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Paper Reference:	SECP_76_1701_18
Action:	For Decision

MP088 Modification Report

1. Purpose

[MP088 'Power to raise modifications'](#) has undergone the Refinement Process. We have now completed the assessment of the areas requested by the Panel and prepared the Modification Report. We are recommending that this modification be progressed to the Report Phase and that the Panel approves the Modification Report, the implementation approach, and that MP088 is an Authority Determined Modification.

This paper provides a high-level summary of the key points. Full details can be found in the draft Modification Report in Appendix A.

2. Summary of the proposal

What is the issue?

There are very limited circumstances where the SEC Panel can raise a modification, and no provisions for SECAS to do so. These constraints act as a blocker to the efficient progression of changes. The Panel has proposed several proposals in the past; however, it was not able to raise these proposals itself. Instead, SECAS sought a SEC Party to do so on the Panel's behalf. Additionally, SECAS has also put forward several Draft Proposals to the Panel for endorsement, but then needed to ask for volunteer Proposers.

Needing to find a volunteer Proposer adds additional time and effort into the process. The volunteer Proposer must also agree to devote the time and effort that being a Proposer requires, where they are not the originator and may only be acting on behalf of others. Furthermore, SECAS or the Panel will need the volunteer Proposer's agreement for the solution subsequently developed, adding in further steps.

What is the Proposed Solution?

MP088 proposes to extend the provisions to raise Draft Proposals to SECAS and the SEC Panel to modify the SEC. Additionally, MP088 will also extend this ability to the SEC Sub-Committees and the Alt HAN Forum for a Proposal that relates to their relevant areas (as defined by their Terms of Reference).

3. Proposed progression

We believe that this modification is now ready to progress to the Report Phase.

Determination approach

We believe MP088 should be an Authority Determined Modification as the legal text drafting impacts SEC Section D and is therefore required to be an Authority Determined Modification as expressed in SEC Section D2.6(f).

Implementation approach

We recommend an implementation approach of:

- 25 June 2020 (June 2020 SEC Release) if a decision to approve is received by 11 June 2020; or
- 5 November 2020 (November 2020 SEC Release) if a decision to approve is received after 11 June 2020 but by 22 October 2020.

4. Recommendations

The Panel is requested to:

- **AGREE** that MP088 should be progressed to the Report Phase;
- **APPROVE** the Modification Report;
- **APPROVE** the implementation approach; and
- **AGREE** that MP088 should be progressed as an Authority Determined Modification.

Jordan Crase

SECAS Team

10 January 2020

Attachments:

- **Appendix A:** MP088 Modification Report
 - **Annex A:** Legal text
 - **Annex B:** Refinement Consultation responses

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MP088

‘Power to raise modifications’

Modification Report

Version 0.2

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About this document

This document is the Modification Report for [MP088 'Power to raise modifications'](#). It provides detailed information on the background, issue, solution, costs, impacts and implementation approach. It also summarises the discussions that have been held and the conclusions reached with respect to this Modification Proposal.

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This document also has two annexes:

- **Annex A** contains the redlined changes to the Smart Energy Code (SEC) required to deliver the proposed solution.
- **Annex B** contains the full responses received to the Refinement Consultation.

1. Summary

There are very limited circumstances where the SEC Panel can raise a modification, and no provisions for the Smart Energy Code Administrator and Secretariat (SECAS) to do so. These constraints act as a blocker to the efficient progression of changes. The Panel has proposed several proposals in the past. However, it was not able to raise these proposals itself. Instead, SECAS sought a SEC Party to do so on the Panel's behalf. Additionally, SECAS has also put forward several Draft Proposals to the Panel for endorsement, but then needed to ask for volunteer Proposers.

Needing to find a volunteer Proposer adds additional time and effort into the process. The volunteer Proposer must also agree to devote the time and effort that being a Proposer requires, where they are not the originator and may only be acting on behalf of others. Furthermore, SECAS or the Panel will need the sponsor's agreement for the solution subsequently developed, adding in further steps.

MP088 proposes to amend SEC Section D to extend the ability to raise modifications to SECAS, the SEC Panel, SEC Sub-Committees and the Alternative Home Area Network (Alt HAN) Forum.

MP088 is not expected to directly impact any SEC Parties, and implementation costs will be limited to SECAS time and effort in updating the SEC. If approved, this modification is targeted for the June 2020 SEC Release.

