

















## Part A: Generic

DCUSA Change Proposal (DCP)		At what stage is this document in the process?
<h1>DCP 362:</h1> <h2>The update of relevant European Union (EU) clauses as a result of Brexit.</h2> <p><i>Date Raised: 03 February 2020</i></p> <p><i>Proposer: Peter Waymont</i></p> <p><i>Company Name: UK Power Networks</i></p> <p><i>Party Representation: DNO</i></p>		<p><b>01 – Change Proposal</b></p> <p>02 – Consultation</p> <p>03 – Change Report</p> <p>04 – Change Declaration</p>
<p><b>Purpose of Change Proposal:</b></p> <p>To update and amend any DCUSA clauses referring to EU legislation as a consequence of the United Kingdom leaving the EU.</p>		
	<p>The Proposer recommends that this Change Proposal should be:</p> <ul style="list-style-type: none"> <li>• Treated as a Part 2 Matter;</li> <li>• Treated as a Standard Change; and</li> <li>• Proceed to Change Report Phase</li> </ul> <p>The Panel will consider the proposer’s recommendation and determine the appropriate route.</p>	
	<p>Impacted Parties: All</p>	
	<p>Impacted Clauses: As determined by Gowling WLG.</p>	

Contents		 Any questions?
<b>1 Summary</b>	<b>2</b>	Contact: <b>George Dawson</b>
<b>2 Governance</b>	<b>3</b>	 email address <b>George.dawson@electralink.co.uk</b>
<b>3 Why Change?</b>	<b>3</b>	 telephone <b>0207 432 3000</b>
<b>4 Solution and Legal Text</b>	<b>4</b>	Proposer: <b>Peter Waymont</b>
<b>5 Code Specific Matters</b>	<b>4</b>	 <b>peter.waymont@ukpowernetworks.co.uk</b>
<b>6 Relevant Objectives</b>	<b>4</b>	 <b>07875 112757</b>
<b>7 Impacts &amp; Other Considerations</b>	<b>5</b>	Other: <b>n/a</b>
<b>8 Implementation</b>	<b>6</b>	
<b>9 Recommendations</b>	<b>6</b>	
<b>Indicative Timeline</b>		Other: <b>n/a</b>
<b>The Secretariat recommends the following timetable:</b>		
Initial Assessment Report	19 February 2020	
Change Proposal issued to Legal Advisors	21 February 2020	Other: <b>n/a</b>
Change Report Approved by Panel	18 March 2020	
Change Report issued for Voting	20 March 2020	
Party Voting Closes	03 April 2020	Other: <b>n/a</b>
Change Declaration Issued to Parties	07 April 2020	
[Change Declaration Issued to Authority]	n/a	
[Authority Decision]	n/a	

## 1 Summary

### What

This Change Proposal seeks to amend the necessary clauses that currently reference EU legislation and update them to reflect the accurate legislature as a result of Brexit. It should be noted that none of the

clauses EU related clauses render the DCUSA inoperable if unamended, however it is important to update the DCUSA to reflect correct legislative arrangements.

## Why

This Change must be enacted in order to maintain the clarity and accuracy of the DCUSA as a result of the United Kingdom's withdrawal from the European Union on 31 January 2020 and the subsequent transition period.

## How

Having already undertaken an extensive review of the DCUSA and identifying clauses which contain reference to any European Union legislation, the DCUSA legal advisors can now address the relevant clauses that need to be updated.

## 2 Governance

### Justification for Part 1 and Part 2 Matter

This Change Proposal should be classed as a Part 2 matter as it is required as result of legislative/constitutional changes.

### Requested Next Steps

This Change Proposal should proceed to the Change Report phase following review of the clauses required to the DCUSA legal text by its legal advisors (Gowling WLG).

## 3 Why Change?

To maintain the legislative accuracy of DCUSA post Brexit.

## Part B: Code Specific Details

### 4 Solution and Legal Text

Relevant parts of DCUSA should be identified by DCUSA's lawyers and updated as advised.

### 5 Code Specific Matters

#### Reference Documents

None

### 6 Relevant Objectives

DCUSA Charging Objectives	Identified impact
<input type="checkbox"/> 1 that compliance by each DNO Party with the Charging Methodologies facilitates the discharge by the DNO Party of the obligations imposed on it under the Act and by its Distribution Licence	None
<input type="checkbox"/> 2 that compliance by each DNO Party with the Charging Methodologies facilitates competition in the generation and supply of electricity and will not restrict, distort, or prevent competition in the transmission or distribution of electricity or in participation in the operation of an Interconnector (as defined in the Distribution Licences)	None
<input type="checkbox"/> 3 that compliance by each DNO Party with the Charging Methodologies results in charges which, so far as is reasonably practicable after taking account of implementation costs, reflect the costs incurred, or reasonably expected to be incurred, by the DNO Party in its Distribution Business	
<input type="checkbox"/> 4 that, so far as is consistent with Clauses 3.2.1 to 3.2.3, the Charging Methodologies, so far as is reasonably practicable, properly take account of developments in each DNO Party's Distribution Business	None
<input type="checkbox"/> 5 that compliance by each DNO Party with the Charging Methodologies facilitates compliance with the Regulation on Cross-Border Exchange in Electricity and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	None
<input type="checkbox"/> 6 that compliance with the Charging Methodologies promotes efficiency in its own implementation and administration.	None
There is no impact on the charging objectives.	

DCUSA General Objectives	Identified impact
<input type="checkbox"/> 1 The development, maintenance and operation by the DNO Parties and IDNO Parties of efficient, co-ordinated, and economical Distribution Networks	None
<input type="checkbox"/> 2 The facilitation of effective competition in the generation and supply of electricity and (so far as is consistent therewith) the promotion of such competition in the sale, distribution and purchase of electricity	None
<input type="checkbox"/> 3 The efficient discharge by the DNO Parties and IDNO Parties of obligations imposed upon them in their Distribution Licences	None
<input checked="" type="checkbox"/> 4 The promotion of efficiency in the implementation and administration of the DCUSA	Positive
<input type="checkbox"/> 5 Compliance with the Regulation on Cross-Border Exchange in Electricity and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	None
This change will enable DCUSA to better reflect the current legislation.	

## 7 Impacts & Other Considerations

There are no cross code concerns with this change proposal.

### Does this Change Proposal impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?

There is no impact on any of the current SCRs or any other industry change projects.

### Does this Change Proposal Impact Other Codes?

Please tick the relevant boxes and provide any supporting information. [\[See Guidance Note 6\]](#)

- BSC
- CUSC
- Grid Code
- MRA
- SEC
- Other
- None

### Consideration of Wider Industry Impacts

There are no wider industry impacts.

## Confidentiality

There are no confidentiality concerns.

## 8 Implementation

The proposed implementation date is as soon as practicable following party approval i.e. the next scheduled release.

## 9 Recommendations

*The Code Administrator will provide a summary of any recommendations/determinations provided by the Panel in considering the initial Change Proposal. This will form part of a Final Change Report.*