

Lesley Nugent  
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18 November 2008

Dear Lesley

**Derogation requests to facilitate earlier connection of generation – consultation on information required to facilitate Ofgem’s assessment and proposed amendments to guidance**

Thank you for the opportunity to comment on the above document. This response is sent on behalf of our three distribution licence holders, EDF Energy Networks (EPN) plc, EDF Energy Networks (LPN) plc and EDF Energy Networks (SPN) plc.

We have focused our answers on those questions and issues which affect us as distribution licence holders, specifically the following points:

**Revised guidance document**

We have reviewed the revised guidance document and are comfortable with the proposed changes.

**Should the derogation guidance apply to distribution licence condition 24 (Engineering Recommendation P2/6)?**

The current derogation guidance document covers distribution licence condition 5 (the predecessor of the new distribution licence condition 24) and we see no need to change the status quo.

**Is wider self certification appropriate?**

As expressed in our letter to John Scott, dated 20 March 2007, we considered raising the 60MW threshold as a reasonable future development. With almost two years of self certification behind the industry, we are not aware of any significant problems and are supportive of a 100MW threshold.

**P2/6 compliance reporting**

We note that concurrent with a revised self certification threshold, Ofgem is proposing that DNOs issue an annual P2/6 compliance report. Before committing to such a reporting scheme we would wish to develop appropriate guidance notes and (if appropriate) templates for the report to ensure consistent and accurate reporting across the country.

The report would also need to balance the time and effort required to produce it against any savings made by the increase in the self certification threshold. It would also be in the interests of better regulation to ensure that its development is tied in with the network utilisation reporting already carried out via the RRP. We are of course happy to work with Ofgem on the structure of the report/templates if this is the chosen solution.

Additionally, we believe that any such new reporting regime should be given effect through an appropriate licence modification, which among other things would require the use by all of the DNOs of a common template/protocol for compliance monitoring and reporting purposes. This will ensure consistency and enforceability across the industry.

**What circumstances would be appropriate for self certification?**

We believe that Ofgem's letter of 5 March 2007 clearly sets out the valid circumstances in which self certification applies.

If you have any queries in respect of this letter, please do not hesitate to contact me on 01293 657853.

Yours sincerely

Paul Measday  
Regulation Manager  
EDF Energy Networks