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Anthony Pygram
Independent Chair CUSC & Grid
Code Panel

Email: connections determinations@ofgem.gov.uk

Date: **28 May 2026**

Dear Anthony,

Decision on urgency for the Connection and Use of System Code (CUSC) Modification Proposal CMP471¹: 'Interim Contract Variation Process Ahead of CMP434 Gated Application Window'

On 17 April 2026, Muirhall Energy (the 'Proposer') raised CUSC² modification proposal CMP471 (the 'Proposal'). Following the CUSC Modification Panel (the 'Panel') meeting on 15 May 2026, we received a request for CMP471 to be treated as an urgent modification proposal. CMP471 proposes a temporary, limited amendment to the CUSC allowing Users to adjust elements of their NESO contracts before the first CMP434 Gated Application Window.

The Panel considered the Proposer's urgency request at its meeting on 15 May 2026. The Panel unanimously agreed that CMP471 meets Ofgem's Code Modification Urgency Criteria³ and recommended that the Proposal should be treated as an Urgent CUSC Modification Proposal. Following the Panel meeting, we⁴ received a formal request for CMP471 to be treated as urgent⁵.

This letter sets out our decision that CMP471 be progressed on an urgent basis, without an agreed date for an Ofgem decision.

Background

Connections reform under the TMO4+ reform package has introduced significant changes to the process by which projects are progressed through the connections queue, including the

¹ [CMP471: Interim Contract Variation Process Ahead of CMP434 Gated Application Window](#)

² [Connection and Use of System Code \(CUSC\) | National Energy System Operator](#)

³ [Ofgem Guidance on Code Modification Urgency Criteria | Ofgem](#)

⁴ 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) supports GEMA in its day-to-day work. This decision is made by or on behalf of GEMA.

⁵ [CMP471 Urgency Request Letter.pdf](#)

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introduction of a Gate 2 assessment to identify projects that are both 'ready' and 'needed'.⁶ As part of this process, existing connection agreements may be amended by a Gate 2 Modification Offer.

The Proposal intends to provide Users with the ability to amend relevant contractual arrangements ahead of the first CMP434 Gated Application Window (which is still to be confirmed) and before the 01 April 2027 liability trigger date. Without this amendment, it is opined, Users could be exposed to increased cost and liability due to misalignment with realistic project delivery timelines. The Proposer argues that timely implementation of the Proposal is critical.

Urgency request

The proposal seeks to amend the CUSC to introduce a limited, timebound Connection Date Variation Process ahead of the first CMP434 Gated Application Window. This process would allow Users to request a delay to their contracted connection date during the interim period, without the need to submit a full Gated Application.

The Proposer has highlighted that Users face a period of up to 30 months (January 2025 to July 2027) during which they have been unable to amend their contracted connection date with National Energy System Operator (NESO). Within this period, project delivery timeline continues to evolve, creating increasing misalignment between contracted connection dates and realistic project timelines, with limited ability to mitigate associated risks.

The Proposer explained why urgency is being requested, referencing one of the three criteria set out in Ofgem's Guidance on Code Modification Urgency Criteria (the 'Guidance').⁷ It stated that the defect the Proposal is seeking to address is a current issue that, if not urgently addressed, will have a "*a significant commercial impact on parties, consumers or other stakeholder(s).*" – in line with criterion (a) of the Guidance.

In summary, the Proposer argues that urgency is required as it relates to an imminent and timebound issue with significant commercial implications for Users. The Proposer notes that Users require the ability to amend connection dates ahead of the first CMP434 Gated Application Window and prior to the 01 April 2027 liability trigger. Without this, Users may be exposed to increased cost and liability profiles that do not reflect deliverable project timelines.

⁶ [Decision on Connections Reform Package \(TM04+\) | Ofgem](#)

⁷ [Ofgem Guidance on Code Modification Urgency Criteria | Ofgem](#)

The Proposer argues that without urgent implementation, Users will be required to enter the first CMP434 Gated Application Window with contractual connection dates that do not reflect current project delivery assumptions. This misalignment may lead to inefficient Gate 2 outcomes, including an increased risk of Users rejecting Gate 2 Offers due to inaccurate programme assumptions and associated cost exposure.