2. Background

Who is currently able to raise Draft Proposals?

SEC Section D1.3 allows the following to raise Draft Proposals (which initiate the SEC Modifications Process):

- Parties (including the Data Communications Company (DCC));
- Citizens Advice and Citizens Advice Scotland;
- Anyone specifically designated by the Authority;
- The Authority, but only to ensure compliance with European regulations or following a Significant Code Review (SCR); and
- The Panel in specific circumstances (see below).

The SEC also allows the Security Sub-Committee (SSC) (Section G7.20) and the Smart Metering Key Infrastructure (SMKI) Policy Management Authority (PMA) (Section L1.19) to raise Draft Proposals where they relate to their remits or documents.

The specific circumstances under which the Panel can raise a Draft Proposal are:

- following a review carried out by the Panel at the request of the Authority (Section C2.3(i)), to progress any consequential changes required;
- following a recommendation from SECAS that the SEC is inconsistent with the Code Administration Code of Practice (CACoP) (Section C7.2(c)), to resolve this inconsistency;
- to progress a Fast-Track Modification to resolve any non-material typographical errors or other minor factual inaccuracies or inconsistencies within the SEC; and
- to progress any consequential changes required to the SEC as a result of changes under other Codes.

What is the issue?

There are limited powers of the Panel to raise Draft Proposals and no provisions for SECAS to raise a Draft Proposal. This is consistent with several other Codes and is based on Code Administrators not being able to raise changes to the provisions that govern their functions. However, there is precedence for Code Administrator to be able to raise changes, for example National Grid can raise Connection and Use of System Code (CUSC) modifications as the System Operator, even though it is also the Code Administrator. In addition, the DCC, whose functions are also subject to SEC governance, is able to raise Draft Proposals.

Allowing one or both bodies wider powers to submit Draft Proposals would allow beneficial changes identified by the Panel or by SECAS to be raised and progressed quicker. This would improve efficiency by allowing these changes to be developed and decided upon sooner.

3. Solution

Proposed Solution

MP088 proposes to extend the provisions to raise Draft Proposals to SECAS and the SEC Panel to modify the SEC. Additionally, MP088 will also extend this ability to all of the SEC Sub-Committees and to the Alt HAN Forum for a Proposal that would relate to their relevant areas of expertise (as defined by their terms of reference).

Legal text

The changes to the SEC required to deliver the proposed solution can be found in Annex A.

4. Impacts

This section summarises the impacts that would arise from the implementation of this modification.

SEC Parties

SEC Party Categories impacted			
	Large Suppliers		Small Suppliers
	Electricity Network Operators		Gas Network Operators
	Other SEC Parties		DCC

SEC Parties would not be directly impacted by the implementation of this change. They are likely to be indirectly impacted by MP088, as modifications raised under these extended provisions could impact them.

DCC System

There is no impact on the DCC Systems.

SEC and subsidiary documents

The following parts of the SEC will be impacted:

- Section D 'Modifications'
- Section G 'Security'
- Section L 'Smart Metering Key Infrastructure and DCC Key Infrastructure'

Other industry Codes

There are no identified impacts on other industry Codes.

Greenhouse gas emissions

There are no identified impacts on greenhouse gas emissions.

5. Costs

DCC costs

There are no DCC costs to implement this modification.

SECAS costs

The estimated SECAS implementation costs to implement this modification is two days of effort, amounting to approximately £1,200. The activities needed to be undertaken for this are:

- Updating the SEC and releasing the new version to the industry.

SEC Party costs

No SEC Party costs are anticipated to implement this modification.

6. Implementation approach

Recommended implementation approach

The Working Group is recommending an implementation date of:

- **25 June 2020** (June 2020 SEC Release) if a decision to approve is received on or before 11 June 2020; or
- **5 November 2020** (November 2020 SEC Release) if a decision to approve is received after 11 June 2020 but on or before 22 October 2020.

The June 2020 SEC Release is the earliest SEC Release this modification could be included in.

7. Discussions and development

Who should be given the power to raise modifications?

SECAS and the SEC Panel

The Working Group was asked if the provisions to raise modifications should be extended to the SEC Panel and SECAS (possibly with the caveat of Panel approval). The Working Group agreed that it could see the benefits of extending these provisions to the SEC Panel and to SECAS. Members also saw no reason why the power for either to raise proposals shouldn't be unrestricted.

