SECTION X: TRANSITION

X1 GENERAL PROVISIONS REGARDING TRANSITION

Overriding Nature of this Section

X1.1 The provisions of this Section X shall apply notwithstanding, and shall override, any other provision of this Code.

Transition Objective

X1.2 The objective to be achieved pursuant to this Section X (the "**Transition Objective**") is the efficient, economical, co-ordinated, timely, and secure process of transition to the Completion of Implementation.

X1.3 The "**Completion of Implementation**" shall occur on the date designated for the purpose of this Section X1.3 by the Secretary of State (or such person as the Secretary of State may designate for the purposes of this Section X1.3), once the Secretary of State (or the person so designated) is of the opinion that:

(a) the documents referred to in Section X5 and that the Secretary of State (or the person so designated) considers material to the implementation of this Code have been incorporated into this Code in accordance with that Section;

(b) the provisions of this Code that the Secretary of State (or the person so designated) considers material to the implementation of this Code apply in full without any variation pursuant to this Section X (or, where any such variations do apply, the requirements of Sections X1.3(c) will still be met despite such variations ending in accordance with Section X1.5(a) and/or X1.5A(a)); and

(c) each Party that holds an Energy Licence is (or would be had such Party acted in accordance with Good Industry Practice) reasonably able (on the assumption that such Party acts in accordance with Good Industry Practice) to perform its obligations, and to exercise its rights, under this Code to the extent that the Secretary of State (or the person so designated) considers such obligations or rights material to the implementation of this Code.

X1.4 Before designating a date for the purpose of Section X1.3, the Secretary of State (or the person designated for the purposes of this Section X1.3) must consult the Authority, the Panel and the Parties in respect of the proposed date. Such consultation must allow such period of time as the Secretary of State (or the person so designated) considers appropriate in the circumstances within which representations or objections may be made.

Ending of the Application of this Section X

X1.5 With effect from the earlier of:

(a) Completion of Implementation; or

(b) 31 October 2018,

this Code shall automatically be modified so as to delete the following provisions of this Section X (and all variations to this Code provided for in, or made by directions pursuant to, the following provisions shall cease to apply):

(i) Section X1.11;

(ii) Section X2 (Effective Provisions at Designation), except for:

(A) Section X2.3(d), which shall continue to apply, but re-numbered as Section X2.1; and

(B) Sections X2.7 and X2.8, which shall continue to apply, but re-numbered as Sections X2.2 and X2.3 respectively;

(iii) Section X3 (Provisions to Become Effective Following Designation), except for:

(A) Section X3.1, which shall continue to apply, but amended to read: "Each Section, Schedule and SEC Subsidiary Document (or any part thereof) shall be effective, unless (at the time of a provision being added or modified by the Secretary of State pursuant to section 88 of the Energy Act 2008) the Secretary of State directs that such addition or modification is not to have effect, or is not to have effect until a later date. Where the

Secretary of State directs that an addition or modification is not to have effect, the Secretary of State may subsequently designate a date from which it is to have effect."; and

(B) Section X3.9, which shall continue to apply, but re-numbered as X3.2;

(iv) Section X4 (Governance Set-up Arrangements);

(v) Section X6 (Transitional Variations);

(vi) Section X7 (Transitional Incident Management Procedures);

(vii) Section X8 (Developing CH Support Materials); and

(viii) Section X10 (Threshold Anomaly Detection Procedures).

X1.5A With effect from the earlier of:

(a) Completion of Implementation; or

(b) 31 December 2020,

this Section X (and any variations to this Code provided for in, or made by directions pursuant to, this Section X) shall cease to apply (save as set out in Section X5.8), and this Code shall automatically be modified so as to delete this Section X.

General Obligations

X1.6 Each Party shall take all reasonable steps to do all such things as are within its power and necessary or expedient in order to facilitate achievement of the Transition Objective.

X1.7 Each Party shall provide such reasonable co-operation and assistance to the other Parties and to the Panel as may be necessary to facilitate compliance with the provisions of this Section X, and with any variations to this Code provided for in (or made by directions pursuant to) this Section X.

X1.8 Without prejudice to its legal rights, no Party shall take any step, or exercise any right, which is intended to (or might reasonably be expected to) hinder or frustrate the

achievement of the Transition Objective.

Information

X1.9 Each Party shall provide to the Secretary of State, in such manner and at such times as the Secretary of State may reasonably require, such Data as the Secretary of State may reasonably require in order to enable the Secretary of State to assess progress towards (and to facilitate) achievement of the Transition Objective. No Party shall be obliged to provide information under this Section X1.9 where such Party is obliged to provide such information under its Energy Licence, or where such information is expressly excluded from the information that such Party is obliged to provide under its Energy Licence.

X1.10 If a Party is aware of any matter or circumstance which it considers will materially delay or frustrate the achievement of the Transition Objective, that Party shall promptly inform the Secretary of State of such matter or circumstance.

Network Parties to become Subscribers

X1.11 Prior to the commencement of the provision of Enrolment Services by the DCC pursuant to Section H5 (Smart Metering Inventory and Enrolment Services), each Network Party shall ensure that it has become a Subscriber for those Organisation Certificates which pertain to it and that are required by Responsible Suppliers for the purpose of complying with their obligations under Clause 5 (Post-Commissioning Obligations) of the Inventory Enrolment and Decommissioning Procedures.

Day-One Elective Communication Services

X1.12 Where the Secretary of State designates one or more draft Bilateral Agreements for the purposes of this Section X1.12 (each of which drafts must specify the potential Elective Communication Services to be provided thereunder, and the DCC's potential counterparty thereunder), then:

(a) the DCC shall, within 10 Working Days thereafter, make a formal offer to each of the counterparties in question for the Elective Communication Services in question as if Section H7.12 (Formal Offer) applied;

(b) such offer shall be on the basis of the draft Bilateral Agreement designated by the Secretary of State (subject only to the addition of the applicable Elective Charges, any termination fee and any credit support requirements);

(c) the counterparty shall be under no obligation to accept such offer; and

(d) any agreement entered into pursuant to this Section X1.12 shall be a Bilateral Agreement.

Disputes

X1.13 In the event of any dispute between the Parties (or between the Panel and any Party) as to whether a particular Party is obliged to undertake a particular activity pursuant to Section X1.6 to X1.12 (inclusive), a Party (or the Panel) may refer the matter to the Secretary of State (or, where designated by the Secretary of State for such purposes, the Panel or the Authority) for determination (which determination may include a requirement to comply with such terms and conditions as the person making it considers appropriate in all the circumstances of the case). Any determination by the Secretary of State or by the Authority pursuant to this Section X1.13 shall be final and binding for the purposes of this Section X1. Any determination by the Panel pursuant to this Section X1.13 shall be subject to appeal to the Secretary of State (or, where designated by the Secretary of State for such purposes, to the Authority), the determination of such appeal being final and binding for the purposes of this Section X1.

Modification of this Section X

X1.14 The variations to this Code provided for in, or made by directions pursuant to, this Section X shall not constitute modifications that should be subject to Section D (Modification Process). For the avoidance of doubt, this Section X shall be capable of being modified under Section D (Modification Process).

SECCo

X1.15 The provisions of this Section X1 (and the definitions used in this Section) shall apply to SECCo as if SECCo was a Party.

