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DP084 ‘Other User Panel Seating Amendment’

Problem statement – version 0.2

About this document

This document provides a summary of this Draft Proposal, including the issue or problem identified, the impacts this is having, and the context of this issue within the Smart Energy Code (SEC).

Proposer

This Draft Proposal has been raised by Maria McLean from the Energy Saving Trust (EST).

What is the issue or problem identified?

What is the difference between an Other User and an Other SEC Party?

There is a need to distinguish between Other Users and Other SEC Parties as the two have differences in the SEC. An Other User is a User which at the time is not acting as a Supplier, Network or Registered Supplier Agent User Role, even if they may act in those Roles at other times. By contrast, an Other SEC Party is defined as a Party that isn't a Supplier, Network Operator or DCC.

Representation on the Panel

Currently, the SEC Panel has two seats to be occupied by Other SEC Parties, but because Other SEC Parties aren't always Other Users this may lead to Other Users being underrepresented. A SEC Panel questionnaire was issued in April 2019 and the outcomes discussed at SEC Panel in June 2019 to gauge opinion. It was suggested that an Other User seat should be added to the Panel to ensure the Other Users are proportionately and fairly represented. It was proposed that the two Other SEC Party seats be split so there is one Other SEC Party seat and one Other User seat.

The Panel is currently comprised of a mix of elected and appointed representatives:

- Two persons elected by Large Suppliers;
- Two persons elected by Small Suppliers;
- One person elected by Electricity Network Parties;
- One person elected by Gas Network Parties; and
- Two persons elected by Other SEC Parties.

How does this issue relate to the SEC?

SEC Section C 'Governance' 3.1(e) currently specifies that "two persons elected by Other SEC Parties" is the seat structure. Therefore, any Modification Proposal that splits these seats to one Other User and one Other SEC Party needs to amend this section.

Additionally, the terms of "Other User" will have to be added throughout other governance areas relating to Panel seating in SEC Section C. This is so that a difference can be distinguished between Other Users and Other SEC Parties when considering their separate seats.

What is the impact this is having?

If nothing is done, then it will result in potentially allowing Other Users to be underrepresented in Panel meetings. With Other SEC Parties able to occupy both seats currently without being Other Users, this presents a flaw in the current Panel seating arrangements.

Alternatively, if the Panel was to change the seating arrangement but the SEC left unchanged, the SEC would not be accurately reporting the structure of the Panel's seating. SEC Section C 'Governance' needs to be aligned with the current Panel structure, so any change to this structure requires a Modification Proposal to help facilitate this change.

What are the views of the industry?

Views of the DCC

The DCC stated that it would not be impacted by the raised issue and it expects no changes to affect its Systems.

Views of SEC Parties

No SEC Parties have commented on the raised issue outside of the Change Sub-Committee.

Views of Panel Sub-Committees

The Panel Sub-Committees have all stated that they will not be affected by the raised issue.

Views of the Change Sub-Committee

The views of the Change Sub-Committee (CSC) were supportive of the raised issue.

One member stated that they wanted to understand what potential solutions were available. There were two suggested solutions. One was to split the two existing Other SEC Parties seats into one Other SEC Party seat and one Other User Seat. The other was to introduce a new Other User seat and to keep the two existing Other SEC Parties seats.

One other CSC member enquired into who could use the Other User seats, suggesting a Party who sits in another category could try using the seat to increase the weight of their votes in a Panel vote. SECAS took note of this and suggested this question should be asked in the Refinement Process to ensure that the solution doesn't allow for that unfair advantage to be taken.