

**Date:** 07 August 2025

To whom it may concern,

**Data Best Practice as a Code Obligation Consultation**

Thank you for the opportunity to respond to this consultation. Our responses are non-confidential and we are happy for them to be openly shared in the public domain.

Our responses to your questions are detailed below:

**Q1. Do you agree with our intent to expand DBP Guidance into the codes?**

**Response:** Yes, we agree it's a logical step to include for compliance with DBP Guidance to become an obligation for codes.

**Q2. Do you agree with the proposed deadline six months after the licence condition is applied for consequential code modifications? If not, please state your reasons specific to the relevant code and modification process.**

**Response:** We agree that a target deadline should be set and all things being equal a 6-month period is reasonable. However, we do consider the 6-month period should be a target rather than a hard deadline especially as in reality it is not a critical change that will have any significant impact upon industry if submitted a little later should that need arise due to other pressing changes that may take priority.

**Q3. Do you agree with the minded-to position that an obligation to produce DSAPs is suitable and proportionate for code bodies? If not, what alternative would you propose to achieve the same or greater benefits?**

**Response:** Yes, we are comfortable that DSAPs should be produced by code bodies. However, our view is that a Strategy should be looking at 5 years ahead and the action plan should be annual. In short, we feel that the current 2-year strategy and 6-month action plan lifecycle is too short and too often. Having said that, we take the view that the action plan is a live document and should be reviewed and updated on an ongoing basis and not wait for either a 6 month or annual reset.

**Q4. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Electricity System Operator Licence amending the BSC?**

**Response:** No comment.

**Q5. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Electricity System Operator Licence amending the CUSC, STC, and Grid Code?**

**Response:** No comment.

**Q6. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Electricity Distribution Licence amending the Distribution Code?**

**Response:** No comment.

**Q7. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Electricity Distribution Licence amending the DCUSA?**

**Response:** We have some observations/suggestions on the proposed draft wording detailed below:

1. There is inconsistency between the current drafting which uses 'code administrator' and the proposed drafting which uses both 'DCUSA code administrator' and 'DCUSA Manager'.
2. There are errors in the paragraph numbering, and we feel the text could be inserted to a more relevant part of the condition. Our suggestion is as follows:

**CONDITION 22. DISTRIBUTION CONNECTION AND USE OF SYSTEM AGREEMENT**

**Appendix 1: Schedule of DCUSA Contents**

....

**Governance and administration**

A3. *Without prejudice to any of the matters set out in paragraph A2, the DCUSA must also include:*

- (a) *Terms for the creation of an agreement, to which the licensee, every other Electricity Distributor, and any other Authorised Electricity Operator (not being an Electricity Distributor, and so far as the DCUSA is applicable to it) must be a party on such terms and conditions of accession as may be Specified ("the DCUSA Accession Agreement").*
- (b) *Provisions for the referral for determination by the Authority of any dispute arising as to whether a person seeking to be admitted as a party to the DCUSA Accession Agreement has fulfilled any such accession conditions.*

- (c) *Terms that provide for the licensee and such other parties to the DCUSA Accession Agreement as may be Specified to be contractually bound by some or all of the provisions of the DCUSA.*
- (d) *Arrangements for establishing and maintaining, in accordance with such procedures for appointment or election as may be Specified, a panel (“the panel”) which is to be responsible, by way of such proceedings as may be Specified, for the governance and administration of the DCUSA and whose members are to be required as a condition of appointment or election to act independently and not as delegates.*
- (e) *Arrangements for the establishment and funding of a secretariat that is able to service the panel to such extent and in respect of such matters as may be Specified.*
- (f) *Arrangements for a secretarial or administrative person or body, as specified in the DCUSA, to perform the role of code administrator (the “code administrator”). In addition to any power, duties, or functions set out in the DCUSA, the code administrator shall:*
  - (i) *together with other code administrators, publish, review, and (where appropriate) amend from time to time the Code of Practice approved by the Authority (any amendments to the Code of Practice are to be approved by the Authority);*
  - (ii) *facilitate the procedures for making a modification to the DCUSA;*
  - (iii) *have regard to, and in particular (to the extent relevant) be consistent with the principles contained in, the Code of Practice; and*
  - (iv) *provide assistance, insofar as is reasonably practicable and on reasonable request, to parties (including, in particular, Small Participants) and, to the extent relevant, consumer representatives that request the code administrator’s assistance in relation to the DCUSA including, but not limited to, assistance with:*
    - (1) *drafting a modification proposal;*
    - (2) *understanding the operation of the DCUSA;*
    - (3) *their involvement in, and representation during, the modification procedure processes (including, but not limited to, panel and/or workgroup meetings);*
    - (4) *accessing information relating to modification proposals and/or modifications.*