Publication of Draft Subsidiary Documents by the DCC

X1.16 Where, pursuant to this Code or the DCC Licence, the DCC is required to prepare or produce and to consult upon a draft (or further draft) of a document (or to resubmit a document) that is intended to be incorporated into this Code as a SEC Subsidiary Document, the DCC shall, at or around the same time as the DCC sends such document to the Secretary of State, publish on the DCC Website:

(a) a copy of the document sent to the Secretary of State; and

(b) a summary of any material comments raised in response to the consultation and a brief description of the reasons why any associated changes to the document were or were not made.

Testing in respect of Additional Release Services

X1.17 A Party seeking to become a User for a particular User Role must undertake the User Entry Process Tests relevant to that User Role, as described in Sections H1 (User Entry Process) and H14 (Testing). Completion of User Entry Process Tests by certain Parties in relation to certain User Roles also forms part of Interface Testing under Section T3 (Interface Testing), and (for so long as Section T4 (End-to-End Testing) applies) User Entry Process Test are to be undertaken as part of End-to-End Testing. Certain Services are only available to Parties that have become a User for the applicable User Role, as described in Section H3 (DCC User Interface) and the DCC User Interface Services Schedule. Where the Secretary of State makes directions pursuant to Section X3 (Provisions to Become Effective Following Designation) whereby the Common Test Scenarios Document is varied on it first becoming effective so that there are Service Requests that are deemed to be omitted from the document, then the following provisions shall apply:

(a) the Service Requests that are subject to such a direction shall, for so long as the variation in respect of that Service Request remains in effect, be "**Additional Release Services**";

(b) Parties that start User Entry Process Tests at a time where there are Additional Release Services shall undertake (and be able to successfully complete) the User Entry Process Tests without reference to those Additional Release Services;

(c) a User that completes User Entry Process Tests that did not include testing of Service Requests that used to be (but are no longer) Additional Release Services shall (notwithstanding any other provision of this Code) not be an Eligible User for those Service Requests until that User has successfully completed the applicable Additional SR Tests for those Service Requests; and

(d) "**Additional SR Tests**" means, in respect of one or more Service Requests that used to be (but are no longer) Additional Release Services, testing equivalent to User Entry Process Tests but undertaken only in respect of those Service Requests. Accordingly, and without limitation, the following shall apply:

(i) Additional SR Tests shall constitute a Testing Service, and shall therefore be subject to the provisions of Section H14 (Testing Services);

(ii) Additional SR Tests shall be provided by the DCC, and shall be capable of being undertaken by Parties, in accordance with Sections H14.12 to H14.21 (User Entry Process Tests), but:

(A) construed by reference to only those relevant Service Requests;

(B) where a Party has already demonstrated capability for the purposes of User Entry Process Tests, this can be relied upon for the purposes of the Additional SR Tests (unless the DCC considers that this is not appropriate for those Additional SR Tests);

(C) potentially (as provided for in the Common Test Scenarios Document) without the need to re-test the DCC Gateway Connection;

(D) without the need to re-test the Self-Service Interface; and

(E) subject to any other exceptions provided for in the Common Test Scenarios Document; and

(e) any provisions from time to time applying to User Entry Process Tests pursuant to the Interface Testing Approach Document or the End-to-End

Testing Approach Document shall apply equally to Additional SR Tests (unless otherwise set out in those approach documents).

DCC Live Services Criteria Report

X1.18 This Section X1.18 shall apply where the DCC produces a report concerning its readiness to commence provision of the Services (or any part of the Services), and where the Secretary of State directs the Panel to review that report. Where this Section X1.18 applies, the Panel shall review the DCC's report and report to the Secretary of State in accordance with the criteria, scope and timing specified in the Secretary of State's direction.

Developing ETAD for RDP Entry Process Tests

X1.19 The DCC shall develop a revised Enduring Testing Approach Document which provides the detailed processes concerning the RDP Entry Process Tests in accordance with Section X1.20, such that the revised document can be re-designated pursuant to Section X5 (Incorporation of Certain Documents into this Code). The revisions shall include the following in respect of the RDP Entry Process Tests:

(a) entry criteria for RDPs wishing to undertake the tests;

(b) exit criteria demonstrating successful completion of the tests; and

(c) the process for first exchanging between the RDP and the DCC a full set of the Data to be exchanged under Section E2 (Provision of Data).

X1.20 The procedure by which the DCC is to develop the revisions to the Enduring Testing Approach Document is as follows:

(a) the DCC shall produce a draft by such date as the Secretary of State may direct;

(b) in producing the draft, the DCC must consult appropriately with Parties and other interested persons;

(c) where disagreements with the Parties arise concerning the proposed content of the draft, the DCC shall seek to reach an agreed solution with them, but without prejudice to the purposes of the document;

(d) having complied with (b) and (c) above, the DCC shall submit the draft revisions to the Secretary of State as soon as is reasonably practicable, and in any case by such date as the Secretary of State may direct;

(e) when submitting a draft under paragraph (d) above, the DCC shall indicate to the Secretary of State: (i) why the DCC considers the draft to be fit for purpose; (ii) copies of the consultation responses received; and (iii) any areas of disagreement that arose during the consultation process and that have not been resolved; and

(f) the DCC must comply with the requirements with respect to process, timeframe and/or further development of content in any direction that is given by the Secretary of State regarding the draft document.

X2 EFFECTIVE PROVISIONS AT DESIGNATION

Provisions to have Effect from Designation

X2.1 The following Sections, Schedules and SEC Subsidiary Documents shall be effective from the date of this Code's designation (subject to the other provisions of this Section X):

(a) Section A (Definitions and Interpretation);

(b) Section B (Accession);

(c) Section C (Governance);

(d) Section D (Modification Process);

(e) Section E (Registration Data);

(f) Section K (Charging Methodology);

(g) Section M (General);

(h) Section X (Transition);

(i) Schedule 1 (Framework Agreement);

(j) Schedule 2 (Specimen Accession Agreement);

(k) Schedule 4 (Establishment of SECCo);

(l) Schedule 5 (Accession Information); and

(m) Schedule 6 (Specimen Form Letter of Credit).

Effectiveness of Section J

X2.2 Section J (Charges) shall be effective (subject to the other provisions of this Section X) from the earlier of:

(a) the date three months after the date of this Code's designation; or

(b) the date notified by the DCC to the other Original Parties on not less than 10

Working Days prior notice (on the basis that the DCC may only specify one such date from which date all of Section J shall be effective),

provided that the DCC shall be entitled to recover Charges in respect of the period from the designation of this Code.

