

Amendment proposal:	<b>System Operator ("SO") – Transmission Owner ("TO") Code ("STC") CA030: Clarification of which User Data can be disclosed to a Transmission Owner</b>		
Decision:	The Authority <sup>1</sup> directs that this proposal be made <sup>2</sup>		
Target audience:	National Grid Electricity Transmission PLC (NGET), Parties to the STC and other interested parties		
Date of publication:	13 January 2009	Implementation Date:	To be confirmed by NGET

## Background to the amendment proposal

NGET proposed a change to the Grid Code (C/08 – Data Exchange) in August 2008, following an earlier review, to include specific provisions within the Grid Code which allow certain User Data to be disclosed by NGET to a Relevant Transmission Owner (referred to in the Grid Code as Relevant Transmission Licensee). The proposal aimed to improve the transparency of the User Data disclosed, by defining the scope of User Data which NGET may disclose to a Relevant Transmission Owner in a User facing code. The effect of this Grid Code change ensures that the scope of User Data that NGET can disclose to a Relevant Transmission Owner can only be changed through appropriate governance arrangements for the Grid Code. This change was intended to reassure Users about who would see the Data and how it would be used, and also to facilitate inclusive discussions regarding the need for NGET to disclose User Data to Relevant Transmission Owners. The Authority approved C/08 on 30 September 2008 and it was implemented on 13 October 2008.

There are also provisions in the STC stating whether, and which, User Data is to be disclosed by NGET to Transmission Owners and how that data is to be exchanged. The implementation of C/08 creates a potential risk of duplication and inconsistency between the STC and the Grid Code provisions regarding the disclosure of User Data and data exchange. This risk could be addressed through consequential changes to the STC.

STC Amendment Proposal CA030 was raised to address the issue of disclosure of User Data and data exchange on an enduring basis following implementation of C/08.

## The proposed Amendment

CA030 proposes to amend Schedule 3<sup>3</sup> of the STC to remove explicit references to specific sections of the Grid Code relating to the User Data to be disclosed to a Transmission Owner and instead include a general reference to information in the Grid Code. In addition, some items that may be disclosed to a Transmission Owner under Schedule 3 will be moved within the Schedule from the section entitled 'User Data' to a new section entitled 'Investment Planning Data'.

CA030 would also delete Schedule 14<sup>4</sup> of the STC as it would no longer be required. Schedule 14 currently lists the User Data that cannot be disclosed to a Transmission Licensee for transmission planning purposes. Instead, the Grid Code will impose the

<sup>1</sup> The terms 'the Authority', 'Ofgem' and 'we' are used interchangeably in this document. Ofgem is the Office of the Gas and Electricity Markets Authority.

<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> Information and Data Exchange Specification

<sup>4</sup> Transmission Planning Data

relevant restrictions on NGET regarding User Data it can disclose and exchange with another Relevant Transmission Owner for transmission planning.

## **Responses to the STC Committee consultation**

The STC committee undertook an Assessment consultation on CA030. All the STC parties which responded indicated that there would be no impact on their systems and no cost involved in implementing CA030.

## **STC Committee<sup>5</sup> recommendation**

The STC Committee recommended that CA030 should be implemented and that implementation should occur five business days after the Authority's decision.

## **The Authority's decision**

The Authority has considered the issues raised in the final Amendment Report, including the legal text, for CA030. The Authority concludes that:

1. implementation of the amendment proposal would better facilitate the achievement of the applicable objectives of the STC;<sup>6</sup> and
2. directing that the amendment be made is consistent with the Authority's principal objectives and statutory duties.<sup>7</sup>

## **Reasons for the Authority's decision**

Having considered the Amendment Report in the context of the applicable STC objectives and its statutory duties, the Authority agrees with the STC Committee that CA030 would better facilitate the achievement of both applicable objective (a), "*efficient discharge of the obligations imposed upon transmission licensees by transmission licences and the Act*" and applicable objective (b), "*development, maintenance and operation of an efficient, economical and coordinated system of electricity transmission*" by transmission licensees.

We consider that CA030 will assist in removing any potential duplication or inconsistent interpretation of the provisions of the STC and the Grid Code regarding the disclosure of User Data and exchange of User Data between STC parties. By ensuring that appropriate legal text appears in both codes which is consistent, and can be consistently interpreted, implementation of CA030 will ensure the efficient application of code rules by transmission licensees in line with their obligations.

There will be a further benefit in ensuring that the future amendment of the enduring rules on disclosure of User Data and data exchange which relate to transmission planning, implemented in the Grid Code by proposal C/08, will be undertaken efficiently and effectively under the Grid Code. Any changes would read across in a coordinated and consistent manner to the relevant provisions on User Data and Investment Planning Data in Schedule 3 of the STC.

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<sup>5</sup> The STC Committee is established and constituted from time to time pursuant to and in accordance with section B6 of the STC.

<sup>6</sup> As set out in Standard Condition B12(3) of NGET's Transmission Licence, see: <http://epr.ofgem.gov.uk/index.php?pk=doc176694>

<sup>7</sup> The Authority's statutory duties are wider than matters which the Panel must take into consideration and are detailed mainly in the Electricity Act 1989.

## **Decision notice**

The Authority has decided to direct that Proposed Amendment CA030, as set out in the Amendment Report, should be made and implemented.

The modification is to be implemented five (5) business days after the date of this decision.

In accordance with Condition B12 of NGET's Transmission Licence, NGET shall notify the STC in accordance with the direction of the Authority.

A handwritten signature in black ink, appearing to read 'M. Frerk', is positioned above the printed name and title.

**Maxine Frerk**

**Director Governance, Consumer & Social Affairs**

Signed on behalf of the Authority and authorised for that purpose