



Department
of Energy &
Climate Change

Smart Metering Implementation Programme

Testing Issue Resolution Process During Transition

Guidance

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General information

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Territorial extent:

This guidance applies to the gas and electricity markets in Great Britain. Responsibility for energy markets in Northern Ireland lies with the Northern Ireland Executive's Department of Enterprise, Trade and Investment.

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1 Introduction

Purpose

- 1.1 The purpose of this document is to explain the circumstances in which the Secretary of State will consider matters relating to Testing Issues raised under the Testing Issue Resolution Process defined in the Smart Energy Code (SEC) referred from the DCC (as defined below) during the transitional period to commencement of live operations. This document explains the rationale behind the approach to Testing Issue resolution and the procedures that will be followed.
- 1.2 In practice, when such matters are considered by the Secretary of State, the procedures will be administered on behalf of the Secretary of State by authorised officials in the Department of Energy and Climate Change.

Smart Energy Code

- 1.3 Smart meters offer a range of intelligent functions and provide consumers with more accurate information, bringing an end to estimated billing. Consumers will have near-real time information on their energy consumption to help them control and manage their energy use, save money and reduce emissions.
- 1.4 On 23 September 2013, the Data and Communications Company (DCC), was granted a Smart Meter Communications Licence (the “DCC Licence”). The DCC will provide a smart meter communications service by means of which Suppliers, Network Operators and others can communicate remotely with smart meters in Great Britain.
- 1.5 The SEC is the new industry code which has been created through, and came into force under, the DCC Licence. The SEC is a multiparty contract which sets out the terms for the provision of the DCC's smart meter communications service, and specifies other provisions to govern the end-to-end management of smart metering. During the transition to the commencement of live operations by the DCC, some parts of the SEC are in legal effect and under the governance of the Panel whilst some parts remain under the governance of the Secretary of State.
- 1.6 The DCC, suppliers of energy to domestic and smaller non-domestic customers, and Network Operators are required by licence to become parties to the SEC and to comply with its provisions. Other bodies who wish to use the DCC's services, such as energy efficiency and energy service companies, or those (other than Registered Data Providers (RDPs)) that wish to obtain SMKI Certificates to be placed on smart metering devices, must accede to the SEC in order to do so. All parties who accede to the SEC are referred to as “SEC Parties”.
- 1.7 The SEC is managed by a panel of persons including a number of members elected by the SEC Parties (“the Panel”) and is subject to the regulatory oversight of the Authority. The Panel is supported in the day to day administration of the SEC by the Smart Energy Code Administrator and Secretariat (“SECAS”).

Testing issues

- 1.8 The testing arrangements relating to the testing of the DCC systems during the transitional period prior to live operations are set out in Section T of the SEC. Section T additionally covers the testing facilities provided by the DCC for others to test the interoperability of smart metering devices and their systems with DCC systems during transition (the end to end test phase). Section H14 of the SEC describes the enduring testing facilities provided by the DCC.
- 1.9 The SEC defines a Testing Issue Resolution Process set out in Sections H14.37 to H14.45 of the SEC, which applies both during the transitional testing (described in Section T) and for any enduring testing arrangements. The process allows for a Testing Participant to raise a Testing Issue with the relevant DCC Service Provider to have it resolved. Where a Testing Participant is dissatisfied with:
 - (a) the severity level and priority status assigned to the Testing Issue, or
 - (b) the timetable for the resolution of the Testing Issue, or
 - (c) the resultant determination by the DCC Service Provider of the actions to be taken to resolve the Testing Issue,
 they may refer it to the DCC.
- 1.10 The DCC has established an Issue Resolution Board to consider Testing Issues that are referred to in paragraph 1.9 above (and set out in H14.41 of the SEC). If a Testing Participant (or any Party) subsequently disagrees with the DCC's determination in relation to the matters in 1.9 (c), (but not in relation to 1.9 (a) or (b) where the DCC's decision is final), they may request that the DCC refers the matter to the Panel for its consideration. When such a matter is referred to the Panel in relation to testing undertaken pursuant to Section T (Testing During Transition), the Panel is required to notify the Secretary of State. In practice, during transition, it has been agreed that the DCC will notify the Secretary of State and the Panel at the same time for efficiency.

