

**Supplementary annex 1: Draft
RIIO-ED1 Fast-track CRC
licence changes (Part 2)**

Draft

Western Power Distribution
(West Midlands) plc
Special conditions

Western Power Distribution
(East Midlands) plc
Special conditions

Western Power Distribution
(South Wales) plc
Special conditions

Western Power Distribution
(South West) plc
Special conditions

XX XXXX 20XX

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CHAPTER 2: ELECTRICITY DISTRIBUTION REVENUE RESTRICTION

CRC 2M7. Adjustment of licensee's revenues ~~to reflect distribution losses performance~~ for the residual distribution losses incentive

Introduction

- 2M.1 The purpose of this condition is to establish the mechanism for calculating the amount of the term IL_t (the DPCR4 residual distribution losses incentive term value) that applies in Part B of CRC 52A (Restriction of Distribution Charges: non-generation incentive revenue adjustment Restriction of Allowed Distribution Network Revenue).
- 2M.2 The effect of the application of the residual distribution losses incentive term value in CRC 52A is to PPL_t term adjust the calculation of the licensee's Combined Allowed Distribution Network Revenue under CRC 3 (Restriction of Distribution Charges: Use of System Charges) Allowed Distribution Network Revenue, ~~(whether upwards or downward, s)~~ in order to reflect the licensee's final performance under the dDistribution Llosses Iincentive Sscheme in the previous-charge restriction period (1 April 2005 to 31 March 2010).

~~Part A: Calculation of the losses incentive adjustment (IL)~~

~~7.3 ————— For the purposes of Part B of CRC 5, which adjusts the calculation of the licensee's Combined Allowed Distribution Network Demand Revenue under CRC 3, the IL adjustment in Regulatory Year t is derived in accordance with the following formula (in this condition, the Principal Formula):~~

$$IL_t = PPL_t$$

~~where:~~

~~IL_t — is the distribution losses incentive adjustment term, and has the value of zero for each of the Regulatory Years beginning on 1 April 2010 and 1 April 2011.~~

~~PPL_t — is an amount calculated in accordance with Part B below.~~

Part AB: Residual distribution losses incentive (PPL)

- 2M.3 For the purposes of ~~the Principal Formula~~ this condition:
- PPL_t is the amount of the residual distribution losses incentive arising in the previous-charge restriction period (1 April 2005 to 31 March 2010), set in accordance with the provisions of paragraphs 2M7.45 to 2M7.76, that is to be recovered by the licensee.
- ~~7.5 — The value of PPL_t in each of the two Regulatory Years beginning on 1 April 2010 and 1 April 2011 is set at zero.~~
- 2M.4 ~~In subsequent Regulatory Years, t~~ The value of PPL_t shall be calculated by reference to the methodology set out in the Authority's ~~decision document~~ published on 3 January 2013 under reference number 01/13.

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- 2M.5 The amount of PPL_t assigned for recovery in respect of ~~subsequent each~~ Regulatory Years will be set in a direction given by the Authority following consultation with the licensee and all other Distribution Services Providers.
- 2M.6 That direction will also set out the period over which the value of PPL_t is to be recovered, ~~and such period shall not commence before the Regulatory Year beginning 1 April 2012. The Authority will direct the period over which the value of PPL_t is to be recovered~~ taking account of the date on which the PPL_t direction is made.

