

Public

# CUSC Panel 28 March 2025

## CUSC Panel Minutes

**Date:** 28/03/2025      **Location:** Microsoft Teams

**Start:** 10:00 AM      **End:** 12:25 PM

## Participants

Attendee	Initials	Representing
Trisha McAuley	TM	Independent Panel Chair
Catia Gomes	CG	Panel Secretary, Code Administrator
Ren Walker	RW	Panel Technical Secretary, Code Administrator
Andrew Enzor	AE	Users' Panel Member
Andy Pace	AP	Consumers' Panel Member
Binoy Dharsi	BD	Users' Panel Member
Garth Graham	GG	Users' Panel Member
Joe Colebrook	JC	Users' Panel Member
Lauren Jauss	LJ	Users' Panel Member Alternate
Mark Duffield	MD	Users' Panel Member Alternate
Kyran Hanks	KH	Users' Panel Member
Daniel Arrowsmith	DA	NESO Panel Member
Nadir Hafeez	NH	Authority Representative

## Apologies

## Public

Attendee	Initials	Representing
Joe Dunn	JD	Users' Panel Member
Paul Jones	PJ	Users' Panel Member
Rashmi Radhakrishnan	RR	Elexon Observer

## Presenters

Attendee	Initials	Representing
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## 1. Introductions, Apologies and Declarations of Interest

12797. Apologies were received from Joe Dunn, Paul Jones and Rashmi Radhakrishnan.

12798. No declarations of interest were received.

## 2. Minutes from previous meeting

12799. The meeting minutes from the CUSC Panel held on 17 January, 31 January, 14 February and 24 February were approved.

12800. The meeting minutes from 28 February, 04 March, 05 March, 07 March and 10 March will be presented for approval at the Panel meeting on 02 May.

## 3. Review of actions log

12801. The CUSC Panel reviewed the open actions from the meeting held on 28 February, which can be found on the Actions Log.

## 4. Chair's update

12802. No updates from the Chair.

## 5. Authority Decisions

12803. NH provided an update on Modifications that have been decided upon, together with those currently awaiting their decision.

### Decisions since last CUSC Panel

12804. NH confirmed the following decisions have been made since the last CUSC Panel.

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Modification	Decision	Implementation Date
<a href="#">CMP403</a> 'Introducing Competitively Appointed Transmission Owners & Transmission Service Providers (Section 14)'	On 20 March 2025 the Authority approved the Original solution.	08 April 2025
<a href="#">CMP404</a> 'Introducing Competitively Appointed Transmission Owners & Transmission Service Providers (Section 11)'	On 20 March 2025 the Authority approved the Original solution.	08 April 2025
<a href="#">CMP436</a> 'Update CUSC arrangements to replace the Electricity Arbitration Association with the London Court of International Arbitration (LCIA) (Non-Charging)'	On 20 March 2025 the Authority approved the Original solution.	03 April 2025
<a href="#">CMP437</a> 'Update CUSC arrangements to replace the Electricity Arbitration Association with the London Court of International Arbitration (LCIA) (Charging)'	On 20 March 2025 the Authority approved the Original solution.	03 April 2025
<a href="#">CMP443</a> 'Removing references to "Fax" or "Facsimile" within the CUSC '	On 14 March 2025 the Authority approved the Original solution.	28 March 2025
<a href="#">CMP452</a> 'Suspension of TNUoS Payments for generators connecting during the 2024/25 charging year'	On 13 March 2025 the Authority rejected the request for Urgency.	N/A

