

Note: Consolidated conditions are not formal Public Register documents and should not be relied on. Smart Meter Communication Licence consolidated to 17 May 2023

DEPARTMENT OF ENERGY AND CLIMATE CHANGE : SMART METER COMMUNICATION LICENCE

Gas Act 1986 and Electricity Act 1989

**SMART METER
COMMUNICATION
LICENCE**

granted pursuant to:

sections 7AB(2) and (4) of the Gas Act 1986

AND

sections 6(1A) and (1C) of the Electricity Act 1989

Commencement Date : 23 September 2013

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Condition 21. Roles in relation to Core Industry Documents

Introduction

21.1 This condition sets out the Licensee's compliance duties (where applicable) in relation to the Core Industry Documents specified in Parts A to C and F below and the Licensee's rights (where applicable) to receive such information arising from activities carried on in accordance with those documents as it needs for the exercise of its functions.

Part A: Compliance duties relating to the Smart Energy Code

21.2 The Licensee must be a party to and comply with the Smart Energy Code that has been designated by the Secretary of State for the purposes of Condition 22 (The Smart Energy Code).

21.3 The Licensee must also take all appropriate steps within its power to ensure that the Smart Energy Code is maintained as a document in force under this Licence that is at all times consistent with the requirements of Condition 22.

Part B: Compliance with the provisions of the Fuel Security Code

21.4 The Licensee must comply with the provisions of the Fuel Security Code.

21.5 The Fuel Security Code has effect as a condition of this Licence.

Part C: Rights in relation to certain other Core Industry Documents

21.6 Where an arrangement of the kind mentioned in paragraph 31(b) of Condition 22 is in force in relation to a Core Industry Document that is listed in paragraph 7 of this Condition 21, the Licensee will be entitled to be supplied with such information arising from activities carried on in accordance with that document as it reasonably requires for the exercise of its functions under the Principal Energy Legislation, this Licence, the REC and the SEC.

21.7 The Core Industry Documents to which paragraph 21.6 refers are:

- (a) the Balancing and Settlement Code;
- (b) the Distribution Connection and Use of System Agreement;
- (c) (Not Used);
- (d) (Not Used); and
- (e) the Uniform Network Code.

21.8 But, subject to the requirements of Part A above, the Licensee is not to be regarded as, and may not be required to become, a party to a Core Industry Document except with the consent of the Authority and then only to such extent as it may specify.

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Part D: Consequential changes in Core Industry Documents

- 21.9 If any consequential change is required in a Core Industry Document to which the Licensee is a party, the Licensee must take all reasonable steps to secure, and not take any unreasonable steps to prevent or delay, the making or implementation of that consequential change (but see paragraph 21.11).
- 21.10 For the purposes of paragraph 21.9, a consequential change is any modification that is required to be made to a Core Industry Document solely in order to give full and timely effect to a modification made to that or any other Core Industry Document.
- 21.11 Paragraph 21.9 is without prejudice to:
- (a) any rights of appeal that the Licensee may have in relation to decisions made by the Authority under a Core Industry Document; and
 - (b) any rights of approval, veto, or direction that the Authority or the Secretary of State may have in relation to changes to a Core Industry Document.

Part E: Interpretation

- 21.12 For the purposes of this condition:

Balancing and Settlement Code means the document of that name that is maintained in a form approved by the Authority in accordance with ~~standard~~ condition E1E3 of the Electricity System Operator~~Transmission~~ Licence.

Core Industry Document means:

- (a) any or all of the documents specified under Parts A to C above; and
- (b) any other document designated by the Authority for the purposes of this condition following consultation with the Licensee.

Distribution Connection and Use of System Agreement means the document of that name that is maintained in a form approved by the Authority in accordance with standard condition 22 of the Electricity Distribution Licence.

~~**Electricity Transmission Licence** means a licence granted, or treated as granted, under section 6(1)(b) of the 1989 Act.~~

Electricity System Operator Licence means a licence granted or treated as granted under section 6(1)(da) of the 1989 Act.

Fuel Security Code means the document of that name designated by the Secretary of State under section 7(4)(b) of the 1989 Act as a condition of every licence of any type granted, or treated as granted, under section 6 of that Act.

Part F: Compliance duties relating to the Retail Energy Code

- 21.13 The Licensee must be a party to and comply with the Retail Energy Code.

Part G: Duty to cooperate

21.14 The Licensee will cooperate, as necessary, with the Authority and/or any person(s) appointed by the Authority or appointed pursuant to a direction of the Authority, to undertake any planning, project assurance and/or coordination/systems integration in order to give full effect to the conclusions of a “significant code review”.

21.15 Cooperation for the purposes of paragraph 21.14 may include but not be limited to:

- (a) the sharing of such information as reasonable, and constructive participation in industry engagement in order to undertake appropriate planning of changes to IT systems or industry standard operational processes system changes pursuant to the conclusions of a significant code review;
- (b) the provision of such data as may be identified and reasonably requested in order to undertake testing and/or the population of any new central systems;
- (c) the preparation and cleansing of such data as may reasonably be requested in order to facilitate live operation of the new central system;
- (d) the provision of test scripts and results of any testing as may be requested by any person appointed to assure the success of any testing;
- (e) taking all reasonable steps to:
 - (i) meet key programme milestones for the completion of any action(s) assigned to the licensee;
 - (ii) adhere to any remedial plan put in place to address any issues, delays or slippage that may impact the licensee's ability to meet programme milestones, to the extent that failure to do so may jeopardise the successful and timely implementation of the programme;
 - (iii) identify any dependencies that the licensee may have upon agents or other third-parties and secure the necessary support from such parties; and
 - (iv) promptly escalate and/or resolve any disputes that if unresolved may jeopardise the fulfilment of these obligations.

21.16 For this Part G Significant Code Review means a review of matters which the Authority considers are likely to relate to one or more of the documents referred to in this condition, or to which the licensee is required under this licence to be a party, and concerning which the Authority has issued a notice to the parties stating that the review will constitute a significant code review.

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Part H: Market-wide Half hourly Settlement Implementation

- 21.17 Although the Licensee is not required to become, and shall not be regarded as, a party to the Balancing and Settlement Code, the Licensee shall comply with the obligations expressed to apply to it (either specifically or generically as a category of participant) under the section titled 'Market-wide Half Hourly Settlement Implementation' of that Balancing and Settlement Code.
- 21.18 Paragraph 21.17 has effect from the date the Authority specifies in a direction issued to the licensee in the event that the Balancing and Settlement Code is modified to include the section referenced in paragraph 21.17 titled 'Market-wide Half Hourly Settlement Implementation' of that Balancing and Settlement Code.