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Nadir Hafeez  
Ofgem  
**By email**

Anthony Pygram  
Independent Chair CUSC & Grid Code Panel

21 April 2026

CMP473 Request for Urgency

Dear Nadir

Connection and Use of System Code (CUSC) Modification Panel Request for Urgency and Recommended Timetable for **CMP473: Clarification of contract updates required with a Gate 2 Modification Offer**.

On 13 April 2026, **RWE** raised **CMP473**. The Proposer sent a request to the CUSC Panel Secretary for this modification to be treated as urgent.

**CMP473** seeks to clarify which updates to Existing Agreements shall be implemented. Currently, updates to Existing Agreement appendices included within Gate 2 Modification Offers lack consistent treatment, particularly in relation to a network company causing a Completion Date delay. All documentation for this modification can be located via the following [link](#).

The CUSC Modifications Panel ("the Panel") on 21 April 2026, considered **CMP473** and the associated request for urgency. This letter sets out the views of the Panel on the request for urgent treatment and the procedure and timetable that the Panel recommends.

The Proposer set out their rationale for Urgency against Ofgem's Urgency criteria (a) which is as follows:

**a) A significant commercial impact on parties, consumers or other stakeholder(s).**

*It is essential that connecting Users are issued with accurate offers. There is a limited window for acceptance of offers, and Users should not be expected to take on the significant commercial risk of signing inaccurate or non-compliant offers. We believe the NESO may currently be in breach of its obligations under CUSC Section 18, clause 18.14.2, and this modification should resolve any discrepancy moving forward. In order that clarity is achieved at the earliest opportunity to have effect in relation to the maximum number of Gate 2 Modification Offers still to be issued, urgency is required.*

**Panel Consideration of the Request for Urgency**

The Panel considered the request for urgency with reference to [Ofgem Guidance on Code Modification Urgency Criteria](#). The majority view of the Panel is that **CMP473 does meet** Ofgem's

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Urgency criteria<sup>1</sup>. Therefore, the recommendation of the Panel is that **CMP473 should be** treated as an Urgent CUSC Modification Proposal.

Panel members set out their rationale behind this decision:

- Four Panel members agreed with the Proposer’s rationale for urgency.
- One Panel member abstained from voting.
- A Panel member noted that it is crucial that developers have Gate 2 contracts offered to them by the NESO are accurate. Given the time limited nature of accepting offers, it is assessed that this modification is treated as Urgent. Failure to do this could have a material impact on Users.
- The NESO Panel member believes that, in particular, the status of Appendix J is currently unclear, and so this modification provides a material clarification, which has the potential to significantly impact the contractual terms agreed under a connection offer. When considered alongside the timelines for accepting Gate 2 offers, this modification therefore meets the threshold for urgency under commercial impact.

### Procedure and Timetable

The Panel discussed an appropriate timetable for **CMP473** in the instance that urgency is granted.

The Panel agreed that **CMP473** subject to Ofgem’s decision on Urgency should follow the attached Code Administrator’s proposed timetable (Appendix 1 **Urgent recommendation**). In Appendix 2 of this letter, the Code Administrator has also provided the timeline if this follows standard timescales with the assumption that Panel prioritises this high in the prioritisation stack.

Panel noted that if urgency is required, there would be;

- Code Administrator Consultation period of less than 15 Business Days
- There would be less than 5 clear Business Days between publication of the Draft Final Modification Report and Panel’s recommendation; and
- There would be less than 5 clear Business Days for Panel to check that their Recommendation Vote had been recorded correctly

Under CUSC Section 8.24.4, we are now consulting the Authority as to whether this Modification is an Urgent CUSC Modification Proposal.

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<sup>1</sup> Ofgem’s current view is that an urgent modification should be linked to an imminent issue or a current issue that if not urgently addressed may cause:

- a) A significant commercial impact on parties, consumers or other stakeholder(s); or
- b) A significant impact on the safety and security of the electricity and/or gas systems; or
- c) A party to be in breach of any relevant legal requirements.

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Please do not hesitate to contact me if you have any questions on this letter or the proposed process and timetable. I look forward to receiving your response

Yours sincerely

*Anthony Pygram*

Anthony Pygram  
Independent Chair of the CUSC and Grid Code Panel

### Appendix 1– Urgent Timeline

Modification Stage	Date
Modification presented to Panel	21 April 2026
Ofgem decision on Urgency	By 5pm on 28 April 2026
Code Administrator Consultation	29 April 2026 – 05 May 2026
Draft Final Modification Report (DFMR) issued to Panel	07 May 2026
Panel undertake DFMR recommendation vote	13 May 2026
Final Modification Report issued to Panel to check votes recorded correctly	13 May 2026
Final Modification Report issued to Ofgem	13 May 2026
Ofgem decision	20 May 2026
Implementation Date	5 Business Days following Authority Decision

### Appendix 2 – Standard Timeline

Modification Stage	Date
Modification presented to Panel	21 April 2026
Code Administrator Consultation	23 April - 15 May 2026
Draft Final Modification Report (DFMR) issued to Panel	18 June 2026
Panel undertake DFMR recommendation vote	26 June 2026
Final Modification Report issued to Panel to check votes recorded correctly	29 June - 06 July 2026
Final Modification Report issued to Ofgem	07 July 2026
Ofgem decision	TBC
Implementation Date	5 Business Days following Authority Decision

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### Appendix 3 – Panel Urgency Vote

See separate attachment