All Proposals raised will still go through the SEC defined Modifications Process (SEC Section D). All SEC Parties will have the opportunity to respond to consultations and attend the Working Groups, and the final decision will be made by either the Change Board or the Authority.

Alt HAN Forum

Following comments received from the Change Sub-Committee, the Working Group was asked to consider the extensions of these provisions to the Alt HAN Forum. It was presented with the five Alt HAN Forum-initiated modifications (see below), three of which have been approved, and the remainder of which are currently undergoing the Modification Process. Initially the Working Group agreed that the provision should be extended to the Alt HAN Forum to raise modifications in relation to SEC Section Z 'Alt HAN arrangements'. However, after further discussion, the Working Group believed it would be best not to restrict this just to Section Z as any Proposal would be required to go through the Modifications Process.

SEC Sub-Committees

Similar conversations were had regarding the SEC Sub-Committees and Working Group members agreed that they should not be limited to specific SEC Sections. However, a Proposal that a Sub-Committee raises should be related to that Sub-Committee's activities. This can be defined within their respective terms of reference.

The Working Group noted that within a Sub-Committee or the Alt HAN Forum, a representative must be appointed when raising a Proposal. This person will act on behalf of the Sub-Committee as role of Proposer. It was noted that SEC Section D already requires a Proposal to have a named Proposer, and, where applicable, a named representative working on their behalf.

Previous modifications with voluntary Proposers

Past SEC Panel and SECAS initiated modifications

The SEC Panel and SECAS (as the Code Administrator) are in a position where issues within the SEC can frequently and quickly be identified, due to their central role in the arrangements. However, they cannot take direct action to rectify these issues, but instead must seek out a Proposer to sponsor a proposal on their behalf. This has occurred frequently in the past as outlined in the table below:

Past SEC Panel or SECAS initiated modifications		
Modifications with volunteer Proposers	Initiator	Status
SECMP0047 'Default Provisions for Other SEC Parties'	SEC Panel	Implemented
SECMP0049 'Section D Review: Amendments to the Modification Process'	SECAS	Implemented
SEMP0050 'Section D Review: Moving the Working Group Terms of Reference to a separate document'	SECAS	Implemented
SECMP0051 'Section D Review: Amendments to the Fast Track Modification process'	SECAS	Implemented
SECMP0055 'Incorporation of multiple Issue Resolution Proposals into the SEC'	SECAS	Implemented
SECMP0061 'Enduring SEC Release Provisions'	SEC Panel	Implemented
SECMP0069 'EU Exit Changes'	SECAS	Implemented
MP0076 'Pursuing Non-Payment in Events of Default'	SEC Panel	Implemented
MP078 'Incorporation of multiple Issue Resolution Proposals into the SEC - Part 2'	SECAS	Refinement Process
MP079 'Provisions for withdrawing modifications'	SECAS	Report Phase
MP084 'Other User Panel Seating Amendment'	SEC Panel	Refinement Process
MP088 'Power to raise modifications'	SECAS	Refinement Process
DP095 'Alignment of SEC Credit Cover'	SEC Panel	Development Stage
DP098 'Incorporation of multiple Issue Resolution Proposals into the SEC - Batch 3'	SECAS	Development Stage

Additionally, SECAS is now responsible for Non GBCS Non Mandated Alerts (NGNM)¹ and Issue Resolution Proposals (IRPs) passed from the Department of Business, Energy and Industrial Strategy (BEIS) with the expectation that these will be implemented within the SEC. This is where [SECMP0055](#), [MP078](#), [MP090](#), [DP098](#) and [DP099](#) have stemmed from. SECAS is setting up an enduring process to coordinate these changes and implement them in an efficient manner. As this will be an enduring process, seeking a Proposer each time will hamper the efficiency of the process.

Although under the current SEC arrangements these Proposals have been raised by seeking a volunteer Proposer, it is generally the same organisations that are willing to do this and are relied on heavily. This should not be considered an enduring process as it puts an unfair burden on these organisations. SEC Proposals are Proposer-led, and therefore ultimately, they would have to make decisions on a Proposal that did not originate from them. Additionally, if one of these Proposals becomes controversial, it could reflect negatively on the Proposer and add extra burden.