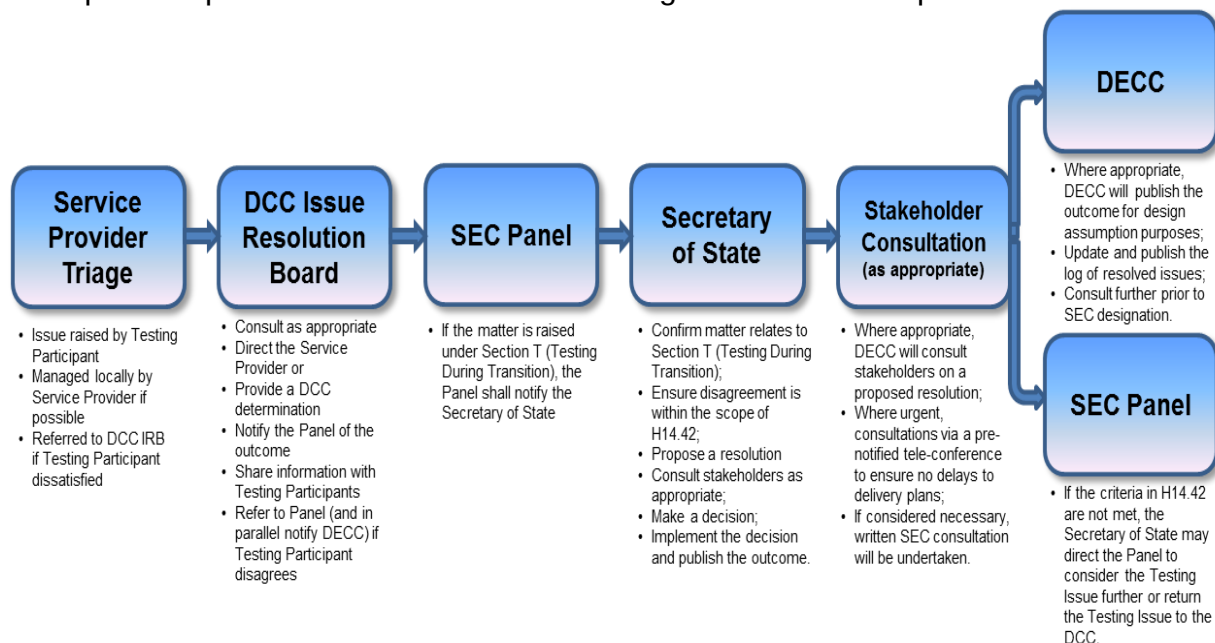
2. Secretary of State's consideration

- 2.1 When the Secretary of State receives a notification of a disagreement by a Testing Participant (or any Party) that has been referred by the DCC, then the Secretary of State will:
 - a) check that the matter relates to Section T and, as such, should be considered by the Secretary of State; and
 - b) ensure that the disagreement is within the scope of what can be escalated where a Testing Participant disagreed with the DCC's determination (as described in H14.42 of the SEC).
- 2.2 Where the Secretary of State deems that any of the criteria described in paragraph 2.1 above are not met, the notification may be referred back to the Panel to consider the matter further or returned to the DCC. Additionally where the criteria are met but the Secretary of State considers that the Panel should be the body to consider the matter it may be referred back to the Panel.

- 2.3 Where the Secretary of State decides to consider the Testing Issue, the Secretary of State will:
- a) conduct an analysis of the issue and the disagreement and develop a proposed resolution or options for resolution;
 - b) discuss with stakeholders as appropriate on a proposed resolution (as described in sections 3 and 4 below); and
 - c) make a decision as set out in 2.4 and 2.5 about how to resolve the Testing Issue.
- 2.4 The Secretary of State's decision may include that, as a result of its consideration of the Testing Issue, it considers that:
- a) an aspect of the SEC (including technical specifications or subsidiary documents) should be amended. This could include text that is already incorporated into the SEC or text that has been concluded upon but not yet incorporated into the SEC (including base-lined drafts of technical specifications and subsidiary documents); or
 - b) no aspect of the SEC (including draft technical specifications or subsidiary documents that have not yet been incorporated into the SEC) needs to be amended.
- 2.5 Where the Secretary of State considers that an aspect of the SEC (including technical specifications or subsidiary documents) should be amended (as outlined in 2.4(a)), the level of stakeholder engagement that it undertakes will be tailored to the issue at hand and the information already held by the Secretary of State. Such engagement could take the form of:
- a) a written consultation
 - b) discussions with stakeholders via the processes outlined in this guidance document or
 - c) no external discussion.
- 2.6 In the vast majority of cases it is expected that engagement will take the form of b) prior to a decision being made, however the possibility of a) or c) cannot be excluded depending upon the nature of the Testing Issue under consideration.
- 2.7 Where the Secretary of State considers that a change to the SEC documentation ought to be made, the nature of the change will be stated so that this may be used as a design assumption such that testing can continue in a timely manner. Subsequently the Secretary of State may then need to consult more widely as appropriate on the need for a change to the SEC or the draft subsidiary document and the associated legal drafting. The conclusions of that consultation will result in, if necessary, an updated version of the SEC or subsidiary document being produced and, ultimately, implemented into the regulatory framework.