Variations in respect of Section D

X2.3 Notwithstanding that Section D (Modifications) is stated in Section X2.1 to be effective, it shall, until the date designated by the Secretary of State for the purposes of this Section X2.3, apply as varied by this Section X2.3. The variations to apply pursuant to this Section X2.3 are that Section D (Modifications) is to apply subject to the following:

(a) the only Modification Proposals that may be raised are:

(i) subject to paragraph (b), a Path 2 Modification or a Path 3 Modification which is not an Urgent Proposal;

(ii) a Fast-Track Modification which is not an Urgent Proposal; and

(iii) a Modification Proposal of any type that is an Urgent Proposal;

(b) where either a Path 2 Modification or Path 3 Modification which is not an Urgent Proposal is raised, Section D (Modifications) shall apply to the Modification Proposal subject to the following variations:

(i) Section D8.20 (Communicating the Change Board Vote) shall apply as if each reference in that Section to "the Authority" referred to "the Secretary of State and the Authority";

(ii) the following provisions shall apply as if each reference in them to “the Authority” referred to “the Secretary of State”: Section D8.3(a) (Effect of Change Board Decision); Section D9.2 (Path 1 Modifications and Path 2 Modifications); Section D9.3 (Send-Back Process); Section D9.4 (Path 3 Modifications); and Sections D10.5 and D10.6 (Subsequent Amendment to Implementation Timetable);

(c) any Modification Proposal that is raised by a Proposer on the basis that it is

urgent, but which is subsequently determined by the Authority (as provided for in Section D4) not to be an Urgent Proposal, shall be cancelled and shall not be progressed;

(d) the Secretary of State shall be entitled to direct the Panel to cancel or suspend any Modification Proposal, in which case the Panel shall cancel or suspend the Modification Proposal in question and it shall not then be further progressed or implemented (or, in the case of suspension, shall not then be further progressed or implemented until the Secretary of State so directs); and

(e) the Change Board need not be established on the designation of this Code, but the Panel shall establish the Change Board as soon as reasonably practicable after the designation of this Code, and until the Change Board is established the Panel shall perform the function of the Change Board in respect of Modification Proposals (in which case, the Panel shall vote on whether to approve or reject a Modification Proposal in accordance with the Panel Objectives and on the basis of a simple majority).

Variations in respect of Section E

X2.4 Notwithstanding that Section E (Registration Data) is stated in Section X2.1 to be effective, it shall, until the date designated by the Secretary of State for the purposes of this Section X2.4, apply as varied by this Section X2.4. The variations to apply pursuant to this Section X2.4 are that Section E (Registration Data) is to apply as if:

(a) the information to be provided under Sections E2.1 and E2.2 is (subject to Section X2.4(b)) in respect of each Metering Point or Supply Meter Point (as applicable):

(i) the MPAN or MPRN (as applicable);

(ii) the identity of the person Registered for that Metering Point or Supply Meter Point (as applicable);

(iii) the identity of the Gas Network Party for the network to which the Supply Meter Point relates;

(iv) whether or not the Metering Point has a status that indicates that it is

energised;

(v) whether or not the Supply Meter Point has a status that indicates that gas is offtaken at that point;

(vi) the profile class (as referred to in Section E2.1) relating to each such Metering Point; and

(vii) whether the Supply Meter Point serves a Domestic Premises or a Non-Domestic Premises;

(b) the information to be provided under Section E2.2 in respect of the period until the end of the 15th of September 2015 (or such later date as the Secretary of State may direct) is capable of being provided either by reference to MPRNs or by reference to 'Supply Point Registration Numbers' (as defined in the UNC);

(c) the text at Sections E2.3 and E2.4 (Obligation on the DCC to Provide Data) was deleted;

(d) the text at Section E2.5 (Frequency of Data Exchanges) was replaced with "The Data to be provided in accordance with this Section E2 shall be provided or updated on the last Working Day of each month (or as soon as reasonably practicable thereafter), so as to show the position as at the end of the 15th day of that month" , and the variation set out in this paragraph (d) shall be capable of being cancelled with effect from different dates in respect of Sections E2.1, E2.2 and E2.3 (and the obligation in Section E2.5 to provide a full set of Data on Section E2.5 coming into full force and effect shall be an obligation to provide a full set of Data under Section E2.1, E2.2 or E2.3 on the variation to Section E2.5 being cancelled in respect of that Section);

(e) the text at Section E2.6 (Frequency of Data Exchanges) was replaced with "The Data to be provided in accordance with this Section E2 shall be provided in such format, and shall be aggregated in such manner, as the DCC may reasonably require in order to enable the DCC to comply with its obligations under the DCC Licence or this Code"; and

(f) the text at Sections E2.7 to E2.11 (inclusive) and E2.13 was deleted.[1]

Variations in respect of Section K

X2.5 Notwithstanding that Section K (Charging Methodology) is stated in Section X2.1 to be effective, it shall, until the date designated by the Secretary of State for the purposes of this Section X2.5, apply as varied by this Section X2.5. The variations to apply pursuant to this Section X2.5 are that:

(a) in respect of the Fixed Charges payable for each of the months up to and including November 2013 (or such later month as the Secretary of State may direct), the DCC shall calculate the Fixed Charges as if there were no Export Suppliers and as if all Export Suppliers were Import Suppliers (and the DCC shall not therefore require data in respect of such months pursuant to Section E2.1 that distinguishes between Import MPANs and Export MPANs); and

(b) insofar as the Registration Data provided to the DCC under Section E2.2 is by reference to 'Supply Points' (as defined in the UNC), rather than MPRNs, the DCC may calculate the number of Mandated Smart Metering Systems (as defined in Section K11.1) by reference to the number of such Supply Points.

Variations in respect of Section M

X2.6 Notwithstanding that Section M (General) is stated in Section X2.1 to be effective, it shall, until the date designated by the Secretary of State for the purposes of this Section X2.6, apply as varied by this Section X2.6. The variation to apply pursuant to this Section X2.6 is that Section M8.1(a) shall not apply.

General

X2.7 Where a Section is stated in this Section X2 to apply subject to more than one variation, then the Secretary of State may:

(a) designate different dates from which each such variation is to cease to apply; and/or

[1] The variation set out in this X2.4(f) ceased to apply from 6 July 2016 (see letter of 5 July 2016).

(b) designate a date from which one or more such variations are to cease to apply (without prejudice to the continued application of the other such variations).

X2.8 Before designating any dates for the purpose of this Section X2, the Secretary of State must consult the Authority, the Panel and the Parties in respect of the proposed date. Such consultation must allow such period of time as the Secretary of State considers appropriate in the circumstances within which to make representations or objections with respect to the proposed date. The requirement for consultation may be satisfied by consultation before, as well as after, the designation of this Code.

X3 PROVISIONS TO BECOME EFFECTIVE FOLLOWING DESIGNATION

Effective Dates

X3.1 Each Section, Schedule and SEC Subsidiary Document (or any part thereof) not referred to in Section X2.1 or X2.2 shall only be effective from the date:

(a) set out or otherwise described in this Section X3; or

(b) designated in respect of that provision by the Secretary of State for the purpose of this Section X3.

