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## Stage 04: Modification Report Consultation Responses

What stage is this document in the process?

01	Initial Assessment
02	Refinement Process
03	Modification Report
▶ 04	Decision

# SECMP0050 'Section D review: Moving the Working Group Terms of Reference to a separate document'

## About this document

This document contains the collated responses to the SECMP0050 Modification Report Consultation (MRC). The Change Board will consider these responses when making its determination on this modification.

If you would like any further information, or to discuss any questions you may have, please do not hesitate to contact Harry Jones on 020 7081 3345 or email [SEC.Change@gemserv.com](mailto:SEC.Change@gemserv.com).

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Working Group  
Consultation  
Response Form

6<sup>th</sup> August 2018

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## About this Document

This document contains the collated responses to the Modification Report Consultation (MRC) for SECMP0050.

The Change Board will consider these responses at its meeting on 22<sup>nd</sup> August 2018, where it will determine whether SECMP0050 should be approved.

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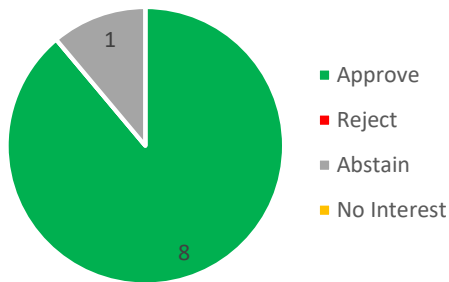
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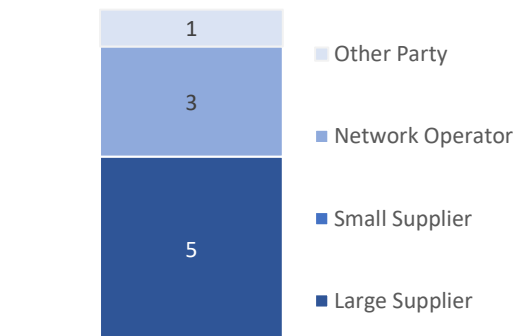
## Summary of Responses

This section summarises the responses received to the SECMP0050 MRC.