Panel View

The Panel considered the request for urgency by reference to the Guidance. At its meeting on 15 May 2026, the Panel unanimously agreed to recommend to Ofgem that CMP471 should be progressed as an urgent modification proposal. The full arguments in respect of urgent treatment are set out in the letter from the Panel.

Our decision

In reaching our decision on urgency of CMP471, we have considered the details within the Proposal, the justification for urgency, the views of the Panel, and the proposed timeline. We have also assessed the request against the urgency criteria set out in the Guidance.

Our guidance sets out that an urgent modification should be linked to an imminent issue or a current issue that if not urgently addressed, may cause:

- a) a significant commercial impact on parties, consumers or other stakeholder(s);
or
- b) a significant impact on the safety and security of the electricity and/or gas systems; or
- c) a party to be in breach of any relevant legal requirements.

Without prejudice to our eventual decision on this code modification, we are satisfied that CMP471 relates to an imminent and time-bound issue and that, if the Proposal were not progressed urgently, there is a credible risk of significant commercial impacts on affected parties. In particular, without urgent treatment, the Proposer has outlined the possibility of significant adverse impacts as a result. We understand these to include Users entering the next CMP434 Application Window (the time of which is currently unknown) with reduced certainty toward connection dates, including connection offers being misaligned with project assumptions, leading to the potential of administrative inefficiencies and increased cost exposure for those wanting to connect to the electricity grid.

We confirm that we think it is appropriate that this code modification is presented to the Authority for a decision on an urgent basis in this case.

We therefore agree to the Proposal being treated as urgent. We agree that the Proposal should follow the urgent timetable set out below. However, it must be noted that, as part of

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this decision, Ofgem has determined that the urgent timetable should proceed on the basis that:

- the Code Administrator consultation period will be two weeks; and
- Ofgem will communicate the expected decision date after receiving the Final Modification Report ('FMR').

We consider that this timeline strikes a balance between allowing sufficient time for proposal development and industry consultation, while recognising the urgency of the situation. We will endeavour to publish our decision on the Proposal as soon as is reasonably practicable following receipt of the FMR, having regard to the wider context and the complexity, or not, of the proposal presented.

We encourage the Workgroup to be mindful of the condensed timeline and to progress the Proposal as efficiently as possible, whilst giving due consideration of the Proposal and its implications. Any delay in delivery of the FMR to the Authority has the potential to jeopardise the date of implementation if approved.

CMP471 – Proposed Timetable⁸

Modification Stage	Date
Modification presented to Panel	15 May 2026
Workgroup nominations	1 June 2026 – 3 June 2026
Workgroups 1-3	10 June 2026 15 June 2026 17 June 2026
Workgroup Consultation	18 June 2026 – 24 June 2026
Workgroups 4-5	26 June 2026 30 June 2026
Workgroup report issued to Panel	2 July 2026
Panel sign off that Workgroup Report has met its Terms of Reference	6 July 2026 (Special Panel)
Code Administrator Consultation (10 Business Days)	8 July 2026 – 22 July 2026
Draft Final Modification Report issued to Panel (4 Business days)	28 July 2026
Panel undertake recommendation vote	31 July 2026 (Special Panel)

⁸ [CMP471 Urgency Request Letter.pdf](#)

Final Modification Report issued to Panel to check votes recorded correctly	12 August 2026
Final Modification Report issued to Authority	12 August 2026
Authority Decision	TBC
Date of Implementation	TBC

The Code Administrator should proceed based on the urgent timetable, amended to reflect the position set out above.

For the avoidance of doubt, in granting this request for urgency, we have made no assessment of the merits of the Proposal and nothing in this letter in any way fetters our discretion in respect of the Proposal.

If you have any comments or questions about this letter, please contact connections determinations@ofgem.gov.uk.

Yours sincerely,

Neal McLaughlin

Head of Policy – Connections Reform and Governance

Duly authorised on behalf of the Authority