CHAPTER 3: ANNUAL ITERATION PROCESS – ADJUSTMENTS TO THE REVENUE RESTRICTION

Draft

CRC 3A. Legacy price control adjustments

Introduction

- 3A.1 This condition establishes a mechanism for determining any revisions to the PCFM Variable Values for the licensee in respect of the legacy price control adjustments that are specified in Parts A, B and C of this condition for use in the Annual Iteration Process for the ED1 Price Control Financial Model as described in CRC 4B (Annual Iteration Process for the ED1 Price Control Financial Model).
- 3A.2 The application of the mechanisms referred to in this condition means that, as a consequence of the Annual Iteration Process, the value of the term MOD for the licensee as calculated for Regulatory Year t for the purposes of CRC 2A (Restriction of Allowed Distribution Network Revenue) will result in an adjustment of the licensee's Base Demand Revenue in respect of, as applicable, the opening tax pool balance, Regulatory Asset Value (RAV) balance, and revenue allowance adjustments attributable to the licensee in respect of:
- (a) activities carried out by the licensee;
 - (b) incentivised performance by the licensee; and
 - (c) costs or expenditure incurred by the licensee,
- in Regulatory Years prior to Regulatory Year 2015/16 (the "legacy period"), in relation to one or more of the schemes and mechanisms referred to in Parts A, B and C of this condition.
- 3A.3 This condition should be read and construed in conjunction with:
- (a) CRC 4A (Governance of ED1 Price Control Financial Instruments) and CRC 4B; and
 - (b) Chapters 13 to 16 of the ED1 Price Control Financial Handbook, which provide further explanation of the provisions set out in this condition.

Part A: Determination of revised PCFM Variable Values relating to opening tax pool balance adjustments

- 3A.4 This Part provides for the determination and direction of revised PCFM Variable Values for legacy price control adjustments to opening balances for:
- (a) the general tax pool for the licensee (LTPG values);
 - (b) the special tax pool for the licensee (LTPS values); and
 - (c) the deferred revenue expenditure tax pool for the licensee (LTPD and LTPC values),
- where each of those terms has the meaning given in chapter 14 of the ED1 Price Control Financial Handbook.

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- 3A.5 LTPG, LTPS, LTPD and LTTPC values are only contained in the columns for Regulatory Years 2013/14 and 2014/15 in the PCFM Variable Values Table for the licensee.
- 3A.6 Subject to paragraph 3A.22 of this condition, the Authority will, by 30 November in each Regulatory Year t-1 determine whether any LTPG, LTPS, LTPD or LTTPC values for the licensee should be revised in accordance with the methodology contained in chapter 14 of the ED1 Price Control Financial Handbook.
- 3A.7 If any of the values is to be revised, the Authority will direct the revision in accordance with Part E of this condition.

Part B: Determination of revised PCFM Variable Values relating to legacy price control adjustments subject to the DPCR5 RAV Rolling Incentive

- 3A.8 This Part provides for the determination and direction of revised PCFM Variable Values for legacy price control adjustments to the licensee's:
- (a) RAV balance additions (RIRAV values); and
 - (b) revenue allowances (RIREV values),
- that relate to activities, performance, costs or expenditure covered by the DPCR5 RAV Rolling Incentive.
- 3A.9 RIRAV values are only contained in the columns for Regulatory Years 2013/14 and 2014/15.
- 3A.10 RIREV values are only contained in the column for Regulatory Year 2015/16 in the PCFM Variable Values Table for the licensee.
- 3A.11 RIRAV and RIREV values for the licensee are set at zero as at 1 April 2015 because they represent the incremental change to adjustments that were taken into account in the calculation of the licensee's Opening Base Revenue Allowances.
- 3A.12 Subject to paragraph 3A.23, the Authority will, by 30 November in each Regulatory Year t-1, determine whether any RIRAV or RIREV values for the licensee should be revised in accordance with paragraphs 3A.13 to 3A.15.

Determination of RIRAV and RIREV values

- 3A.13 The Authority will, by 30 November in each Regulatory Year t-1, determine RIRAV and RIREV values for the licensee using the component calculation values listed in columns 1 and 2 of Table 1 below under the methodology set out in Chapter 15 of the ED1 Price Control financial handbook.
- 3A.14 Each of the component calculation values referred to in Table 1:

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- (a) relates to the legacy period and has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook; and
- (b) will be determined by the Authority with respect to each Regulatory Year in the DPCR5 Price Control Period in accordance with the methodology relating to it that is contained in chapter 15 of the ED1 Price Control Financial Handbook.

