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Code Administrator Meeting

Summary

Workgroup Meeting 4: CMP414 – CMP330/CMP374 Consequential Modification

Date: 11/12/25

Contact Details

Chair: Robert Hughes, robert.hughes3@neso.energy

Proposer: Neil Dewar, neil.dewar@neso.energy

Key areas of discussion

This meeting focused on a complete review of open actions with updates.

Objectives and Timeline Review

The Chair led a discussion with the Workgroup on maintaining the current timeline. The Chair proposed an additional Workgroup in January before opening a Workgroup Consultation in late January. The extra Workgroup will facilitate more content development and alleviate any evidence gathering challenges, particularly due to the Christmas holiday period.

The Chair clarified that the key timeline deadline for the Final Modification Report to Ofgem remains unchanged but noted some flexibility within the timeline in terms of the Workgroup Consultation dates and that any changes to these dates would be minor and subject to further review in January.

Send Back issues – Actions Log update

The Proposer led a detailed review of the action log, providing updates alongside Workgroup members on the action log, with efforts to gather evidence detailed. The Action log below captures closure or merging of several actions based on findings and stakeholder input and several new actions opened.

Action 1 (Closed) – Workgroup members explained that the original action sought to assess contestability at 132kV in England and Wales via the Energy Network Association (ENA), the ENA have directed to existing reports and regulatory data, but they have limited relevance. (**Action 12** opened to seek Scottish Transmission evidence)

Action 2 (Closed) – The Workgroup agreed that Action 2 should be amalgamated with Action 7

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Action 3 (Open) – Ofgem are not able to provide an update and more clarity until mid-January. One Workgroup member highlighted that The Authority send back letter referenced the balance of impact on parties due to late delivery, noting that RIIO-T3 final proposals include a late delivery connections incentive or penalty for Transmission Owners. The Workgroup member emphasised that if construction is a contestable asset and delivered late, this affects the licence holder, and the modification needs to address how such cases are handled regarding incentives or penalties. The Workgroup member requested that Ofgem clarify whether there is an exception for late delivery of contestable assets and that this should be considered in Ofgem's guidance on incentives for this modification.

Action 6 (Open) – Still awaiting confirmation from Energiekontor that it can be shared with the Workgroup. The initial analysis has been sent back to Energiekontor for approval to share, with anonymised project names; awaiting their response before circulating to the Workgroup.

Action 6.1 (Open) – The Proposer has reached out to several contacts at EirGrid but has been able to locate the original CBA and confirm its availability. One Workgroup member suggested reaching out to System Operator Northern Ireland (SONI) to check if they have access to the CBA. (**Action 13** opened to reach out to SONI)

Action 6.2 (Open) – National Grid Electricity Transmission (NGET) updated that there is limited scope for contestability for England and Wales. Please see the update to Action 1 and Action 12 above which relates to Scottish Transmission Operators and any available evidence that can be shared.

Action 6.3 (Closed) – A written summary has been provided to the Proposer.

Action 6.4 (Open) – The Proposer updated that they have been liaising with Scottish Renewables (who have passed on to Renewables UK) on the ask of obtaining Contestable Connections. The Proposer and NESO SME have been asked to present at Scottish Renewable Industry Forum on 10 December and will update action afterwards. The Proposer and the NESO SME to set up a meeting with Renewables UK to discuss ask.

Action 6.5 (Open) – Ofgem are not able to provide an update and more clarity until mid-January.

Action 6.6 (Open) – A written explanation has been provided to the Proposer regarding England and Wales.

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Action 7 (Open) – ongoing with no substantive progress yet. The Proposer requested support from Workgroup members to set up meetings to develop the risk register, ideally involving engineering SMEs and leveraging existing standards and prior work. Several participants offered to help, and there is intent to incorporate Irish and Scottish experiences and standards. Next steps include organising a mini-workshop or meetings to draft the risk register, aiming to show evidence of progress in January.

Action 8 (Open) – No update (Action owner not present)

Action 9 (Open) – No new update; a meeting is planned for either next week or early January to discuss further, with NGET noting that contestability is generally not applicable in England and Wales for new circuits, so the focus should be on Scottish Transmission Owners. The action will be progressed in collaboration with Scottish Transmission Owners.

Action 10 (Open) – A spreadsheet has been developed comparing the STC and CUSC Legal text, with NESO Legal reviewing it. No major discrepancies have been found so far; focus is on ensuring alignment rather than resolving fundamental differences. The spreadsheet will be shared with the Workgroup once further review is complete, with more information expected at the next Workgroup. The legal text alignment is a priority, and the process will continue through the reconstituted CM079 Workgroup.

Action 11 (Open) – Ofgem are not able to provide an update and more clarity until mid-January.

