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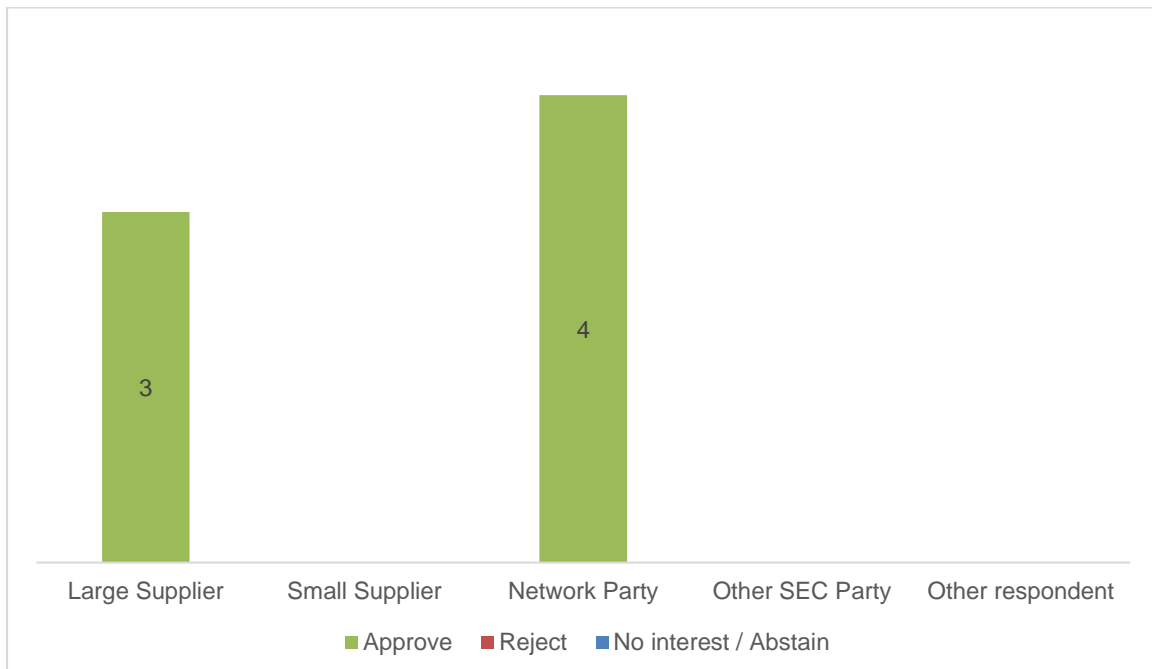
MP079 ‘Provisions for withdrawing modifications’

Modification Report Consultation responses

About this document

This document contains the full non-confidential collated responses received to the MP079 Modification Report Consultation.

Summary of responses



Question 1: Do you believe that MP079 should be approved?

Question 1			
Respondent	Category	Response	Rationale
EDF Energy Customers Ltd	Large Supplier	Approve	We agree that MP079 will better facilitate SEC Objective (g) as it will ensure that changes that are not being progressing through the change process are removed from the process, making that process more efficient.
Northern Gas Networks	Networks Party	Approve	<p>As long as sufficient justification and an opportunity for comments and appeal are provided, we agree that this proposal should be approved as the benefits of an improved Modification Process should outweigh the administration costs required to implement the change.</p> <p>This proposal should further SEC Objective g) to facilitate the efficient and transparent administration and implementation of the SEC as the efficiency of the Modification Process should be improved by ensuring that Parties' time and budget are not spent on modifications which are clearly unlikely to be implemented or have stagnated for a long period of time.</p>
Western Power Distribution	Networks Party	Approve	We believe that this modification should be approved as it would better facilitate SEC Objective (g) by aiding efficient administration of the Code and avoiding unnecessary work, time and resource being wasted.
Electricity North West Limited	Networks Party	Approve	<p>Protections have been introduced since the refinement consultation clarifying the circumstances covering the withdrawal of a modification including the Panel providing its rationale taking into consideration the General SEC Objectives together with the views of the Change Sub-Committee, the Working Group and any other representation from Parties and that all proposals are likely to progress to at least the refinement consultation phase.</p> <p>Consequently, we believe this change will better facilitate General SEC Objective (g) enhancing the <i>efficient and transparent administration and implementation of this Code</i>.</p>

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Question 1			
Respondent	Category	Response	Rationale
Scottish and Southern Electricity Networks	Networks Party	Approve	SSEN agree that this modification will assist in delivering SEC objective (g). We support the proposal as this should assist in reducing the time, resource and cost spent on Modification Proposals that are unlikely to progress to implementation due to various reasons. The modification also contains protections for the industry by requiring Panel to publish information or reasons of withdrawal whilst containing the ability to allow the proposer and parties to provide comments and appeal against these decisions.
E.ON	Large Supplier	Approve	E.ON supports this proposal with the inclusion of the “Right of appeal of Panel’s decision to Withdraw” process.
Centrica	Large Supplier	Approve	<p>As per the modification report, we believe that MP079 will better facilitate SEC Objective (g) as by allowing the Panel to be able to step in and close a clearly unsupported or unfeasible proposal early once it has had a fair hearing will improve efficiency in the Modifications Process. The industry time, cost and effort that would otherwise have been spent in progressing such a proposal to a final decision would be saved and could be invested in other proposals that have a greater chance of success.</p> <p>We do not see any disadvantage from implementation of this proposal. There are limited / no implementation costs so the frequency of use of Panel exercising their ability to withdraw modifications is not a concern. We also believe that the modification legal text includes enough protection to the proposer and other Users such that is unlikely that Panel could make decisions that have a detrimental or adverse impact.</p>

Question 2: Please provide any further comments you may have

Question 2		
Respondent	Category	Comments
EDF Energy Customers Ltd	Large Supplier	No comment.
Northern Gas Networks	Networks Party	As stated in our refinement consultation response, we believe that the proposed solution is not currently part of any energy code and feel it would be beneficial to obtain Ofgem's agreement to act as the appeal body prior to the proposal being sent for Authority Direction.
Western Power Distribution	Networks Party	Having reviewed the legal text we have the following comments: <ul style="list-style-type: none"> 1) There doesn't appear to be a section that states that the Secretariat will inform Parties of an Authority-Initiated Modification being withdrawn. 2) Whilst we understand that a Proposer may wish to withdraw a modification for a variety of reasons and a Party may wish to adopt the modification, we question if a Party should be able to adopt a modification that the SEC Panel has decided requires withdrawal. If the Panel has rejected with reference to the SEC Objectives and industry views, I am unsure what the benefit would be of another Party adopting the modification.
Electricity North West	Networks Party	Where a modification is, for example, 'under appeal' from being withdrawn will the status in the Modifications Register reflect this?
Scottish and Southern Electricity Networks	Networks Party	No comment.
E.ON	Large Supplier	No comment.
Centrica	Large Supplier	No comment.

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