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Code Administrator Consultation Response Proforma

CMP471: Interim Contract Variation Process Ahead of CMP434 Gated Application Window

Industry parties are invited to respond to this consultation expressing their views and supplying the rationale for those views, particularly in respect of any specific questions detailed below.

Please send your responses to cusc.team@neso.energy by **5pm** on **25 September 2026**. Please note that any responses received after the deadline or sent to a different email address may not receive due consideration.

If you have any queries on the content of this consultation, please contact cusc.team@neso.energy

Respondent details	Please enter your details	
Respondent name:	Steven Hayes	
Company name:	Belltown Power UK	
Email address:	Grid.connections@belltownpower.com	
Phone number:	07563 319980	
Which best describes your organisation?	☐ Consumer body ☐ Demand ☐ Distribution Network Operator ☒ Generator ☐ Industry body ☐ Interconnector	☐ Storage ☐ Supplier ☐ System Operator ☐ Transmission Owner ☐ Virtual Lead Party ☐ Other

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I wish my response to be:

(Please mark the relevant box)	☒ Non-Confidential (<i>this <u>will be shared</u> with industry and the Panel for further consideration</i>)
	☐ Confidential (<i>this will be disclosed to the Authority in full but, unless specified, <u>will not be shared</u> with the Panel or the industry for further consideration</i>)

For reference the Applicable CUSC (non-charging) Objectives are:

- 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.

For reference, (for consultation questions 5) the Electricity Balancing Regulation (EBR) Article 3 Objectives and regulatory aspects are:

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- a) fostering effective competition, non-discrimination and transparency in balancing markets;*
- b) enhancing efficiency of balancing as well as efficiency of national balancing markets;*
- c) integrating balancing markets and promoting the possibilities for exchanges of balancing services while contributing to operational security;*
- d) contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector while facilitating the efficient and consistent functioning of day-ahead, intraday and balancing markets;*
- e) ensuring that the procurement of balancing services is fair, objective, transparent and market-based, avoids undue barriers to entry for new entrants, fosters the liquidity of balancing markets while preventing undue market distortions;*
- f) facilitating the participation of demand response including aggregation facilities and energy storage while ensuring they compete with other balancing services at a level playing field and, where necessary, act independently when serving a single demand facility;*
- g) facilitating the participation of renewable energy sources and supporting the achievement of any target specified in an enactment for the share of energy from renewable sources.*

What is the EBR?

The Electricity Balancing Regulation (EBR) is a European Network Code introduced by the Third Energy Package European legislation in late 2017.

The EBR regulation lays down the rules for the integration of balancing markets in Europe, with the objectives of enhancing Europe's security of supply. The EBR

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aims to do this through harmonisation of electricity balancing rules and facilitating the exchange of balancing resources between European Transmission System Operators (TSOs). Article 18 of the EBR states that TSOs such as the NESO should have terms and conditions developed for balancing services, which are submitted and approved by Ofgem.

Please express your views in the right-hand side of the table below, including your rationale.

Standard Code Administrator Consultation questions										
1	Please provide your assessment for the proposed solution(s) against the Applicable Objectives against the current baseline.	Mark the Objectives which you believe the proposed solution(s) better facilitates than the current baseline: <table border="1"> <tr> <td>Original</td> <td>☒i ☒ii ☒iii ☒iv ☐None</td> </tr> <tr> <td>WACM1</td> <td>☒i ☒ii ☒iii ☒iv ☐None</td> </tr> <tr> <td>WACM2</td> <td>☒i ☒ii ☒iii ☒iv ☐None</td> </tr> <tr> <td>WACM3</td> <td>☒i ☒ii ☒iii ☒iv ☐None</td> </tr> </table> Click or tap here to enter text.	Original	☒ i ☒ ii ☒ iii ☒ iv ☐ None	WACM1	☒ i ☒ ii ☒ iii ☒ iv ☐ None	WACM2	☒ i ☒ ii ☒ iii ☒ iv ☐ None	WACM3	☒ i ☒ ii ☒ iii ☒ iv ☐ None
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WACM2	☒ i ☒ ii ☒ iii ☒ iv ☐ None									
WACM3	☒ i ☒ ii ☒ iii ☒ iv ☐ None									
2	Do you have a preferred proposed solution?	☒Yes ☐No If yes, please indicate below which one. Most importantly, we believe that any of the four options would be adequate and that it is urgency of delivery that is the highest of priorities.								

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		However, of the options presented, WACM 1 is our preferred solution, with the Original Proposal as our second choice. WACM1 vs. the Original Proposal: Realigning Appendix Q Progression Milestones to the updated energisation date means that programmes and liabilities can best reflect reality. This will lead to the most efficient implementation of the connection agreements going forward. If this is not done at the time of the Connection Date Delay, then it will just mean that a larger volume of exception requests require to be made, assessed and granted, or that a second modification is required to be undertaken to move the milestones themselves. The standard backward looking milestone timelines have been well considered and evidenced and so should be implemented here to ensure consistent and appropriate progression expectations. WACM 2: While we are in favour in general of applicants needing to provide exceptions evidence for applications to delay milestones or connection dates, we believe that the additional administration involved would create unacceptable risk that this one-off Connection Date Delay process is not undertaken at sufficient pace to be effective. Given the specific circumstances of this one-off window (driven by
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		industry-wide delays caused by the disruption of CMP435 and the embargo on modifications in the interim), we believe that not requiring exceptions evidence in this specific instance is appropriate and proportionate. WACM 3: This would require a further Mod App or exceptions requests to be made, which would be inefficient as noted above. Given that NESO would be compelled to grant these, it would be inefficient not to just realign the milestones at this point. The 18-month limit is relatively arbitrary. It only seeks to addresses one of the issues (long lead time procurement held back by investment uncertainty) and there is no strong argument why 18-months is either sufficient or necessary for even this instance. Different projects will have experienced different delays that need to be addressed, so if the Connection Date Delay is acceptable then the milestone shifts should also be considered acceptable (or exceptions should be dealt with under the standard exceptions process, as per the Original Proposal).
3	Do you support the proposed	☒ Yes ☐ No

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	implementation approach?	
		Click or tap here to enter text.
4	Do you have any other comments?	We fully support the proposed Code Modification⁷ and stress that urgency is paramount. We remain concerned that implementation timelines may be too slow to ensure those projects with 2030/31 connection dates that face Trigger Date in April 2027, have the opportunity to apply for, receive and accept a Mod App before having to post securities (February 2027) and/or pass Trigger Date (April 2027). Failing that there must be a means to ensure that where applications for Completion Date Delay Request (CDDR) have been made and is in process, the Applicant is not penalised and forced to post securities or pass Trigger Date while awaiting the CDDR Modification Offer. The need for this Code Modification has been driven by the extreme disruption caused by the Connections Reform process and the consistent delays to the first gated application window that would otherwise have been the vehicle for enabling these required changes. Failure to deliver a Connection Date Delay window (or suitable alternative) in time could result in catastrophic loss of well progressed capacity from the just formed Gate 2 queue, having significantly

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		detrimental effects on the UK's ambitions to achieve Clean Power as soon as possible.
5	Do you agree with the Workgroup's assessment that the modification does not impact the Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the Code?	☒ Yes ☐ No
		Click or tap here to enter text.