

CRITERIA MODIFICATION PROPOSAL FORM

SECTION A: CONTACT DETAILS	
Name of Requesting Organisation	ECSSA (Ireland) Ltd
Contact Name	Mike Marshall
Telephone Number	064 6637266
E-mail Address	mikemarshall@ecssa.ie
Date Modification Request Raised	05/11/2012

SECTION B: MODIFICATION DETAILS	
Modification Title	
Sections affected by Modification Proposal	Common Procedure No 1- Section 6

Proposed Modification	
<p>Additional four points to CP 1 section 6:</p> <p>6.5 <i>Should it become apparent that a REC is unable to submit a Post Connection Cert it shall be permissible for the Customer to arrange to have the Post Connection Tests carried out and a Post Connection Cert issued by an alternative REC (subject to the completion of the Change of Contractor process) or by an Inspector from a Body.</i></p> <p>6.6 <i>The Test Results as submitted to the Body which holds the Pre-Connection Cert shall be used to finalize the Certification of the Installation.</i></p> <p>6.7 <i>A note must be placed on file to indicate that the Post Connection Cert for the Installation was issued by an alternative REC.</i></p> <p>6.8 <i>In cases where one Body holds the Post Connection Cert and the other Body holds the Pre Connection Cert, certificate data will be transferred from the former to the latter Body as required.</i></p> <p><i>[the original sections 6.5 to 6.11 will be renamed as 6.9 to 6.15]</i></p> <p>Alteration to CP 1 section 6.3:</p> <p>6.3 <i>The REC responsible for the construction and testing of the electrical installation shall energise the Customer's installation except in situations as described in CP1 6.5. The REC shall also verify and certify the post-connection tests, as required by ETCl. The REC will also reseal the interface isolator in the closed position with his/her own seal following successful completion of post connection tests. The REC shall record the seal number on the Test Record Sheet associated with the installation that has been tested.</i></p>	
Modification Proposal Justification	
Steps must be taken to regularize the situation which prevails in relation to an ever increasing number of certifications which remain un-finalized for want of a Post Connection Cert.	
Implication of not Implementing the Modification	
(1)The SSB's IT Systems will continue to generate letters demanding the return of Post	

Connection Tests, even when it has been notified that the REC involved has died, emigrated or ceased trading.

(2) No cert will exist as a Document of Record to verify that the installation has been tested after supply has been connected and that the Test Results obtained fall within the parameters set out in the National Wiring Rules as the minimum required in a safe installation.

(3) The credibility of the Enforcement Process will be brought into disrepute if it is seen that CER is unwilling to invoke the power of disconnection of supply set out in 6.5 of the Procedure.

On the other hand the disconnection of supply from Customers who are paying their energy bills would be socially unacceptable and would lead to an adverse public reaction towards the CER.

Please return this form to Secretary by e-mail to tquinn@cer.ie

SECTION C: (FOR CER USE ONLY)	
Submitted by	Mike Marshall
Date Proposal Received by Secretary	05/11/12
Type of Proposal (Urgent/Standard)	Standard
Tracking Number	2012/001

CRITERIA MODIFICATION PROPOSAL FORM

SECTION A: CONTACT DETAILS	
Name of Requesting Organisation	ECSSA (Ireland) Ltd
Contact Name	Mike Marshall
Telephone Number	064 6637266
E-mail Address	mikemarshall@ecssa.ie
Date Modification Request Raised	06/11/2012

SECTION B: MODIFICATION DETAILS	
Modification Title	
Sections affected by Modification Proposal	Common Procedure No 2- Preamble

Proposed Modification
Delete the words: “ <i>and have completed a recognized Testing, Verification and Certification Course within the previous three years</i> ” from the Preamble of CP2
Modification Proposal Justification
This requirement was never discussed or agreed by the stakeholders when the Common Procedure was being drafted and was afterwards inserted in the Preamble by somebody in CER who did not appreciate that doing so frustrated the intentions of the legislators who had provided for a Third Party Inspection service by way of Section 9C sub sections 14-17 of the Electricity Regulation Act 1999 which were inserted by Section 4 of the Energy (Miscellaneous Provisions) Act 2006 .
Implication of not Implementing the Modification
(1) The provision of the certification service required by the primary legislation will be frustrated
(2) The right of an electrician to certify his own house, secured by the ESB group of unions in 1992 and afterwards extended to apply to all electricians will be removed and will lead to confrontation and possible litigation.
(3) If this impractical obstacle to the provision of the service is maintained it will not prevent the carrying out of installations by contractors who are not RECs but will lead to a scenario where the non-registered contractor will pay an REC to test and Certify the installation or to an even more unwelcome situation where the non-registered contractor will buy a signed completion cert from an REC and complete it himself.

