

**Minutes and Actions Arising from Meeting  
Held on 8 May 2009**

**Present:**

David Smith	DS	Chairperson
Bali Virk	BV	Secretary
Carole Hook	CH	National Grid
Tony Diccio	TD	RWE
Garth Graham	GG	SSE via teleconference
Merel Van der Neut Kolfshoten	ML	Centrica
Robert Longden	RL	Airtricity
Kathryn Coffin	KC	Elexon
Dipen Gadhia	DG	Ofgem

**1 Apologies for Absence**

62. Apologies were received from Peter Bolitho, David Jones, Emma Carr, and Barbara Vest.

**2 Approval of Minutes**

63. The minutes from the meetings held on 6 and 19 February 2009 were approved subject to minor amendments. The minutes are to be published on the National Grid website shortly.

**Action: BV**

**3 Review of Actions**

64. Detailed below is the progress to date on the outstanding actions from previous meetings:

- **11 – Review process for determining implementation dates** – Slides outlining the CUSC provisions and the information to be included in the report template to provide guidance. Action to be carried forward under the review of the new governance process (CAP160).

**Action: BVirk**

- **13 – Ofgem Corporate Plan** – DG to forward to the Group the Authority's Corporate plan detailing how many decisions Ofgem have made and how long the process has taken. DG confirmed that he will circulate the analysis following the meeting on 8 May 2009.

**Action: DG**

- **17 – Adequate Information/Analysis to determine implementation dates** – The Group considered if we had adequate information/analysis to determine implementation dates. It was agreed that this is dependent on respondents' views which facilitate a complete understanding of the impact on all parties. It was agreed that it would be useful to add additional questions as standard to the consultation relating directly to the impact of implementation. This is to be captured as part of the CAP160 review.

**Action: BVirk**

- **18 – CUSC Amendment Proposal** – CH to draft a CUSC Amendment Proposal, which would allow the CUSC Working Group (WG) to develop and propose an implementation date in the event of a WG having been convened, as opposed to

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National Grid. CH confirmed that a proposal has been drafted and is currently being reviewed by the NG legal team. This will be circulated for discussion at the next appropriate meeting.

**Action: CH**

- **22 – Review of Report Templates** - The Group agreed that in the review of the report templates it would be useful to include guidance to ensure transitional arrangements have been fully considered but a change to the CUSC was not necessary. This is to be captured for the CAP160 review.

**Action: BVirk**

- **26 – Update on Code Administrators Working Group and GSG Support Role** – Group agreed to have an understanding of the current practices in the BSC and UNC and identify best practice. Findings to be presented to the GSG, with a view to making a recommendation to the CUSC Panel regarding the role of Standing Groups. PB and DJ to explain UNC/BSC issues groups at the next appropriate meeting.

**Action: PB/DB/CH**

### 4 Update from the CUSC Panel & Revised Terms of Reference

65. David Smith confirmed to the Group that the Terms of Reference for the GSG had been updated by the CUSC Panel on the 24<sup>th</sup> April 2009.

66. The Terms of Reference were updated as a result of a presentation by Bob Brown to the CUSC Panel in terms of good industry practice as result of the recent Urgent CUSC Amendment Proposals.

67. BB presentation can be found at:

[http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/Panel/2009\\_current/6/](http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/Panel/2009_current/6/)

68. The GSG Terms of reference have been updated to include:

- Review of Urgent Process & supporting guidance for the Panel and industry
- Respond to Ofgem consultation issued on 20<sup>th</sup> April – Industry Code Governance – Code administrators working group
- Review of current practices to ensure good industry practice and support Ofgem's development of a Code of Practice approach

### 5 CUSC Panel Response to the Ofgem Consultation issued on 20 April

69. The GSG group debated the draft response to the Code Administrators Working Group Consultation which was circulated prior to the meeting.

70. Changes were discussed to the response. CH to update the consultation response letter to incorporate the Group's comments.

71. CH to forward the updated response letter incorporating the comments made from the GSG to the GSG for final approval on Monday 11 May 2009, with a view to sending the draft response to the CUSC Panel for approval at the CUSC Panel meeting on 15 May 2009.

