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By email only to: [industrycodes@ofgem.gov.uk](mailto:industrycodes@ofgem.gov.uk)

28 April 2016

Dear Lesley

### **Code Governance Review (Phase 3) Final Proposals – consultation on licence modifications**

Thank you for the opportunity to comment on the above consultation. This response should be regarded as a consolidated response on behalf of UK Power Networks' three distribution licence holding companies: Eastern Power Networks plc, London Power Networks plc, and South Eastern Power Networks plc. For convenience, the three licensees are collectively referred to as "UK Power Networks" throughout. Please note that our response is not confidential and can be published via the Ofgem website.

We have set out our feedback on the distribution licence conditions in the appendix to this letter. The proposed changes we ask Ofgem to make are minor and are to aid clarity for the reader.

If you have any questions about our response, please do not hesitate to contact me in the first instance.

Yours sincerely



James Hope  
Head of Regulation & Regulatory Finance, UK Power Networks

Copy Paul Measday, Regulatory Returns & Compliance Manager, UK Power Networks  
Marion Quinn, Industry Codes & Licensing, Ofgem

## Appendix

### LC21 The Distribution Code

1. The addition of the new paragraphs between 21.11A and 21.12 results in a confusing naming convention when read in sequence with the other paragraphs. We believe that Ofgem should take the opportunity to use a more conventional paragraph numbering system throughout this condition and make consequential amendments to all paragraph numbers and cross-references.
2. The use of words and numbers to describe the length of time in paragraph 21.11B does not conform to the convention used elsewhere in the distribution licence and should be simplified to numbers only. This also applies to paragraph 21.11C(b).
3. The amendment to paragraph 21.11B(c) refers to a proposal under subparagraph (ba) having “been made”. Subparagraph (ba) refers to the “raising” of a modification proposal rather than the making of one and it is unclear if there is a conflict in either terminology or timings when reading them combined – i.e. does the modification proposal have to be “raised” or “made” within the 28 day limit in order for paragraph (c) to apply?
4. The cross-reference in paragraph 21.11C to a report under paragraph 21.11E(b) should be given optionality, as the report in paragraph 21.11E(b) is not mandatory (the optionality being based on the materiality of the impact).

### LC22 Distribution Connection and Use of System Agreement

5. The addition of the new paragraphs between 22.9E and 22.9F results in a confusing naming convention when read in sequence with the other paragraphs. We believe that Ofgem should take the opportunity to use a more conventional paragraph numbering system throughout this condition and make consequential amendments to all paragraph numbers and cross-references.
6. The use of words and numbers to describe the length of time in paragraph 22.9E does not conform to the convention used elsewhere in the distribution licence and should be simplified to numbers only. This also applies to paragraph 22.9EA(b).
7. The amendment to paragraph 22.9E(c) refers to a proposal under subparagraph (ba) having “been made”. Subparagraph (ba) refers to the “raising” of a modification proposal rather than the making of one and it is unclear if there is a conflict in either terminology or timings when reading them combined – i.e. does the modification proposal have to be “raised” or “made” within the 28 day limit in order for paragraph (c) to apply?
8. It is not clear whether the paragraph starting “The Authority published conclusions...” (above paragraph 22.9EA) should have its own number or whether it is intended as a closing remark in relation to paragraph 22.9E.
9. It is not clear whether the paragraph starting “The Authority’s published conclusions...” (between paragraphs 22.9EC and 22.9ED) should have its own number or whether it is intended as a closing remark in relation to paragraph 22.9EC.
10. The cross-reference in paragraph 22.13 to a report under paragraph 22.10 should be given optionality, as the report in paragraph 22.10 is not mandatory (the optionality being based on the materiality of the impact).

## **LC22A Governance and change control arrangements for Relevant Charging Methodologies**

11. We have no comments to make.

## **LC23 Master Registration Agreement**

1. The use of words and numbers to describe the length of time in paragraph 23.6 does not conform to the convention used elsewhere in the distribution licence and should be simplified to numbers only. This also applies to paragraph 23.6A(b).
2. The amendment to paragraph 23.6(c) refers to a proposal under subparagraph (ba) having “been made”. Subparagraph (ba) refers to the “raising” of a modification proposal rather than the making of one and it is unclear if there is a conflict in either terminology or timings when reading them combined – i.e. does the modification proposal have to be “raised” or “made” within the 28 day limit in order for paragraph (c) to apply?
3. It is not clear if the paragraph starting “The Authority published conclusions...” (above paragraph 23.6A) should have its own number or whether it is intended as a closing remark in relation to paragraph 23.6.
4. It is not clear if the paragraph starting “The Authority’s published conclusions...” (between paragraphs 22.9EC and 22.9ED) should have its own number or whether it is intended as a closing remark in relation to paragraph 22.9EC.