



Gas and electricity transmission and distribution companies and any other interested parties.

Promoting choice and value for all gas and electricity customers

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Date: 11 October 2012

Dear Colleague,

Disapplication conditions – informal licence drafting consultation

This is an informal eight week consultation which affords all interested parties an opportunity to provide views on our working drafts of proposed changes to the disapplication conditions. Responses should be received by no later than 6 December 2012 and should be sent to: ikbal.hussain@ofgem.gov.uk

The disapplication conditions allow a relevant Licensee to make a disapplication request to the Authority. A disapplication request allows for the possibility of a re-opening or disapplication of Special Conditions defined within the licence.

Earlier this year, we noted in our RIIO informal licence drafting consultation¹ that the current disapplication conditions ("the Relevant Special Conditions") needed to be:

- reviewed and amended following changes introduced by the Third Package Regulations²
- that whilst electricity distribution licences were outside the scope of RIIO-T1 and GD1 we considered it appropriate, given the similar nature of these conditions across network licences, to make any required modifications collectively and at the same time across the licences of all of the energy network companies.

Scope of proposed changes

Our proposed changes relate to the following licences:

- The gas transporter licences of:
 - National Grid Gas (NGG), with respect to its gas transmission business (NGGT)

¹ RIIO-T1 and GD1: Draft licence conditions – First informal licence drafting consultation
<http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=225&refer=NETWORKS/TRANS/PRICECONTROLS/RIIO-T1/CONRES> .

² The Electricity and Gas (Internal Markets) Regulations 2011
http://www.legislation.gov.uk/uksi/2011/2704/pdfs/ukxi_20112704_en.pdf

- the Gas Distribution Networks (GDNs)
- NGG, with respect to its GDN business (NGGD)
- The electricity transmission licences of:
 - National Grid Electricity Transmission (NGET)
 - SP Transmission Ltd (SPTL)
 - Scottish Hydro Electric Transmission Ltd (SHETL)
- The electricity distribution licences of the Distribution Network Operators (DNOs).

The table below sets out the specific Relevant Special Conditions that are the subject of this informal consultation.

Table 1: Relevant Special Conditions

Relevant licence	Current condition(s)
Gas Transmission	
NGGT (TO)	C8B (4) - Disapplication of the NTS transportation owner activity revenue restriction.
NGGT (SO)	C8C(4) - Disapplication of the NTS SO activity revenue restriction
Electricity Transmission	
NGET(SO)	AA5E: Duration of the Balancing Services Activity Revenue Restriction
NGET(TO)	D8: Duration of the Transmission Network Revenue Restriction
SHETL/SPTL	J9: Duration of the Transmission Network Revenue Restriction
Gas Distribution	
GDNs	E16 – Disapplication of the Distribution Network Transportation Activity Revenue Restriction
	E19 - Restriction of prices in respect of Tariff Capped Metering Activities (Specifically, Disapplication of the maximum tariff caps)
Electricity Distribution	
DNOs	CRC19: Duration of the Charge Restriction Conditions
	CRC 16: Charging outside the Distribution Services Area

Reasons and effect of our proposed changes

The Relevant Special Conditions are similar across the different licences and therefore the reasons and effect of our proposed licence changes are the same.

The Relevant Special Conditions expressly refer to references in the Acts³ relating to modification references to the Competition Commission (CC). However, the Third Package Regulations⁴ introduced a new procedure for making licence modifications. In particular, under the new licence modification procedure the Authority is no longer able to make licence condition references to the CC which is a key mechanism in the Relevant Special Conditions. Instead, the Authority may modify the licence unilaterally, but licensees and certain other specified parties have the right to refer any decision to modify a condition to the CC.

³ Under s24 of the Gas Act 1986 and s12 of the Electricity Act 1989

⁴ The Electricity and Gas (Internal Markets) Regulations 2011
http://www.legislation.gov.uk/ukxi/2011/2704/pdfs/ukxi_20112704_en.pdf

Accordingly, the Relevant Special Conditions need to be reviewed and amended to take account of these changes and the new regime needs to be reflected in the drafting for RIIO⁵ related licence changes due to come into effect from 1 April 2013.

We also note that the disapplication provisions are currently set out in more than one licence condition in the above licences.⁶ For clarity and ease of reference, we consider it appropriate to use this opportunity to consolidate the disapplication provisions into one single licence condition.

The effect of our proposed amendments is to ensure that the Relevant Special Conditions reflect changes brought in by the Third Package Regulations and also to improve the clarity of how the disapplication provisions are set out in the licences by bringing the provisions into a single licence condition.

Key issues and proposed changes

Our intention is to replicate as closely as we can the policy set out in the Relevant Special Conditions. With that in mind, we are proposing to retain the same notice periods as exist currently for each sector, noting that there are different periods for instance in gas and electricity transmission. We have also sought to retain a licensee's right to a hearing before the CC in the event that the Authority takes action to prevent a disapplication request.

However, in order to achieve similar rights and outcomes to those available under the old regime, we propose to introduce some new mechanisms. In particular, under the old referral process if a disapplication request is served, we could come to a number of conclusions and take a number of actions:

1. we might agree with the licensee that the relevant provisions should be disappplied, in which case it would take no positive action and let the disapplication run its course
2. we could agree with the licensee that the current control was not fit for purpose but disagree that the answer was no price control, and instead make a modification reference to the CC requesting appropriate changes to substantive provisions – suspending the disapplication until the outcome of the CC process, or
3. we could also take the view that there was nothing wrong with the current control and refer the cessation of the conditions set out in the disapplication request to the CC – also suspending the disapplication until the outcome of the CC process.

Options 1 and 2 are relatively straight forward to replicate under the new system. However, in order to make provision for option 3 (under which the Authority would be of the view that neither disapplication nor modifying the price control was consistent with its duties) we have needed to introduce a new mechanism. Under this proposed new mechanism, the Authority can suspend the operation of the disapplication by modifying the disapplication condition itself to remove a licensee's right to disapply the provisions set out in the specific disapplication request in question. The licensee would then have the right to appeal that modification to the CC.

Timings will be particularly tight under the new condition. Now, in order to suspend operation of disapplication, the Authority does not simply have to make a reference, it must consult upon and implement licence modifications. In light of this it is particularly important that licensees serving notices provide sufficient information up front. In order to deal with this we propose the following approach:

⁵ RIIO (Revenue = Incentives + Innovation + Outputs) regulatory framework.