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SECTION C: (FOR CER USE ONLY)	
Submitted by	Mike Marshall
Date Proposal Received by Secretary	06/11/12
Type of Proposal (Urgent/Standard)	Standard
Tracking Number	2012/002

CRITERIA MODIFICATION PROPOSAL FORM

SECTION A: CONTACT DETAILS	
Name of Requesting Organisation	ECSSA (Ireland) Ltd
Contact Name	Mike Marshall
Telephone Number	064 6637266
E-mail Address	mikemarshall@ecssa.ie
Date Modification Request Raised	12/11/2012

SECTION B: MODIFICATION DETAILS	
Modification Title	
Sections affected by Modification Proposal	Common Procedure No 5- 6.2 –6.4 Common Procedure No 1- 6.12

Proposed Modification
<p>Delete the present wording of CP5 6.2 and replace with the following:</p> <p><i>If an REC does not submit post connection tests within 35 days of supply being made available by the DSO notification must be sent to the REC pointing out that, within 10 working days of the date of the notification, he must submit a valid Post Connection Cert or a written explanation why it is not possible to comply with the notification. This notification will outline that the REC's entitlement to self-certify will be withdrawn.</i></p> <p><i>If the REC does not comply with the request outlined above an inhibitor is placed against his registration number on the Body's Database which will prevent the processing of any further Completion Certificates while the problem remains unresolved through the fault of the REC. The REC's entitlement to self-certify shall be withdrawn in accordance with Section B 4.2 of the Criteria document .If the REC still does not comply with the request outlined above within 15 working days the Body will then write to the Customer, pointing out the requirement to have Tests carried out and a Post Connection Test submitted either by the original Contractor or by a replacement REC. If a Post Connection Cert is received within 10 working days the Certification is closed out. If the Customer ignores or fails to act on the request within 10 working days details should be sent to CER who will commence the Process outlined in 6.3.</i></p> <p><i>If the REC indicates that the reason for non compliance is due to failure of the customer to co-operate he must confirm this in writing , together with the name and address of the customer The Body will then write to the Customer, pointing out the requirement to have Tests carried out and a Post Connection Test submitted either by the original Contractor or by a replacement REC. If a Post Connection Cert is received within 10 working days the Certification is closed out. If the Customer ignores or fails to act on the request within 10 working days details should be sent to CER who will commence the Process outlined in 6.3.</i></p> <p>Replace some of the present wording of CP5 6.3 with the following:</p> <p>Replace: <i>"If not rectified within five (5) days"</i></p>

With:

"If the customer ignores or fails to act on the request outlined within 6.2"

Replace:

"(i.e. within five (5) days)"

With:

"(i.e. within 10 working days)"

New section in Common Procedure no 1 Section 6.16:

Where a REC's entitlement to self-certify is withdrawn a mechanism shall be provided by the SSB to allow an inspector to certify an installation which is having its connection to the electricity network held up due to the RECs status, and this shall be completed at the RECs expense.

1 Modification Proposal Justification

The enforcement of Post Connection Tests will be enhanced in that the minds of both RECs and Customers will be concentrated on the fact that failure to comply will have serious implications for whichever of them is responsible for the incomplete state of the Certification of the installation.

The matter will be brought to a head more speedily and will avoid a situation whereby the Bodies continue to send out letters to RECs who are either unwilling or unable to comply with the post connection certification requirements

A disconnection by the DSO will be legally sustainable in that the Customer will have been notified, in writing, of the imminent consequences of his continued non compliance.

Under the present structure of the Procedure it is difficult if not impossible for the Bodies to notify a Customer whose name they do not have and therefore any subsequent disconnection of supply could be held to be illegal in that the procedures set out in Common Procedure No 5 had not been followed at all stages of the process.

Providing this new mechanism in CP1 6.12 will prevent customers awaiting connection for new installations being delayed or denied due to the RECs entitlement to self-certify being withdrawn.

Implication of not Implementing the Modification

(1) The Bodies will continue to issue letters even where it has been pointed out that the REC cannot issue a Post Connection Cert.

This will then continue to be a serious drain on the human & financial resources of the Bodies

(2) RECs will continue to ignore requests for Post Connection Tests in the hope that customers who have not paid them will be disconnected.

(3) The facility for disconnection provided in the Enforcement Procedure will continue to be seen by non Compliant Customers as an empty threat which has never been invoked to date

(4) Customers of the REC may be denied or delayed access to a power connection at no fault of their own.

