

SCHEDULE 9 – ACCESSION AGREEMENT

THIS ACCESSION AGREEMENT is made on 20

BETWEEN:

- (A) [] a company incorporated in [] (registered number []) whose registered office is at [] (the “New Party”); and
- (B) DCUSA LIMITED a company incorporated in England and Wales (registered number []) whose registered office is at [] (“DCUSA Ltd”).

WHEREAS

- (A) The DNO Parties and IDNO Parties are required, by their licences, to be party to, comply with, and maintain the DCUSA.
- (B) The Supplier Parties are required, by their licences, to be party to, and comply with, the DCUSA.
- (C) The DG Parties are under certain obligations, under other industry agreements, regarding distribution use of system arrangements, and have agreed to accede to the DCUSA in order to meet those obligations.
- (D) The OTSO Party wishes to connect to and use the systems of the DNO Parties and the IDNO Parties, and has agreed to accede to the DCUSA in order to do so.
- (E) The Gas Supplier Parties have agreed to accede to the DCUSA in order to allow them to install, operate, inspect, maintain, repair, renew, reposition, replace and remove Smart Metering Comms Hub Devices.
- (F) DCUSA Ltd is a company established under the DCUSA to facilitate the operation of the DCUSA.

(G) The New Party wishes to become a party to, and bind itself by, and DCUSA Ltd has agreed (on behalf of the DCUSA Parties) to admit the New Party as a party to, the DCUSA in accordance with the terms and conditions of this Accession Agreement.

NOW IT IS HEREBY AGREED as follows:

1. The “DCUSA” is the Distribution Connection and Use of System Agreement designated as such by the Gas and Electricity Markets Authority (as such agreement is amended from time to time). A “DCUSA Party” is a party from time to time to the DCUSA. Unless the context otherwise requires, the words and expressions defined in the DCUSA shall bear the same respective meanings when used herein.
2. With effect from [ACCESSION DATE]:
 - (a) the New Party hereby accepts its admission to the DCUSA, and undertakes to DCUSA Ltd (acting on behalf of itself and each DCUSA Party) to perform its obligations under the DCUSA in accordance with, and subject to, the terms and conditions thereof; and
 - (b) DCUSA Ltd (acting on behalf of itself and each DCUSA Party) hereby admits the New Party as a party to the DCUSA.
3. The New Party’s Party Details shall, initially, be as set out in the schedule hereto and those Party Details shall be added to schedule 11 of the DCUSA in accordance with clause 57.5 of the DCUSA.
4. This Accession Agreement may be executed in two counterparts, each signed by one of the parties hereto.
5. This Accession Agreement shall be governed by and construed in accordance with the laws of England and Wales. The parties hereto hereby submit to the exclusive jurisdiction of the courts of England and Wales and of Scotland.

THIS ACCESSION AGREEMENT has been entered into on the date first stated above.

SIGNED by)

duly authorised)

for and on behalf of)

NEW PARTY)

SIGNED by)

duly authorised)

for and on behalf of)

DCUSA LTD