Table 1: Component calculation values

Component calculation values for changes to allowed expenditure levels (RIREV)	Component calculation values for changes to actual expenditure levels (RIRAV)
DPCR5 Load Related Re-opener - change to allowed expenditure	DPCR5 Load Related Re-opener - change to actual expenditure
DPCR5 High Value Projects Re-opener - change to allowed expenditure	-
DPCR5 Network Output Measures - change to allowed expenditure	-
DPCR5 Enhanced Physical Site Security and Black Start - change to allowed expenditure	DPCR5 Enhanced Physical Site Security and Black Start - change to actual expenditure
DPCR5 Undergrounding - Change to allowed expenditure	DPCR5 Undergrounding - Change to actual expenditure
DPCR5 Worst Served Customer Improvements - Change to allowed expenditure	DPCR5 Worst Served Customer Improvements - Change to actual expenditure
DPCR5 Rising and Lateral Mains - change to allowed expenditure	DPCR5 Rising and Lateral Mains - change to actual expenditure
-	Other Outturn Expenditure Levels - change to actual expenditure

- 3A.15 The methodology for determining revised RIREV values provides for any penalty adjustments to revenue allowances that arise in respect of the licensee’s performance under the terms of the DPCR5 High Value Project and DPCR5 Network Output Measures schemes.
- 3A.16 Having determined RIRAV and RIREV values for the licensee, the Authority will check in each case whether they are different from the RIRAV and RIREV values contained in the PCFM Variable Values Table for the licensee that (where applicable) were used in the immediately preceding Annual Iteration Process. If either of the values is different, the Authority will direct that the value concerned is to be revised to that determined under paragraphs 3A.13 to 3A.15.

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3A.17 Any direction of revised RIRAV and RIREV values will be given in accordance with Part E of this condition.

Part C: Determination of revised PCFM Variable Values relating to other legacy price control adjustments

3A.18 This Part provides for the determination and direction of revised PCFM Variable Values for legacy price control adjustments to:

- (a) RAV balance additions (OLRAV values); and
- (b) revenue allowances (OLREV values),

for the licensee that relate to the schemes and mechanisms set out in Table 2 below, which are not subject to the DPCR5 RAV Rolling Incentive.

3A.19 OLRAV values are only contained in the columns for Regulatory Years 2013/14 and 2014/15 and OLREV values are only contained in the column for Regulatory Year 2015/16 in the PCFM Variable Values Table for the licensee.

3A.20 OLRAV and OLREV values for the licensee are set at zero as at 1 April 2015 because they represent the incremental change to adjustments that were taken into account in the calculation of the licensee’s Opening Base Revenue Allowances.

3A.21 Subject to paragraph 3A.23, the Authority will, by 30 November in each Regulatory Year t-1 determine whether any OLRAV or OLREV values for the licensee should be revised in accordance with paragraphs 3A.22 and 3A.24 of this Part C.

Determination of OLRAV and OLREV values

3A.22 The Authority will, by 30 November in each Regulatory Year t-1, determine OLRAV and OLREV values for the licensee to be the sum of the component adjustment values listed in columns 1 and 2 respectively of Table 2 below.

Table 2: Component adjustment values for OLRAV and OLREV

Component adjustment values for OLRAV	Component adjustment values for OLREV
DPCR5 Pension True-up - RAV additions adjustment value	DPCR5 Pension True-up - revenue allowance adjustment value
DPCR5 High Volume Connections - RAV additions adjustment value	DPCR5 High Volume Connections - revenue allowance adjustment value
	DPCR5 Tax Claw-back - revenue allowance adjustment value
	DPCR5 Distributed Generation - revenue allowance adjustment value

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DPCR5 DUoS Bad Debts - revenue allowance adjustment value
DPCR5 Traffic Management Act - revenue allowance adjustment value
DPCR5 Workforce Renewals - revenue allowance adjustment value

- 3A.23 Each of the components adjustment values referred to in Table 2 relates to the legacy period and has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook. Each component adjustment value will be determined in accordance with the methodology relating to it that is contained in that chapter.
- 3A.24 Having determined OLRAV and OLREV values for the licensee, the Authority will check in each case whether they are different from the OLRAV and OLREV values contained in the PCFM Variable Values Table for the licensee that (where applicable) were used in the immediately preceding Annual Iteration Process.
- 3A.25 If either of the values is different, the Authority will direct that the value concerned is to be revised to that determined under paragraphs 3A.22 and 3A.23.
- 3A.26 Any direction of revised OLRAV and OLREV values will be given in accordance with Part E of this condition.