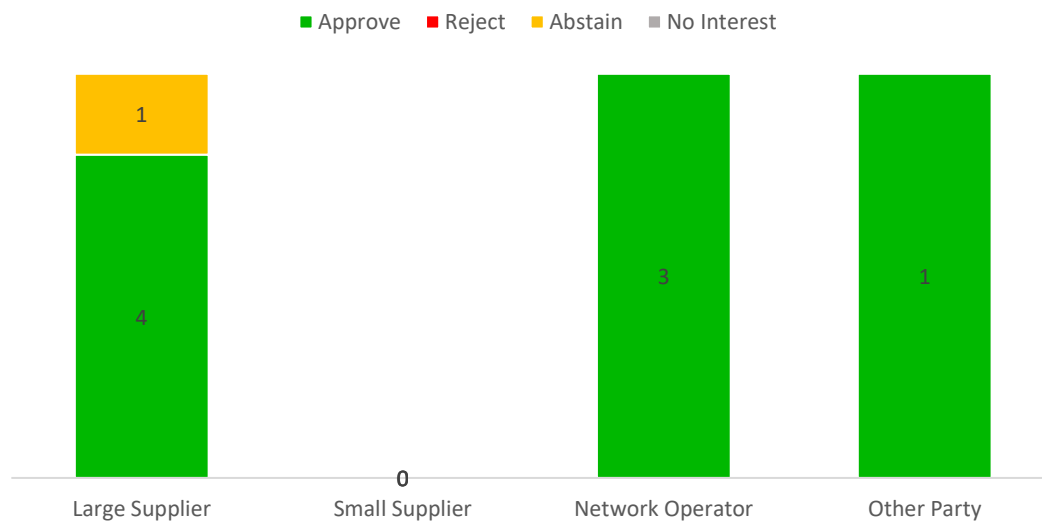
### Respondents Views



### Number of Respondents (by Party Type)



### Views by Party Type



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## Question 1

**Q1: Do you agree that the proposed solution better facilitates the SEC Objectives and should therefore be approved?**

Party Name	Party Category	Yes/No/ Neutral	Comments
Utilita Energy	Large Supplier	Yes	Yes, we support the Working Group view that this Modification supports the SEC objectives and should be approved. We believe this Modification will introduce flexibility and efficiencies within the Working Group /refinement process.
E.ON	Large Supplier	Neutral	<p>We agree that a flexibility clause within a Panel-owned document for the Terms of Reference (ToR) for a Working Group has the potential to facilitate the efficiency with which Modification are implemented, therein facilitating SEC objective g.</p> <p>However, we are concerned that these ToR have not received adequate discussion to date, and that (as raised by Parties in previous responses) this Modification may not address the issue driving this change because the requirement for quoracy remains with full support of the Working Group (WG).</p> <p>We would not be supportive of this change for example, where Panel are able to make changes to the arrangements of a WG once the WG has already been convened, especially changes that would adversely impact the solution or progression of the Modification, or increase the risk of rejection at Change Board (CB). In addition, we believe that additional requirements are needed within the solution to ensure visibility of Panel's directed variations, to Industry as well as WG Members, to prevent any future contention concerning due-diligence.</p>

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Landis+Gyr	Other	Yes	As it better facilitates SEC objective “g”
Western Power Distribution	Electricity Network Operator	Yes	We believe that this modification better facilitates SEC Objective (g) as it will help with the efficient administration of modifications raised.
Northern Gas Networks Ltd.	Gas Network Operator	Yes	
SSEN	Electricity Network Operator	Yes	SSEN believes this modification better the SEC objectives (g). This modification will indeed improve the overall modification management.
SSE	Large Supplier	Yes	We agree that this solution will better facilitate SEC Objective G.
Npower	Large Supplier	Yes	We believe this modification would better facilitate SEC objective G, the efficient and transparent administration and implementation of this code
EDF	Large Supplier	Yes	We agree that SECMP0050 better facilitates General SEC Objective (g) and should be approved as this change will enable a more flexible approach to establishing and managing working groups than if the Terms of Reference remained in the SEC.

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## Question 2

**Q2: Having considered the potential impacts and costs to your organisation, as well as the cost to deliver the modification, do you agree that SECMP0050 should be approved?**

Party Name	Party Category	Yes/No	Comments
Utilita Energy	Large Supplier	No	We do not believe we will be impacted directly by the Modification.
E.ON	Large Supplier	Neutral	We believe that further work is needed on the solution, specifically the ToR,
Landis+Gyr	Other	Yes	
Western Power Distribution	Electricity Network Operator	Yes	Western Power will not be directly impacted by the implementation of this modification, however should we need to raise a modification in the future we will benefit from the improvements being made under this modification.
Northern Gas Networks Ltd.	Gas Network Operator	Yes	We agree this proposal should help align the creation process for the SEC workgroup Terms of Reference with that of the Uniform Network Code (UNC) by having it as a standalone, easily customisable document.
SSEN	Electricity Network Operator	Yes	
SSE	Large Supplier	Yes	

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Npower	Large Supplier	Yes	
EDF	Large Supplier	Yes	<p>We agree that SECMP0050 should be approved on the basis that it makes sense for the Terms of Reference to sit outside of the SEC and be able to be updated as and when required, without the need for further Modifications.</p> <p>It is, however, yet to be proven that this change will address some of the issues that currently beset the refinement process, and especially attracting sufficient interest to form a Working Group. This change should not be used merely to avoid subjecting a modification to the appropriate scrutiny where there is limited interest from industry in participating in a working group.</p> <p>The benefits to be gained through this change appear to be marginal at this point in time, and it is only the low cost of making this change that means that we would support approval of this change.</p>

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### Question 3

#### Q3: Do you agree that draft legal text changes deliver the intention of the modification ?

Party Name	Party Category	Yes/No	Comments
Utilita Energy	Large Supplier	Yes	We have no comments on the draft legal text.
E.ON	Large Supplier	Yes	We believe that the legal text reflects the removal of the ToR for a Working Group and permits Panel to establish and maintain a ToR by which WGs will operate, with relevant Industry consultation.
Landis+Gyr	Other	Yes	
Western Power Distribution	Electricity Network Operator	Yes	
Northern Gas Networks Ltd.	Gas Network Operator	Yes	We agree with the modification, but would request that there is no firm rule in the Terms of Reference document requiring a representative from each party category to attend all workgroups.
SSEN	Electricity Network Operator	Yes	
SSE	Large Supplier	Yes	

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Npower	Large Supplier	Yes	
EDF	Large Supplier	Yes	We have not identified any issues with the draft legal text changes.

