

## Competition in Connections Code of Practice Panel

### Minutes

**Wednesday 16th August 2023 3:00 – 4:00pm**

David Overman (Chair)	DO	GTC
Brian Hoy	BH	ENWL
Clare Roberts	CR	NPg
Kyle Smith	KS	NGED
Martyn Crocker	MC	UKPN
Maryline Guinard	MG	SSE
Beverley Hudson	BH	SPEN
Jayson Whitaker	JW	Energy Assets Network
Neil Fitzsimons	NF	Power on Connections
Gareth Pritchard	GP	HEA
Steve McLaren	SM	SPEN
Tracey Taylor	TT	ENWL
Patrick Daly	PD	PN Daly
Lee Mason (part)	LM	DNO Connections
Glynn Jones (part)	GJ	Avon Utilities and Generation
Julia Phillips (Secretary)	JP	ENA

#### 1. Welcome and introductions

The Chair welcomed and reminded the group of the respective obligations of the Competition Act.

An action was agreed for NGED to nominate a deputy. KS will share the contact details with ENA.

**Action: NGED to share contact details for deputy panel member with ENA**

#### 2. Minutes of previous meeting/actions

The group approved the minutes as an accurate record of the previous meeting.

#### 3. Modification Proposal

LM joined the call to present a modification proposal.

Due to recent issues with the design submission process, are proposing a change to the process to address. The purpose of the modification is to minimise the current market distortion and delays caused by the different and changing interpretation by DNO's of the 20day Guaranteed Standard (Standard Licence Condition 4F) with respect to partial design submission elements. Network Operators new interpretation is that the 20day GS standard only applies to full design submissions from ICP's and does not apply for any partial design submissions. This is resulting in differences in the standardised input

services only the DNOs can supply resulting in unnecessary ICP design approval delays and distorting the market in favour of the DNOs.

MG replied that this is the first she is hearing of this issue and may be an issue with some of their designers and it has not been escalated as it is not their policy, SSEN will accept partial design submissions. MG welcomes a discussion on these specific projects outside of this call.

All DNOs have similar policies which allow for partial design submissions and the formal submission commences when it is complete.

PD replied that they have never encountered this problem. Have an 8-part design approval process with partial approval at each stage with Scottish Power and once all parts are complete the 20-day time starts.

LM explained that they have faced these issues with UKPN and SSEN. Representatives from the group from each company agreed to support LM to solve these issues directly.

GJ added that as long as the 20 day timeline is compliant with partial submissions then this is no longer an issue.

NF commented that these minutes will stand as a support for rectifying any of these issues.

LM confirmed withdrawal of the modification proposal. In closing he asked if the group could look at including a definition of design submission.

LM and GJ left the call.

DO asked if the group should consider adding design as a term to the code?

BH replied that he was disappointed that they had not escalated this issue ahead of raising a proposal. This issue is also not within the scope of the code of practice as it is covered by license conditions. The area affected by the change raised is something explicitly excluded from the Code of Practice and would be a fundamental change on what this group is meant to do. DO replied that what they were asking for was not within scope and if they have an issue it should go to Ofgem.

PD raised a point in regard to the recent changes in the industry which have led to an increased number of applications above 11KV. There has also been a significant change in people working in the industry which can affect interpretation.

BH replied that he does not believe this would fit within the panel, responsibility would likely sit within the RIGS. DO added that as individual members we could spread the word of working with the intent of working together between ICPs and networks throughout a staged process. BH also added to the point regarding changes in personnel, DNOs could do more.

#### **4. AOB**

##### Review of the Competition in Connections Code of Practice document

CR asked if the document is due a refresh? BH replied that no, it is a live document, so it is available to be reviewed at any time through the modification process. There has never been a process for reviewing it. MG added that as long as Ofgem do not change the license condition and there are no modifications it does not need to be reviewed. If anyone has a specific change then a modification can be raised. In practice this document is reviewed quarterly at this meeting.

GP raised that it does state that periodic reviews should be done outside of change proposals. BH replied that in situations such as the Access SCR it was reviewed and no changes were found necessary. When there are similar changes coming in then the document is reviewed but there has never been a page turn review. If there is strong interest then we can do it.

DO added that there is also a requirement to report on each review. DO suggested that we could make a statement in each meeting to that effect and asked for thoughts from the group. MG suggested recording in the minutes each quarter that there are no changes required and how we reviewed it.

PD replied that it warrants a balanced review, this group is skewed towards DNOs. Could it be more balance to conduct a review. Those who are interested in having a review are the ICPs. JW added that there is difference between nothing being raised and a thorough review, identifying that there is nothing to update quarterly is compliant but may not be right.

BH replied that if people want to take the time to go through and do a review, fine. Role of this group is not to solve every problem, it is to maintain the proper governance of the document.

DO added that the reason this group is DNO centric is because of SLC52 and the code of practice, an Ofgem decision or legislation would be required to change the composition. Whether we should make a statement or anyone would like to do that review and come back with anything is a good challenge and is supported by open governance.

**Next meeting date: 15<sup>th</sup> November 2023 15:00-16:00**