

Final Modification Report

CMP462: Provision for Alternate Panel Members

Overview: This modification will give provision for the Code Administrator to run an expedited Alternate Election Process where the Connection and Use of System Code (CUSC) election process has not resulted in the election of Alternate Panel Members.

Modification process & timetable



Have 5 minutes? Read our [Executive summary](#)
Have 30 minutes? Read the full Final Modification Report
Have 60 minutes? Read the full Final Modification Report and Annexes.

Status summary: This report has been submitted to the Authority for them to decide whether this change should happen.

Panel Recommendation: The Panel has recommended unanimously that the Proposer's solution is implemented.

This modification is expected to have a: High impact on National Energy System Operator and CUSC Schedule 1 Parties

Governance route	Urgent modification to proceed under a timetable agreed by the Authority (with an Authority decision)
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What is the issue?

The 2025 CUSC Panel Election did not result in the election of Alternate Members for the CUSC Panel, as sufficient nominations were not received during the Elections Process (as per CUSC Annex 8A). The election resulted in the nomination of the minimum of 7 Panel Members. This means that the CUSC Modifications Panel for the period of 01 October 2025 – 30 September 2027 is made up of seven Users' Panel Members in addition to the National Energy System Operator (NESO) Panel Member and Consumers' Panel Member, with no Alternate Members for the Users' Panel Members.

Alternate Members are an important part of a fully operational and functioning CUSC Panel as they replace Panel Members when they are unable to attend CUSC Panel meetings. For quoracy purposes, six Panel Members are required to hold a quorate Panel meeting, as per CUSC Section 8.10.2.

Due to only seven Panel Members being elected via the 2025 CUSC Panel elections process, the risk of non-quorate Panel meetings is high. This situation could inhibit progress of CUSC Modification Proposals at a time where there are a high number of important modifications to CUSC, as well as the potential of a similarly high number of modifications during the tenure of the new CUSC Panel, which begun on 01 October 2025, and will conclude on 30 September 2027.

Why change?

At the time of raising this proposal, there have been 27 CUSC Panel meetings in 2025 so far. Without Alternate Panel Members, the risk of meetings being inquorate increases significantly, meaning that a substantial number of scheduled meetings could fail to proceed effectively. This would not only inhibit progress of CUSC Modification Proposals and other critical Panel business but also create ongoing uncertainty and disruption for industry parties who rely on timely and robust governance procedures.

What is the Proposer's solution?

Introduce provision within CUSC Annex 8A for the Code Administrator to run an expedited Alternate Election Process where the CUSC Election Process has not resulted in the election of Alternate Panel Members.

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Legal text

The full legal text for this change can be found in **Annex 02**, with the substantive changes summarised below.

The draft legal text contains the addition of a new clause to Paragraph 8A.2.2.5:

*“Where the election has resulted in zero (0) **Alternate Members**, **Alternate Members** shall be elected in accordance with the **Alternate Election Process** as set out in Paragraph 8A.4.4.”*

8A.4.4 has been renamed to “Alternate Election Process” and with the addition of the clause 8A.4.4.1 below has been extended to cover the scenario where the election process has not resulted in the election of Alternate Members:

*“Where there are no **Alternate Members** in office following an election, as set out in 8A.2.2.5, **Alternate Members** shall be elected in accordance with Paragraphs 8A.2, 8A.3 and subject to the following paragraphs 8A.4.4.3 to 8A.4.4.5 (inclusive) (the “**Alternate Election Process**”).”*

8A.4.4.5 has been amended to set out the minimum timelines for the expedited Alternate Election Process:

*“The timetable for the **Alternate Election Process** shall be expedited and the **Code Administrator** shall prepare a timetable accordingly, setting out:*

- (a) the date by which nominations of candidates are to be received, which shall not be less than one (1) week after the timetable is circulated;*
- (b) the date by which the **Code Administrator** shall circulate a list of candidates and voting papers;*
- (c) the date by which voting papers are to be submitted, which shall not be less than one (1) week after the date for circulating voting papers;*
- (d) the date by which the results of the election will be made known.”*

What is the impact of this change?