⁶ System Operator (SO) and Transmission Owner (TO) price control provisions for NGGT & NGET. Price control and Metering provisions for the GDNs, Price Control. Metering and Charging outside the Distribution Services Area provisions for DNOs.

- licensees can start the process by providing such information as they consider reasonably necessary for a proper evaluation of the issue
- however if the Authority considers that information to be insufficient, it has the power to “stop the clock” until that additional information is required. Merger authority’s apply similar rules.

As an alternative, licensees could be required to provide such information as is reasonably necessary for a proper evaluation, as judged on an objective basis.

Summary of proposed changes to each Relevant Condition

We have presented our proposed changes to the Relevant Special Conditions and provided working drafts of the proposed new disapplication conditions in the Appendices.

Please note that given the extensive number of proposed licence changes that are anticipated as part of RIIO-T1 and GD1, a final condition number has not been assigned to our proposed new special conditions for transmission and gas distribution at this time. Furthermore, the definitions of ‘Relevant Special Conditions’ cannot be completed until we know the final licence conditions numbers. We expect to know this in time for the statutory consultation in late December.

In contrast, the conditions numbers and definitions for the electricity distribution licences are settled and are as set out in this consultation.

In summary, our proposed changes to each of the Relevant Special Conditions are as follows:

Gas Transmission

Special Condition C8B (4) - Disapplication of the NTS transportation owner activity revenue restriction; and Special Condition C8C (4) - Disapplication of the NTS SO activity revenue restriction

Part 4 of both these conditions contain the disapplication provisions⁷ which need updating. We propose to delete the disapplication provisions in Part 4 of each of the above conditions and replace both sets of provisions with new Special Condition [x]. Disapplication of Relevant Special Conditions.

Our proposed licence drafting is set out in Appendix 1.

Electricity Transmission

Special Condition AA5E: Duration of the Balancing Services Activity Revenue Restriction (NGET only); and Special Condition D8: Duration of the Transmission Network Revenue Restriction (NGET only)

We propose to amend the title and substitute the entire current text of Special Condition AA5E with proposed new Special Condition [x]. Disapplication of Relevant Special Conditions.

For Special Condition D8 we propose update and merge the current provisions in that condition into the above proposed new Special Condition [x]. Disapplication of Relevant Special Conditions and then delete this condition.

⁷ Special Condition C8B(4) with respect to TO and Special Condition C8C(4) with respect to SO

Our proposed licence drafting is set out in Appendix 2.

Special Condition J9: Duration of the Transmission Network Revenue Restriction (SHETL/SPTL)

We propose to amend the title and substitute the entire current text of Special Condition J9 with proposed new Special Condition [x]. Disapplication of Relevant Special Conditions

Our proposed licence drafting is set out in Appendix 3.

Gas Distribution

**Special Condition E16 – Disapplication of the Distribution Network Transportation Activity Revenue Restriction; and
Special Condition E19 - Restriction of prices in respect of Tariff Capped Metering Activities** (Specifically, Disapplication of the maximum tariff caps)

We propose to amend the title and substitute the entire current text of Special Condition E16 with proposed new Special Condition [x]. Disapplication of Relevant Special Conditions

For Special Condition E19, we propose to update and move the current metering disapplication provisions into the above proposed new Special Condition [x]. Disapplication of Relevant Special Conditions and then delete the metering disapplication provisions from this condition.

Our proposed licence drafting is set out in Appendix 4.

Electricity Distribution

Special Condition CRC19: Duration of the Charge Restriction Conditions

We propose to amend the title and substitute the entire current text with proposed new Special Condition CRC19. Disapplication of Relevant Special Conditions

Special Condition CRC 16: Charging Outside the Distribution Services Area

Part B of this licence condition relates to the disapplication procedure for Charging outside of Distribution Services Area. We propose to update these existing provisions and move them into new Special Condition CRC19. Disapplication of Relevant Special Conditions. We then propose to delete Part B from this condition.

Our proposed licence drafting is set out in Appendix 5.

Responding to this consultation

We would like to hear the views of interested parties in relation to any of the issues set out in this document. In particular, we would like to hear from gas and electricity transmission and distribution companies and any other interested parties.

Responses should be received by no later than 6 December 2012 and should be sent to: ikbal.hussain@ofgem.gov.uk

Unless marked as confidential, all responses will be published by placing them in Ofgem's library and on its website www.ofgem.gov.uk. Respondents may request that their response is kept confidential. Ofgem shall respect this request, subject to any obligations to

disclose information, for example, under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

Respondents who wish to have their responses remain confidential should clearly mark the document/s to that effect and include the reasons for confidentiality. It would be helpful if responses could be submitted both electronically and in writing. Respondents are asked to put any confidential material in the appendices to their responses.

We welcome responses in any format. However, for ease of reference, any interested parties with specific comments about the drafting of a particular condition(s) are requested to use the response template provided.⁸ Where possible, specific comments on the licence drafting should include alternative wording.

Any questions on this document should, in the first instance, be directed to:

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London,
SW1P 3GE
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ikbal.hussain@ofgem.gov.uk

Next steps

For transmission and gas distribution, given the interaction of the proposed licence changes set out here with those set out in our RIIO informal licence drafting consultation⁹. We consider it appropriate to include our proposed changes to the Relevant Special Conditions in the statutory consultation to be issued as part of RIIO-T1 and GD1 licence changes. For electricity distribution we will issue a separate statutory consultation on changes to the Relevant Special Conditions around the same time.

Following consideration of responses to this informal consultation we anticipate the next steps to broadly be in line with the following timetable:

Stage	Date
Statutory Consultations	Late December 2012 <ul style="list-style-type: none">as part of RIIO-T1 and GD1 licence changes statutory consultation for transmission and gas distribution licences.separate statutory consultation for proposed changes to electricity distribution licences
Changes come into effect	April 2013

Yours faithfully,

Grant McEachran
Head of RIIO- T1

⁸ Supporting Document 1: Response template for disapplication conditions informal licence drafting consultation

⁹ RIIO-T1 and GD1: Draft licence conditions – First informal licence drafting consultation

<http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=225&refer=NETWORKS/TRANS/PRICECONTROLS/RIIO-T1/CONRES> .

Appendix 1 – Proposed changes to NGGT's gas transporter licence.

