

David Haldearn
BETTA Project
Ofgem
9 Millbank
London
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2nd March 2005

Dear David,

Consultation on Scottish Nuclear Site Licence Provisions Agreements (SNSLPA)

Thank you for the opportunity to comment on the Scottish NSLPA consultation issued on the 16th February. As a principal party to two such agreements both in England & Wales and Scotland, we welcome the somewhat belated proposals to resolve the specific issue of the Scottish NSLPA, which supports the requirements of the nuclear site licence for our Scottish nuclear power stations, and its migration into BETTA.

Summary

We consider that the proposed amendments to the STC and the CUSC are 'fit for purpose' subject to our comments below.

Commentary

The consultation paper sets out the two possible solutions for the SNSLPA. The 'agreed approach' will maintain the SNSLPA as a bilateral agreement between ourselves and SPTL, and is the 'minimum change' option. However, whilst our SNSLPA will remain between BE and SPTL, we recognise the importance of the role of NGC, as the GBSO, within the SNSLPA in ensuring that rights and obligations continue to be appropriately discharged under BETTA. We note the important additional clarification in relation to the STCPs in this regard in footnote 4 of Appendix 1.

We have previously highlighted these concerns to Ofgem/DTI and note the proposed amendments to Sections G3 and J of the SO-TO Code by this consultation. The proposed changes can be considered as cooperation or facilitation clauses to ensure that appropriate activities are undertaken in a timely manner to support the SNSLPA. We also note that the detail of such cooperation required between the transmission licensees will be performed or 'backed-off' within the more detailed STC Procedures (STCP).

We have also previously indicated that we considered that we should have a role in the development of such procedures to ensure the inclusion of appropriate safeguards to existing rights and obligations for continued compliance.

We have now reached broad agreement with SPTL as to extent of the minor amendments required to our SNSLPA to facilitate BETTA as part of the BETTA Run Off Arrangements

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scheme, and this agreement is also predicated on the proposed STC changes being implemented as defined.

Our current opinion therefore is that we no longer consider that a BE role in the development of the STCPs is necessary. Should the amendments implemented differ from those currently proposed, we would however need to reconsider this position.

If you have any issues arising from the above please do not hesitate to contact me to discuss.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Phillips', with a stylized, cursive script.

Steve Phillips
BETTA Project Manager
Transmission and Trading Arrangements
Power & Energy Trading