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SECTION C: (FOR CER USE ONLY)	
Submitted by	Mike Marshall
Date Proposal Received by Secretary	12/11/12
Type of Proposal (Urgent/Standard)	Standard
Tracking Number	2012/003

CRITERIA MODIFICATION PROPOSAL FORM

SECTION A: CONTACT DETAILS	
Name of Requesting Organisation	ECSSA (Ireland) Ltd
Contact Name	Mike Marshall
Telephone Number	064 6637266
E-mail Address	mikemarshall@ecssa.ie
Date Modification Request Raised	12/11/2012

SECTION B: MODIFICATION DETAILS	
Modification Title	
Sections affected by Modification Proposal	B 2.4.3

Proposed Modification
Replace the word: “and” with the word “or” in setting out the requirements for confirmation of the granting of registration to an electrical contractor by the Body
Modification Proposal Justification
The registration cards currently issued are misleading in that they carry the name and photo of the Qualifying Manager who may or may not be the Principal Duty Holder. They are therefore unsuitable for confirming to third parties that the Electrical Contracting Entity is an REC and may give rise to the belief that the person whose name and photo appears on the card is an REC in his own right when in fact he may just be an employee of an REC.
Implication of not Implementing the Modification
(1) A costly and confusing practice of issuing cards carrying the name and photo of an individual would be continued, without any clear indication as to whether the bearer is actually the Principal Duty Holder or simply an employee of the contracting entity
(2) The natural development of the regulatory process will be impeded since QC cards, having a three year validity, are now being issued to Qualified Certifiers and a continuation of the REC cards would lead to a multiplicity of cards which will serve to confuse the public further.

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SECTION C: (FOR CER USE ONLY)	
Submitted by	Mike Marshall
Date Proposal Received by Secretary	12/11/12
Type of Proposal (Urgent/Standard)	Standard
Tracking Number	2012/004

CRITERIA MODIFICATION PROPOSAL FORM

SECTION A: CONTACT DETAILS	
Name of Requesting Organisation	Commission for Energy Regulation
Contact Name	Sean Ward
Telephone Number	(01)4000800
E-mail Address	sward@cer.ie
Date Modification Request Raised	03/12/12

SECTION B: MODIFICATION DETAILS	
Modification Title	SSB change of contractor data share
Sections affected by Modification Proposal	Common Procedure no 3

Proposed Alternate Wording
<p>Add additional point under “RECORDS TO BE MAINTAINED”:</p> <p style="text-align: center;"><i>2.2 The Body for which the nominated REC is a member shall notify the Body of the original REC of the change of contractor approval.</i></p>
Modification Proposal Justification
<p>This modification will provide transparency in the operation of Common Procedure number 3 and help prevent misunderstandings on the current status of installations.</p>
Implication of not Implementing the Modification
<p>Not implementing this modification will mean that the SSBs will continue to be unaware of situations where the change of contractor procedure has been approved on installations originally worked on by one of their RECs.</p>

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SECTION C: (FOR CER USE ONLY)	
Submitted by	Sean Ward
Date Proposal Received by Secretary	03/12/12
Type of Proposal (Urgent/Standard)	Standard
Tracking Number	2012/005

CRITERIA MODIFICATION PROPOSAL FORM

SECTION A: CONTACT DETAILS	
Name of Requesting Organisation	Commission for Energy Regulation
Contact Name	Thomas Quinn
Telephone Number	(01) 4000800
E-mail Address	tquinn@cer.ie
Date Modification Request Raised	22/03/13

SECTION B: MODIFICATION DETAILS	
Modification Title	Extend T, V & C course renewal frequency
Sections affected by Modification Proposal	Section C no 1

Proposed Modification
<p>Replace this text:</p> <p>1.2.12 (iii) is required to have successfully completed a recognised course in “Testing, Verification and Certification” in the previous 3 years.</p> <p>With the following:</p> <p>1.2.12 (iii) is required to have successfully completed a recognised course in “Verification, Testing, and Certification” of Electrical Installations to ‘The National Wiring Rules’ in the previous number of years. If the recognised course that was completed was accredited the period is 5 years. If the recognised course that was completed was not accredited this period is 3 years.¹</p> <p>¹ Unaccredited courses completed from 1st July 2013 will not be recognised. However if somebody successfully completed a recognised unaccredited course prior to 1st July 2013 it will still remain valid for 3 years (even if 3 year period ends post 1st July 2013).</p>
Modification Proposal Justification
<p>This change from 3 to 5 years recognises that accredited courses will provide increased consistency on agreed learning outcomes between providers ensuring improved outcomes. The accredited courses will give increased confidence that individuals that complete the course have the required competence to operate as a Qualified Certifier and the movement to 5 years recognizes this.</p>
Implication of not Implementing the Modification
<p>If not implemented parties would still be required to complete a course every 3 years, not</p>

recognising the benefits gained through accreditation.

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SECTION C: (FOR CER USE ONLY)	
Submitted by	Thomas Quinn
Date Proposal Received by Secretary	22/03/13
Type of Proposal (Urgent/Standard)	Standard
Tracking Number	2013/001