Special Condition C8B. NTS transportation owner activity revenue restriction

~~4. Disapplication of the NTS transportation owner activity revenue restriction~~

~~(a) The NTS transportation owner activity revenue restriction conditions shall apply so long as this licence continues in force but shall cease to have effect in such circumstances and at such times as are described in paragraphs 4(b) to 4(f) of this condition.~~

~~(b) The NTS transportation owner activity revenue restriction conditions or any part of them shall cease to have effect (in whole or in part as the case may be) if the licensee delivers to the Authority a disapplication request made in accordance with paragraph 4(c) of this condition or notice is given to the Authority by the licensee in accordance with either paragraph 4(e) or paragraph 4(f) of this condition.~~

~~(c) A disapplication request shall:~~

~~(i) be in writing addressed to the Authority;~~

~~(ii) specify the NTS transportation owner activity revenue restriction conditions (or any part or parts thereof) to which the request relates; and~~

~~(iii) state the date (being not earlier than the date referred to in paragraph 4(d) of this condition) from which the licensee wishes the Authority to agree that those conditions (or part or parts thereof) shall cease to have effect.~~

~~(d) No disapplication following delivery of a disapplication request shall have effect until a date (the "disapplication date") being 31 March of the first formula year that ends more than 18 months after the date of that disapplication request.~~

~~(e) If the Authority has not made a reference to the Competition Commission under section 24 of the Act relating to the modification of the conditions or the part or parts thereof specified in the disapplication request before the beginning of the~~

~~period of 6 months which will end with the disapplication date and the licensee has not withdrawn the disapplication request, the licensee may deliver written notice to the Authority terminating the application of such conditions or any part or parts thereof as are specified in the disapplication request with effect from 1 April in the formula year first commencing after the disapplication date.~~

~~(f) If the Competition Commission makes a report on a reference made by the Authority relating to the modification of the conditions (or any part or parts thereof) specified in the disapplication request and such report does not include a conclusion that:~~

~~(i) the cessation of those conditions, in whole or in part, operates or may be expected to operate against the public interest; or~~

~~(ii) that any adverse effects specified by the Competition Commission could be remedied or prevented by such modifications of the relevant conditions as are specified in the report,~~

~~the licensee may within 30 days after the publication of the report on a reference made by the Authority in accordance with section 25 of the Act deliver to the Authority written notice terminating the application of those conditions or any part or parts thereof with effect from 1 April in the formula year first commencing after the disapplication date.~~

Special Condition C8C. NTS System Operation Activity Revenue Restriction

~~4. Disapplication of the NTS SO activity revenue restriction~~

~~(a) The NTS system operation activity revenue restriction conditions shall apply so long as this licence continues in force but shall cease to have effect in such circumstances and at such times as are described in paragraphs 4(b) to 4(f) of this condition.~~

~~(b) The NTS system operation activity revenue restriction conditions (or any part or parts thereof) shall cease to have effect (in whole or in part as the case may be) if the licensee delivers to the Authority a disapplication request made in accordance with paragraph 4(c) of this condition or if notice is given to the Authority by the licensee in accordance with either paragraph 4(e) or paragraph 4(f) of this condition.~~

~~(c) A disapplication request shall:~~

~~(i) be in writing addressed to the Authority;~~

~~(ii) specify the NTS system operation activity revenue restriction conditions (or any part or parts thereof) to which the request relates; and~~

~~(iii) state the date (being not earlier than the date referred to in paragraph 4(d) of the condition) from which the licensee wishes the Authority to agree that the conditions (or part or parts thereof) shall cease to have effect.~~

~~(d) No disapplication, following delivery of a disapplication request, shall have effect until a date (the "disapplication date") being:~~

~~(i) in case of a disapplication request to Special Condition C8C (NTS System Operation Activity Revenue Restriction), Special Condition C8D (NTS gas entry incentives, costs and revenues), Special Condition C8E (NTS gas exit incentives, costs and revenues), Special Condition C8G (NTS System Operator incentives, costs and revenues), 31 March of the first formula year that ends more than 18 months after the date of the disapplication request; and~~

- ~~(ii) — in case of a disapplication request which relates to Special Condition C8F (NTS System Operator external incentives, costs and revenues), the earlier of not less than 18 months after the date of that disapplication request and 31 March 2008.~~
- ~~(c) — If the Authority has not made a reference to the Competition Commission under section 24 of the Act relating to the modification of the conditions or the part or parts thereof specified in the disapplication request before the beginning of the period of 6 months which will end on the disapplication date and the licensee has not withdrawn the disapplication request, the licensee may deliver written notice to the Authority terminating the application of such conditions (or any part or parts thereof) as are specified in the disapplication request with effect from 1 April in the formula year first commencing after the disapplication date.~~
- ~~(f) — If the Competition Commission makes a report on a reference made by the Authority relating to the modification of the conditions (or any part or parts thereof) specified in the disapplication request and such report does not include a conclusion that:~~

 - ~~(i) — the cessation of those conditions, in whole or in part, operates or may be expected to operate against the public interest; or~~
 - ~~(ii) — that any adverse effects specified by the Competition Commission could be remedied or prevented by such modifications of the relevant conditions as are specified in the report,~~

~~— the licensee may within 30 days after the publication of the report on a reference made by the Authority in accordance with section 25 of the Act deliver to the Authority written notice terminating the application of those conditions or any part or parts thereof with effect from 1 April in the formula year first commencing after the disapplication date.~~

Special Condition [x]. Disapplication of Relevant Special Conditions

Introduction

- 1.1. The purpose of this condition is to enable the Licensee to make a formal request for the disapplication of the Relevant SO Special Conditions or Relevant TO Special Conditions (in whole or in part) and for such provisions to be disappplied following such a request in the circumstances specified below.

Part A: Conditions are to continue subject to disapplication

- 1.2. The Relevant SO Special Conditions or Relevant TO Special Conditions apply for as long as this licence continues in force, but will cease to have effect (in whole or in part, as the case may be) if the Licensee gives a Disapplication Request to the Authority in accordance with the provisions of Part B and C below and:
- (a) the Authority agrees in Writing to the Disapplication Request; or
 - (b) the application of the Relevant SO Special Conditions or Relevant TO Special Conditions (in whole or in part) is terminated by Notice given by the Licensee in accordance with the provisions of Part D below.

