

Stage 04: Report Phase Consultation Responses

What stage is this document in the process?

01 Initial Written Assessment

02 Definition Procedure

03 Assessment Procedure

04 Report Phase

P298 'Consequential amendments to the BSC Modification process following the implementation of Third package and other miscellaneous changes'

This Report Phase Consultation was issued on 11 April 2014, with responses invited by 9 May 2014.

Consultation Respondents

Respondent	No. of Parties/Non-Parties Represented	Role(s) Represented
ScottishPower	7/0	Supplier, Generator, Trader, Consolidator, Exemptible Generator, Distributor
TMA Data Management Ltd	0/1	HHDC, HHDA, NHHDC and NHHDA
RWE Npower	10/0	Supplier, Generator, Trader, Consolidator, Exemptible Generator, Party Agent
SSE plc	11/0	Supplier, Generator, Trader, Consolidator, Distributor
E.ON	5/0	Supplier, Generator, Trader, Consolidator, Exemptible Generator

Question 1: Do you agree with the Panel's initial unanimous recommendation that P298 should be approved?

Summary

Yes	No	Neutral/No Comment	Other
5	0	0	0

Responses

Respondent	Response	Rationale
ScottishPower	Yes	ScottishPower believes that P298 better facilitates Applicable BSC Objective (e) as it introduces an appropriate process for the introduction into the BSC Modification process of Modifications which reflect changes to European Electricity Regulations or legally binding decisions of ACER.
TMA Data Management Ltd	Yes	-
RWE Npower	Yes	Npower agree that objectives a, d and e are the most suitable and that this modification this modification needs to be implemented in order to be compliant with the EU.
SSE plc	Yes	<p>We concur with the Panel and Workgroup recommendation and conclusion respectively that P298 better facilitate Applicable BSC Objectives (a), (d) and (e).</p> <p>In respect of (a) this is because the proposed solution will ensure that the BSC correctly reflects the conditions under which the Authority can raise or direct the Licensee to raise Modifications relating to electricity regulation.</p> <p>In respect of (d) this is because the proposed solution will ensure that the BSC accurately reflects the provisions set out in Licence covering the circumstances and processes to be followed in relation to Authority raised Modification Proposals. Therefore, it will ensure that such Modifications proposals are progressed efficiently and effectively.</p> <p>In respect of (e) this is because the proposed solution will ensure that the BSC complies with changes resulting from the Electricity and Gas (Internal Markets) Regulations 2011 and enabling the BSC to be aligned with any future electricity regulation.</p>

Respondent	Response	Rationale
E.ON	Yes	We agree with the Workgroup and Panel reasoning that P298 would better facilitate Applicable BSC Objectives (a), (d) and (e) by enabling efficient progression of any Code changes that might be necessary to comply with European regulations.

Question 2: Do you agree with the Panel that the redlined changes to the BSC deliver the intention of P298?

Summary

Yes	No	Neutral/No Comment	Other
5	0	0	0

Responses

Respondent	Response	Rationale
ScottishPower	Yes	We believe that the draft legal text delivers the intention of P298.
TMA Data Management Ltd	Yes	-
RWE Npower	Yes	-
SSE plc	Yes	It appears to.
E.ON	Yes	Yes, v0.18 seems to fulfil the intent.

Question 3: Do you agree with the Panel's recommended Implementation approach?

Summary

Yes	No	Neutral/No Comment	Other
5	0	0	0

Responses

Respondent	Response	Rationale
ScottishPower	Yes	We agree with the proposed implementation approach as there is no reason to delay implementation of this Modification beyond usual implementation timescales.
TMA Data Management Ltd	Yes	-
RWE Npower	Yes	Npower agree with the implementation approach and see no reason to delay.
SSE plc	Yes	Yes, we agree with the Panel's recommended implementation approach.
E.ON	Yes	Yes, the usual 10 working days after a decision is appropriate.

Question 4: Do you have any further comments on P298?

Summary

Yes	No
0	5

Responses

Respondent	Response	Rationale
ScottishPower	No	-
TMA Data Management Ltd	No	-
RWE Npower	No	Reading the proposal it shouldn't affect operations as it is a strategic proposal regarding Ofgem raising modifications to comply with European legislation. The legal text appears to be appropriate, at this point Npower have no concerns.
SSE plc	No	-
E.ON	No	-