Part D: Provisions relevant to all legacy price control adjustments

- 3A.27 The first Regulatory Year in which the Authority will make determinations pursuant to Parts A, B and C of this condition is Regulatory Year 2015/16 for the purpose of determining any revisions to the PCFM Variable Values referred to in those Parts for the Annual Iteration Process that will take place by 30 November 2015.
- 3A.28 The effects of using revised PCFM Variable Values determined under this condition in the Annual Iteration Process for the ED1 Price Control Financial Model will, subject to a Time Value of Money Adjustment, be reflected in the calculation of the term MOD for the licensee for Regulatory Year t and, for the avoidance of doubt, will not, in respect of any particular Annual Iteration Process, have any retroactive effect on a previously directed value of the term MOD.

Part E: Procedure to be followed for direction of revised PCFM Variable Values relating to legacy price control adjustments by the Authority

- 3A.29 Subject to, and in accordance with, the provisions of Parts A, B and C of this condition, revised LTPG, LTPS, LTPD, LTPC, RIRAV, RIREV, OLRAV and OLREV values for the licensee, determined by the Authority, will be directed by the Authority by 30 November in each Regulatory Year t-1.

Chapter 3: Annual Iteration Process - Adjustments to the Revenue Restriction

- 3A.30 Any direction issued under paragraph 3A.29 will include a statement of the component calculation values set out in Table 1 and the component adjustment values, set out in Table 2 above, that were used in the determination of any revised RIRAV, RIREV, OLRAV and OLREV values.
- 3A.31 A direction under paragraph 3A.29 will be of no effect unless, before issuing it, the Authority has:
- (a) by Notice to the licensee set out the revised values of LTPG, LTPS, LTPD, LTPC, RIRAV, RIREV, OLRAV and OLREV that it proposes to direct;
 - (b) stated in that Notice that these values have, as applicable, been determined in accordance with Parts A, B and C of this condition;
 - (c) specified in the Notice the period (which will not be less than 14 days from the date of the Notice) within which the licensee may make any representations to the Authority about its proposals; and
 - (d) considered any representations duly received in response to the Notice.
- 3A.32 If, for any reason in any Regulatory Year $t-1$, the Authority does not make a required direction in relation to revised LTPG, LTPS, LTPD, LTPC, RIRAV, RIREV, OLRAV or OLREV values by 30 November, the Authority will direct the value or values concerned as soon as is reasonably practicable, consistent with the purpose of paragraph 4B.12 of CRC 4B and, in any event, before directing a value for MOD_t for the licensee under that paragraph.

Part F: Interpretation

- 3A.33 Expressions used in this condition are to be read and given effect subject to any further explanation or elaboration within the ED1 Price Control Financial Methodologies that may be applicable to them.
- 3A.34 For the purposes of this condition:

[Where a defined term is marked 'specific' it will remain in this condition. Where a defined term is marked 'shared' it will appear in CRC 1B when the licence is implemented. 'Shared' defined terms appear in the draft of CRC 1B that was part of the CRC Informal consultation part 1.]

Annual Iteration Process

[shared]

Authority [shared]

Base Demand Revenue

[shared]

DPCR5 Distributed Generation [specific] has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.