Part B: Procedure for making a Disapplication Request

- 1.3. The Licensee may ask the Authority to consent to the disapplication of the Relevant SO Special Conditions or Relevant TO Special Conditions (in whole or in part) by giving the Authority a Disapplication Request under this condition.
- 1.4. A Disapplication Request must:
- (a) be in Writing and addressed to the Authority;
 - (b) specify the Relevant SO Special Conditions or Relevant TO Special Conditions (or any part or parts of them) to which the request relates;
 - (c) provide a full statement of the Licensee's reasons for making the request;
 - (d) contain such other information or analysis as the Licensee considers sufficient to enable the Authority to fully assess the Disapplication Request; and
 - (e) state the Disapplication Date that is proposed by the Licensee (which must not be earlier than the appropriate date that is mentioned in Part C below) on and after which the specified Relevant SO Special Conditions or Relevant TO Special Conditions (or part or parts of them) would cease to have effect.
- 1.5. A Disapplication Request served under this condition may be served in respect of a specified geographical area.
- 1.6. If, on receipt of a Disapplication Request, the Authority gives notice to the Licensee
- (a) specifying further information or analysis which it reasonably considers is required in order to fully assess the Disapplication Request, and

(b) requests the Licensee to provide that information or analysis,
the Disapplication Request shall be treated for the purposes of this condition as not delivered to the Authority until that further information or analysis is provided.

1.7. The Licensee may withdraw a Disapplication Request at any time.

Part C: Date from which a disapplication may take effect

1.8. Except where the Authority otherwise consents, a disapplication following the delivery of a Disapplication Request may not have effect until a date that is no earlier than [31 March of the first Formula Year that ends not less than [18] months after the delivery of the request].

Part D: Licensee's right to terminate under a Disapplication Request

1.9. If the Licensee has given the Authority a Disapplication Request that complies with the requirements of Parts B and C of this condition, it may subsequently give the Authority a Notice that terminates the application of the provisions of this Licence specified in that request:

- (a) in the circumstance described in Part E; or
- (b) in the circumstance described in Part F,

but in either case the Notice may not be given before the Disapplication Date or such earlier date to which the Authority may have consented under Part C.

Part E: Termination without involvement of the Competition Commission

1.10. The circumstance referred to in paragraph 1.9(a) above is that by the beginning of the period of [six] months that would end on the Disapplication Date, the Authority has not in response to the Disapplication Request published a decision under section 23(7)/ 11A(7) of the Act to modify:

- (a) the Relevant SO Special Conditions or Relevant TO Special Conditions (or any part or parts of them); or
- (b) this Condition so as to remove the Licensee's right to give the Authority a Notice under paragraph 1.9 in respect of the relevant Disapplication Request.

Part F: Termination after involvement of the Competition Commission

1.11. The circumstance referred to in paragraph 1.9(b) above is that the Authority has published a decision as described in paragraph 1.10(a) or 1.10(b) above and:

- (a) the Licensee has exercised its right to appeal to the Competition Commission against that decision of the Authority as provided for by section [23B] / [11C] of the Act;
- (b) the Competition Commission, acting under section [23F] / [11F] of the Act, has: (i) quashed the Authority's decision and (ii) directed the Licensee to give Notice to the Authority terminating such of the conditions specified in

the Disapplication Request, in such manner and to such extent, as may be specified in that direction; and

- (c) no more than 30 days have elapsed since the date of the direction to which paragraph 1.11(b) above refers.

Part G: Interpretation

1.12 For the purposes of this condition:

Disapplication Date	has the meaning given to that term in paragraph 1.4(e)
Disapplication Request	has the meaning given to that term in paragraph 1.4.
Relevant SO Special Conditions	means Special Conditions (x)–(x)]
Relevant TO Special Conditions	means Special Conditions (x)–(x)]

Appendix 2 – Proposed changes to NGET's electricity transmission licence.

Special Condition ~~AA5E: Duration of the Balancing Services Activity Revenue Restriction~~ [x]. Disapplication of Relevant Special Conditions

Introduction

- 1.1. The purpose of this condition is to enable the Licensee to make a formal request for the disapplication of the Relevant SO Special Conditions or Relevant TO Special Conditions (in whole or in part) and for such provisions to be disappplied following such a request in the circumstances specified below.

Part A: Conditions are to continue subject to disapplication

- 1.2. The Relevant SO Special Conditions or Relevant TO Special Conditions apply for as long as this licence continues in force, but will cease to have effect (in whole or in part, as the case may be) if the Licensee gives a Disapplication Request to the Authority in accordance with the provisions of Part B and C below and:
 - (a) the Authority agrees in Writing to the Disapplication Request; or
 - (b) the application of the Relevant SO Special Conditions or Relevant TO Special Conditions (in whole or in part) is terminated by Notice given by the Licensee in accordance with the provisions of Part D below.

Part B: Procedure for making a Disapplication Request

- 1.3. The Licensee may ask the Authority to consent to the disapplication of the Relevant SO Special Conditions or Relevant TO Special Conditions (in whole or in part) by giving the Authority a Disapplication Request under this condition.
- 1.4. A Disapplication Request must:
 - (a) be in Writing and addressed to the Authority;
 - (b) specify the Relevant SO Special Conditions or Relevant TO Special Conditions (or any part or parts of them) to which the request relates;
 - (c) provide a full statement of the Licensee's reasons for making the request;
 - (d) contain such other information or analysis as the Licensee considers sufficient to enable the Authority to fully assess the Disapplication Request; and
 - (e) state the Disapplication Date that is proposed by the Licensee (which must not be earlier than the appropriate date that is mentioned in Part C below) on and after which the specified Relevant SO Special Conditions or Relevant TO Special Conditions (or part or parts of them) would cease to have effect.

- 1.5. A Disapplication Request served under this condition may be served in respect of a specified geographical area.
- 1.6. If, on receipt of a Disapplication Request, the Authority gives notice to the Licensee
 - (a) specifying further information or analysis which it reasonably considers is required in order to fully assess the Disapplication Request, and
 - (b) requests the Licensee to provide that information or analysis,the Disapplication Request shall be treated for the purposes of this condition as not delivered to the Authority until that further information or analysis is provided.
- 1.7. The Licensee may withdraw a Disapplication Request at any time.

Part C: Date from which a disapplication may take effect

- 1.8. Except where the Authority otherwise consents, a disapplication following the delivery of a Disapplication Request may not have effect until a date that is no earlier than [31 March of the first Formula Year that ends not less than [18] months after the delivery of the request].

