiguity and misinterpretation which could prevent the intent of the modification from being realised

# CMP316 Authority Send-Back Governance Rules and Asks of Panel

8.23.12 If the **Authority** determines that the **CUSC Modification Report** is such that the **Authority** cannot properly form an opinion on the **CUSC Modification Proposal** and any **Workgroup Alternative CUSC Modification(s)**, or where the **CUSC Modification Proposal** and/or any **Workgroup Alternative CUSC Modification(s)** constitutes an **EBGL Amendment** where the **Authority** requires an amendment to **CUSC Modification Proposal** and/or any **Workgroup Alternative CUSC Modification(s)** in order to approve it, it may issue a direction to the **CUSC Modifications Panel**:

- (a) specifying the additional steps (including drafting or amending existing drafting associated with the **CUSC Modification Proposal** and any **Workgroup Alternative CUSC Modification(s)**), revision (including revision to the timetable), analysis or information that it requires in order to form such an opinion; and
- (b) requiring the **CUSC Modification Report** to be revised and to be re-submitted.

8.23.13 If a **CUSC Modification Report** is to be revised and re-submitted in accordance with a direction issued pursuant to Paragraph 8.23.12, it shall be re-submitted as soon after the **Authority's** direction as is appropriate, (and in the case of an **EBGL Amendment** within 2 months), taking into account the complexity, importance and urgency of the **CUSC Modification Proposal** and any **Workgroup Alternative CUSC Modification(s)**. The **CUSC Modifications Panel** shall decide on the level of analysis and consultation required in order to comply with the **Authority's** direction and shall agree an appropriate timetable for meeting its obligations. Once the **CUSC Modification Report** is revised, the **CUSC Modifications Panel** shall carry out its **CUSC Modifications Panel Recommendation Vote** again in respect of the revised **CUSC Modification Report** and re-submit it to the **Authority** in compliance with Paragraphs 8.23.4 to 8.23.6.

Panel to agree next steps following send-back:

**NOTE** that Ofgem are asking the Final Modification Report and Legal Text to be updated

**AGREE** whether or not this needs to be assessed by a Workgroup

**AGREE** Workgroup's Terms of Reference (if Panel determine a Workgroup is needed)

**AGREE** whether or not (following the assessment by the Workgroup) a Code Administrator Consultation is needed to be run before it is re-presented to Panel for Recommendation Vote



# Background and steps taken since CMP316 Authority Send-Back

## Steps taken since 13 December 2024:

- A Proposer has been sought for WACM1
- Proposer of Original solution is currently reviewing legal text

Suggested Workgroup Terms of Reference	
a)	Ensure the Original solution legal text addresses the modification defect, the issues identified in the send-back letter, and is legal and operable.
b)	Ensure WACM1 legal text addresses the modification defect, the issues identified in the send-back letter, and is legal and operable.
c)	Investigate whether any simplifications can be made to the legal text so it can be more easily understood by stakeholders.

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# CMP316: TNUoS Arrangements for Co-located Generation Sites

## Proposed Timeline

	Code Administrator Consultation issued to Panel for approval	Code Administrator Consultation	DFMR issued to Panel	FMR issued to Ofgem	Decision Date	Implementation Date
Proposed timeline	15 May 2025	27 May 2025 to 17 June 2025	19 June 2025	08 July 2025	30 September 2025	01 April 2026

**Rationale:** Three Workgroup meetings required to ensure legal text meets the deficiencies identified in the send-back letter.

**Workgroups Remaining:** 3

**Ask of Panel:** Agree proposed timeline



# Workgroup Report

CMP446: Increasing the lower threshold in England and Wales for Evaluation of Transmission Impact Assessment

Milly Lewis (Workgroup Chair)



