

This document is classified as **Clear** in accordance with the Panel Information Policy. Recipients can distribute this information to the world, there is no limit on disclosure. Information may be shared without restriction subject to copyright.

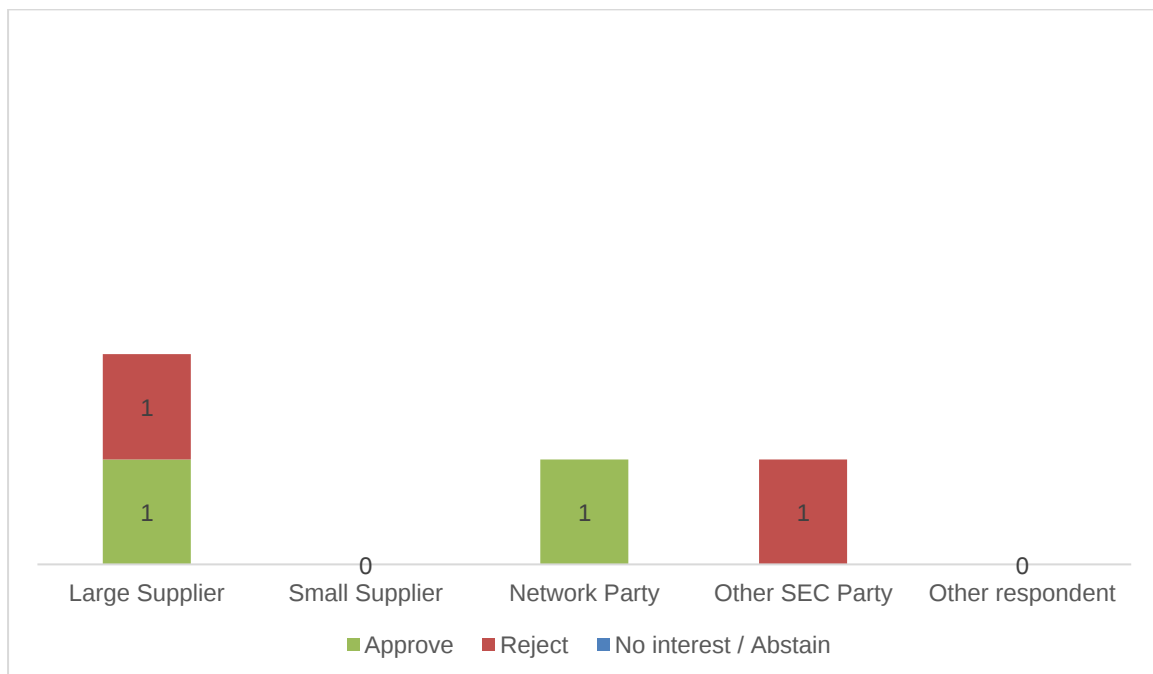
MP270 ‘Enabling DCC to provide SMDA Test House services’

Modification Report Consultation responses

About this document

This document contains the full collated responses received to the MP270 Modification Report Consultation.

Summary of responses



Question 1: Do you believe that MP270 should be approved or rejected?

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
British Gas	Large Supplier	Approve	We agree it would be sensible to have the enabling text in the SEC for DCC to act in this role, were they appointed.	-
Energy and Utilities Alliance	Other SEC Party	Reject in its current form, please see rational.	We believe that the legal text in its current form is not sufficient. The legal text should be bolstered to include requirements for independent separation of DCC current test services with any SMDA services DCC would provide. We understand that SMDA services should also be subject to contracts between the SMDA and DCC, however DCC is in a unique position where amongst other requirements it provides testing for communications hubs. To do so DCC uses meter devices for regulatory purposes. If suggested text is thought to be in place, please confirm where the legal text draft notes said separation? In addition, considering that SMDA services are subject to commercial contract agreements between the appointed test house and SMDA, we disagree that the legal text (see new suggested clause 19 for appendix J) should be specifying DCC publishing policies that Test Participants must comply with. No other successful bidder would have a regulatory requirement to do so. We note that new suggested legal draft text (H14.9b) states what is effectively a set of testing scope definitions. Is SMDA scope of the testing as per H14.59(b) or as per SMDA defined scope? We believe there could be other consequential impacts by crossing SEC drafting with SMDA? For example, existing	The DCC has been transparent in its tender response regarding potential conflicts of interest. The manner in which these would be mitigated has been fully described therein. The DCC's SMDA Testing Service will be a standalone team and separated from the DCC's programme delivery teams and any device testing they may do. The separation will also be clarified within its designated policy. The nature of this SEC modification is to allow the DCC to tender for and – if awarded the contract – carry out SMDA Test House services whilst remaining compliant with its License Conditions. The policy developed as per the legal text would be subject to SMDASC input and approval. This policy would only apply to Testing Participants in respect of SMDA DCC Testing, who would also be in

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			H14.8, notes that TP shall provide forecasts. We note that this obligation has not been explicitly excluded in the case of SMDA. A further review is needed to ensure there are no other potential consequential impacts where TP's are impacted which need to be covered by a similar approach as H14.59 (f) 'shall not apply to SMDA Testing' obligation. A deeper review of the existing legal draft would be required to ensure there are no other similar items of this nature that need clarification.	commercial agreement with the SMDA Test House when utilising its services. The scope of testing will be defined as per SMDA. Following input from the SMDASC Chair on the legal text, the redlining does not apply to all Testing Participants, only Testing Participants in respect of SMDA DCC Testing.
National Grid Electricity Distribution	Network Party	Approve	-	-
E.ON	Large Supplier	Reject	While there are clearly benefits of testing being undertaken in the DCC ecosystem or by teams with knowledge and experience of it, this doesn't mean it has to be the DCC undertaking it. We feel the testing must be none biased, testers should have distance and independence from the devices they are assessing.	The DCC has acknowledged the possible conflict of interest within their tender response. This conflict of interest has also been mitigated against within the same tender response, for SMDASC to review.

Question 2: Please provide any further comments you may have.

Question 2		
Respondent	Category	Comments
British Gas	Large Supplier	We presume the detailed list of clauses that have been added in the proposed Legal text are correct. I'm not close enough to the technical aspects to be sure this is the latest definite scope.
Energy and Utilities Alliance	Other SEC Party	We would welcome further dialogue on the points mentioned.
National Grid Electricity Distribution	Network Party	-
E.ON	Large Supplier	N/A