Part D: Licensee's right to terminate under a Disapplication Request

- 1.9. If the Licensee has given the Authority a Disapplication Request that complies with the requirements of Parts B and C of this condition, it may subsequently give the Authority a Notice that terminates the application of the provisions of this Licence specified in that request:
 - (a) in the circumstance described in Part E; or
 - (b) in the circumstance described in Part F,but in either case the Notice may not be given before the Disapplication Date or such earlier date to which the Authority may have consented under Part C.

Part E: Termination without involvement of the Competition Commission

- 1.10. The circumstance referred to in paragraph 1.9(a) above is that by the beginning of the period of [six] months that would end on the Disapplication Date, the Authority has not in response to the Disapplication Request published a decision under section 23(7)/ 11A(7) of the Act to modify:
 - (a) the Relevant SO Special Conditions or Relevant TO Special Conditions (or any part or parts of them); or
 - (b) this Condition so as to remove the Licensee's right to give the Authority a Notice under paragraph 1.9 in respect of the relevant Disapplication Request.

Part F: Termination after involvement of the Competition Commission

- 1.11. The circumstance referred to in paragraph 1.9(b) above is that the Authority has published a decision as described in paragraph 1.10(a) or 1.10(b) above and:

- (a) the Licensee has exercised its right to appeal to the Competition Commission against that decision of the Authority as provided for by section [23B] / [11C] of the Act;
- (b) the Competition Commission, acting under section [23F] / [11F] of the Act, has: (i) quashed the Authority's decision and (ii) directed the Licensee to give Notice to the Authority terminating such of the conditions specified in the Disapplication Request, in such manner and to such extent, as may be specified in that direction; and
- (c) no more than 30 days have elapsed since the date of the direction to which paragraph 1.11(b) above refers.

Part G: Interpretation

1.12. For the purposes of this condition:

Disapplication Date	has the meaning given to that term in paragraph 1.4(e)
Disapplication Request	has the meaning given to that term in paragraph 1.4.
Relevant SO Special Conditions	means Special Conditions (x)–(x)]
Relevant TO Special Conditions	means Special Conditions (x)–(x)]

~~Special Condition D8: Duration of the Transmission Network Revenue Restriction~~

- ~~1. The transmission network revenue restriction shall apply so long as this licence continues in force but shall cease to have effect in such circumstances and at such times as are described in paragraphs 2 to 6 below.~~
- ~~2. The transmission network revenue restriction (or any part of it) shall cease to have effect (in whole or in part, as the case may be) if the licensee delivers to the Authority a disapplication request made in accordance with paragraph 3 or if notice is given to the Authority by the licensee in accordance with either paragraph 5 or paragraph 6.~~
- ~~3. A disapplication request shall:
 - ~~(i) be in writing addressed to the Authority;~~
 - ~~(ii) specify whether it relates to the transmission network revenue restriction or to any part thereof; and~~
 - ~~(iii) state the date (being not earlier than the date referred to in paragraph 4) from which the licensee wishes the Authority to agree that that condition or conditions (or part or parts thereof) shall cease to have effect.~~~~
- ~~4. No disapplication following delivery of a disapplication request shall have effect until a date (the “disapplication date”) being 31 March in the first relevant year ending more than 18 months after the date of that disapplication request.~~
- ~~5. If the Authority has not made a reference to the Competition Commission under section 12 of the Act relating to the modification of the conditions or the part or parts thereof specified in the disapplication request before the beginning of the period of 6 months which will end on the disapplication date, the licensee may deliver written notice to the Authority terminating the application of such conditions (or any part or parts thereof) as are specified in the disapplication request with effect from 1 April in the relevant year first commencing after the disapplication date.~~

~~6.—If the Competition Commission makes a report on a reference made by the Authority relating to the modification of the conditions (or any part or parts thereof) specified in the disapplication request and such report does not include a conclusion that:~~

~~(a) the cessation of those conditions, in whole or in part, operates or may be expected to operate against the public interest; or~~

~~(b) that any adverse effects specified by the Competition Commission could be remedied or prevented by such modifications of the relevant conditions as are specified in the report,~~

~~the licensee may within 30 days after the publication of the report by the Authority in accordance with section 13 of the Act deliver to the Authority written notice terminating the application of those conditions or any part or parts thereof with effect from the disapplication date or later.~~

Appendix 3 – Proposed changes to SHETL and SPTL's electricity transmission licence.

Special Condition ~~J9: Duration of the Transmission Network Revenue Restriction~~[x]. Disapplication of Relevant Special Conditions

Introduction

- 1.1. The purpose of this condition is to enable the Licensee to make a formal request for the disapplication of the Relevant TO Special Conditions (in whole or in part) and for such provisions to be disappplied following such a request in the circumstances specified below.

Part A: Conditions are to continue subject to disapplication

- 1.2. The Relevant TO Special Conditions apply for as long as this licence continues in force, but will cease to have effect (in whole or in part, as the case may be) if the Licensee gives a Disapplication Request to the Authority in accordance with the provisions of Part B and C below and:
- (a) the Authority agrees in Writing to the Disapplication Request; or
 - (b) the application of the Relevant TO Special Conditions (in whole or in part) is terminated by Notice given by the Licensee in accordance with the provisions of Part D below.

Part B: Procedure for making a Disapplication Request

- 1.3. The Licensee may ask the Authority to consent to the disapplication of the Relevant TO Special Conditions (in whole or in part) by giving the Authority a Disapplication Request under this condition.
- 1.4. A Disapplication Request must:
- (a) be in Writing and addressed to the Authority;
 - (b) specify the Relevant TO Special Conditions (or any part or parts of them) to which the request relates;
 - (c) provide a full statement of the Licensee's reasons for making the request;
 - (d) contain such other information or analysis as the Licensee considers sufficient to enable the Authority to fully assess the Disapplication Request; and
 - (e) state the Disapplication Date that is proposed by the Licensee (which must not be earlier than the appropriate date that is mentioned in Part C below) on and after which the specified Relevant TO Special Conditions (or part or parts of them) would cease to have effect.
- 1.5. A Disapplication Request served under this condition may be served in respect of a specified geographical area.
- 1.6. If, on receipt of a Disapplication Request, the Authority gives notice to the Licensee

- (a) specifying further information or analysis which it reasonably considers is required in order to fully assess the Disapplication Request, and
- (b) requests the Licensee to provide that information or analysis,

the Disapplication Request shall be treated for the purposes of this condition as not delivered to the Authority until that further information or analysis is provided.