X3.2 The following Sections, Schedules and Appendices shall be effective from the following dates (subject to the other provisions of this Section X):

(a) the following provisions of Section F (Smart Metering System Requirements) shall have effect as follows:

(i) Section F1 (Technical Architecture and Business Architecture Sub-Committee) shall have effect from the date on which this Code is first modified to include that Section;

(ii) Sections F4.1 (Operational Functionality), F4.2 to F4.4 (Interoperability with DCC Systems), F4.5 (Remote Access by the DCC), F4.6 and F4.7 (Physical Access to Devices by Parties) and F4.8 (Communications with Communications Hubs by the DCC over the SM WAN) shall have effect from the date on which this Code is first modified to include this Section X3.2(a)(ii); and

(iii) Sections F4.10 to F4.13 (inclusive) (Communications Hub Procurement) shall have effect from the date on which this Code is first modified to include those Sections;

(b) Section F5 (Communications Hub Forecasting and Orders) shall have effect from the date designated by the Secretary of State for the purposes of this Section X3.2(b);

(c) Section F10 (Test Communications Hubs) shall have effect from the date on

which this Code is first modified to include that Section;

(d) Section G (Security) shall have effect from the date on which this Code is first modified to include that Section;

(e) Section I (Data Privacy) shall have effect from the date on which this Code is first modified to include Section I2 (Other User Privacy Audits);

(f) Section H7 (Elective Communication Services) shall have effect from 1 October 2018;

(g) Sections H10.1 to H10.8 (inclusive) (Emergency Suspension of Services) shall have effect from the date on which this Code is first modified to include those Sections;

(h) Section H12 (Intimate Communications Hub Interface Specification) shall have effect from the date on which this Code is first modified to include this Section X3.2(h);

(i) Section H13 (Performance Reporting) shall have effect from the date on which this Code is first modified to include this Section X3.2(i);

(j) Section H14 (Testing Services) shall have effect as follows:

(i) Section H14.8 (General: Forecasting) shall have effect from the commencement of Interface Testing;

(ii) Section H14.11 (General: SMKI Test Certificates) shall have effect from the commencement of Systems Integration Testing; and

(iii) all the other provisions of Section H14 (Testing Services) shall have effect:

(A) in respect of the User Entry Process Tests, from the commencement of Interface Testing;

(B) in respect of the SMKI and Repository Entry Process Tests, from the date from which the SMKI and Repository Entry Process Tests can be commenced (as set out in the SRT

Approach Document);

(C) in respect of Device and User System Testing, from the commencement of End-to-End Testing;

(D) in respect of Modification Proposal implementation testing (as described in Section H14.34), from the date on which Modification Proposals that are neither Urgent Proposals nor Fast Track Modifications may first be raised under Section D (Modifications); and

(E) in respect of all other Testing Services, from the end of End-to-End Testing;

(k) Sections L1 (SMKI Policy Management Authority), L2 (SMKI Assurance), L4 (The SMKI Service Interface), L6 (The SMKI Repository Interface), L8 (SMKI Performance Standards and Demand Management), L9 (The SMKI Document Set) and L10 (The SMKI Recovery Procedure) shall have effect from the date on which this Code is first modified to include those Sections;

(l) Section N (SMETS1 Meters) shall have effect from the date on which this Code is first modified to include that Section;

(m) Section T (Testing During Transition) shall have effect from the date on which this Code is first modified to include that Section;

(n) Schedule 7 (Specimen Enabling Services Agreement) shall have effect from the date on which this Code is first modified to include that Schedule;

(o) Appendices A (SMKI Device Certificate Policy), B (SMKI Organisation Certificate Policy) and C (SMKI Compliance Policy) shall all have effect from the date on which this Code is first modified to include those Appendices; and

(p) Appendix F (Minimum Communication Services for SMETS1 Meters) shall have effect from the date on which this Code is first modified to include that Appendix.

Variations in respect of Section F

X3.3 Notwithstanding that Section F5 (Communications Hub Forecasting and Orders) is stated in Section X3.2 to be effective from a date to be designated, it shall apply once effective as varied by this Section X3.3. For the purposes of this Section X3.3, the "**Initial Delivery Date**" shall be 1 November 2015 (or such later date as the Secretary of State may designate as such date for the purposes of this Section X3.3). The variations to apply pursuant to this Section X3.3 are that:

(a) each Supplier Party shall (and each other Party that intends to order Communications Hubs may), subject to any contrary timings specified by the Secretary of State on designating the date from which Section F5 is to have effect:

(i) submit its first Communications Hub Forecast during the month ending nine months in advance of the start of the month in which the Initial Delivery Date occurs;

(ii) submit further Communications Hub Forecasts on a monthly basis until the month ending five months in advance of the month in which the Initial Delivery Date occurs (from which time further Communications Hub Forecasts shall be submitted without reference to this Section X3.3); and

(iii) ensure that the Communications Hub Forecasts submitted pursuant to this Section X3.3 cover a 24-month period commencing with the month in which the Initial Delivery Date occurs;

(b) no Communications Order may specify a Delivery Date that is prior to the Initial Delivery Date;

(c) until 1 June 2015 (or such later date as the Secretary of State may direct for the purposes of this Section X3.3(c)):

(i) the DCC shall not be obliged to make the CH Ordering System available;

(ii) Parties shall submit the Communications Hub Forecasts required in

accordance with Section X3.3(a) by a secure means of communication (as reasonably determined by the DCC) using the template made available by the DCC for such purposes (such template to be in a readily available and commonly used electronic format);

(iii) the DCC shall accept Communications Hub Forecasts submitted by other Parties in accordance with Section X3.3(c)(ii), and shall take all reasonable steps to verify that the forecasts so submitted were submitted by the Party by which they are purported to have been submitted; and

(iv) the DCC shall make the following information available to other Parties (using a readily available and commonly used electronic format), in respect of each post code area within Great Britain:

(A) that the SM WAN is expected to be available within that post code area on the date from which the Enrolment Services first become available;

(B) where the SM WAN is not expected to be available within that post code area on that date but is expected to be available within that postcode area before 1 January 2021, the date from which the SM WAN is expected to first become available within that post code area; or

(C) that the SM WAN is not expected to be available within that post code area before 1 January 2021; and

(d) (until the following information is available via the Self-Service Interface) the DCC shall (using a readily available and commonly used electronic format) make information available to the other Parties concerning any requirement to use a particular WAN Variant (and, where applicable, in combination with any particular Communications Hub Auxiliary Equipment) for any given location in order that the Communications Hub will be able to establish a connection to the SM WAN (such information to be made available as far in advance of the date from which the SM WAN is expected to be available in that location as is

reasonably practicable (and, in any event, at least 8 months in advance)).

X3.3A Notwithstanding that Section F1 (Technical Architecture and Business Architecture Sub-Committee) is stated in Section X3.2 to be effective, it shall apply as varied by this Section X3.3A. The variation to apply pursuant to this Section X3.3A is that no review under Section F1.4(f) or F1.4(g) is required before the date from which Smart Meters are first capable of being Commissioned pursuant to Section H5 (Smart Metering Inventory and Enrolment Services).

Variations in respect of Sections G and I

X3.4 Notwithstanding that Sections G (Security) and I (Data Privacy) are stated in Section X3.2 to be effective, they shall apply as varied by this Section X3.4. The variations to apply pursuant to this Section X3.4 are that:

(a) the process to appoint the first User Independent Security Assurance Service Provider and the process to appoint the first Independent Privacy Auditor shall be run concurrently with the intent (subject to paragraph (ii) below) that one and the same person is appointed to carry out both such roles, but:

(i) for the avoidance of doubt, this requirement shall apply only in respect of the process to appoint the first person to carry out each such role; and

(ii) where it is not possible to appoint to both such roles one person who would be suitably independent (in accordance with Sections G8.7 and I2.4) in performing the functions under Sections G8 and I2 in respect of every Party, the Panel may designate another person to perform either such role to the extent necessary to ensure that a suitably independent person is available to perform those functions in relation to each Party; and

(b) the first annual SOC2 assessments pursuant to Section G9.3(b)(i) do not need to be completed until 12 months after the commencement of any Enrolment Services or Communications Services.