This modification will allow Alternate Members to be elected where the CUSC Election Process did not result in the election of Alternate Members. This will increase the likelihood of quoracy at CUSC Panel Meetings, preventing a delay to modification proceedings, which will have a positive impact on CUSC Parties.

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Proposer's assessment against CUSC Non-Charging Objectives	
Relevant Objective	Identified impact
(i) The efficient discharge by the Licensee of the obligations imposed on it by the Act and by this licence*;	Neutral
(ii) 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;	Neutral
(iii) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency **; and	Neutral
(iv) Promoting efficiency in the implementation and administration of the CUSC arrangements.	Positive This change will result in a higher likelihood of quoracy at CUSC Panel Meetings, preventing undue delay to progress of CUSC Modification Proposals.

* See Electricity System Operator Licence

**The Electricity Regulation referred to in objective (iii) 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.

Code Administrator Consultation Summary

The Code Administrator Consultation was issued on the 11 November closed on 25 November 2025 and received 3 non-confidential responses, 0 confidential responses and 1 late response. A summary of the responses can be found in the table below, and the full responses can be found in **Annex 04**.

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Code Administrator Consultation summary	
Question	
Please provide your assessment for the proposed solution against the Applicable Objectives versus the current baseline?	<p>Two respondents agreed that the CMP462 Original Proposal better facilities CUSC Applicable Objective (iv).</p> <p>One respondent did not believe that increasing the administrative burden on the CUSC Election Process will better facilitate the Applicable CUSC Objectives than the Baseline.</p>
Do you support the proposed implementation approach?	All respondents are supportive of the implementation approach.
Do you have any other comments?	<p>One respondent stated that by implementing this modification will enable the election of Alternate Panel Members, reducing delays in modification proposals and ensuring robust governance by addressing quoracy issues that have led to rearranged or cancelled special panels since October 2025.</p> <p>One respondent noted it is unlikely that an Alternate Election Process would change the CUSC Election Process outcome.</p>
Legal text issues raised in the consultation	
No legal text issues were raised	
EBR issues raised in the consultation	
No EBR issues were raised	

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Panel Recommendation vote

The Panel met on the 12 December 2025 to carry on their recommendation vote.

They assessed whether a change should be made to the CUSC by assessing the proposed change and any alternatives against the Applicable Objectives.

Vote 1: Does the Original facilitate the Applicable Objectives better than the Baseline?

Panel Member: **Andrew Enzor, Users' Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
Without alternates, there is a risk of Panel meetings being unable to proceed due to quoracy (particularly for Special meetings often convened at short notice to discuss urgent modifications) which is inefficient. Assuming new alternate panel members come forward, CMP462 will reduce that risk, better facilitating objective (iv).					

Panel Member: **Andy Pace, Consumers Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
This mod proposes to allow the Code Administrator to run an expediated Alternate Election Process. As the last CUSC election did not result in sufficient alternate Panel members, we recognise that without this change the CUSC Panel may not run as efficiently as it could potentially impacting on the progression of mods which could impact stakeholders. We therefore assess it					

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as better meeting relevant objective (iv) by promoting efficiency in the implementation and administration of the CUSC arrangements.

Panel Member: **Binoy Dharsi, Users' Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
<p>As per the proposer's assessment, this change will result in a greater likelihood of reaching quoracy at CUSC Panel Meetings and ensuring the effectiveness for the Panel process to carry out its elected duties.</p> <p>It is positive against Applicable CUSC Objective iv).</p>					

Panel Member: **Camille Gilsenan, NESO Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
<p>NESO assess the proposed CMP462 solution as positive against ACO (iv):</p> <p>Alternate Panel Members play a critical role in ensuring the efficient administration of the CUSC, and since the start of the current Panel term on 1 October 2025, there have already been two instances where special panels had to be rearranged or cancelled due to quoracy issues.</p> <p>CMP462 would reduce the risk of inquorate meetings and ensure that the Panel can continue to progress code modifications and other important panel business without unnecessary delay. This supports efficient governance</p>					

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and timely decision-making, to the benefit of all CUSC Parties and the wider industry.

Panel Member: **Garth Graham, Users' Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
Having been a Panel member of long standing I am aware of the practical problems that have occurred in the past where there was a lack of alternatives available. However, in those previous times the total quantum of Panel meetings were less than in, for example, 2025. Taking into account the proposer's justification and the consultation responses as well, accordingly I believe that this proposal better facilitates Applicable Objective (iv) whilst being neutral in terms of (i), (ii) and (iii) and is, overall, better than Baseline.					

