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# CUSC Panel 21 November 2025

## CUSC Panel Minutes

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**Date:** 21/11/2025      **Location:** Microsoft Teams

**Start:** 10:00      **End:** 11:30

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## Participants

Attendee	Initials	Representing
Anthony Pygram	AP	Independent Panel Chair
Catia Gomes	CG	Panel Secretary, Code Administrator
Ren Walker	RW	Panel Technical Secretary, Code Administrator
Andrew Enzor	AE	Users' Panel Member
Dan Arrowsmith	DA	NESO Panel Member
Garth Graham	GG	Users' Panel Member and Proposer of CMP465
Joe Colebrook	JC	Users' Panel Member
Kyran Hanks	KH	Users' Panel Member
Lauren Jauss	LJ	Users' Panel Member
Shane Cracknell	SC	Users' Panel Member
Nadir Hafeez	NH	Authority Representative
Harriet Harmon	HH	Authority Representative

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### **Apologies**

<b>Attendee</b>	<b>Initials</b>	<b>Representing</b>
Andy Pace	APa	Consumers' Panel Member
Binoy Dharsi	BD	Users' Panel Member
Rashmi Radhakrishnan	RR	ELEXON

### **Presenters**

<b>Attendee</b>	<b>Initials</b>	<b>Position</b>
Liam King	LK	Ofgem

### **Observers**

<b>Attendee</b>	<b>Initials</b>	<b>Representing</b>

## **1. Introductions, Apologies and Declarations of Interest**

13062. Apologies were received from Andy Pace, Binoy Dharsi and Rashmi Radhakrishnan.

13063. GG noted a declaration of interest in relation to CMP465 due to being the Proposer of CMP465.

## **2. New Modifications**

### **CMP465: Construction Progression Milestones (M5-M8) Neutrality**

13064. GG delivered a presentation on CMP465. GG explained that this modification aims to deal with the extension given on the G2tWQ Connections offers until 2026 (from the end of 2025) and give affected Users the option to be placed back to the position they would have been (in terms of M5-M8 milestones only) had this extension not occurred.

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13065. GG set out their rationale for Urgency against Ofgem's Urgency criteria (a) *A significant commercial impact on parties, consumers or other stakeholder(s)* and (c) *A party to be in breach of any relevant legal requirements*. GG explained that given that G2tWQ offers will start to be issued in Q1 2026 there is an imminent issue of needing to provide certainty to stakeholders (prior to the start of Q1 2026, so by 31 December 2025), if relevant for their project, that they can exercise an option to extend one (or more) of the M5–M8 milestones such that the party is not in breach of their legal requirement to comply with the relevant Milestone(s) as a result of the timeline extension (to the provision of the G2tWQ offers) that was introduced, by NESO, in October 2025 as this would be a significant commercial impact on those parties.

13066. The Panel discussed CMP465 and the associated request for urgency and noted the following:

- NESO understands the concern from the Proposer but does not believe there is a case for urgency as the defect does not appear clear, and there is already a workaround within the codes which addresses the risk raised by the Proposer.
- Within CUSC Panel, a legal point was raised regarding the validity of the defect, with an action on NESO's legal team to clarify. That action has not yet been closed, and therefore at the time of writing, NESO does not believe the defect is clear and thus was not able to vote to recommend the modification, let alone recommend urgency for it. Regardless of the above legal query, the CUSC already allows for an exceptions process, and NESO has informed the Proposer that the intent is to use the exceptions process were the risk identified to occur, and as such NESO does not believe there is urgency in how quickly this modification should proceed.
- A Panel member agreed with the Proposer's justification for Urgency and noted that it is important that we can rely on codification of Users' options and NESO's options rather than a non-codified statement of intent.
- Another Panel member stated that NESO can use the Exceptional Issues process, as per clause 16.5 of the CUSC, to delay Users Appendix Q Milestones when they issue Gate 2 Modifications. Industry is concerned that this exception is at the discretion of NESO, and there should be a clear understanding of what delay can be applied to Appendix Q milestones.

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- A Panel Member advised that their understanding is that Milestone M1 for all projects will be recalculated based on the Gate 2 offer date as per clause 18.14.2 in the CUSC. Milestone M3 will be completed as part of the Gate 2 Criteria. Therefore, they agree with the Proposer that the defect is specifically for Milestones M5-M8.
- Some Panel members agreed with the Proposer's justification for urgency.
- There is a clear defect created by NESOs' successive delays to the Gate 2 to Whole Queue (CMP435) process, and this modification will provide legal certainty that Milestones M5- M8 will be extended (delayed) by a specific number of days due to the delay to Gate 2 Offers being issued. This reduces the administration burden on the NESOs Connection Team.
- If Users wish to seek further delays to queue management milestones, then one member believed this can be requested as part of the Expectations Issue process, and it would be at NESO's discretion to grant delays to milestones. If a project has not been able to progress their project due to the NESO delays to the EA Timetable and is now in breach of their Appendix Q milestones, their connection agreement may be terminated as soon as they accept a Gate 2 Offer. Termination of connection agreements can have a significant commercial impact on Users (Urgency Criteria a). It is clear that Users not able to meet their Appendix Q milestones are in breach of any relevant legal requirements (Urgency Criteria c).

13067. The Panel by majority agreed that CMP465 met the Authority's Urgency criteria (a) and (c) and therefore recommended urgent treatment. Panel's recommendation was sent on 21 November 2025 seeking an Authority decision by 5pm on 26 November 2025.

## 3. Any other Business

### Ofgem Demand connections update – guidance

13068. LK, from Ofgem attended the Panel to provide an update on the direction of travel for Demand Connections, following the recent publication from Ofgem ([Demand Connections guidance](#)).

13069. LK noted concerns about the pace of viable connections for important projects and noted that Ofgem are working with colleagues across the government and NESO to create an effective Demand Connections queue. LK stated that Ofgem

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are keen to hear from industry parties on how to create an effective queue and connect projects at pace.

13070. GG mentioned the technical requirements for demand and the need for alignment as an industry. SC emphasised the importance of supporting actions and creating a viable demand queue, leveraging project experience and lessons learned. KH suggested a PCF-type modification for demand. DA stated that demand sites are smaller and applying the same threshold as generation would not be suitable.

13071. JC highlighted the importance of engaging with the industry early to save time and help form modification proposals. GG agreed with this point and stated the need for a process to move at pace and open the conversation across the industry.

13072. LK encouraged the Panel to align with Ofgem's expectations which have been outlined in their letter and emphasised the importance of collaboration between NESO colleagues and network operators to develop effective solutions. LK stated that Ofgem are interested in understanding how to incentivise projects to connect quickly and how to plan and prioritise these projects efficiently, including self-build options. DA agreed to provide feedback at the Panel on 28 November on the best way to respond to the open letter.

## 4. Close

13073. 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 28 November.**