Alt HAN Forum initiated modifications

As the Alt HAN Arrangements and the Alt HAN Company (AltHANCo) develop, there will be discrepancies that are identified between the SEC and what is occurring in actuality. The Alt HAN Forum has requested modifications be raised in the past to align these discrepancies within the SEC as below:

¹ <https://smartenergycodecompany.co.uk/the-developing-sec/>

Past Alt HAN-initiated modifications	
Modifications with volunteer Proposers	Status
SECMP0064 'Alt HAN Co permission to seek access for Alt HAN Activities as a representative of energy suppliers'	Implemented
SECMP0070 'Permission to give Alt HAN Forum vires for enduring management and maintenance of the Exempt Premises List (EPL)'	Implemented
MP082 '2.4GHz Channel Management'	Refinement Process
MP086 'Alt HAN Roll-Out Financing'	Report Phase

In such cases the Alt HAN Forum has sought a Proposer to raise a Draft Proposal. However, all contact the Code Administrator has had for these Draft Proposal is with an AltHANCo or Alt HAN Forum representative, rather than the Proposer themselves.

How does this modification relate to the CACoP provisions?

Code Administration Code of Practice (CACoP) Principle 6² places the ownership for modifications on their Proposers. A Proposer has the right to full ownership over their preferred solution, including the sole right to amend Proposed Solutions (with Working Groups owning and amending Alternative Solutions). Under the current SEC arrangement, a volunteer Proposer may not have the same level of interest in a modification as if they had put forward the modification themselves.

² A Proposer of a Modification will retain ownership of the detail of their solution

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8. Conclusions

Benefits and drawbacks

The Proposer and the Working Group have identified the following benefits and drawbacks in implementing this modification:

Benefits

- An increase in efficiency in the modifications process where a Proposal is initiated by the identified parties.

Drawbacks

- No drawbacks have been identified.

Proposer's rationale against the General SEC Objectives

Objective (g)³

The Proposer believes that MP088 will better facilitate SEC Objective (g) by increasing the efficiency of administration of SEC Section D 'Modifications' by reducing the time required to find a willing volunteer Proposer and to have the ownership of such Modifications in the hands of owners who are engaged in the process.

Working Group members' views

Working Group members are in support of MP088. They agree with the benefits that this modification will introduce in increasing the efficiency of raising certain proposals to modify the SEC.

Consultation respondents' views

The respondents to the Refinement Consultation have mixed views on the solution being put forward. Five responses were received, from one Large Supplier and four Network Parties. Those that agree with the solution described believe MP088 would better facilitate SEC objective (g). The two respondents opposed to the solution believe that the current SEC arrangements are satisfactory for raising Proposals.

The full responses to the Refinement Consultation can be found in Annex B

Sub-Committee views

The Sub-Committees are in support of this modification and are in support of these provisions being extended to the Sub-Committees, restricted by their terms of reference.

³ Facilitate the efficient and transparent administration and implementation of the SEC

Appendix 1: Glossary

This table lists all the acronyms used in this document and the full term they are an abbreviation for.

Glossary	
Acronym	Full term
Alt HAN	Alternative Home Area Network
Alt HAN Co	Alternative Home Area Network Company
BEIS	Department of Business, Energy and Industrial Strategy
CACoP	Code Administrators Code of Practice
CUSC	Connection Use of System Code
DCC	Data Communications Company
IRP	Issue Resolution Proposal
NGNM Alerts	Non GBCS Non Mandate Alerts
SCR	Significant Code Review
SEC	Smart Energy Code
SECAS	Smart Energy Code Administrator and Secretariat
SMKI PMA	Smart Metering Key Infrastructure Policy Management Authority
SSC	Security Sub-Committee



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MP088 ‘Power to raise modifications’

Annex A

Legal text – version 1.0

About this document

This document contains the redlined changes to the SEC that would be required to deliver this Modification Proposal.

These changes have been drafted against SEC Version 6.21.

Section D ‘Modification process’

Amend Section D1.3 as follows:

D1. RAISING DRAFT PROPOSALS

Modifications

D1.1 This Code may only be varied in accordance with the provisions of this Section D.

D1.2 Each variation of this Code must commence with a proposal made in accordance with the provisions of this Section D1 (a **Draft Proposal**) or a direction under Section D9A (Authority-Led Variations).