Variations in respect of Section L

X3.5 Notwithstanding that Section L8 (SMKI Performance Standards and Demand Management) is stated in Section X3.2 to be effective, it shall apply as varied by this Section X3.5. The variation to apply pursuant to this Section X3.5 is that Sections L8.1 (SMKI Services: Target Response Times) to L8.6 (Code Performance Measures) will not apply until the Stage 2 Assurance Report has been published (or such later date as the Secretary of State may designate for the purposes of this Section X3.5.

Provisions to be Effective Subject to Variations

X3.6 In designating the date from which a provision of this Code is to be effective for the purpose of this Section X3, the Secretary of State may direct that such provision is to apply subject to such variation as is necessary or expedient in order to facilitate achievement of the Transition Objective (which variation may or may not be specified to apply until a specified date).

X3.7 Where the Secretary of State directs that a provision of this Code is to apply subject to such a variation, the Secretary of State may subsequently designate a date from which the provision is to apply without variation.

X3.8 Where the Secretary of State directs that a provision of this Code is to apply subject to more than one such variation, then the Secretary of State may:

(e) designate different dates from which each such variation is to cease to apply; and/or

(f) designate a date from which one or more such variations are to cease to apply (without prejudice to the continued application of the other such variations).

General

X3.9 Before designating any dates and/or making any directions for the purpose of this Section X3, the Secretary of State must consult the Authority, the Panel and the Parties in respect of the proposed date and/or the draft direction (as applicable). Such consultation must allow such period of time as the Secretary of State considers appropriate in the circumstances within which to make representations or objections with respect to the proposed date and/or the draft direction (as applicable).

X4 GOVERNANCE SET-UP ARRANGEMENTS

General

X4.1 The provisions of Section C (Governance) shall have effect subject to the provisions of this Section X4.

Elected Members

X4.2 The Elected Members to be appointed on the designation of this Code shall be the individuals nominated by the Secretary of State for the purposes of this Section X4.2 (chosen on the basis of the election process administered by the Secretary of State on behalf of prospective Parties prior to the designation of this Code).

X4.3 Of the persons appointed as Elected Members in accordance with Section X4.2:

(a) certain of them shall retire 12 months after the designation of this Code; and

(b) certain of them shall retire 24 months after the designation of this Code,

as specified in the document by which they are nominated by the Secretary of State for the purposes of Section X4.2.

Panel Chair

X4.4 There shall be no separate Panel Chair on the designation of this Code. The Panel Members shall select (and may deselect and reselect) from among the Elected Members a person to act as Panel Chair until a person is appointed as Panel Chair pursuant to Section X4.6.

X4.5 The Elected Member acting, from time to time, as Panel Chair in accordance with Section X4.4 shall retain his or her vote as a Panel Member, but shall have no casting vote as Panel Chair.

X4.6 The Panel shall appoint a separate Panel Chair by a date no later than five months after the designation of this Code. The Panel Chair shall be appointed in accordance with a process developed by the Panel for such purpose; provided that such process must be designed to ensure that:

(a) the candidate selected is sufficiently independent of any particular Party or class of Parties;

(b) the appointment is conditional on the Authority approving the candidate;

(c) the Panel Chair is appointed for a three-year term (following which he or she can apply to be re-appointed);

(d) the Panel Chair is remunerated at a reasonable rate;

(e) the Panel Chair's appointment is subject to Section C3.8 (Panel Member Confirmation) and terms equivalent to those set out in Section C4.6 (Removal of Elected Members); and

(f) the Panel Chair can be required to continue in office for a reasonable period following the end of his or her term of office in the event of any delay in appointing his or her successor.

X4.7 Until such time as a separate Panel Chair has been appointed pursuant to Section X4.6, the Panel Chair shall only be entitled to appoint an additional Panel Member under Section C3.6 (Panel Chair Appointee) with the unanimous approval of the Panel.

DCC Member and Consumer Members

X4.8 The DCC Member and the Consumer Members to be appointed on the designation of this Code shall be the individuals nominated as such by the Secretary of State for the purposes of this Section X4.8.

Code Administrator and Secretariat

X4.9 The Panel shall, on the designation of this Code, be deemed to have appointed as Code Administrator and Secretariat such person or persons as the Secretary of State nominates for the purposes of this Section X4.9 (chosen on the basis of the procurement process administered by the Secretary of State on behalf of the prospective Panel prior to the designation of this Code).

X4.10 As soon as reasonably practicable following the designation of this Code, the Panel shall direct SECCo to enter into contracts with such person or persons under which

they are to perform the roles of Code Administrator and Secretariat. Such contracts shall be on terms and conditions approved by the Secretary of State for the purposes of this Section X4.10.

X4.11 Without prejudice to the ongoing duties of the Panel, the appointments of, and contracts with, the Code Administrator and Secretariat made in accordance with this Section X4 are deemed to have been properly made.

Recoverable Costs

X4.12 The requirement for Recoverable Costs to be provided for in, or otherwise consistent with, an Approved Budget (as set out in Section C8.2 (SEC Costs and Expenses)) shall not apply until such time as the first Approved Budget is established. The Panel shall establish the first Approved Budget (to cover the period from the designation of this Code) as soon as reasonably practicable following the designation of this Code.

X5 INCORPORATION OF CERTAIN DOCUMENTS INTO THIS CODE

Smart Metering Equipment Technical Specifications

X5.1 The document designated by the Secretary of State as the Smart Metering Equipment Technical Specifications in accordance with Part G of Condition 22 of the DCC Licence shall, from the relevant date designated by the Secretary of State for the purpose of such document and of this Section X5.1, be incorporated into this Code as the Schedule specified in such designation.

Communications Hub Technical Specifications

X5.2 The document designated by the Secretary of State as the Communications Hub Technical Specifications in accordance with Part G of Condition 22 of the DCC Licence shall, from the relevant date designated by the Secretary of State for the purpose of such document and this Section X5.2, be incorporated into this Code as the Schedule specified in such designation.

Certificate Policies

X5.3 Any document designated by the Secretary of State as a Certificate Policy in accordance with Part G of Condition 22 of the DCC Licence shall, from the relevant date designated by the Secretary of State for the purpose of such document and this Section X5.3, be incorporated into this Code as the Schedule or SEC Subsidiary Document specified in such designation.

Other Technical Specifications

X5.4 Each of the technical specifications and procedural or associated documents designated by the Secretary of State in accordance with Part G of Condition 22 of the DCC Licence shall, from the relevant date designated by the Secretary of State for the purpose of such document and this Section X5.4, be incorporated into this Code as the Schedule or SEC Subsidiary Document specified in such designation.

