

# Contestability of Commissioning Consultation

Liaison Group Update

7 June 2017



# Background

- Connecting parties have the right to contest the construction of part or all of their connection.
- All works must be built to Transmission / Distribution Standards as applicable and in accordance with Functional Specifications as provided by the SOs.
- Contestable Activities include:
  - Detailed design
  - Site selection
  - Equipment purchasing
  - Pre-commissioning
  - Routing
  - Planning consents
  - Construction

# Background

- Under the current arrangement there are a number of Non-Contestable activities and these include:
  - Determination of the connection method
  - System Reinforcements
  - Works associated with protection, communication and metering
  - Works on assets that cannot be safely and efficiently separated from the existing live systems
  - Demand connections at distribution
  - Commissioning
- These activities are currently carried out by ESNB as AO on behalf of TSO and DSO.
- Contestable build quality issues led to a workshop with industry on 19<sup>th</sup> December, resulting in a delay to submission of the contestable commissioning recommendation paper.

# Overview – Extension of Contestability

- Drivers for Change:
  - Expected scale of connections in the coming years
  - REFIT 2 deadline
  - Strong feedback from Industry
- The SOs and AOs sought opportunities to widen the scope of the contestable activities available to Customers.
- Two Areas identified:
  - Contestability of Telecoms for Contested Transmission Works
  - Contestability of Commissioning of Contested Works

# Consultation – July/Aug 2016

- The Consultation ran for a four (4) week period from 22 July to 19 August 2016
- The Consultation “Pack” contained the following
  1. Joint Consultation Paper
  2. Proposed amendments to the connection agreement documents:
    - a) Transmission Connection Agreement
    - b) Transmission Connection Agreement - Schedule 10
    - c) Transmission General Conditions
    - d) Distribution Quotation Letter
    - e) Distribution Connection Agreement
    - f) Distribution General Conditions
  3. Company Standard Contestable Commissioning Specification
    - this is not a regulated document but comments were invite from industry

# Consultation – July/Aug 2016

- Nine (9) responses were received from Industry
- Meetings were held with respondents, where requested
- All respondents were in favour of the introduction of contestability of commissioning
- 115 comments were received in total in relation to the SO/AO proposals
- All have been reviewed and addressed in the SO/AO Recommendations Paper

# Timelines and Next Steps

- Responses considered by the SOs and AOs
- Recommendations developed and submitted to CER (March 2017)
- Following CER direction, we intend to publish the consultation responses, the recommendations paper and the revised contractual documents as approved by CER in parallel with the CER's Direction
- Application deadline to contest commissioning within REFIT 2 deadlines is a minimum of 7 months prior to commencement of commissioning
- CER to publish its Determination
- Contestable commissioning can take place circa 7 months after CER Determination