Persons Entitled to Submit Draft Proposals

D1.3 A Draft Proposal may be submitted by any of the following persons (the **Proposer**):

- (a) a Party;
- (b) Citizens Advice or Citizens Advice Scotland;
- (c) any person or body that may from time to time be designated in writing by the Authority for the purpose of this Section D1.3;
- (d) the Authority or the DCC acting at the direction of the Authority, but in each case only in respect of variations to this Code which:
 - (i) the Authority reasonably considers are necessary to comply with or implement the EU Regulations, any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators; and/or
 - (ii) are in respect of a Significant Code Review; ~~and~~
- (e) the Panel;
~~the Panel (where all Panel Members at the relevant meeting vote unanimously in favour of doing so), but only in respect of variations to this Code which are intended to give effect to:~~
 - ~~(i) recommendations contained in a report published by the Panel pursuant to Section C2.3(i) (Panel Duties);~~
 - ~~(ii) recommendations contained in a report published by the Code Administrator pursuant to Section C7.2(c) (Code Administrator);~~

~~(iii) Fast-Track Modifications (as described in Section D2.8 (Fast-Track Modifications)); and/or~~

~~(iv) consequential changes to this Code required as a result of changes proposed or already made to one or more other Energy Codes;~~

(f) the Code Administrator;

(g) Sub-Committees, where the Draft Proposal relates to the powers, duties and functions of that Sub-Committee as defined by the Panel in accordance with SEC Section C6.10; and

(h) the Alt HAN Forum, where the Draft Proposal has a material effect on the Alt HAN Arrangements.

Section G ‘Security’

Amend Section G7.23 as follows:

Modifications

G7.22 The Security Sub-Committee shall establish a process under which the Code Administrator monitors Draft Proposals and Modification Proposals with a view to identifying (and bringing to the attention of the Security Sub-Committee) those proposals that:

- (a) are likely to affect the Security Obligations and Assurance Arrangements; or
- (b) are likely to relate to other parts of the Code but may have a material effect on the security of the End-to-End Smart Metering System,

and the Code Administrator shall comply with such process.

G7.23 Not used.

~~Notwithstanding Section D1.3 (Persons Entitled to Submit Draft Proposals):-~~

- ~~(a) the Security Sub-Committee shall be entitled to submit Draft Proposals in respect of the Security Obligations and Assurance Arrangements where the Security Sub-Committee considers it appropriate to do so; and~~
- ~~(b) any Security Sub-Committee Member shall be entitled to submit Draft Proposals in respect of the Security Obligations and Assurance Arrangements where he or she considers it appropriate to do so (where the Security Sub-Committee has voted not to do so).~~

G7.24 Notwithstanding and subject to the provisions of the Working Group Terms of Reference, the Security Sub-Committee shall be entitled to nominate a representative to be a member of any Working Group.

Section L ‘Smart Metering Key Infrastructure and DCC Key Infrastructure’

Amend Section L1.19 as follows:

L1.18 The SMKI PMA shall establish a process whereby the Code Administrator monitors Draft Proposals and Modification Proposals with a view to identifying (and bringing to the SMKI PMA’s attention) those proposals that are likely to affect the SMKI SEC Documents. The Code Administrator shall comply with such process.

~~Modification of the SMKI SEC Documents by the SMKI PMA~~

L1.19 Not used.

~~Notwithstanding Section D1.3 (Persons Entitled to Submit Draft Proposals):~~

~~(a) the SMKI PMA shall be entitled to submit Draft Proposals in respect of the SMKI SEC Documents where the SMKI PMA considers it appropriate to do so; and~~

~~(b) any SMKI PMA Member shall be entitled to submit Draft Proposals in respect of the SMKI SEC Documents where he or she considers it appropriate to do so (where the SMKI PMA has voted not to do so).~~

L2. SMKI ASSURANCE

SMKI Compliance Policy

L2.18 The SMKI PMA shall exercise the functions allocated to it by the SMKI Compliance Policy.

L2.19 The DCC shall procure all such services as are required for the purposes of complying with its obligations under the SMKI Compliance Policy.

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MP088 ‘Power to raise modifications’

Annex B

Refinement Consultation responses

About this document

This document contains the full collated responses received to the MP088 Refinement Consultation.