# CMP446 Solutions

## Solution of solutions:

- **Proposer's solution:** It is proposed that the lower Transmission Impact Assessment threshold will be raised from 1MW to 5MW in England and Wales using Registered Capacity for measuring the threshold.
- **WACM1 ('Export Capacity' instead of 'Registered Capacity' for measuring the Threshold):** As per the Original but using 'Export Capacity' instead of 'Registered Capacity' for measuring the threshold.
- **WACM2 (Obligation on NESO to publish a list of each GSP and actively state the TIA threshold to be used as agreed between the NESO, DNO and TO – using Registered Capacity for measuring the threshold):** As per the Original Solution, the default TIA threshold will be set at 5MW unless otherwise stated in the published list.
- **WACM3 (Capping the capacity of projects benefitting from the higher threshold, per GSP, per 5-year period – using Registered Capacity for measuring the threshold):** Limiting the total of 1-5MW projects that can connect without a TIA in England and Wales to 25MW per GSP per 5-year period
- **WACM4 (Capping the capacity of projects benefitting from the higher threshold, per GSP, per 5-year period, – using Export Capacity for measuring the threshold) :** As per WACM3 but using 'Export Capacity' instead of 'Registered Capacity' for measuring the threshold
- **WACM5 (Obligation on NESO to publish a list of each GSP and actively state the TIA threshold to be used as agreed between the NESO, DNO and TO – using Export Capacity for measuring the threshold):** As per WACM2 but using 'Export Capacity' instead of 'Registered Capacity' for measuring the threshold For the changes proposed in CMP446 5MW is a project 4.95MW or above

# CMP446 Workgroup Vote

## Summary of Workgroup Vote:

Out of the 14 votes, the Workgroup concluded by majority that the Original, WACM1, WACM2, and WACM5 better facilitated the Applicable Objectives than the Baseline.

Option	Number of voters that voted this option as better than the Baseline
Original	13
WACM1	12
WACM2	10
WACM3	5
WACM4	6
WACM5	9

Option	Number of voters that voted this option as the best solution
Original	2
WACM1	4
WACM2	0
WACM3	0
WACM4	4
WACM5	3
No preference	1

# Public Terms of Reference

The Workgroup conclude that they have met their Terms of Reference, and the references can be located below:

Workgroup Term of Reference	Location in Workgroup Report
a) Consider EBR implications	Terms of Reference section (page 36)
b) Consider the scope of work identified and whether this is achievable within the timeframe outlined in the Ofgem Urgency decision letter.	Defect and Scope (page 10)
c) Consider the legal and practical implementation of this modification alongside CMP434/CMP435 and any other relevant in flight CUSC modifications.	Interaction with CMP434 and CMP435 (page 23)
d) Consider any cross-code impacts.	Cross Code Impact (page 24)
e) Consider data and any other requirements from DNOs to implement	England & Wales DNO Application Process (page 13)
f) Consider how CMP446 would be compatible with the requirement for the NESO acting in a non-discriminatory manner	Defect and Scope (page 10)
g) Consider how CMP446 would be compatible with the requirement for harmonised rules for generator connections in GB.	Defect and Scope (page 10)
h) Consider what the MW capacity relates to: for example, export capacity or installed capacity or developer capacity?	MW Capacity Definition (page 18)
i) Consider if the change applies only to new projects (up to 5MW) or also to existing D connected projects that increase their capacity by up to 5MW (4MW to 6MW), and projects that reduce to be below the threshold.	Change in MW Level and impact on whether a TIA is required (page 14)
j) Consider potential for interlinked impact of cumulative/aggregated <5MW projects which would otherwise breach the proposed 5MW threshold.	Potential Risks and impacts of changing the threshold (page 20)
k) Consider the interaction with Technical (Planning) limits and Distribution (DNO) managed Active Network Management (ANM) schemes	Interaction with Active Network Management (page 21)



# CMP446 Asks of Panel

- **AGREE** that the Workgroup have met their Terms of Reference
- **AGREE** that this Modification can proceed to Code Administrator Consultation
- **NOTE** that this Modification does not impact the Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the CUSC
- **NOTE** the ongoing timeline

# CMP446 Next Steps

Milestone	Date
Code Administrator Consultation (5 business days)	10 March 2025 to 5pm on 17 March 2025
Draft Final Modification Report issued to Panel	24 March 2025
Draft Final Modification Report presented to Panel	28 March 2025
Final Modification Report issued to Panel to check votes recorded correctly	28 March 2025
Submission of Final Modification Report to Ofgem	28 March 2025
Ofgem decision date	29 April 2025
Implementation Date	02 May 2025

# Activities ahead of the next Panel Meeting

Modification Proposal Deadline for March Panel	13 March 2025
Papers Day	20 March 2025
Panel Meeting	28 March 2025 Teams

**Close**

**Penny Garner**

Acting Independent Chair, CUSC Panel