

## Working Group Terms of Reference and Membership

### TERMS OF REFERENCE FOR CAP157 WORKING GROUP

#### RESPONSIBILITIES

1. The Working Group is responsible for assisting the CUSC Amendments Panel in the evaluation of CUSC Amendment Proposal CAP157 tabled by CRE Energy Limited at the Amendments Panel meeting on 17<sup>th</sup> August 2007.
2. The proposal must be evaluated to consider whether it better facilitates achievement of the applicable CUSC objectives. These can be summarised as follows:
  - (a) the efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence; and
  - (b) 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.
3. It should be noted that additional provisions apply where it is proposed to modify the CUSC amendment provisions, and generally reference should be made to the Transmission Licence for the full definition of the term.

#### SCOPE OF WORK

4. The Working Group must consider the issues raised by the Amendment Proposal and consider if the proposal identified better facilitates achievement of the Applicable CUSC Objectives.
5. In addition to the overriding requirement of paragraph 4, the Working Group shall consider and report on the following specific issues:
  - **The Extension of the definition of Qualified/Qualifying Company.**
  - **Note any relevance of Ofgem's Best Practice Guidelines for Gas and Electricity Network operator Credit Cover in relation to Final Sums and Termination Amounts.**
  - **Note any relevance of similar security tools used for UoS charges.**
6. The Working Group is responsible for the formulation and evaluation of any Working Group Alternative Amendments (WGAAAs) arising from Group discussions which would, as compared with the Amendment Proposal, better facilitate achieving the applicable CUSC objectives in relation to the issue or defect identified.
7. The Working Group should become conversant with the definition of Working Group Alternative Amendments which appears in Section 11 (Interpretation and Definitions) of the CUSC. The definition entitles the Group and/or an individual Member of the Working Group to put forward a Working Group Alternative Amendment if the Member(s) genuinely believes the Alternative would better facilitate the achievement of the Applicable CUSC Objectives. The extent of the support for the Amendment Proposal or any Working Group

Alternative Amendment arising from the Working Group's discussions should be clearly described in the final Working Group Report to the CUSC Amendments Panel.

8. There is an obligation on the Working Group Members to propose the minimum number of Working Group Alternatives where possible.
9. All proposed Working Group Alternatives should include the proposer's details within the Final Working Group Report.
10. The Working Group is to submit their final report to the CUSC Panel Secretary on 18<sup>th</sup> October 2007 for circulation to Panel Members. The conclusions will be presented to the CUSC Panel meeting on 26<sup>th</sup> October 2007.

## **MEMBERSHIP**

11. It is recommended that the Working Group has the following members:

Chair	Robert Brown
National Grid	Wayne Mullins
Industry Representatives	Ben Sheehy
	Dave Wilkerson
	Robin Healey
	James Anderson

Authority Representative	David Edward
Technical Secretary	Sarah Jukes

NB: Working Group must comprise at least 5 Members (who may be Panel Members) ~~and will be selected by the Panel with regard to WG List held by the Secretary]~~

12. Working Group Members or their appointed alternate is required to attend a minimum of 50% of the Working Group Meetings to be eligible to participate in the Working Group vote.
13. A vote is to take place during the final Working Group meeting, when the eligible Working Group members should vote on each proposed Working Group Alternative as to whether it better facilitates the CUSC Objectives and indicate which option is considered the BEST. The results from these votes should be recorded in the Working Group Report.
14. The Technical Secretary to keep an Attendance Record, for the Working Group meetings and to circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the Final Working Report.
15. The membership can be amended from time to time by the CUSC Amendments Panel.

## **RELATIONSHIP WITH AMENDMENTS PANEL**

12. The Working Group shall seek the views of the Amendments Panel before taking on any significant amount of work. In this event the Working Group Chairman should contact the CUSC Panel Secretary.

13. Where the Working Group requires instruction, clarification or guidance from the Amendments Panel, particularly in relation to their Scope of Work, the Working Group Chairman should contact the CUSC Panel Secretary.

## **MEETINGS**

14. The Working Group shall, unless determined otherwise by the Amendments Panel, develop and adopt its own internal working procedures and provide a copy to the Panel Secretary for each of its Amendment Proposals.

## **REPORTING**

15. The Working Group Chairman shall prepare a final report to the October Amendments Panel responding to the matter set out in the Terms of Reference.
16. A draft Working Group Report must be circulated to Working Group members with not less than five business days given for comments.
17. Any unresolved comments within the Working Group must be reflected in the final Working Group Report.
18. The Chairman (or another member nominated by him) will present the Working Group report to the Amendments Panel as required.