Panel Member: **Joe Colebrook, Users' Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
CMP462 will have no impact on objectives (i), (ii), and (iii). CMP462 is positive for objective (iv). It will result in a higher likelihood of quorum at CUSC Panel Meetings, preventing undue delay to the progress of CUSC Modification Proposals. The modification does not change the fact that CUSC panel members are given priority over alternate members to attend					

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panel meetings and vote, and panel members should try to maximise their attendance if they feel it is important that they have a vote at a panel.

Panel Member: **Kyran Hanks, Users' Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
Without alternates, the Panel business can be affected by non-quoracy. Therefore, this proposal – if it generates alternates – should promote efficiency in the operation of the CUSC.					

Panel Member: **Lauren Jauss, Users' Panel Member**

	Better facilitates AO (i)?	Better facilitates AO (ii)?	Better facilitates AO (iii)?	Better facilitates AO (iv)?	Overall (Y/N)
Original	Neutral	Neutral	Neutral	Yes	Yes
Voting Statement					
This modification will ensure that any lack of availability of panel members does not have a detrimental impact on code development. However, this modification has not addressed the underlying problem and reason as to why an adequate number of nominations were not made. In previous years, invitations for nominations were sent out as a standalone email, as befits the importance of the process. This year invitations to nominations were found at the bottom of the regular code administrator newsletter, rather than being prominently highlighted. I believe that industry expected to receive notification of elections in a specific email, especially since this was the case for Grid Code elections which took place in Q4 2024, after the Code Administrator daily update email was first issued in Summer 2024.					

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CUSC Section 8A.1.2.1 states “The Code Administrator shall not later than 1st July in the election year prepare and circulate to all Users (by publication on the Website and, where relevant details are supplied, by electronic mail), with a copy to the Authority, an invitation to nominate candidates who must be willing to be either a User Panel Member or an Alternate Member and a timetable for the election (the “Election Timetable”)”. Although the code administrator complied with the letter of this regulation, we do not believe the spirit of the regulation, to ensure that industry participants are sufficiently notified of the panel elections, was fulfilled.

I have given clear feedback to the Code Administrator multiple times that a daily newsletter is inadequate in bringing attention to important topics, such as this, particularly those requiring industry input within a short timeframe.

This modification addresses the fact that ex-post we do not have any panel members, however it overlooks the new fundamental problem of inadequate communications with industry on important topics.

Vote 2 – Which option best meets the Applicable Objectives?

Panel Member	Best Option	Which objectives does this option better facilitate? (If baseline not applicable).
Andrew Enzor	Original	iv
Andy Pace	Original	iv
Binoy Dharsi	Original	iv
Camille Gilsenan	Original	iv
Garth Graham	Original	iv
Joe Colebrook	Original	iv
Kyran Hanks	Original	iv
Lauren Jauss	Original	iv

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Panel Conclusion

The Panel has recommended unanimously that the Proposer's solution is implemented.

When will this change take place?

Implementation date:

5 Business Days following an Authority Decision.

Date decision required by

As soon as reasonably practicable.

Implementation approach

No systems or processes will require change as a result of this Proposal. No interactions with other codes have been identified

Interactions

☐ Grid Code ☐ BSC ☐ STC ☐ SQSS
☐ European Network ☐ EBR Article 18 ☐ Other ☐ Other
Codes T&Cs¹ modifications

No interactions with other codes have been identified.

Acronyms, key terms and reference material

Acronym / key term	Meaning
BSC	Balancing and Settlement Code
CUSC	Connection and Use of System Code
EBR	Electricity Balancing Regulation
GC	Grid Code
NESO	National Energy System Operator
SQSS	Security and Quality of Supply Standards
STC	System Operator Transmission Owner Code

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T&Cs	Terms and Conditions
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Annexes

Annex	Information
Annex 01	CMP462 Proposal Form
Annex 02	CMP462 Legal Text
Annex 03	CMP462 Code Administrator Consultation Responses
Annex 04	CMP462 Code Administrator Consultation Responses Summary