DPCR5 DUoS Bad Debts has the meaning given in chapter 16 of the ED1 Price

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[specific]	Control Financial Handbook.
DPCR5 Enhanced Physical Site Security and Black Start [specific]	has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook.
DPCR5 High Value Projects [specific]	has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook.
DPCR5 High Volume Connections [specific]	has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.
DPCR5 Load Related Re-opener [specific]	has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook.
DPCR5 Network Output Measures [specific]	has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook.
DPCR5 Pension True-up[specific]	has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.
DPCR5 RAV Rolling Incentive [shared]	has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook.
DPCR5 Rising and Lateral Mains [specific]	has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook.
DPCR5 Tax Claw-back[specific]	has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.
DPCR5 Traffic Management Act [specific]	has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.
DPCR5 Undergrounding [specific]	has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.
DPCR5 Workforce Renewals [specific]	has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.
DPCR5 Worst Served Customer Improvements [specific]	has the meaning given in chapter 16 of the ED1 Price Control Financial Handbook.
ED1 Price Control Financial Handbook [shared]	
ED1 Price Control Financial Model [shared]	
Other Outturn Expenditure Levels [specific]	has the meaning given in chapter 15 of the ED1 Price Control Financial Handbook.
PCFM Variable Value	

*Chapter 3: Annual Iteration Process - Adjustments to the Revenue
Restriction*

[shared]

Regulatory Asset Value

[shared]

Regulatory Year t

[shared]

Time Value of Money

Adjustment [shared]

Draft

CRC 3K. Rail electrification adjustments

Introduction

- 3K.1 This condition establishes a mechanism for determining and directing any appropriate revisions to the PCFM Variable Values for the licensee relating to Recoverable Diversion Costs (“RE” values), and the Regulatory Years to which those revisions relate, so that appropriate RE values can be used in the Annual Iteration Process for the ED1 Price Control Financial Model, as described in CRC 4B (Annual Iteration Process for the ED1 Price Control Financial Model PCFM).
- 3K.2 This condition must be read and construed in conjunction with CRC 4A (Governance of ED1 Price Control Financial Instruments), CRC 4B and chapter 12A of the ED1 Price Control Financial Handbook.

Part A: Determination of the adjustment for rail electrification

- 3K.3 The RE value for the licensee for a particular Regulatory Year represents the total reduction to the licensee’s allowed Totex expenditure (expressed in 2012/13 prices) with respect to Recoverable Diversion Costs, for that Regulatory Year.
- 3K.4 All RE values for the licensee are set at zero at 1 April 2015.
- 3K.5 Subject to paragraph 3K.6, if, at any time during the Price Control Period, the Authority determines, in accordance with the methodologies contained in chapter 12A of the ED1 Price Control Financial Handbook, that any RE values for the licensee are to be revised, it will issue a direction in accordance with the provisions of Part B of this condition specifying the revised RE values that have been determined and the Regulatory Years to which they relate.
- 3K.6 The last date by which the Authority can direct that RE values for the licensee should be revised is 30 November 2021 for the purpose of the Annual Iteration Process that will take place by 30 November 2021.
- 3K.7 Where the Authority directs any revised RE values for Regulatory Years earlier than Regulatory Year t , the effect of using those revised values in the Annual Iteration Process for the ED1 Price Control Financial Model will, subject to a Time Value of Money Adjustment, be reflected in the calculation of the term MOD for the licensee for Regulatory Year t and will not have any retroactive effect on a previously directed value of the term MOD.

Part B: Procedure to be followed for direction of revised RE values by the Authority

- 3K.8 Subject to, and in accordance with, the provisions of Part A of this condition:

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- (a) any revised RE values for the licensee determined by the Authority by 31 October in any Regulatory Year t-1 will be directed by the Authority by 30 November in that same Regulatory Year t-1; and
- (b) any revised RE values for the licensee determined by the Authority after 31 October in any Regulatory Year t-1 will be directed by the Authority by 30 November in the next Regulatory Year.

3K.9 A direction under paragraph 3K.8 will be of no effect unless, before issuing it, the Authority has first:

- (a) by Notice to the licensee set out all of the revised values that it proposes to direct;
- (b) stated in that Notice that any revised RE values have been determined in accordance with Part A of this condition;
- (c) specified in the Notice the period (which may not be less than 14 days from the date of the Notice) within which the licensee may make representations to the Authority about its proposals; and
- (d) considered any representations duly received in response to the Notice.

