

## Connection and Use of System Code (CUSC) CMP462: Provision of Alternate Panel Members (CMP462)

Decision	The Authority <sup>1</sup> determines that this modification should be made <sup>2</sup>
Target audience	National Energy System Operator (NESO), Parties to the CUSC, the CUSC Panel and other interested parties
Date of publication:	4 February 2026
Implementation date:	5 business days following Authority decision

### Background

The CUSC Panel requires 6 Panel Members<sup>3</sup> to meet quorum and give effect to panel decisions. CUSC Panel Member elections are held every 2 years. Alternate Members are elected at the same time. Alternate Members play a crucial role in ensuring the CUSC Panel operates effectively, as they can step in when CUSC Panel Members cannot attend meetings.

The most recent CUSC Panel Election did not result in the selection of any Alternate Members for the CUSC Panel, as there were no nominations received during the election process.<sup>4</sup> Instead, only the minimum required 7 Panel Members nominations were received

<sup>1</sup> References to the “Authority”, “Ofgem”, “we” and “our” are used interchangeably in this document. The Authority refers to GEMA, the Gas and Electricity Markets Authority. The Office of Gas and Electricity Markets (Ofgem) support GEMA in its day-to-day work. This decision is made by or on behalf of GEMA.

<sup>2</sup> This document is notice of the reasons for this decision as required by section 49A of the Electricity Act 1989.

<sup>3</sup> CUSC Section 8.10.2

<sup>4</sup> CUSC Annex 8A

for the available 7 vacant seats. As a result, the CUSC Modifications Panel for the term 1 October 2025 to 30 September 2027 consists of 7 Panel Members, including a NESO Panel Member and a Consumers' Panel Member. Therefore, there are no Alternate Members to provide cover for Panel Members.

With only 7 Panel Members elected for the 2025-27 term, there is a heightened risk of CUSC panel meetings failing to reach quorum. This is particularly the case for special CUSC panel meetings, which are typically scheduled with less notice. Special panel meetings are ad hoc panel meetings convened outside of the scheduled monthly panel meetings. This could result in delays to the progress of CUSC Modification Proposals.

### **The modification proposal**

NESO (the Proposer) raised CMP462 (the Proposal) on 24 October 2025. The Proposer proposes a solution to allow the CUSC Code Administrator to run a separate Alternate Election Process where the CUSC election process has not resulted in the election of Alternate Members. This will mitigate the risk of not having Alternate Members to substitute for Panel Members who are unable to attend CUSC panel meetings. This Alternate Election Process is proposed to be introduced in the current CUSC 8A provision.

At the time of raising this proposal, 27 CUSC Panel meetings had taken place since the start of 2025. This means that 18 meetings were outside of the planned monthly panel meetings. Without Alternate Members, the risk of unplanned meetings being inquorate is much higher. Therefore, many scheduled meetings may not be able to proceed as planned. This could slow progress on CUSC Modification Proposals and other essential Panel business. It could also create ongoing uncertainty and disruption for stakeholders who rely on timely and effective code governance.

## *Urgency decision*

On 31 October 2025, we received a CUSC Panel request that CMP462 be treated as an urgent modification proposal. After careful consideration of the urgency request and its assessment against the urgency criteria<sup>5</sup>, we decided to grant urgent status to CMP462.<sup>6</sup>

## *Consultation*

There were 4 non-confidential consultation responses which included one late reply. Of those responses received, 3 were supportive of the Proposal. The fourth respondent did not consider the Proposal better facilitated the CUSC Objectives.

## **CUSC Panel<sup>7</sup> recommendation**

At the CUSC Panel meeting on 12 December 2025, the CUSC Panel (the Panel) unanimously agreed that CMP462 would better facilitate the CUSC Objectives, and the Panel therefore recommended its approval. The Panel assessed the Proposal to better facilitate CUSC Objective (iv). The Panel considered CMP462 had a neutral impact on the other 3 CUSC Objectives.

## **Our decision**

We have considered the issues raised by the modification proposal and the Final Modification Report (FMR) dated 12 December 2025. We have considered and taken account

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<sup>5</sup> [Urgency Guidance - FINAL.pdf](#)

<sup>6</sup> [CMP462 Decision on Urgency to Accept.pdf](#)

<sup>7</sup> The CUSC Panel is established and constituted from time to time pursuant to and in accordance with section 8 of the CUSC.

of the responses to the industry consultation on the modification proposal which are attached to the FMR.<sup>8</sup> We have concluded that:

- implementation of the modification proposal will better facilitate the achievement of the CUSC Objectives<sup>9</sup> and
- directing the modification to be made is consistent with our principal objective and statutory duties.<sup>10</sup>

### **Reasons for our decision**

After assessing the Proposal against the CUSC Objectives, we have concluded it to better facilitate CUSC Objective (iv).<sup>11</sup> We consider the Proposal has a neutral impact on the other CUSC Objectives.