1.7. The Licensee may withdraw a Disapplication Request at any time.

Part C: Date from which a disapplication may take effect

1.8. Except where the Authority otherwise consents, a disapplication following the delivery of a Disapplication Request may not have effect until a date that is no earlier than [31 March of the first Formula Year that ends not less than [18] months after the delivery of the request].

Part D: Licensee's right to terminate under a Disapplication Request

1.9. If the Licensee has given the Authority a Disapplication Request that complies with the requirements of Parts B and C of this condition, it may subsequently give the Authority a Notice that terminates the application of the provisions of this Licence specified in that request:

- (a) in the circumstance described in Part E; or
- (b) in the circumstance described in Part F,

but in either case the Notice may not be given before the Disapplication Date or such earlier date to which the Authority may have consented under Part C.

Part E: Termination without involvement of the Competition Commission

1.10. The circumstance referred to in paragraph 1.9(a) above is that by the beginning of the period of [six] months that would end on the Disapplication Date, the Authority has not in response to the Disapplication Request published a decision under section 23(7)/ 11A(7) of the Act to modify:

- (a) the Relevant TO Special Conditions (or any part or parts of them); or
- (b) this Condition so as to remove the Licensee's right to give the Authority a Notice under paragraph 1.9 in respect of the relevant Disapplication Request.

Part F: Termination after involvement of the Competition Commission

1.11. The circumstance referred to in paragraph 1.9(b) above is that the Authority has published a decision as described in paragraph 1.10(a) or 1.10(b) above and:

- (a) the Licensee has exercised its right to appeal to the Competition Commission against that decision of the Authority as provided for by section [23B] / [11C] of the Act;
- (b) the Competition Commission, acting under section [23F] / [11F] of the Act, has: (i) quashed the Authority's decision and (ii) directed the Licensee to give

Notice to the Authority terminating such of the conditions specified in the Disapplication Request, in such manner and to such extent, as may be specified in that direction; and

- (c) no more than 30 days have elapsed since the date of the direction to which paragraph 1.11(b) above refers.

Part G: Interpretation

1.12. For the purposes of this condition:

Disapplication Date	has the meaning given to that term in paragraph 1.4(e)
Disapplication Request	has the meaning given to that term in paragraph 1.4.
Relevant TO Special Conditions	means Special Conditions (x)–(x)]

Appendix 4 – Proposed changes to the gas transporter licences of the GDNs

Special Condition ~~E16: Disapplication of the Distribution Network Transportation Activity Revenue Restriction~~ [x]. Disapplication of Relevant Special Conditions

Introduction

- 1.1. The purpose of this condition is to enable the Licensee to make a formal request for the disapplication of the Relevant Special Conditions or Relevant Metering Special Condition (in whole or in part) and for such provisions to be disappplied following such a request in the circumstances specified below.

Part A: Conditions are to continue subject to disapplication

- 1.2. The Relevant Special Conditions or Relevant Metering Special Condition apply for as long as this licence continues in force, but will cease to have effect (in whole or in part, as the case may be) if the Licensee gives a Disapplication Request to the Authority in accordance with the provisions of Part B and C below and:
 - (a) the Authority agrees in Writing to the Disapplication Request; or
 - (b) the application of the Relevant Special Conditions or Relevant Metering Condition (in whole or in part) is terminated by Notice given by the Licensee in accordance with the provisions of Part D below.

Part B: Procedure for making a Disapplication Request

- 1.3. The Licensee may ask the Authority to consent to the disapplication of the Relevant Special Conditions or Relevant Metering Condition (in whole or in part) by giving the Authority a Disapplication Request under this condition.
- 1.4. A Disapplication Request must:
 - (a) be in Writing and addressed to the Authority;
 - (b) specify the Relevant Special Conditions or Relevant Metering Special Condition (or any part or parts of them) to which the request relates;
 - (c) provide a full statement of the Licensee's reasons for making the request;
 - (d) contain such other information or analysis as the Licensee considers sufficient to enable the Authority to fully assess the Disapplication Request;
 - (e) state the Disapplication Date that is proposed by the Licensee (which must not be earlier than the appropriate date that is mentioned in Part C below) on and after which the specified Relevant Special Conditions or Relevant Metering Condition (or part or parts of them) would cease to have effect; and

- (f) specify the Network (or any part or parts of it) to which the request relates.
- 1.5. A Disapplication Request served under this condition may be served in respect of a specified geographical area.
- 1.6. If, on receipt of a Disapplication Request, the Authority gives notice to the Licensee
- (a) specifying further information or analysis which it reasonably considers is required in order to fully assess the Disapplication Request, and
 - (b) requests the Licensee to provide that information or analysis,
- the Disapplication Request shall be treated for the purposes of this condition as not delivered to the Authority until that further information or analysis is provided.
- 1.7. The Licensee may withdraw a Disapplication Request at any time.

Part C: Date from which a disapplication may take effect

- 1.8. Except where the Authority otherwise consents, a disapplication following the delivery of a Disapplication Request may not have effect until a date that is no earlier than [31 March of the first Formula Year that ends not less than [18] months after the delivery of the request].

Part D: Licensee's right to terminate under a Disapplication Request

- 1.9. If the Licensee has given the Authority a Disapplication Request that complies with the requirements of Parts B and C of this condition, it may subsequently give the Authority a Notice that terminates the application of the provisions of this Licence specified in that request:
- (a) in the circumstance described in Part E; or
 - (b) in the circumstance described in Part F,
- but in either case the Notice may not be given before the Disapplication Date or such earlier date to which the Authority may have consented under Part C.

Part E: Termination without involvement of the Competition Commission

- 1.10. The circumstance referred to in paragraph 1.9(a) above is that by the beginning of the period of [six] months that would end on the Disapplication Date, the Authority has not in response to the Disapplication Request published a decision under section 23(7)/ 11A(7) of the Act to modify:
- (a) the Relevant Special Conditions or Relevant Metering Special Condition (or any part or parts of them); or
 - (b) this Condition so as to remove the Licensee's right to give the Authority a Notice under paragraph 1.9 in respect of the relevant Disapplication Request.

Part F: Termination after involvement of the Competition Commission

- 1.11. The circumstance referred to in paragraph 1.9(b) above is that the Authority has published a decision as described in paragraph 1.10(a) or 1.10(b) above and:
- (a) the Licensee has exercised its right to appeal to the Competition Commission against that decision of the Authority as provided for by section [23B] / [11C] of the Act;
 - (b) the Competition Commission, acting under section [23F] / [11F] of the Act, has: (i) quashed the Authority's decision and (ii) directed the Licensee to give Notice to the Authority terminating such of the conditions specified in the Disapplication Request, in such manner and to such extent, as may be specified in that direction; and
 - (c) no more than 30 days have elapsed since the date of the direction to which paragraph 1.11(b) above refers.

