

GT SECTOR	
<b>REFERENCE NUMBER:</b>	<b>CATEGORY:</b>
<b>LICENCE CONDITION NUMBER:</b> <i>(if relevant):</i>	SpC 9.11
<b>TITLE:</b>	Transmission Planning Code
<b>RELEVANT LICENCE CONSULTATION QUESTIONS</b> <i>(if any):</i>	Q27 – captured under generic question on views of the proposals for changes to GT licence
<b>RELEVANT ISSUES LOG:</b>	9.10-9.12 - 7A-7C - Network Plan, Tx Code, Network Model Issues Log
<b>POLICY ISSUES</b>	
<ul style="list-style-type: none"> <li>• Misleading description of changes made in licence consultation</li> <li>• Removal of 28 day time limit on Ofgem decisions</li> <li>• Ofgem making proposed recommendations for change</li> <li>• Absence of reference to NCAM</li> </ul>	<ul style="list-style-type: none"> <li>• In the consultation document Ofgem say that the reason for the amendment of the licence condition is to reflect the these obligations are now ongoing, rather than new (in existing licence drafting). As such stakeholders may not have read the legal text which goes beyond the simple updates highlighted (see points below). It is also not clear what changes relate to the condition being an ongoing obligation rather than a new obligation. Please can Ofgem clarify.</li> <li>• 9.11.10 removes existing 28 day limit for Ofgem, whereby approval is deemed in the absence of an Ofgem decision. There is no clarity on how processes should operate if Ofgem has not made a timely decision on proposed changes. The rationale for this change both here and across the licence is not clear</li> <li>• 9.11.10c introduces the option of the Authority proposing its own recommendations for changes (only when rejecting propose changes). It is not clear how NGGT should proceed in this circumstance, particularly in the circumstance where there is insufficient time, in the current year, to reconsult with stakeholders and bring fresh proposals to Ofgem ahead of operating the process in question. Also would Ofgem not want the ability to make recommendations when approving a proposed change?</li> <li>• In DD GT Annex 2.142 Ofgem said it would introduce new licence obligations in relation to NCAM (Network Capability Assessment Methodology), whilst we believe these activities are captured under or alongside our TPC obligations we are surprised to see no reference to NCAM in the consultation document of licence drafting</li> </ul>

<b>DRAFTING ISSUES</b>	
<ul style="list-style-type: none"> <li>• 9.11.5(a)</li> <li>• 9.11.9(b)</li> <li>• 9.11.10</li> </ul>	<ul style="list-style-type: none"> <li>• Should cross refer to Special Condition 3.11 in line 1</li> <li>• Should cross refer to Part B</li> <li>• The removal of the existing provisions in 7B.9 which deem approval of revisions after 28 days in the absence of an Authority decision means that the position is unclear in respect of proposals that have neither been approved or rejected. It is assumed that the licensee is to continue to implement and comply with an unmodified version of the TPC until the Authority makes a decision under 9.11.10 even though there is no timeframe in which such a decision must be made. If this is the case can please can Ofgem confirm the point</li> </ul>
<ul style="list-style-type: none"> <li>• 9.11.10</li> <li>• 9.11.11</li> </ul>	<ul style="list-style-type: none"> <li>• Remove "either"</li> <li>• As drafted 9.11.11 is deficient as it only provides for the licensee to request a derogation and not for the Authority to either grant or be able to grant such a derogation. An additional paragraph needs to be added along the lines of the existing 7B.10 (and the approach taken in the drafting at 9.22.12).</li> </ul>
<ul style="list-style-type: none"> <li>• Defined terms</li> </ul>	<ul style="list-style-type: none"> <li>• The definition of "Transmission Planning Code" needs to cross refer to this condition 9.11.</li> <li>• The term "Statutory Network Security Standard" is currently not defined in the GT definitions annex.</li> </ul>
<b>FINANCE ISSUES</b>	
<b>SUPPORTING INFORMATION</b>	
<b>OFGEM ENGAGEMENT:</b>	Discussed at previous LDWG and log available