

**From:** Sharp, Tony [mailto:Tony.Sharp@ce-electricuk.com]  
**Sent:** 20 August 2010 14:42  
**To:** Chris Chow  
**Cc:** Jones, Harvey; Allanson, Chris  
**Subject:** Collective licence modification proposal ref. 92/10

Chris,

I am duly authorised to respond on behalf of each of CE Electric UK, Northern Electric Distribution Ltd and Yorkshire Electricity Distribution plc in relation to Ofgem's statutory notice of 23 July 2010 proposing a collective licence modification (ref. 92/10) to put in place an obligation on electricity distribution licensees to apply a new distribution charging boundary rule when calculating use of system charges.

We wish to make the following representations in relation to this proposal:

- The words "at 1 kilovolt or more and 22 kilovolts or less" in the fourth and fifth lines of each of paragraph 50.10(b) of SLC50 and paragraph 13A.5(b) of SCL13A, and in the second line of each of paragraphs 50A.11(c) and (d) of SLC50A and paragraphs 13B.6(c) and (d) of SLC13B are defective for two reasons:
  - linguistically these words do not convey what we understand to be the intended meaning – literally they refer to situations in which distribution systems or premises are directly connected to substations TWICE (ie at 1 kilovolt or more AND at 22 kilovolts or less), whereas we believe they are intended to identify a voltage RANGE of connection;
  - technically they are inaccurate as we believe that 1 kilovolt falls within the compass of low voltage and 22kV falls within the compass of extra-high voltage.

We therefore propose that these aforementioned words "at 1 kilovolt or more and 22 kilovolts or less" should be replaced by "at between 1 kilovolt and 22 kilovolts", which phrase both does the required job linguistically (in referencing a voltage range of connection) and, by dint of using the word "between", excludes both 1 kilovolt and 22 kilovolts from the identified range.

- We believe that consideration should be given to the inclusion of a definition of "substation assets" in terms of "assets comprising a substation that has a primary connection voltage of 22kV or more". This would ensure that consumers with connections to the 11kV network would not consider themselves to be connected to "substation assets".
- We believe that the proposed modification to the opening words of what is proposed to become paragraph 13B.18 of SLC13B (ie "Subject to paragraph 13B.18") is incorrect. The paragraph that it is intended to refer to here is clearly the one that will become 13B.17 under the proposed modification, so that modification of the opening words of the proposed paragraph 13B.18 is unnecessary.

For the avoidance of doubt, our making of these representations does not constitute a formal objection on our part to the proposed licence modifications.

Regards,

Tony Sharp  
Regulation Manager  
CE Electric UK