Re-Designation of Documents

X5.5 Paragraph 29(b) of Condition 22 of the DCC Licence includes a power for the Secretary of State to re-designate any document of a type referred to in Sections X5.1

to X5.4, subject to such amendments as he considers requisite or expedient. Where the Secretary of State exercises that power in relation to any such document:

(a) it shall be incorporated into this Code in substitution for the form of that document that was previously incorporated;

(b) the other provisions of this Section X5 shall apply to it as if it were a document being designated for the first time; and

(c) references in those provisions to the document being designated shall be read as referring to it being re-designated

Supplementary Provisions

X5.6 Paragraph 30 of Condition 22 of the DCC Licence includes a power for the Secretary of State to specify supplementary, incidental, consequential, governance or other provisions which are to have effect in this Code from the date designated for such purpose by the Secretary of State. This Code shall automatically be amended so as to include such provisions with effect from such date.

General

X5.7 This Code provides for the development of certain documents which may then be incorporated into this Code pursuant to this Section X5. Where this Code sets out the required purpose or content of such documents, the Secretary of State may designate for incorporation under this Section X5 documents that fulfil only part of that purpose or include only part of that content, with a view to subsequently re-designating more complete documents at a later date.

X5.8 The incorporation of documents into this Code pursuant to this Section X5 (and any provisions made pursuant to Section X5.6) shall not constitute a modification that should be subject to Section D (Modification Process). The incorporation of documents into this Code pursuant to this Section X5 (and any provisions made pursuant to Section X5.6) shall not constitute a variation of this Code that is time limited in accordance with Section X1.5A (and such documents and provisions shall remain part of this Code notwithstanding the deletion of this Section X5 in accordance with Section X1.5A).

X5.9 The documents incorporated into this Code pursuant to this Section X5 (and any provision made pursuant to Section X5.6) shall, from the date of their incorporation, be subject to modification in accordance with the provisions of this Code.

X5.10 Before designating any dates for the purpose of this Section X5, the Secretary of State must consult the Authority, the Panel and the Parties in respect of the proposed date. Such consultation must allow such period of time as the Secretary of State considers appropriate in the circumstances within which to make representations or objections with respect to the proposed date to be designated. The requirement for consultation may be satisfied by consultation before, as well as after, the designation of this Code.

X5.11 Before designating any date from which a document is to be incorporated into this Code pursuant to this Section X5, the content of such document must have been subject to such consultation as the Secretary of State considers appropriate in the circumstances (whether or not under this Code, whether or not undertaken by the Secretary of State and whether before or after the designation of this Code).

X6 TRANSITIONAL VARIATIONS

Status of this Section X6

X6.1 This Section X6 is without prejudice to Section D (Modification Process), as (where applicable) varied pursuant to Section X2.

Secretary of State's Power to Vary for Purposes of Transition

X6.2 In pursuance of facilitating the achievement of the Transition Objective, the Secretary of State may direct that such provisions of this Code as the Secretary of State may specify are to apply subject to such variations as the Secretary of State may specify.

X6.3 Such a direction shall only be validly made if it specifies a date or dates from which the specified provision or provisions shall apply without variation. The Secretary of State may subsequently designate an earlier date from which the relevant provision is to apply without variation.

X6.4 The purposes for which such directions may be made includes purposes relating to the design, trialling, testing, set-up, integration, commencement and proving of the DCC Systems and the User Systems and the processes and procedures relating to the SEC Arrangements.

X6.5 The variations referred to in Section X6.2 may suspend the application of specified provisions of this Code and/or specify additional provisions to apply in this Code, and may include variations which:

(a) add additional limitations on Liability provided for in this Code;

(b) provide for indemnities against Liabilities to which a Party might be exposed; and/or

(c) provide for the referral to, and final determination by, the Secretary of State (or, where designated by the Secretary of State for such purposes, the Panel or the Authority) of certain Disputes.

General

X6.6 Before designating any dates and/or making any directions for the purpose of this

Section X6, the Secretary of State must consult the Authority, the Panel and the Parties in respect of the proposed date and/or the draft direction (as applicable). Such consultation must allow such period of time as the Secretary of State considers appropriate in the circumstances within which representations or objections may be made.

X7 TRANSITIONAL INCIDENT MANAGEMENT PROCEDURES

Period of Application

X7.1 This Section X7 shall have effect from the date on which this Code is first modified to include this Section X7.

X7.2 This Section X7 shall have effect until such time as the relevant enduring policy has been incorporated into this Code (or, if later, the time from which such policy is stated in Section X3 (Provisions to Become Effective following Designation) to have effect).

X7.3 For the purposes of Section X7.2, the relevant enduring policy is the Incident Management Policy.

X7.4 [Not used]

Transitional Provisions for Incident Management

X7.5 Each Party other than the DCC that has rights and/or obligations under those Sections referred to in the definition of Services (and which are effective in accordance with Section X3 (Provisions to Become Effective following Designation)) shall provide the DCC with an up-to-date list from time to time of nominated individuals who are authorised to log Incidents on behalf of such Party, including for each such individual suitable contact details as reasonably requested by the DCC.

X7.6 Each Network Party shall ensure that its Registration Data Provider provides the DCC with an up-to-date list from time to time of nominated individuals who are authorised to log Incidents on behalf of such Registration Data Provider, including for each such individual suitable contact details as reasonably requested by the DCC.

X7.7 The individuals identified from time to time pursuant to Section X7.5 or X7.6 in respect of each Party or Registration Data Provider shall be the "**Nominated Incident Contacts**" for that Party or Registration Data Provider.

X7.8 Each Party shall (and each Network Party shall ensure that its Registration Data Provider shall) comply with any reasonable request of the DCC in relation to the validation of the information provided by that Party (or that Registration Data Provider) in relation to its Nominated Incident Contacts.

X7.9 The DCC shall treat the information from time to time provided to it pursuant to Section X7.5 or X7.6 as Confidential Information.

X7.10 For those Parties and Registration Data Providers that have provided details of their Nominated Incident Contacts, the DCC shall provide a means by which Incidents can be reported to the DCC and information regarding Incidents sought from the DCC (the "**Interim Service Desk**"), which shall include (as a minimum) one or more email addresses and telephone numbers.

X7.11 The DCC shall ensure that the Interim Service Desk operates between 08.00 hours and 18.00 hours on Working Days.

X7.12 Parties and Registration Data Providers may report Incidents with the DCC by their Nominated Incident Contacts contacting the Interim Service Desk and providing their contact details, the nature of the Incident, the time and date of the occurrence, and the impact of the Incident.

X7.13 The DCC shall determine the prioritisation of Incidents, but subject to such prioritisation shall take all reasonable steps to mitigate and resolve each Incident such that its impact on Parties is minimised.

X7.14 The DCC shall have the right to assign reasonable actions to other Parties and/or the Registration Data Providers as reasonably required by the DCC in order to assist the DCC in mitigating and/or resolving one or more Incidents. Each Party shall (and each Network Party shall ensure that its Registration Data Provider shall) comply with any such actions so assigned to them.

X7.15 The DCC shall notify any Parties and Registration Data Providers likely to be affected by an Incident of which the DCC has become aware of: the occurrence of such Incident; its priority status; progress regarding its resolution; and its resolution. The DCC shall provide such notifications to the Nominated Incident Contacts. The DCC shall provide such notification of an Incident's resolution within one Working Day following its resolution.

X7.16 The DCC shall establish a process by which Nominated Incident Contacts can discuss with DCC the priority assigned to an Incident where a Party or Registration Data Provider disagrees with the prioritisation assigned to an Incident by the DCC.