Part G: Interpretation

- 1.12. For the purposes of this condition:

Disapplication Date	has the meaning given to that term in paragraph 1.4(e)
Disapplication Request	has the meaning given to that term in paragraph 1.4.
Relevant Special Conditions	means Special Conditions (x) – (x)
Relevant Metering Special Condition	means Special Condition (x)

Special Condition E19 - Restriction of prices in respect of Tariff Capped Metering Activities

~~Disapplication of the maximum tariff caps~~

- ~~6. The maximum tariff caps shall apply so long as this licence continues in force but shall cease to have effect in such circumstances and at such times as are described in paragraphs 7 to 13 of this condition.~~
- ~~7. The maximum tariff caps shall cease to have effect (in whole or in part as the case may be) if the licensee delivers to the Authority a disapplication request made in accordance with paragraph 8 of this condition and notice is given to the Authority by the licensee in accordance with either paragraph 11 or paragraph 12 of this condition.~~
- ~~8. A disapplication request shall:
 - ~~(a) be in writing addressed to the Authority;~~
 - ~~(b) specify the maximum tariff cap or caps to which the request relates; and~~
 - ~~(c) state the date (being not earlier than the date referred to in paragraph 10 of this condition) from which the licensee wishes the Authority to agree that the maximum tariff cap or caps shall cease to have effect.~~~~
- ~~9. The licensee may withdraw a disapplication request at any time.~~
- ~~10. Save where the Authority otherwise agrees, no disapplication following delivery of a disapplication request pursuant to paragraph 7 of this condition shall have effect until a date being not less than 18 months after delivery of the disapplication request ("the disapplication date").~~
- ~~11. If the Authority has not made a reference to the Competition Commission under section 24 of the Act relating to the modification of the maximum tariff cap or caps specified in the disapplication request before the beginning of the period of 6 months which will end with the disapplication date and the licensee has not withdrawn the disapplication request, the~~

~~licensee may deliver written notice to the Authority terminating the application of the maximum tariff cap or caps as specified in the disapplication request with effect from the disapplication date or a later date.~~

~~12. If the Competition Commission makes a report on a reference made by the Authority relating to the modification of the maximum tariff cap or caps specified in the disapplication request and such report does not include a conclusion that the cessation of such maximum tariff caps, in whole or in part, operates or may be expected to operate against the public interest, the licensee may within 30 Days after the publication of the report by the Authority in accordance with section 25 of the Act deliver to the Authority written notice terminating the application of the maximum tariff cap or caps specified in the disapplication request with effect from the disapplication date or later.~~

~~13. A disapplication request or notice served under this condition may be served in respect of a specified geographic area.~~

Appendix 5 – Proposed changes to the electricity distribution licences of the DNOs

CRC 16. Charging outside the Distribution Services Area

Introduction

- 16.1 The requirements imposed by this condition apply only in relation to the Demand Use of System Charges levied by the licensee in respect of its Distribution Business activities outside its Distribution Services Area (“Out of Area Charges”).
- 16.2 The licensee must make, and continue to make, Out of Area Charges available, in accordance with the requirements of this condition, for the provision of Use of System to any Authorised supplier of electricity that uses or wishes to use the licensee’s Distribution System to supply electricity to Domestic Customers at Domestic Premises outside the licensee’s Distribution Services Area.

Part A: Setting and restriction of Out of Area Charges

- 16.3 The licensee’s Out of Area Charges in relation to Domestic Customers may vary according to the Distribution Services Area of the Electricity Distributor within which Domestic Premises are connected to the licensee’s Distribution System.
- 16.4 The licensee must set those Out of Area Charges so that, except with the Authority’s consent, the standing charge, unit rate, and any other component of the charges does not exceed the Use of System Charges to equivalent Domestic Customers (“the equivalent charges”).
- 16.5 For the purposes of paragraph 16.4, equivalent charges are the Use of System Charges made by the Electricity Distributor which has a Distribution Services Direction that specifies the Distribution Services Area in which the Domestic Premises connected to the licensee’s Distribution System are located.
- 16.6 The Authority may give the licensee a direction that specifies which of the Use of System Charges made by the Distribution Services Provider for the Distribution Services Area mentioned in paragraph 16.5 are relevant for the purposes of determining the equivalent charges.

~~Part B: Procedure for disapplying this condition~~

~~16.7—The charging arrangements set out above will remain in force until such time and in such circumstances as are described in paragraphs 16.8 to 16.14.~~

~~16.8—The licensee may ask the Authority to consent to the disapplication of this condition (in whole or in part) by giving it a disapplication request made in accordance with paragraph 16.9.~~

~~16.9—A disapplication request must:~~

~~—(a)—be in Writing addressed to the Authority;~~

- ~~— (b) — specify the paragraph or paragraphs of this condition to which the request relates; and~~
- ~~— (c) — state the date that is proposed by the licensee (which must not be earlier than the date specified in paragraph 16.10) on and after which the specified paragraph or paragraphs would no longer have effect (“the disapplication date”).~~

~~16.10 — Except with the Authority’s consent, no disapplication of this condition following its receipt of a disapplication request under paragraph 16.8 may have effect until whichever is the later of:~~

- ~~— (a) — a date not less than 18 months after delivery of the disapplication request; and~~
- ~~— (b) — 31 March 2012.~~

~~16.11 — The licensee may withdraw a disapplication request at any time.~~

Part C: Licensee’s right to disapply this condition

~~16.12 — If the licensee has given the Authority a disapplication request under paragraph 16.8, it may subsequently give the Authority a Notice that terminates the application of this condition or the part or parts of it specified in the request:~~

- ~~— (a) — in the circumstances described in paragraph 16.13, with effect from either the disapplication date or such earlier date to which the Authority has given its consent under paragraph 16.10; or~~
- ~~— (b) — in the circumstances described in paragraph 16.14, with effect from the disapplication date, so long as the licensee gives Notice within 30 days after the publication of the report mentioned in that paragraph.~~

