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Dear Dora,

Open letter consultation on Code Modification Urgency Criteria (30/11)

The Panel of the Distribution Connection and Use of System Agreement (DCUSA) welcomes the opportunity to respond to Ofgem's open letter on code modification urgency criteria.

As the letter identifies, at present under the DCUSA it is the proposer who determines whether or not a Change Proposal (CP) should be treated as urgent based on defined criteria which are similar to those set out in Ofgem's letter¹. DCUSA Change Proposal DCP 085 'Process for Determining Urgent Status' is currently being voted on by Parties and proposes that the Panel (rather than the proposer) is given the authority to determine urgency status. This CP is a Part 1 matter and it will be submitted to Ofgem in due course for its consideration. The Panel is therefore supportive of the intention to standardise the criteria to be applied when deciding if a modification is to be treated as urgent.

¹ *There is a very real likelihood of significant adverse commercial impact upon the Parties (or a class of Party) and/or electricity consumers if the Change Proposal is not dealt with urgently;*

*The safety and security of the Distribution Network is likely to be adversely affected if the Change Proposal is not dealt with urgently; or
The Change Proposal is linked to an imminent date-related event.*

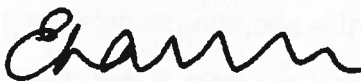
Having considered the proposed guidance, the Panel is broadly supportive of the criteria Ofgem has suggested for making such decisions. However, it questions whether it would be appropriate for a change to be linked to an imminent date related event in all cases. Whilst the Panel does not believe that a matter being linked to an imminent date related event should be a sole measure for urgent status; it equally considers that there may be certain circumstances where that hurdle cannot be met despite one or more of the other criteria being reached. The Panel proposes that the Authority considers how the issue can be addressed as part of its assessment and would welcome participation in any such discussions.

In conclusion, the Panel remains keen to work closely with Ofgem and DCUSA parties to ensure that management of the code remains transparent, efficient and cost effective.

The Panel supports Ofgem's reasons for publishing the new guidance in the interests of transparency and consistency across codes but recommends that Ofgem re-consider the proposed criteria to mandate that an urgent change must be linked to an imminent date related event.

The Panel looks forward to receiving the outcome of the consultation and proposes to consider further appropriate changes to DCUSA once Ofgem's work in this area is concluded.

Yours sincerely,

PP. 

Chris Allanson

DCUSA Chair

On behalf of the Panel