

## Workgroup Terms of Reference and Membership

### CMP417: Extending principles of CUSC Section 15 to all Users

#### Responsibilities

1. The Workgroup is responsible for assisting the CUSC Modification Panel in the evaluation of CUSC Modification Proposal **CMP417: Extending principles of CUSC Section 15 to all Users** raised by **the Electricity System Operator** at the Modifications Panel meeting on **28 July 2023**. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable CUSC Objectives.

#### Applicable CUSC (non-charging) Objectives

- i. The efficient discharge by the Licensee of the obligations imposed on it by the Act and by this licence\*;
- 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;
- iii. Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency \*\*; and
- iv. Promoting efficiency in the implementation and administration of the CUSC arrangements.

\* 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.

2. It should be noted that additional provisions apply where it is proposed to modify the CUSC Modification provisions, and generally reference should be made to the Electricity System Operator Licence for the full definition of the term.

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## Scope of work

3. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Applicable CUSC Objectives.
4. In addition, the Workgroup shall consider and report on the following specific issues:

Workgroup Term of Reference	Location in Workgroup Report (to be completed at Workgroup Report stage)
a) Consider EBR implications	Pages 30 and 39
b) Consider the transitional arrangements	Pages 26, 27 and 33
c) Consider interactions with other codes or code modifications	Pages 4, 9, 28, 29 and 45
d) Consider interactions with NESO connections reform recommendations	Pages 26, 27, 31, 32, 39 and 45
e) Consider financial consequences to Users	Pages 7, 8, 9, 13, 14, 15, 18, 19, 20, 23, 24, 25, 26, 36, 37, and 38
f) Consider cash flow implications on NESO	Pages 37 and 38
g) Consider the interaction between Demand and Generation securities	Pages 9, 12, 13, 14, 16, 17, 18, 19, 20, 21, 23, 24, 25 and 26

5. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative CUSC Modifications (WACMs) arising from Group discussions which would, as compared with the Modification Proposal or the current version of the CUSC, better facilitate achieving the Applicable CUSC Objectives in relation to the issue or defect identified.

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6. The Workgroup should become conversant with the definition of Workgroup Alternative CUSC Modification which appears in Section 11 (Interpretation and Definitions) of the CUSC. The definition entitles the Group and/or an individual member of the Workgroup to put forward a WACM if the member(s) genuinely believes the WACM would better facilitate the achievement of the Applicable CUSC Objectives as compared with the Modification Proposal. The extent of the support for the Modification Proposal or any WACM arising from the Workgroup's discussions should be clearly described in the final Workgroup Report to the CUSC Modifications Panel.
7. Workgroup members should be mindful of efficiency and propose the fewest number of WACMs possible.
8. All proposed WACMs should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes WACMs which are proposed by the entire Workgroup or subset of members.
9. There is an obligation on the Workgroup to undertake a period of Consultation in accordance with CUSC 8.20. The Workgroup Consultation period shall be for a period of 15 working days as determined by the Modifications Panel.
10. Following the Consultation period, the Workgroup is required to consider all responses including any WG Consultation Alternative Requests. In undertaking an assessment of any WG Consultation Alternative Request, the Workgroup should consider whether it better facilitates the Applicable CUSC Objectives than the current version of the CUSC.

As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or WACMs. All responses including any WG Consultation Alternative Requests shall be included within the final report including a summary of the Workgroup's deliberations and conclusions. The report should make it clear where and why the Workgroup chairperson has exercised their right under the CUSC to progress a WG Consultation Alternative Request or a WACM against the

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majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairperson is employed by the same organisation who submitted the WG Consultation Alternative Request.

11. The Workgroup is to submit its final Workgroup Report to the Modifications Panel Secretary on **18 June 2026** for circulation to Panel Members. The final Workgroup Report conclusions will be presented to the CUSC Modifications Panel meeting on **26 June 2026**.

## Membership

12. It is recommended that the Workgroup has the following members:

Role	Name	Representing
Chair	Robert Hughes	NESO
Technical Secretary	Tammy Meek	NESO
Proposer	Martin Cahill	NESO
Workgroup Member	Charles Deacon	Eclipse Power Networks
Workgroup Member (Alternate)	David Swadling	Eclipse Power Networks
Workgroup Member	Matthew Paige-Stimson	NGET
Workgroup Member (Alternate)	Ben Sayah	NGET
Workgroup Member	Harriet Eckweiler	SHET
Workgroup Member (Alternate)	Jonny Clark	SHET

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Workgroup Member	Steve Halsey	UK Power Networks
Workgroup Member (Alternate)	Zivanayi Mushanhi	UK Power Networks
Workgroup Member	Andrew Akani	NGED
Workgroup Member (Alternate)	Michael Kaveny	NGED
Workgroup Member	Damian Clough	SSE
Workgroup Member (Alternate)	Edda Dirks	SSE
Workgroup Member	Kirsty Dawson	Statkraft UK
Workgroup Member (Alternate)	Pete Aston	Statkraft UK
Workgroup Member	Tim Ellingham	RWE Supply & Trading GmbH
Workgroup Member (Alternate)	Andrew Allan	RWE Supply & Trading GmbH
Workgroup Member	Gareth Williams	SPT
Workgroup Member (Alternate)	Paul Smillie	SPT
Workgroup Member	Sam Aitchinson	Island GP

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Workgroup Member (Alternate)	Robin Prince	Island GP
Workgroup Member	Ollie Easterbrook	National Grid
Workgroup Member (Alternate)	Jack Purchase	National Grid
Authority Representative	Christopher Patrick	Ofgem

NB: A Workgroup must comprise at least 5 members (who may be Panel Members). The roles identified with an asterisk (\*) in the table above contribute toward the required quorum, determined in accordance with paragraph 14 below.

13. The Chairperson of the Workgroup and the Modifications Panel Chairperson must agree a number that will be quorum for each Workgroup meeting. The agreed figure for this modification is that at least 5 Workgroup members must participate in a meeting for quorum to be met.
  
14. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each WACM. The vote shall be decided by simple majority of those present at the meeting at which the vote takes place (whether in person or by teleconference). The Workgroup chairperson shall not have a vote, casting or otherwise. There may be up to three rounds of voting, as follows:

**Vote 1:** whether each proposal better facilitates the Applicable CUSC Objectives;

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**Vote 2:** where one or more WACMs exist, whether each WACM better facilitates the Applicable CUSC Objectives than the original Modification Proposal;

**Vote 3:** which option is considered to BEST facilitate achievement of the Applicable CUSC Objectives. For the avoidance of doubt, this vote should include the existing CUSC baseline as an option.

The results from the vote and the reasons for such voting shall be recorded in the Workgroup report in as much detail as practicable.

15. It is expected that Workgroup members would only abstain from voting under limited circumstances, for example where a member feels that a proposal has been insufficiently developed. Where a member has such concerns, they should raise these with the Workgroup chairperson at the earliest possible opportunity and certainly before the Workgroup vote takes place. Where abstention occurs, the reason should be recorded in the Workgroup report.
16. Workgroup members or their appointed alternate are required to attend a minimum of 50% of the Workgroup meetings to be eligible to participate in the Workgroup vote.
17. The Technical Secretary shall keep an Attendance Record for the Workgroup meetings and circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the final Workgroup report.
18. The Workgroup membership can be amended from time to time by the CUSC Modifications Panel.

### Terms of Reference Version Control

Issue	Date	Summary of Changes / Reasons	Panel Approval Date
1	28/07/2023	Panel approved Terms of Reference ahead of nominations	28/07/2023
2	27/06/2025	Panel approved an additional Term of Reference (g)	27/06/2025