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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:	Fiona Casey	
Company name:	SSEN Transmission	
Email address:	fiona.casey@sse.com	
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
		Whilst we recognise and understand the concerns raised in the code modification proposal, we do not agree that the proposed solution or the WACMs represent an efficient or appropriate resolution at this point. The Gate 2 to the Whole Queue (G2tWQ) exercise is currently underway and we feel strongly that focus must remain on timely delivery of G2tWQ offers. The proposals under CMP471 would divert resource away from G2tWQ and cause delays to the timescales set out in the Joint Industry Plan (JIP). Focus is also needed on preparation and implementation of the first CMP434 (TMO4+) window. Introducing this interim process/window for date changes will divert resource away from CMP434 preparation and would result in a delay to implementation of the first window. We feel that the proposals set out in WACMs 1 and 3 risk undermining the principles and efficacy of Queue Management (QM) and Connections Reform. We note

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		that in December 2025 NESO introduced a 'G2tWQ Exception' within its QM guidance (this exception allows proportionate extensions to completion dates for milestones M5–M8, based on actual delays to offer issuance within G2tWQ); with this proportionate exception already in place, we do not see a justification for these WACMs.
2	Do you have a preferred proposed solution?	☐ Yes ☒ No If yes, please indicate below which one. No, noting our position outlined in response to Q1, we do not believe that any of the proposed options represent an efficient or appropriate resolution at this point and therefore advocate for the baseline.
3	Do you support the proposed implementation approach?	☐ Yes ☒ No We do not support the proposed implementation approach. As outlined in response to Q1, we believe immediate focus needs to remain on G2tWQ delivery, and preparation and implementation of CMP434. These are complex and time-critical exercises, and we do not agree that resource should be diverted away from them. The proposed implementation approach for the original proposal and all 3 WACMs is 10 working days from authority decision, with customer Completion Date Delay Requests to be submitted within short timeframes following implementation. The processing

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		of these requests would therefore clash with the ongoing creation and delivery of Phase 2 G2tWQ offers, diverting resource away from timely delivery of Phase 2 offers and delaying the JIP.
4	Do you have any other comments?	We note that under Connections Reform, CP30 capacity was allocated and the Gate 2 queue established using project connection dates as a key input. The proposal does not currently set out any parameters or limits on allowable delay periods, meaning projects currently within CP30 Phase 1 could request a connection date in Phase 2. This adds complexity to the assessment and creation of Phase 2 offers. Additionally, it could lead to challenge from customers who were unsuccessful in achieving a Phase 1 offer but would have otherwise been in a position to deliver to a Phase 1 date.
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.