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## Question 4

### Q4: Do you agree with recommended implementation date?

Party Name	Party Category	Yes/No	Comments
Utilita Energy	Large Supplier	Yes	We believe this Modification should be implemented as soon as possible and are comfortable with the date outlined.
E.ON	Large Supplier	Neutral	We would not object to the proposed implementation date if Panel were to approve it, but we note that we do not feel it appropriate for Parties to be asked whether or not they agree with flouting the Release Management Policy; it is for the Panel to determine changes to a Release.
Landis+Gyr	Other	Yes	
Western Power Distribution	Electricity Network Operator	Yes	
Northern Gas Networks Ltd.	Gas Network Operator	Neutral	
SSEN	Electricity Network Operator	Yes	
SSE	Large Supplier	Yes	

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Npower	Large Supplier	Yes	
EDF	Large Supplier	Yes	We agree with the recommended implementation date

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## Question 5

**Q5: Do you believe the Working Group Terms of Reference document delivers the intent of the modification?**

Party Name	Party Category	Yes/No	Comments
Utilita Energy	Large Supplier	Yes	We have no comments.
E.ON	Large Supplier	Neutral	<p>We believe that further work is required to refine this document. In addition the points noted above, we have the following comments:</p> <p>Industry Parties and participants:</p> <p>we believe that this ought to remit the ability of Panel to remove WG members such that this does not impact the quoracy arrangements. If this is not amended and Panel were to exercise this right without providing an additional WG member, the progression of any relevant Modifications would cease and we feel that this undermines the intent of the Modification;</p> <p>we believe there is an erroneous instance of 'that' between 'opinion' and 'this'</p> <p>Working Group Meetings:</p> <p>we believe that 'Gemserv's offices' should be replaced with 'the Code Administrator's offices' to ensure the text is future-proofed;</p>

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			<p>we believe that the Panel should be responsible for determining whether it is appropriate to hold a WG meeting that is not an open meeting, rather than the chairman;</p> <p>we believe that the fourth bullet point needs to be 'subject to quoracy arrangements of the WG';</p> <p>we believe that telephone conferencing ought to be mandatory rather than optional given the driver of this change is to increase WG attendance;</p> <p>we believe that "other matters the chairman believes should be voted on" should be discussed by the WG and such discussions noted in the Modification Report to permit visibility of what this may entail;</p> <p>we believe the ninth bullet point needs to be 'subject to quoracy arrangements of the WG', and that consideration is required here for voting outcomes;</p> <p>The current drafting does not provide comment upon who is able to vote and we believe it should be made clear that the Code Administrator and the DCC are not permitted to vote.</p> <p>We do not believe that is has been made explicitly clear within the current drafting that variations made to WGs by the Panel, do not require a change to the ToR of a WG. We further believe such variations should be documented such that they do not prejudice the existing requirements of the ToR.</p> <p>We still believe that clarification is required to the way in which a Party may raise a change to the ToR; for example, if a Party raises a change will this be issued to consultation or will Panel be able to determine that they do not agree with said change?</p>
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			In such an instance, what appeals process would apply to the proposing Party? etcetera.
Landis+Gyr	Other	Yes	
Western Power Distribution	Electricity Network Operator	Yes	
Northern Gas Networks Ltd.	Gas Network Operator	Yes	See prior comments about no firm rule being added to the document over required representation.
SSEN	Electricity Network Operator	Yes	
SSE	Large Supplier	Yes	
Npower	Large Supplier	Yes	
EDF	Large Supplier	Yes	The current Working Group Terms of Reference document appears to be appropriate- the value of this change will probably only really become evident if and when these change over time. It would therefore be useful to understand what the triggers for any changes to the ToR would be.

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## Question 6

### Q6: Do you have any further comments?

Party Name	Party Category	Yes/No	Comments
Utilita Energy	Large Supplier	No	
E.ON	Large Supplier	No	
Landis+Gyr	Other	No	
Western Power Distribution	Electricity Network Operator	No	
Northern Gas Networks Ltd.	Gas Network Operator	No	
SSEN	Electricity Network Operator	No	
SSE	Large Supplier	No	
Npower	Large Supplier	Yes	

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EDF	Large Supplier	No	
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