Question 1: Do you agree with the solution put forward?

Question 1			
Respondent	Category	Response	Rationale
EDF Energy	Large Supplier	Yes	We agree that the power to raise Modifications should be extended to the additional parties/groups detailed in the Modification Report and in the legal text.
Northern Gas Networks	Network Party		We support the proposal that there should be a mechanism for certain changes initiated by the Smart Energy Code (SEC) Panel, Code Administrator, SEC Sub-Committees and the Alternative Home Area Network (Alt HAN) Forum to be raised without the need for a SEC Party sponsor. This should reduce the time required for the proposal to enter the Modification Process, thus improving efficiency. There could also be the added benefit of the proposer being more engaged in the Modification Process as they are the original initiator of the change, instead of a volunteer sponsor.
Scottish and Southern Electricity Networks	Network Party	Yes	SSEN agree that the current process does not allow for an efficient method for SECAS to raise a modification proposal. SSEN also agree that needing to find a sponsor adds that then must devote time and effort creates additional delays and effort which is unnecessary.
Electricity North West Limited	Network Party	No	We can understand the frustrations of having to find a sponsor for a change, but from an open governance perspective are uncomfortable with the principle of the SEC Panel and SECAS being able to raise change proposals under any other circumstances than those already detailed in the SEC. We believe that the current approach under the SEC is appropriate.
Western Power Distribution	Network Party	No	We don't believe that this modification better facilitates the SEC Objectives and don't agree with the solution, see additional comments in Question 8.

Question 2: Will there be any impact on your organisation to implement MP088?

Question 2			
Respondent	Category	Response	Rationale
EDF Energy	Large Supplier	No	We would not be directly impacted by MP088. However, this change would mean that we are no longer asked to raise Modifications on behalf on groups that would now be able to raise changes on their own, which will result in a small resource saving.
Northern Gas Networks	Network Party		No impacts to NGN have been identified as a result of this proposal.
Scottish and Southern Electricity Networks	Network Party	No	
Electricity North West Limited	Network Party	No	
Western Power Distribution	Network Party	Yes	We will potentially have to review more SEC Modifications that are raised.

Question 3: Will your organisation incur any costs in implementing MP088?

Question 3			
Respondent	Category	Response	Rationale
EDF Energy	Large Supplier	No	We will incur no costs as a result of implementing MP088.
Northern Gas Networks	Network Party		No additional costs to NGN have been identified as a result of this proposal.
Scottish and Southern Electricity Networks	Network Party	No	
Electricity North West Limited	Network Party	No	
Western Power Distribution	Network Party	Yes	There is the potential for additional resource required to review an increased number of Modifications.

Question 4: Do you believe that MP088 would better facilitate the General SEC Objectives?

Question 4			
Respondent	Category	Response	Rationale
EDF Energy	Large Supplier	Yes	We agree that MP088 would better facilitate SEC Objective (g) by enabling Modifications to be raised more quickly and by the groups/parties that have identified the need for a change to be made. This should improve the timeliness and efficiency of the Modifications process.
Northern Gas Networks	Network Party		We agree that this proposal should further General SEC Objective (g) to facilitate the efficient and transparent administration and implementation of the SEC as it should make the Modification Process more efficient by reducing the need for SEC Party sponsors and the time taken for a proposal to enter the process, and more transparent by allowing the initiating Party to be considered the formal proposer.
Scottish and Southern Electricity Networks	Network Party	Yes	SSEN agree that this Modification will better facilitate SEC Objective (g) by increasing the efficiency of administration of SEC Section D 'Modifications'.
Electricity North West Limited	Network Party	No	The modification report notes that MP088 would better facilitate General SEC Objective (g) which is ' <i>to facilitate the efficient and transparent administration of this Code</i> ', but we are having difficulty with the transparency aspect of the Panel being able to independently review a proposed change if the Panel had also raised the change, resulting in a negative impact on this objective. We believe having a Party to sponsor a change is good practice and should ensure that required changes are taken forward.
Western Power Distribution	Network Party	No	We don't feel that this modification better facilitates any of the SEC Objectives.

Question 5: Noting the costs and benefits of this modification, do you believe MP088 should be approved?