## Awaiting Decisions

Modification	FMR submitted	Expected Decision Date
<a href="#">CMP315</a> 'TNUoS Review of the expansion constant and the elements of the transmission system charged for' and <a href="#">CMP375</a> 'Enduring Expansion Constant & Expansion Factor Review'	07 February 2024	TBC (previously 07 February 2025)
<a href="#">CMP330&amp;CMP374</a> 'Allowing new Transmission Connected parties to build Connection Assets greater than 2km in length and Extending contestability for Transmission Connections'	10 August 2023	TBC Subject to CMP414 send back
<a href="#">CMP397</a> 'Consequential changes required to CUSC Exhibits B and D to reflect CMP316 (Co-located Generation Sites)'	12 June 2024	TBC (previously 24 January 2025)
<a href="#">CMP418</a> 'Refine the allocation of Dynamic Reactive Compensation Equipment (DRCE) costs at OFTO transfer'	11 March 2025	TBC
<a href="#">CMP434</a> 'Implementing Connections Reform'	20 December 2024	Q2 2025
<a href="#">CMP435</a> 'Application of Gate 2 Criteria to existing	20 December 2024	Q2 2025

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contracted background'		
<a href="#">CMP441</a> 'Reducing the credit risk of supplying non-embedded hydrogen Electrolysers'	23 December 2024	18 April 2025

## Other Updates

12805. NH advised the Panel that on 11 March, the Authority published their decision to carry out the selection of the code managers for the REC and the BSC on a non-competitive basis. NH stated that the Authority has invited the RECCo and Elexon to submit a licensing assessment form, following the process that was consulted on in November last year. NH confirmed the Authority will be publishing a decision document in response to that consultation in due course.

## 6. New modifications

12806. No new modifications were presented to the Panel.

## 7. In flight modification updates

12807. CG talked the Panel through the progression of the in-flight modifications. The in-flight modifications can be found within the CUSC Panel papers pack via the following link: [Modification Tracker](#)

### **CMP344: Clarification of Transmission Licensee revenue recovery and the treatment of revenue adjustments in the Charging Methodology**

12808. CG explained to the Panel that the Terms of Reference are being presented to the Panel to ensure these have been met before publishing the third Code Administrator Consultation. The Panel agreed that the Terms of Reference had been met and CMP344 can proceed to Code Administrator Consultation.

### **CMP452: Suspension of TNUoS Payments for generators connecting during the 2024/25 charging year**

12809. CG advised the Panel the Proposer withdrew their support for CMP452 on 17 March. No new Proposer came forward to support CMP452, so under CUSC 8.16.10(c) the Panel agreed that this modification is formally withdrawn. The next Modification Tracker will be published on 07 April.

## 8. Workgroup Reports

12810. No Workgroup Reports were presented to the Panel.

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## 9. Draft Final Modification Reports

12811. CG presented the following Draft Final Modification Reports to the Panel:

### **CMP444: Introducing a cap and floor to wider generation TNUoS charges**

12812. CG delivered a presentation on CMP444. CG explained that this modification seeks to introduce a temporary cap and floor mechanism to wider generation TNUoS (Transmission Network Use of System) charges, to reduce investment uncertainty for generators and developers.

12813. A Panel member raised concerns regarding specific concerns from some Workgroup members that were not captured within the Code Administrator Summary section in the Draft Final Modification Report. CG advised that all of the Code Administrator Consultation responses are included within an Annex to the report and noted that Workgroup Members had the opportunity to feed into the report. HH reassured Panel Members that when the Authority received the Final Modification Report and Annexes, they will thoroughly read all responses before making their decision.

12814. The Panel held their recommendation vote for CMP444. The Panel recommended by majority that the WACM1 and WACM2 better facilitated the Applicable CUSC Objectives. The Panel didn't reach a consensus on which solution best met the Applicable CUSC Objectives. Out of 9 votes, 4 voted for the Baseline, 2 voted for WACM2 and 1 voted for WACM1, WACM5 and WACM7 respectively. **(Post Meeting Note: The Final Modification Report was submitted to the Authority on 28 March).**

### **CMP446: Increasing the lower threshold in England and Wales for Evaluation of Transmission Impact Assessment (TIA)**

12815. CG delivered a presentation on CMP446. CG explained that the current connections process can be improved to facilitate the timely connection of distribution projects that have minimal impact on the Transmission Network to help meet net zero and Clean Power 2030. This proposal raises the lower threshold at which an Evaluation of Transmission Impact Assessment (TIA) must be undertaken.

