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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 cust.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 cust.team@neso.energy

Respondent details	Please enter your details	
Respondent name:	Gareth Williams	
Company name:	Scottish Power Transmission	
Email address:	Gareth.williams@spenergynetworks.co.uk	
Phone number:	N/A	
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:

- a) *fostering effective competition, non-discrimination and transparency in balancing markets;*

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- 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 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.

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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:
		Original ☐ i ☐ ii ☐ iii ☐ iv ☒ None
		WACM1 ☐ i ☐ ii ☐ iii ☐ iv ☒ None
		WACM2 ☐ i ☐ ii ☐ iii ☐ iv ☒ None
		WACM3 ☐ i ☐ ii ☐ iii ☐ iv ☒ None
		While we acknowledge the potential misalignment between a projects programme and the TOs programme, we do not agree that the Original or any of the WACMs better facilitate the applicable objectives. We are extremely concerned that the implementation of CMP471 (or any of the WACMs) as proposed will create a material risk to the delivery of the Joint Industry Plan (JIP) and the wider Connections Reform programme given the potentially large volume of projects seeking to delay their connection dates. The proposal shifts finite engineering and commercial resources away from delivery activities associated with Connections Reform and into reassessment activities, creating a direct risk to timely implementation of the agreed joint industry plan timescales. Indeed, in NESO's recent CFI, of the 156 responses for connection date delays across the UK, 39 projects in SPTs area intimated that they may submit a delay request which would entail significant rework on those offers at a time which is already resource intensive and will cause a knock-on impact on our ability to deliver on our Phase 2 G2tWQ offers in line with NESO's published Reform timetable. Connection dates form a fundamental input into transmission network planning and reinforcement delivery. Allowing widespread reopening of

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		dates after reform offers have been issued risks introducing uncertainty into sequencing, resource planning and programme prioritisation, creating uncertainty in network investment decisions and reducing efficiency in programme delivery. We would also note that, in relation to Applicable Objective (iv), CMP471 externalises the impact of individual customer requests onto NESO and TOs, requiring reassessment and potentially redesign activities for a significant volume of projects, with costs and resource impacts borne across the wider industry. We believe alternative mechanisms outside of CMP471 would better support the objectives while minimising risk to programme delivery. The modification introduces a new process where existing contractual and operational mechanisms already provide routes for customers to raise concerns regarding connection dates.
2	Do you have a preferred proposed solution?	☐ Yes ☒ No If yes, please indicate below which one. CMP471 would introduce significant operational and programme risks, delay the completion of Connections Reform, and provide little additional benefit because existing processes already enable customer concerns over connection dates to be considered. The modification risks reintroducing uncertainty immediately following the Connections Reform exercise, reducing confidence in queue outputs and creating the potential for repeated reassessments of transmission delivery programmes. Consistent with our response above, we do not back any of the proposed solutions and would therefore support the current baseline.
3	Do you support the proposed	☐ Yes ☒ No

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	implementation approach?	We do not support the proposed implementation approach as we believe it will create additional complexity, workload and delays for both NESO and transmission owners, jeopardising the current reform timetable. Reopening connection dates would create extended uncertainty in the contracted background, delay network planning, and have a bearing on strategic project acceleration and wider market certainty. Furthermore, changes to connection dates have the potential to impact capacity allocation assumptions and the effectiveness of emerging oversubscription and capacity management arrangements currently being developed under Connections Reform. We would reiterate that TOs have provided assurance to DESNZ regarding deliverability of the JIP. Introducing a new modification process at this stage creates a material risk to the JIP, with a potentially significant volume of completion date delay requests. In our view approval of this modification would invalidate the assurances provided to DESNZ to date, requiring reassessment and delays to the JIP. In summary, ScottishPower Transmission does not support CMP471 or any of the proposed WACMs. While recognising the concerns raised by some customers regarding connection dates, we believe the proposed modification introduces significant delivery, engineering and programme risks at a critical stage of Connections Reform. The modification could undermine transmission planning assumptions, divert resources away from delivery of the Joint Industry Plan, impact capacity management and oversubscription arrangements, and reduce certainty in reform outcomes. In our view, the existing baseline remains preferable and better supports efficient delivery of the reform programme and associated transmission network requirements
4	Do you have any other comments?	There may be an unintended consequence to implementing CMP471, namely the risk of TOs failing to meet their Connections ODI if Completion Date Delay Requests are not included in the exemptions for the ODI. This has not been considered in the proposals as set out under 471.

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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 We agree that the modification does not impact the European Electricity Balancing Regulation (EBR) Article 18 terms and conditions held within the code.
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