~~16.13 — The circumstances described in this paragraph are that:~~

- ~~— (a) — the Authority has not made a reference to the Competition Commission under section 12 of the Act relating to the modification of this condition as specified in the disapplication request before the beginning of the period of 12 months which will end with the disapplication date; and~~
- ~~— (b) — the licensee has not withdrawn its request.~~

~~16.14 — The circumstances described in this paragraph are that:~~

- ~~— (a) — the Competition Commission has made a report on a reference made by the Authority relating to the modification of this condition as specified in the licensee’s disapplication request; and~~
- ~~— (b) — the Commission’s report does not conclude that the termination of the charging arrangements in this condition, in whole or in part, would operate or might be expected to operate against the public interest.~~

Special Condition CRC 19. ~~Duration of the Charge Restriction~~

Conditions-Disapplication of Relevant Special Conditions

Introduction

19.1. The purpose of this condition is to enable the Licensee to make a formal request for the disapplication of the Relevant Special Conditions or the Relevant Metering Special Condition or the Relevant Outside of Distribution Services Area Special Condition (in whole or in part) and for such provisions to be disappplied following such a request in the circumstances specified below.

Part A: Conditions are to continue subject to disapplication

19.2. The Relevant Special Conditions or the Relevant Metering Special Condition or the Relevant Outside of Distribution Services Area Special Condition apply for as long as this licence continues in force, but will cease to have effect (in whole or in part, as the case may be) if the Licensee gives a Disapplication Request to the Authority in accordance with the provisions of Part B and C below and:

- (a) the Authority agrees in Writing to the Disapplication Request; or
- (b) the application of the Relevant Special Conditions or the Relevant Metering Special Condition or the Relevant Outside of Distribution Services Area Special Condition (in whole or in part) is terminated by Notice given by the Licensee in accordance with the provisions of Part D below.

Part B: Procedure for making a Disapplication Request

19.3. The Licensee may ask the Authority to consent to the disapplication of the Relevant Special Conditions or the Relevant Metering Special Condition or the Relevant Outside of Distribution Services Area Special Condition (in whole or in part) by giving the Authority a Disapplication Request under this condition.

19.4. A Disapplication Request must:

- (a) be in Writing and addressed to the Authority;
- (b) specify the Relevant Special Conditions or the Relevant Metering Special Condition or the Relevant Outside of Distribution Services Area Special Condition (or any part or parts of them) to which the request relates;
- (c) provide a full statement of the Licensee's reasons for making the request;
- (d) contain such other information or analysis as the Licensee considers sufficient to enable the Authority to fully assess the Disapplication Request;
- (e) state the Disapplication Date that is proposed by the Licensee (which must not be earlier than the appropriate date that is mentioned in Part C below) on and after which the specified Relevant Special Conditions or the Relevant Metering Special Condition or the Relevant Outside of Distribution Services Area Special Condition (or part or parts of them) would cease to have effect; and

- 19.5. A Disapplication Request served under this condition may be served in respect of a specified geographical area.
- 19.6. If, on receipt of a Disapplication Request, the Authority gives notice to the Licensee
- (a) specifying further information or analysis which it reasonably considers is required in order to fully assess the Disapplication Request, and
 - (b) requests the Licensee to provide that information or analysis,
- the Disapplication Request shall be treated for the purposes of this condition as not delivered to the Authority until that further information or analysis is provided.
- 19.7. The Licensee may withdraw a Disapplication Request at any time.

Part C: Date from which a disapplication may take effect

- 19.8. Except where the Authority otherwise consents, no disapplication following the delivery of a Disapplication Request in respect of the:
- (i) Relevant Special Conditions may have effect until whichever is the later of:
 - (a) a date not less than six months after the delivery of the request; and
 - (b) 1 April 2015.
 - (ii) Relevant Metering Special Condition may have effect until whichever is the later of:
 - (a) a date not less than three months after the delivery of the request; and
 - (b) 1 July 2010.
 - (iii) Relevant Outside Distribution Services Area Special Condition may have effect until whichever is the later of:
 - (a) a date not less than 18 months after delivery of the disapplication request; and
 - (b) 31 March 2012.

Part D: Licensee's right to terminate under a Disapplication Request

- 19.9. If the Licensee has given the Authority a Disapplication Request that complies with the requirements of Parts B and C of this condition, it may subsequently give the Authority a Notice that terminates the application of the provisions of this Licence specified in that request:
- (a) in the circumstance described in Part E; or
 - (b) in the circumstance described in Part F,
- but in either case the Notice may not be given before the Disapplication Date or such earlier date to which the Authority may have consented under Part C.

Part E: Termination without involvement of the Competition Commission

19.10. The circumstance referred to in paragraph 19.9(a) above is that by the beginning of the period of [six] months that would end on the Disapplication Date, the Authority has not in response to the Disapplication Request published a decision under section 23(7)/ 11A(7) of the Act to modify:

- (a) the Relevant Special Conditions or the Relevant Metering Special Condition or the Relevant Outside of Distribution Services Area Special Condition (or any part or parts of them); or
- (b) this Condition so as to remove the Licensee's right to give the Authority a Notice under paragraph 19.9 in respect of the relevant Disapplication Request.

Part F: Termination after involvement of the Competition Commission

19.11. The circumstance referred to in paragraph 19.9(b) above is that the Authority has published a decision as described in paragraph 19.10(a) or 19.10(b) above and:

- (a) the Licensee has exercised its right to appeal to the Competition Commission against that decision of the Authority as provided for by section [23B] / [11C] of the Act;
- (b) the Competition Commission, acting under section [23F] / [11F] of the Act, has: (i) quashed the Authority's decision and (ii) directed the Licensee to give Notice to the Authority terminating such of the conditions specified in the Disapplication Request, in such manner and to such extent, as may be specified in that direction; and
- (c) no more than 30 days have elapsed since the date of the direction to which paragraph 19.11(b) above refers.

Part G: Interpretation

19.12. For the purposes of this condition:

Disapplication Date	has the meaning given to that term in paragraph 19.4(e)
Disapplication Request	has the meaning given to that term in paragraph 19.4.
Relevant Special Conditions	means any and all of the Charge Restriction Conditions except CRC 16 (Charging outside the Distribution Services Area), which is subject to a separate disapplication procedure that is set out in that condition

Relevant Metering Special Condition

means special condition CRC 6 (Restriction of charges for the provision of Legacy Metering Equipment) of this licence

Relevant Outside Distribution Services Area Special Condition

means Charge Restriction Condition CRC 16 (Charging outside the Distribution Services Area) of this licence