12816. The Panel recommended unanimously that the Original, WACM1, and WACM2 better facilitated the Applicable CUSC Objectives. The Panel recommended by

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majority that WACM3, WACM4, and WACM5 better facilitated the Applicable CUSC Objectives.

12817. The Panel held a discussion around the process of appealing decisions made by Ofgem, especially when those decisions contradict the votes of the Panel. It is noted that all decisions are appealable, regardless of whether the Panel agrees or reaches a different view. The appeal can be either a CMA (Competition and Markets Authority) appeal or a JR (Judicial Review) decision. The best vote of the Panel is advisory and has no legal standing; it depends on whether the Authority agrees with the Panel's recommendation. If the Authority follows the Panel's recommendation, there is no appeal route. However, if Ofgem approves a proposal that differs from the Panel's recommendation, it becomes appealable. Appeals can be based on the content (CMA) or the process (JR).

12818. The Panel didn't reach a consensus on which solution best met the Applicable CUSC Objectives. Out of 9 votes, 3 voted for WACM5, 2 voted for the Original, WACM1 and WACM4 respectively. **(Post Meeting Note: The Final Modification Report was submitted to the Authority on 28 March).**

## 10. Discussion on Prioritisation

12819. The Panel carried out a deep dive of the prioritisation stack, taking into consideration feedback from industry participants, the CUSC Panel agreed the following changes to the prioritisation stack:

Modification	Panel Comments	Position in Prioritisation Stack
<a href="#">CMP417</a> Extending principles of CUSC Section 15 to all Users	The Panel agreed that CMP417 should be given 'high' priority due to the impact it has on demand, therefore this needs to be addressed.	High
<a href="#">CMP445</a> Pro-rating first year TNUoS for Generators	The Panel agreed that CMP445 should be placed as 'high' priority due to the impacts this modification could have and the complexity of the modification.	High
<a href="#">CMP405</a> TNUoS Locational Demand Signals for Storage	The Panel agreed that CMP405 should be placed as 'medium/high' priority. The Panel acknowledged that the Storage Sub – Group	Medium/High

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	will be progressing and agreed the progression of CMP405 should be reviewed to ensure its placement on the stack should remain.	
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12820. The Panel will continue to review the prioritisation stack on a monthly basis, taking into account feedback from industry. As work on the current modifications concludes and industry capacity is released, the Panel will prioritise and review other modifications accordingly.

The latest prioritisation stack can be found [here](#).

## 11. Standing Groups

### Transmission Charging Methodology Forum (TCMF)

12821. DA informed Panel that the TCMF meeting was held on 06 March. The meeting materials can be found via the following link: [Transmission Charging Methodology Forum](#)

## 12. European Updates

### Joint European Stakeholder Group (JESG)

12822. GG confirmed that the JESG meeting was held on 11 March. The meeting materials can be found via the following link: [Joint European Stakeholder Group](#)

The next JESG meeting will be held on 08 April.

## 13. Update on other Industry Codes

12823. The Panel papers and Headline Report for the following meetings can be found at the below links:

- 26 February 2025 STC [Panel Papers and Headline Report](#)
- 27 March 2025 Grid Code Review [Panel Papers and Headline Report](#)
- 07 March 2025 Special SQSS [Panel Papers and Headline Report](#)

## 14. Relevant Interruptions Claim Report

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12824. No further updates for the Panel.

## **15. Governance**

12825. No further updates for the Panel.

## **16. Horizon Scan**

12826. No further updates for the Panel.

## **17. Code Administrator Update**

12827. No further updates for the Panel.

## **18. Any Other Business (AOB)**

12828. CG confirmed non submitted.

## **19. Close**

12829. The Chair thanked the Panel for their time and contribution and brought the meeting to a close.

**The next CUSC Panel meeting will be held on 02 May at Faraday House.**

**New Modification Proposals to be submitted by 15 April.**

**CUSC Panel Papers Day is 24 April.**