Transitional Provisions Relating to Business Continuity and Disaster Recovery

X7.17 In the event that the Interim Service Desk is unavailable and is unlikely to resume availability within two Working Days, then the DCC shall establish an alternative means of communication by which Incidents can be reported to the DCC and information regarding Incidents sought from the DCC. Such alternative means of communication must include a telephone number that can be used to contact the DCC's Incident manager in the case of disaster events.

X7.18 In the event that an alternative means of communication is established by the DCC pursuant to Section X7.17, the DCC shall notify the Parties and the Registration Data Providers of such alternative means of communication. Such notification shall be given to the Nominated Incident Contacts via (as a minimum) email (or, if email is unavailable, SMS). Such a notification shall include a brief explanation of the reason for the Interim Service Desk's unavailability and the expected time by which it will be available as normal.

X7.19 Once the Interim Service Desk is available as normal (following a period of unavailability), the DCC shall notify the Parties and the Registration Data Providers that this is the case (such notification to be given to the Nominated Incident Contacts via (as a minimum) email).

X7.20 In the event of the Interim Service Desk being unavailable for two Working Days or more, the DCC shall (within five Working Days following the Interim Service Desk's return to normal availability) compile a report on such event setting out the cause and future mitigation. The DCC shall make any such report available to Parties, Registration Data Providers and the Panel (and, upon request, to the Authority or the Secretary of State).

X8 DEVELOPING CH SUPPORT MATERIALS

Overview

X8.1 The CH Support Materials are to be developed by the DCC pursuant to this Section X8.1, and incorporated into this Code pursuant to Section X5 (Incorporation of Certain Documents into this Code).

Purpose of the CH Support Materials

X8.2 The purpose of the CH Support Materials is to make provision for such matters as are specified in Sections F5 (Communications Hub Forecasting and Orders), F6 (Delivery and Acceptance of Communications Hubs), F7 (Installation and Maintenance of Communications Hubs), F8 (Removal and Return of Communications Hub), F9 (Categories of Communications Hub Responsibility), and F10 (Test Communications Hubs), and to provide further processes and detail required to facilitate the delivery, installation, maintenance and return of Communications Hubs and Test Communications Hubs pursuant to this Code.

Process to Develop Documents

X8.3 The DCC shall develop and consult on the CH Support Materials so that drafts of each document are submitted to the Secretary of State by 1 March 2015 (or by such later date as the Secretary of State may direct for the purposes of this Section X8.3).

X8.4 The procedure by which the DCC is to develop each of the documents comprising the CH Support Materials is as follows:

(a) the DCC shall, in consultation with the Parties and such other persons as are likely to be interested, produce a draft of each of the documents;

(b) where a disagreement arises with any person who is consulted with regard to any proposal as to the content of the documents, the DCC shall endeavour to reach an agreed proposal with that person consistent with the purposes of the CH Support Materials;

(c) the DCC shall send a draft of each document to the Secretary of State as soon as is practicable after it is produced, and shall when doing so provide to the

Secretary of State:

(i) a statement of the reasons why the DCC considers that draft to be fit for purpose;

(ii) copies of the consultation responses received; and

(iii) a summary of any disagreements that arose during consultation and that have not been resolved by reaching an agreed proposal; and

(d) the DCC shall comply with any requirements in a direction given to it by the Secretary of State in relation to the draft document, including:

(i) any requirement to produce and submit to the Secretary of State a further draft of the document; and

(ii) any requirement as to the process to be followed by the DCC (and the time within which that process shall be completed) prior to submitting a further such draft.

X9 INTERIM DEVICE AND USER SYSTEM TESTING[2]

Interim Device Testing

X9.1 The DCC shall provide a testing service (referred to in this Section X9 as "**GFI Testing**") to enable eligible persons to test the interoperability of Devices (other than those comprising Communications Hubs) with the DCC Systems and with the Communications Hubs to be provided as part of the Testing Services, such that those Devices are able to respond to Commands received from or via the DCC in accordance with the requirements defined in the GB Companion Specification. The DCC shall provide GFI Testing as soon as reasonably practicable after this Section X9.1 takes effect, and (in any event) from the commencement of End-to-End Testing.

X9.2 The following shall apply in respect of GFI Testing:

(a) the following persons shall be eligible to undertake GFI Testing: Parties and persons that have signed agreements based on the Specimen Enabling Services Agreement (subject only to such variations from such specimen form as are reasonable in the circumstances, including so as to require compliance with this Section X9.2);

(b) the references in Section X9.1 to “Communications Hubs”, “DCC Systems” and “Devices” shall be interpreted as including reference to prototypes or simulations of those things (and GFI Testing shall not include communication via the SM WAN, or a simulation of the SM WAN);

(c) Section H14 (Testing Services) shall apply in respect of GFI Testing as if GFI Testing was a Testing Service, and the DCC and each person undertaking GFI Testing shall comply with Sections H14 in respect of GFI Testing as if GFI Testing was a Testing Service (provided that none of the following shall apply: Sections H14.3, H14.9, H14.10 and H14.11);

(d) persons undertaking GFI Testing must each comply with such reasonable supplemental obligations as the DCC may notify to them from time to time (provided that such obligations are not inconsistent with the provisions of the

[2] This section X9 was included from 18 April 2016 as a variation under section X6 provisions.

Code that are in effect at that time); and

(e) the Testing Issue process in Section H14.37 to H14.45 (General: Testing Issue Resolution Process) shall not apply to GFI Testing, but the DCC must take reasonable steps to provide support and assistance to a person undertaking GFI Testing in order to assist that person in resolving Testing Issues encountered when undertaking GFI Testing.

Pre-UEPT Testing

X9.3 The DCC shall allow each Party that is entitled to use a DCC Gateway Connection to establish and validate a connection via that DCC Gateway Connection to a test environment to be used for the purposes of Pre-UEPT Testing.

X9.4 The DCC shall, with effect from 6 May 2016, provide a testing service (referred to in this Section X9 as "**Pre-UEPT Testing**") that enables Parties to test their capability (and that of their Systems) to undertake the following activities over a DCC Gateway Connection:

(a) the sending of (at least) the following Service Requests (which are identified by reference to the numbering used in the Common Test Scenarios Document):

(i) 4.1.1;

(ii) 5.1, 5.2 and 5.3;

(iii) 6.2.7, 6.11, 6.15.1, 6.15.2, 6.17, 6.20.1, 6.21 and 6.23;

(iv) 8.1.1, 8.2, 8.3, 8.4, 8.6, 8.7.1, 8.7.2, 8.8.1, 8.8.2, 8.9, 8.11, 8.12.1, 8.12.2, 8.13, 8.14.1, 8.14.2, 8.14.3 and 8.14.4; and

(v) 11.1, 11.2, 11.3, 12.1 and 12.2;

(b) the sending of one or more Signed Pre-Commands; and

(c) the receipt of Pre-Commands and Service Responses in respect of (at least) the Service Requests set out in paragraph (a) above (in the case of Pre-Commands, only to the extent those Service Requests are designed to generate Pre-

Commands).

X9.5 From as soon as the DCC is reasonably able to do so, the DCC shall expand the Pre-UEPT Testing to include the ability of Parties to test their capability (and that of their Systems) to send each of the Service Requests identified in the Common Test Scenarios Document but not listed in Section X9.4(a).