Action 12 (New) – The Chair and the Proposer were assigned an action to engage Scottish Transmission Operators and developers. SSE Networks volunteered to provide evidence. The Proposer agreed to arrange meetings to gather further data and coordinate with Scottish Transmission Operators. The Proposer also shared that meetings are planned with Scottish Renewables and Renewables UK over the next month. To investigate whether any evidence can be shared with the Workgroup or if it's confidential, can it be shared directly with Ofgem on a confidential basis.

Action 13 and 14 (New) – Actions opened see below.

Next steps

Workgroup meeting in January to facilitate the continuation of the Workgroups evidence gathering.

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Actions

Action	Workgroup	Owner	Action	Due by	Status
Number Raised					
1	WG1	ND, MPS & AP	Obtain evidence from the ENA to obtain statistics on contestability	WG 2	Closed
2	WG1	WG	Look into transmission regime for additional insights on managing substandard assets	WG2	Closed
3	WG1	RW	Ofgem to provide clarity on lack of analysis around incentives meaning	WG2	Open
6			<u>Lack of clarity on benefits</u>		
6	WG3	AP	Share the confidential cost benefit analysis from Energiekontor with the Workgroup, indicating which parts are confidential and can be included as a confidential appendix to the FMR	WG4	Open
6.1	WG3	ND	Investigate whether Eirgrid's previous cost benefit analysis on contestable works can be sourced and considered as part of the evidence base.	WG4	Open
6.2	WG3	ND, AP & MPS	Review available ENA data and independent analysis on financial and time-saving benefits.	WG4	Open
6.3	WG3	MPS	Provide a written note on the realistic scope and likely voltage levels of contestable	WG4	Closed

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			works, especially regarding the rarity of long, high-voltage circuits in England and Wales.		
6.4	WG3	ND & DR	Explore the possibility of obtaining data on contestable connections directly from developers via industry associations such as Renewable UK, Scottish Renewables, and Solar UK, and report on feasibility and progress	WG4	Open
6.5	WG3	KE	Clarify what constitutes satisfactory empirical evidence for financial and time-saving benefits, including whether data from distribution contestability is available and relevant	WG4	Open
6.6	WG3	MPS, ND	Draft a written summary on the realistic scope and metrics for construction of sole use circuits over 2 kilometres at various voltage levels, including the likelihood and potential benefits, for consideration by the Workgroup	WG4	Open
7			<u>Lack of clarity on risks of Sub-standard assets</u>		
7	WG3	ND/WG	Produce a risk register detailing risks and mitigations associated with substandard assets in contestable works, including consideration of legal and contractual	WG4	Open

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protections, with input from the Workgroup

8

Lack of Charging considerations

8 WG3 JO Provide a summary of charging considerations and potential issues for contestable assets, especially regarding shared infrastructure and capital contributions

WG4 Open

9

Lack of analysis on Anticipatory Investment

9 WG3 AP, MPS & ND AP and MPS to work with ND on scenario analysis for anticipatory investment (AI), focusing on real-life examples and the impact on future network sharing

WG4 Open

10

Misalignment of the STC and CUSC

10 WG3 ND & MPS Review and align legal text between the CUSC and STC modifications, ensuring consistency in compensation and intervention clauses

WG4 Open

11

WG3 KE Provide clarification on the Authority's expectations regarding TO and contractor incentives and how they relate to timeliness and quality of build. This to be part of general clarification on each of the send back points

WG4 Open

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12	WG4	ND & RH	Reach out to Scottish Transmission Owners (TOs) to seek their involvement in the Workgroup and request their engagement and evidence for the process.	New	WG5
13	WG4	ND	Check with SONI (System Operator for Northern Ireland) to see if they could share information or have access to the CBA (Cost Benefit Analysis), as they might use similar contestability criteria as EirGrid and could have relevant data.	New	WG5
14	WG4	RH	Circulate MPS written summary to the Workgroup in closing Action 6.3, and for the England and Wales element of Action 6.6.	New	WG5

Attendees

Name	Initial	Company	Role
Robert Hughes	RH	Code Administrator, NESO	Chair
Andrew Hemus	AH	Code Administrator, NESO	Tec Sec
Neil Dewar	ND	NESO	Proposer
Andy Pace	AP	Energy Potential Consulting Limited	Workgroup Member
Dayna Roger	DR	NESO	NESO SME
Greg Stevenson	GS	Green Cat Renewables Ltd	Observer
Kingsley Emeana	KE	Ofgem	Authority Representative
Lina Apostoli	LA	ESB Generation & Trading	Workgroup Member
Matthew Paige-Stimson	MPS	NGET	Workgroup Member
Meghan Hughes	MH	SSENT	Workgroup Member
Shalema Bhanu	SB	Ofgem	Observer
Tim Ellingham	TE	RWE	Workgroup Member

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