3. Process for stakeholder consultation

- 3.1 As outlined above, in some instances, it is expected that the Secretary of State will be able to make a decision based on the information available without the need for consultation with stakeholders. In other instances, there may be commercial sensitivities that require redaction of the relevant documentation that prevent a wider meaningful consultation. However, where it is appropriate, the Secretary of State will seek the views of Parties on its proposal for issue resolution.
- 3.2 A simplified representation of the overall testing issue resolution process is shown below:



- 3.3 To ensure there is a readily available mechanism to obtain stakeholder views on proposals to resolve Testing Issues, DECC will establish a Testing Issues Stakeholder Consultation Group (TISCG), described in more detail in Section 4 below.
- 3.4 It is important that the issue resolution process is conducted as quickly as possible to avoid any adverse impact on testing timetables for any Testing Participant. To ensure prompt stakeholder consultation therefore, TISCG consultations will normally take place by pre-notified teleconference.
- 3.5 TISCG teleconferences may initially be planned to take place daily with the proviso that, if there are no issues to discuss, then the meeting will be cancelled giving as much notice as possible. If the volume of disagreements notified to the Secretary of State does not justify a daily consultation, then the frequency will be reduced.
- 3.6 In the event that an issue for consultation is complex and is unsuitable for a teleconference, then a meeting will be arranged.
- 3.7 Whilst the teleconference will be openly available to all stakeholders with a standing invitation to any SEC Party, the Authority and SECAS, DECC will also invite nominations for core membership of the TISCG from the Panel and trade associations to ensure that stakeholder representation covers a wide range of interests in the testing process including:
- large suppliers;
 - small suppliers;
 - Network Operators;
 - Device manufacturers;
 - other parties.

4. Testing Issues Stakeholder Consultation Group (TISCG)

- 4.1 The purpose of the TISCG is to provide a forum through which DECC can gain ready access to stakeholder views on proposed testing issue resolutions. The TISCG is an advisory group and holds no formal decision making authority and its role is to review and comment on proposals to resolve testing issues that have been referred to the Secretary of State.
- 4.2 TISCG members and other stakeholders participating in the consultation will be expected to work collaboratively with DECC and each other to advise on the implications of a proposed issue resolution and to focus on resolving the specific issue under consideration.
- 4.3 DECC will provide the Chair and the secretariat function for the TISCG. The role of the Chair is to ensure that the issue and its proposed resolution are clearly described for stakeholders; that stakeholders have an opportunity to contribute views; and that any disagreements are noted. The role of the secretariat is to diarise and organise teleconferences (and meetings where appropriate); to attend teleconferences and meetings as required and take notes and particularly to record any disagreements with proposals.
- 4.4 Whilst individual decisions concerning approved resolutions will be published on a website, DECC will also maintain a resolution log recording the cumulative approved resolutions. This log will also be published and available to stakeholders. In addition, a final consultation will be undertaken prior to designation of the SEC in its entirety – including all of the approved resolutions.

5. Determinations

- 5.1 Following stakeholder consultation as appropriate, the Secretary of State will make a decision about how to resolve the Testing Issue. Where the Secretary of State considers that an aspect of the SEC or a base-lined draft Subsidiary Document ought to change, the Secretary of State will publish this decision and the nature of the change so that it may be used as a design assumption on which testing can progress. The decision will also be added to the log of approved resolutions. Separately, the Secretary of State may subsequently consult more widely as appropriate on the change to the SEC or Subsidiary Document.
- 5.2 The Secretary of State will arrange for the decision to be published on an appropriate website (expected to be the DCC and SECAS websites) ensuring that the identities of the Testing Participant and (where relevant) the Device's Manufacturer are anonymised. The Secretary of State will also ensure the removal or redaction of information where it considers that publishing such information would be prejudicial to the interests of one or more parties, or pose a risk of compromise to the DCC Total System, User Systems, RDP Systems and/or Devices.

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