**Action: CH**

### 6 Review of Urgent Process & Supporting guidance for the Panel & Industry

72. CH presented some slides summarising some of the comments received from the industry relating to the process followed during the recent urgency experience with CUSC Amendment Proposals CAP168, CAP170 and CAP171/172.
73. The presentation can be found at :  
<http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/workingstandinggroups/gsg/>
74. Discussions were held regarding pending CUSC Amendment Proposals with Ofgem for decision and if another CUSC Amendment is raised e.g. relating to CAP170, do we need to have to wait for a decision before another Amendment Proposal can be discussed or raised relating to this. DG noted that when considering the recent CAP 171 and 172 Amendments, the CUSC Panel took the view that a new Amendment Proposal could not be raised if the Panel considered it had substantially the same effect as a Pending Amendment Proposal, or in the case for a Rejected Amendment Proposal, within two months after the Authority decision (as outlined in CUSC 8.15.4).
75. The text in Section 8.21.9 was discussed by the Group with regards to clarity. It was agreed that a proposal to revise 8.21.9 should be developed to:
- Remove reference to Working Group Alternative Amendment, as a new Amendment Proposal would have to be raised as you are unable to have an Alternative to an implemented Amendment Proposal
  - Clarify that this clause only comes into effect after a decision from the Authority has been made.
  - The Group agreed for this section to be reviewed with regards to allowing the Panel to direct a review following the Amendment Report being submitted to the Authority, rather than after implementation. It was suggested that this will allow review of an Urgent Amendment Proposal not based on implementation, it will also allow review before an Authority decision.
76. CH to present to the Group the revised wording with a view of a CUSC Amendment Proposal being raised to reflect this.
- Action: CH**
77. Improvements to the transparency of the urgent modification process were discussed and it was agreed that it would be useful to publish guidelines on the Urgent Amendment Process on the National Grid website alongside the current guidance for raising CUSC Amendment Proposals. Guidelines detailing what a Proposer would need to do when submitting an Urgent Amendment Proposal as well as the Ofgem generic criteria for considering an urgent request, would be useful. DG to forward the link to the Ofgem guidance to the Group and this can then be referenced on the National Grid website in the urgent guidance area.
- Action: DG**
78. GG requested that all Urgent Amendment Proposals should detail their justification for urgency to the CUSC Technical Secretary. This together with the Panel comments on urgency and also the Authority decision on urgency should be posted on the National Grid website. This is also to be included in the guidance document.
- Action: BVirk**
79. Debate was held on section 8.21.1.5 (c) the Group asked for clarification on the word

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“direction” within the text. CH to seek clarity from the lawyers as to what this means.

**Action: CH**

80. The Group discussed the comments received from the recent urgent process outlined in the slides. The Group agreed that the Elexon wording with regards contacting Panel members and convening of a meeting should be reviewed for consideration within the urgency guidance for the CUSC.
81. The Group agreed for the following to be included in the Urgent Process Guidance:
- In requesting urgent status, the Proposer should where possible indicate a proposed timetable for urgency that the Amendment Proposal should follow. The Technical Secretary to review and put forward the proposed for timetable to the Panel for consideration
  - If the timetable includes recommendation for WG development, meeting timetable to be prepared for consideration by Panel
  - If the timetable includes recommendation for WG development, representation to be invited within 5 days of receipt of urgent request (not awaiting a Panel decision on urgency)
  - Best practice is for a Panel meeting to be convened to consider an Urgent Amendment Proposal and urgent request within 5 business days of the Urgent Amendment Proposal being received. The Proposer may request and the Panel shall determine if this should be shorter based on specifics of the Urgent Amendment Proposal
  - Best practice following receipt of Urgent Amendment Proposal is for all Panel members to be contacted by phone to advise (a) of the Urgent Amendment Proposal having been raised and (b) the need for a Panel meeting to be convened urgently consider it
  - Clear explanation that urgent process can deviate from part of all of the normal Amendment Process
    - There may be no Working Group, and no opportunity for WGAs to be raised
    - However, where a Working Group is convened then the usual procedures apply (unless otherwise directed)
    - Priority within Working Group to be on working up the original Amendment Proposal, before any time given to considering possible Alternatives
  - Guidance note to make reference to 8.16.4 (b) regarding the proposal of timetable – to ensure complexity, importance and urgency are taken into account in timetable
  - Panel recommendation to be confirmed in writing to the Authority and the Authority will respond in writing

These proposals will be worked up for discussion in the next GSG.

**Action: CH**

82. Kathryn Coffin to send to the Group the BSC guidance for Urgency to enable a comparison to be made and best practice to be developed for the CUSC.

**Action: KC**

## 7 Next Meeting

83. The next GSG meeting will be held at 10.00am on 12<sup>th</sup> June at National Grid House, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA .

84. The aim of this meeting is to further development of the Urgent Process Guidance (with

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a view to reporting back to the Panel in June), as well as pick up on any previous ongoing actions. CAP160 Review will be picked up in the July GSG meeting.