3K.10 If, for any reason in any Regulatory Year t-1, the Authority does not make a direction required under paragraphs 3K.5 and 3K.8 in relation to revised RE values by 30 November, the Authority will direct the value or values concerned as a soon as is reasonably practicable, consistent with the purpose of paragraph 4B.12 of CRC 4B and, in any event before directing a value for MOD_t for the licensee under that paragraph.

Interpretation

3K.11 For the purposes of this condition:

[Where a defined term is marked 'specific' it will remain in this condition. Where a defined term is marked 'shared' it will appear in CRC 1B when the licence is implemented. 'Shared' defined terms appear in the draft of CRC 1B that was part of the CRC Informal consultation part 1.]

Annual Iteration Process

[shared]

Authority[shared]

ED1 Price Control Financial

Handbook [shared]

ED1 Price Control Financial

Model [shared]

Recoverable Diversion Costs
[specific]

means costs associated with the diversion of electric lines or electrical plant to facilitate rail electrification projects that were included in the calculation of the licensee's

Chapter 3: Annual Iteration Process - Adjustments to the Revenue Restriction

Opening Base Revenue Allowances, but which have since become recoverable from a third party.

Regulatory Year[shared]

Regulatory Year t [shared]

Time Value of Money

Adjustment [shared]

Totex [shared]

Draft

CHAPTER 5: OTHER REVENUE RESTRICTION RELATED CONDITIONS

CRC 5F. Services for managing Relevant Theft of Electricity

Introduction

- 5F.1 This condition sets out the basis on which income arising from actions taken by the licensee to recover monies in respect of Relevant Theft of Electricity (“Theft Recovery”) is to be treated for the purposes of the Charge Restriction Conditions.
- 5F.2 This condition specifically excludes services provided under Category 5 (Revenue protection services) of CRC 5C (Directly Remunerated Services) as set out in Appendix 1 of that condition.

Part A: Income from actions taken to recover monies in respect of Relevant Theft of Electricity

- 5F.3 Income from Theft Recovery is to be included by the licensee as a negative component of its ACO value (having the meaning given in chapter 6 of the ED1 Price Control Financial Handbook) for the Regulatory Year in which the income is received.

Part B: Interpretation

- 5F.4 The description of Theft Recovery is to be read and given effect subject to any further explanation or elaboration of any of the descriptions that might be set out in the RIGs issued by the Authority under standard condition 46 (Regulatory Instructions and Guidance) of this licence.
- 5F.5 For the purposes of this condition:

[Where a defined term is marked ‘specific’ it will remain in this condition. Where a defined term is marked ‘shared’ it will appear in CRC 1B when the licence is implemented. ‘Shared’ defined terms appear in the draft of CRC 1B that was part of the CRC Informal consultation part 1.]

Charge
Restriction
Conditions
[shared]

Income from
Theft Recovery
[specific]

means the total of any monies received in respect of the value of electricity detailed in paragraph 49.10 of SLC49 and any additional monies recovered in respect of other costs detailed in paragraph 49.11 of SLC49.

Regulatory Year
[shared]

Chapter 5: Other Revenue Restriction Related Conditions

[The full definition of “Relevant Theft of Electricity” is located in SLC 49. This definition is currently open for informal consultation, but some inputs received indicate changes may be required to the definition. We have therefore indicated proposed changes to the current draft in SLC49]

Relevant Theft of Electricity [specific]	has the meaning given in SLC 49 (Electricity Distribution Losses Management Obligation and Distribution Losses Strategy). Definition used in SLC 49 [means the abstraction of electricity (regardless of where such abstraction takes place) for use other wise than at premises where there is a metering point or metering system that is registered by an Electricity Supplier, or has previously been registered by an Electricity Supplier (which in both cases were not illegally reconnected after disconnection); or where there is an approved unmetered connection.]
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