Question 5			
Respondent	Category	Response	Rationale
EDF Energy	Large Supplier	Yes	
Northern Gas Networks	Network Party		We believe that this proposal could be approved, as only administrative costs are expected for implementation and it could benefit the industry by allowing certain proposals to be raised without the need for a SEC Party sponsor and to enter the Modification Process more quickly.
Scottish and Southern Electricity Networks	Network Party	Yes	SSEN agree as this is only a wording change to the SEC.
Electricity North West Limited	Network Party	No	Please see response to Question 4. We have also noted that under MP079 the substantial costs associated with progressing changes so do consider it is important to have a sponsor in place to lead on the change.
Western Power Distribution	Network Party	No	See responses to Question 1, Question 4 and Question 8.

Question 6: Do you agree with the proposed implementation approach?

Question 6			
Respondent	Category	Response	Rationale
EDF Energy	Large Supplier	Yes	We agree that this change should be made in the earliest SEC Release possible.
Northern Gas Networks	Network Party		We have no objection to the proposal to include this change in the June 2020 SEC Release, with a contingency release of November 2020.
Scottish and Southern Electricity Networks	Network Party	Yes	SSEN agree with the dates suggested within the modification report.
Electricity North West Limited	Network Party	Yes	The implementation approach does seem reasonable.
Western Power Distribution	Network Party	Yes	We believe that if the solution is approved it should be implemented as soon as possible.

Question 7: Do you agree that the legal text will deliver MP088?

Question 7			
Respondent	Category	Response	Rationale
EDF Energy	Large Supplier	No	<p>The changes to Section D and Section g appear correct.</p> <p>We do not understand the proposed changes to Section L; not only does the document refer to Section G (we assume this is a typo) but it is not clear that any changes would be required in Section L2. SMKI ASSURANCE. We believe the only changes required to Section L should be to remove the section 'Modification of the SMKI SEC Documents by the SMKI PMA' in its entirety; no further changes should be required.</p>
Northern Gas Networks	Network Party		We believe that the Legal Text provided should deliver the solution set out in the modification.
Scottish and Southern Electricity Networks	Network Party	Yes	SSEN agree that the legal text changes within section D will assist in delivering SECMP088.
Electricity North West Limited	Network Party	Yes	We believe the legal text as drafted will deliver the intent of this modification proposal.
Western Power Distribution	Network Party	Yes	We agree that the legal text delivers the solution proposed.

Question 8: Please provide any further comments you may have

Question 8		
Respondent	Category	Comments
EDF Energy	Large Supplier	
Northern Gas Networks	Network Party	As presently drafted, the Legal Text indicates that the SEC Panel and the Code Administrator have no limitations on the type of proposals they may raise. Our view is that there should be limitations on what proposals are acceptable without the need for a SEC Party sponsor. A few examples could be housekeeping, Modification Process amendments and Ofgem/BEIS Directed changes.
Scottish and Southern Electricity Networks	Network Party	N/A
Electricity North West Limited	Network Party	Would it be prudent to wait for the outputs from the BEIS/Ofgem consultation on reforming the energy codes before progressing this change? Is there still scope to make better use of the existing process for raising a change?
Western Power Distribution	Network Party	<p>Whilst we understand the problem being raised and do not want to see modifications being blocked or delayed, we question whether this is truly a problem. It appears in the consultation that although there are a number of modifications that were initiated by the Panel, SECAS or a Sub Committee, all of these modifications have been raised and are in the process, therefore implying that the current process is not a blocker. There is no evidence to advise time delays caused by trying to find a volunteer proposer.</p> <p>Although some codes allow the Code Administrator to raise proposals, other codes, such as MRA and BSC don't and this does not cause an issue. We would question whether if a committee felt that a modification was required, why a member of the committee would not be willing to raise that change. Could this be</p>

Question 8		
Respondent	Category	Comments
		<p>included as a requirement in the membership? Alternatively, the MRA allows MRASCO to raise a Change Proposal as long as there is an appropriate sponsor, would this potentially be more suitable?</p> <p>Another question we have is around conflict of interest if you allowed a committee to raise a modification, who will then also be the working group, (we understand that there might be certain circumstances where this is appropriate, i.e. specialist security areas).</p> <p>If this modification is approved, we seek clarification on how the Panel or a Sub Committee agree a modification should be raised by them? Is it by vote and if so majority or unanimous? Is it appropriate for SECAS to be able to raise modifications without this type of validation or approval?</p>