#### ***(iv) promoting efficiency in the implementation and administration of the CUSC arrangements***

The Proposer and the Panel consider the Proposal to positively impact this CUSC Objective. Both the Proposer and the Panel consider the absence of Alternate Members to increase the risk of delay and cost to the efficient implementation and administration of the CUSC arrangements. The Proposer considers the risk of non-quorum to be high, which could lead to panel meetings having to be postponed or re-arranged. This has proven to be the case in 2 instances<sup>12</sup> where special CUSC panel meetings have required rescheduling. In their voting

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<sup>8</sup> CUSC modification proposals, modification reports and representations can be viewed on NESO's website at: [CUSC Modifications](#)

<sup>9</sup> As set out in Standard Condition E2 of the Electricity System Operator Licence.

<sup>10</sup> The Authority's statutory duties are wider than matters which the Panel must take into consideration as set out in Section 4AA of the Gas Act 1986 and section 3A of the Electricity Act 1989 as amended. ([Appendix 10.1 Ofgem principal objective and duties](#))

<sup>11</sup> CUSC Objective (iv) Promoting efficiency in the implementation and administration of the CUSC arrangements.

<sup>12</sup> Since the start of the current Panel term from 1 October 2025.

statements, some Panel Members highlighted the high number of special panel meetings held in 2025, which significantly exceeded the number held in previous years. If left unaddressed, this trend, combined with having no Alternate Members, is likely to impede the efficiency of the CUSC arrangements going forward.

### *Our view*

We agree with the Proposer and the Panel assessment in relation to this CUSC Objective. We share their concern as to the defect identified in CMP462 and its likely adverse impact on the administrative arrangements of the CUSC. We recognise the importance of the role that Alternate Members play in the CUSC arrangements. We understand from the CUSC Code Administrator that 18 special panel meetings were held in 2025 of which 17 necessitated the use of the 3 available Alternate Members. The 3 Alternate Members are no longer available as they were not re-elected or replaced in the summer 2025 election. We note that a planned special meeting in relation to urgent modification CMP447<sup>13</sup> on 15 October had to be rescheduled to 21 October due to lack of Panel Members to meet quorum. Therefore, we consider CMP462 to better facilitate this CUSC Objective by providing an additional mechanism in the CUSC governance provisions to elect Alternate Members, helping to ensure that future panel meetings run more efficiently. This will save time and costs from having to re-arrange inquorate meetings and help to avoid delays to CUSC Modification Proposals and other essential Panel business.

We note that a Panel Member and one respondent to the consultation shared the view that the CUSC Code Administrator had not adequately notified the CUSC parties of the 2025 election process. The Panel Member considers the lack of importance attached to the election communication to code parties was directly responsible for no party nominations

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<sup>13</sup> [CMP447: Authority Decision on urgency | Ofgem](#)

being received for Alternate Members. We value this feedback and encourage the Code Administrator to ensure that communications in relation to elections are suitably visible to prospective candidates.

Another respondent did not agree that the Proposal better facilitated CUSC Objective iv) viewing the additional election process for Alternate Members as an administrative burden on the CUSC and unlikely to yield a different outcome than the 2025 Panel Member election. Instead, the respondent considered it would be useful to ask CUSC parties why alternates are not coming forward from their respective organisations. We consider that the additional step of holding a separate election process solely focussed on Alternate Members is likely to improve the availability of Alternate Members relative to the status quo and thereby promote efficiency in the CUSC administrative arrangements.

However, considering these comments, we ask the Panel and the CUSC Code Administrator to investigate why no nominations were received for Alternate Members in the 2025 elections, and to implement potential solutions to avoid this situation repeating, where appropriate.

### **Decision notice**

In accordance with Standard Condition E2 of the Electricity System Operator Licence, the Authority, hereby directs that modification proposal CMP462: Provision of Alternate Panel Members be made.

**Mark Carolan**

**Interim Head of Industry Codes**

Signed on behalf of the Authority and authorised for that purpose