X9.6 The following shall apply in respect of Pre-UEPT Testing:

(a) the references in Sections X9.4 and X9.5 to "Service Requests", "Signed Pre-Commands", "Pre-Commands", "Service Responses", "Device Alerts" and "DCC Alerts" shall be interpreted as including simulations of those things, which simulations may:

(i) include standardised or sample Data; and

(ii) omit Certificates, GBCS Payloads, Digital Signatures or Message Authentication Codes that would otherwise be required;

(b) Section H14 (Testing Services) shall apply in respect of Pre-UEPT Testing as if Pre-UEPT Testing was a Testing Service, and the DCC and each Party undertaking Pre-UEPT Testing shall comply with Sections H14 in respect of Pre-UEPT Testing as if Pre-UEPT Testing was a Testing Service (provided that none of the following shall apply: Sections H14.3, H14.4, H14.9 and H14.10);

(c) persons undertaking Pre-UEPT Testing must each comply with such reasonable supplemental obligations as the DCC may notify to them from time to time (provided that such obligations are not inconsistent with the provisions of the Code that are in effect at that time); and

(d) the Testing Issue process in Section H14.37 to H14.45 (General: Testing Issue Resolution Process) shall not apply to Pre-UEPT Testing, but the DCC must take reasonable steps to provide support and assistance to a Party undertaking Pre-UEPT Testing in order to assist that Party in resolving Testing Issues encountered when undertaking Pre-UEPT Testing.

Interaction with Device and User Systems Tests

X9.7 The DCC shall not provide (and no Party shall be entitled to undertake) any testing of Devices under Section H14.31(a) (Device and User System Tests) during the period (if any) between commencement of GFI Testing and commencement of End-to-End Testing.

X9.8 The DCC shall not provide (and no Party shall be entitled to undertake) any testing of Systems under Section H14.31(c) (Device and User System Tests) during the period between commencement of Pre-UEPT Testing and commencement of End-to-End Testing.

X9.9 The DCC shall continue to make the tests under this Section X9 available following the commencement of End-to-End Testing.

X10 THRESHOLD ANOMALY DETECTION PROCEDURES

Overview

X10.1 The Threshold Anomaly Detection Procedures are to be developed by the DCC pursuant to this Section X10.1, and incorporated into this Code pursuant to Section X5 (Incorporation of Certain Documents into this Code).

Purpose of the Threshold Anomaly Detection Procedures

X10.2 The purpose of the Threshold Anomaly Detection Procedures is to make provision for such matters as are described in Section G6.1 (Threshold Anomaly Detection Procedures), and to provide further processes and detail required to facilitate those matters.

Process to Develop Document

X10.3 The DCC shall develop and consult on the Threshold Anomaly Detection Procedures in accordance with Section X10.4, and submit the document to the Secretary of State by no later than the date which falls seven months prior to the commencement of Interface Testing (or by such later date as the Secretary of State may direct).

X10.4 The procedure by which the DCC is to develop the Threshold Anomaly Detection Procedures is as follows:

(a) the DCC shall, in consultation with the Parties and such other persons as are likely to be interested, produce a draft of the document;

(b) where a disagreement arises with any Party or other person with regard to any proposal as to the content of the document, the DCC shall endeavour to reach an agreed proposal with that person consistent with the purposes of the Threshold Anomaly Detection Procedures;

(c) the DCC shall send a draft of Threshold Anomaly Detection Procedures to the Secretary of State as soon as is practicable after completion of the process described in (a) and (b) above, and shall when doing so provide to the Secretary of State:

(i) a statement of the reasons why the DCC considers that draft to be fit for purpose;

(ii) copies of the consultation responses received; and

(iii) a summary of any disagreements that arose during consultation and that have not been resolved by reaching an agreed proposal; and

(d) the DCC shall comply with any requirements in a direction given to it by the Secretary of State in relation to the draft document, including:

(i) any requirement to produce and submit to the Secretary of State a further draft of the document; and

(ii) any requirement as to the process to be followed by the DCC (and the time within which that process shall be completed) prior to submitting a further such draft.

X11 SECRETARY-OF-STATE-LED VARIATIONS

Overview

X11.1 This Section X11 applies in respect of variations to this Code which the Secretary of State has the power to make under statute, Energy Licences and/or other provisions of this Code, and provides for a testing process to be followed in respect of such variations. References in this Section X11 to proposed variations includes variations which the Secretary of State is considering, is consulting on or has decided upon but not yet fully implemented.

Optional Analysis

X11.2 Where the Secretary of State so directs from time to time in respect of one or more proposed variations to this Code, the DCC shall analyse and report to the Secretary of State on the matters set out in that direction in accordance with the process and timescale set out in that direction. Such matters may include, without limitation:

(a) the extent to which changes would be required to the DCC Total System were the proposed variation to be made; and/or

(b) the likely development, capital and operating costs associated with such changes, and any consequential impact on the Charges.

SEC Variation Testing Approach Document

X11.3 Each SEC Variation Testing Approach Document is to be developed by the DCC pursuant to this Section X11, and then incorporated into this Code pursuant to Section X5 (Incorporation of Certain Documents into this Code).

X11.4 Where the Secretary of State so directs from time to time in respect of one or more proposed variations to this Code, the DCC shall develop a draft SEC Variation Testing Approach Document in respect of those proposed variations. The DCC shall develop that document in accordance with the timetable directed by the Secretary of State, in consultation with such other persons (if any) as the Secretary of State may direct, and otherwise in accordance with any process that the Secretary of State may direct.

X11.5 Each draft SEC Variation Testing Approach Document produced by the DCC shall set out the following in respect of the proposed variation(s), which must be consistent with any directions concerning the same made by the Secretary of State:

(a) the testing objectives;

(b) the testing to be undertaken;

(c) the testing environments to be used;

(d) the timetable for testing;

(e) the entry criteria for the start of testing or for the start of testing phases;

(f) the persons other than the DCC that are entitled or obliged to participate in testing;

(g) the entry criteria for the testing participants and the DCC;

(h) roles, responsibilities and obligations of the DCC and of the testing participants in respect of testing;

(i) the process for making amendments to the document, which shall include amendments directed by the Secretary of State;

(j) the process for resolving disputes under the document;

(k) the exit criteria for completion of testing (or stages of testing); and

(l) the process by which testing will be determined to be complete.

X11.6 The DCC shall submit each draft SEC Variation Testing Approach Document to the Secretary of State, indicating:

(a) why the DCC considers the draft to be fit for purpose;

(b) copies of the consultation responses received; and

(c) any areas of disagreement that arose during the consultation process and that have not been resolved,

and, the DCC shall comply with any direction given by the Secretary of State to re-

consider, re-consult and/or re-submit the draft document.

Compliance with SEC Variation Testing Approach Document

X11.7 The DCC and each person other than the DCC that participates in (or is required to participate in) testing under a SEC Variation Testing Approach Document shall comply with the SEC Variation Testing Approach Document.

X11.8 Section H14 (Testing Services) and the Enduring Testing Approach Document shall apply in respect of testing under a SEC Variation Testing Approach Document as if such testing was a Testing Service under Section H14.34 (Modification Implementation Testing); and each participant in such testing shall be deemed to be a Testing Participant for such purposes.