- (v) when conducting work that involves working with or making decisions about the use of Energy System Data, use its best endeavours to act in accordance with Data Best Practice Guidance, and
- (vi) publish a Digitalisation Strategy and Digitalisation Action Plan at intervals specified in the DSAP Guidance. The code administrator must;
  - (1) publish its Digitalisation Strategy and Action Plan and updates to the Digitalisation Strategy and Action Plan on the code website where they are readily accessible to the public.
  - (2) maintain an archive of all published versions of its Digitalisation Strategy and Action Plan on the code website where they are readily accessible to the public.
  - (3) notify the Authority of any updates to its Digitalisation Strategy and Action Plan.

- (g) *Such criteria as are Specified for the modification of the DCUSA without the Authority's approval, in accordance with Parts B to D of this condition.*
- (h) *Not used.*

In terms of risks or issues, we would highlight that to implement these new obligations will in practice require significant additional time, resource, new processes and skill sets. This time and cost impact of implementing the new obligations should not be underestimated. An example being the practical aspects of ensuring interoperability between codes is in itself a significant task. Ultimately these additional costs to industry are picked up by all electricity consumers.

**Q8. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Electricity and Gas Supply Licences amending the REC?**

**Response:** No comment.

**Q9. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Smart Meter Communication Licence amending the SEC?**

**Response:** No comment.

**Q10. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Gas Transporter Licence amending the UNC and IGTUNC?**

**Response:** No comment.

**Q11. Do you think this proposed principle merits discussion at the CACoP forum for inclusion in CACoP v7.0?**

**Response:** We support the inclusion of the proposed principle in CACoP v7.0 and agree that it merits formal discussion at the CACoP Forum. It is our understanding that the Forum has already considered the principle and with assistance from the DCUSA representative who sits on the Forum, a draft principle has been developed, demonstrating both engagement and readiness to evolve the Code of Practice in line with emerging governance needs. This aligns with the CACoP's established role in promoting transparency, consistency, and collaboration across code administrators.

However, we also recognise that under the Energy Code Reform programme, the CACoP is expected to be phased out. Future governance arrangements will be underpinned by new licence conditions and code obligations, including requirements to follow Data Best Practice (DBP) guidance and to produce Digitalisation Strategy and Action Plans (DSAPs). These mechanisms will ultimately supersede the CACoP framework and embed data governance principles more formally and consistently across the sector. In this context, while we support the inclusion of the proposed principle in CACoP v7.0 as a transitional measure, we do so with some hesitation. It is important that any updates to CACoP are made with a clear understanding of their temporary nature and are aligned with the direction of travel under Code Reform. We would therefore encourage Ofgem and the CACoP Forum to ensure that the principle is framed in a way that complements, rather than duplicates, the forthcoming licence-based obligations.

In summary, we support the principle's inclusion in CACoP v7.0 to provide immediate clarity and continuity but recommend that its implementation be carefully coordinated with the broader reform agenda to avoid redundancy and ensure long-term coherence.

**Q12. Do you have any concerns, or can you see any risks or issues, with the proposed change to the Smart Meter Communication Licence?**

**Response:** No comment.

Yours sincerely,

Simon Vicary

**Chair of the DCUSA Board on behalf of DCUSA Limited**