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Dear Nicola,

Statutory consultation on proposals to modify licence conditions related to the Switching Programme

Thank you for the opportunity to respond to the statutory consultation on proposals to modify licence conditions related to the Switching Programme.

Electricity North West continues to support the objectives of the Switching Programme and welcomes the ongoing dialogue with Ofgem on changes to our licence and consequential changes to other industry codes to deliver the Switching Programme Significant Code Review (SCR).

We would welcome further minor amendments to the definition of the Metering Point Administration Services (MPAS) in Standard Licence Condition (SLC) 1: 'Definitions of standard conditions' to ensure full clarity on the services we provide under SLC 18: 'Provision of and charges for Metering Point Administration Services (MPAS)'. Our proposed red track amendments to SLC 1 included in this response were presented and discussed at the Energy Network Association Commercial Operations Group meeting on the 9 March 2022.

In terms of our requirements to offer MPAS under SLC 18, whilst our preference is for the removal of our licence obligations, we note as part¹ of Ofgem's [decision on statutory consultation on proposals to modify licence conditions as a result of Retail Code Consolidation](#) published in July 2021, that Ofgem decided to take a "conservative view"² and retain the obligations on Distribution Network Operators. Ofgem also suggested that if a problem, such as a conflict in the licence drafting is subsequently identified, it will fix this, either through licence modification, or powers under SLC18.10 to issue a derogation from an obligation.

Consequently, in the interim and for the remainder of RIIO-ED1 we will consider seeking a derogation from the appropriate requirements of SLC 18 under the existing powers from the date of Central Switching Service (CSS) go live. We believe the derogation should be primarily focused on removing

¹ [Description of licence changes spreadsheet](#), cell C15

² Though we believe a "conservative view" has the consequence of reduced simplicity and lower clarity in obligations as accountabilities are not in the current proposed approach being as clearly defined in the distribution licence as possible.



the requirements from our licence which are duplicated in the Data Communication Company (DCCs) licence, Retail Energy Code (REC) and Balancing and Settlement Code (BSC).

For an enduring solution, we recommend Ofgem could remove the appropriate requirements of SLC 18 as part of the RIIO-ED2 licence drafting process which would take place after the new Switching Programme arrangements have bedded in. Ofgem would then have a better idea of whether elements of the service can be safely removed from our licence conditions as they are adequately provided elsewhere.

An example of duplication of DNO requirements with the DCC's requirements as the CSS provider is set out in the Smart Energy Code (SEC) [modification proposal 200 'Faster Switching consequential changes to the SEC'](#). Whereby, the current obligation for Network Parties, in their role of Registered Data Provider (RPD), to send registration data to the Data Service Provider (DSP) would be removed. This would be replaced, at CSS Go live, with new obligations on the DCC as the CSS provider to send the required registration data to the DSP.

Attachment 1 provides our detailed response to Question 3.1 which directly relate to Ofgem's proposals to modify our SLCs.

I hope these comments are helpful. Please do not hesitate to contact me or Catherine Duggan (07775 547624) if you would like to follow up on any particular aspect of our response.

Yours sincerely,

Paul Auckland
Head of Economic Regulation

Attachment 1 – ENWL detailed responses to each of the consultation questions

The following table contains our views on question 3.1 of the consultation:

Ref.	Question	Response
1	Do you agree that the proposed changes to the Electricity Distribution Standard Licence Conditions will ensure the licence reflects the necessary conditions for implementation of the Switching Programme?	<p>We welcome the proposal to amend the definition of the Metering Point Administration Services (MPAS) in our licence, as the use of this term in industry codes no longer reflects the type of MPAS services we provide as currently defined in our licence.</p> <p>Whilst the proposed changes go some way to acknowledging that the MPAS services we provide maybe referred to using different names in the text of the individual codes, we are seeking further amendments as set out below in red tracked changes to ensure full clarity:</p> <p><i>Condition 1. Definitions for the standard conditions</i></p> <p>Metering Point Administration Services means the service of that name that the licensee must operate and maintain in accordance with the requirements of standard condition 18 (Provision of and charges for Metering Point Administration Services) for the purpose of providing Metering Point Administration Services.</p> <p><u>For the avoidance of doubt, the provision of the registration services of the & Metering Point Administration Services may be referred to by a name other than Metering Point Administration Services in any industry code, for example the ‘Supplier Meter Registration Service’ (SMRS) in the Balancing and Settlement Code, or the ‘Electricity Retail Data Service’ (ERDS) in the Retail Energy Code and the provision of the enquiry service for Suppliers of the Metering Point Administration Services is referred to as the Electricity Enquiry Service under the Retail Energy Code.</u></p> <p>We want to overcome the current inaccurate perception that MPAS is equivalent to the SMRS or ERDS. This additional text will acknowledge that we provide ‘registration services’ and ‘enquiry services for Suppliers’ which can be referred to by another name under the BSC or REC.</p>