

Condition C17: Transmission system security standard and quality of service

1. The licensee shall at all times:
 - (a) plan, develop and operate the licensee's transmission system; and
 - (b) co-ordinate and direct the flow of electricity onto and over the GB transmission system,

in accordance with the GB Security and Quality of Supply Standard version 1, together with the STC, the Grid Code or such other standard of planning and operation as the Authority may approve from time to time and with which the licensee may be required to comply (following consultation (where appropriate) with any authorised electricity operator liable to be materially affected thereby).
2. The licensee shall at all times have in force a statement approved by the Authority following consultation with any relevant authorised electricity operator setting out criteria by which system availability, security and service quality of the GB transmission system may be measured and where such measurement is dependent on information provided to the licensee by a transmission owner, the statement shall specify the information to be so provided.
3. The licensee shall within 4 months after the end of each financial year submit to the Authority a report providing details of system availability, security and service quality of the GB transmission system during the previous financial year against the criteria referred to in paragraph 2 of this condition and shall publish the report if within 2 months of the date of submission the Authority does not give a direction to the licensee not to publish the report.
4. The Authority may (following consultation with the licensee and, where appropriate, any relevant authorised electricity operator) issue directions relieving the licensee of its obligations under paragraph 1 in respect of such parts of the licensee's transmission system or the GB transmission system and to such extent as may be specified in the directions.
5. The licensee shall give or send a copy of the documents (other than the Grid Code and the STC) referred to in paragraph 1 (as from time to time revised) to the Authority.
6. The licensee shall (subject to paragraph 7) give or send a copy of the documents (as from time to time revised) referred to in paragraph 5 to any person requesting the same.

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Electricity Transmission Licence: Standard Conditions

7. The licensee may make a charge for any copy given or sent pursuant to paragraph 6 of an amount which will not exceed any amount specified for the time being for the purposes of this condition in a direction issued by the Authority.

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Transmission Licence: Standard Conditions – Consolidated to 01 October 2008

Condition B12: System Operator – Transmission Owner Code

1. The licensee shall, in common with those other transmission licensees to which this condition applies, at all times have in force a STC, being a document which:
 - (a) sets out terms as between transmission licensees whereby the GB transmission system and each licensee's transmission system forming part thereof is to be planned, developed or operated and transmission services are to be provided together with any associated arrangements;
 - (b) is designed to facilitate achievement of the objectives set out in paragraph 3;
 - (c) includes the amendment procedures required by paragraph 6; and
 - (d) provides for mechanisms for the resolution of any disputes arising in relation to any of the matters addressed in the STC.

The licensee shall be taken to comply with this paragraph by:

- (i) adopting (through entry into the STC Framework Agreement), as the STC in force with effect from the date this condition comes into effect, the document designated by the Secretary of State for the purposes of this condition; and
 - (ii) amending such document from time to time in accordance with the transition modification provisions and the provisions of paragraphs 6 and 7 below.
2. For the purposes of this condition, the terms and arrangements referred to in paragraph 1(a) whereby the GB transmission system and each licensee's transmission system forming part thereof are to be planned, developed or operated and transmission services are to be provided are those which:
 - (a) are requisite for the enjoyment and discharge of the rights and obligations of transmission licensees arising under their licences and such other code or document as may be specified from time to time by the Authority including, but not limited to, rights and obligations which may arise under each of the core industry documents, the BSC and the CUSC; and
 - (b) provide for matters which include:

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Electricity Transmission Licence: Standard Conditions

- the provision of transmission services,
- the operation, including the configuration, of the GB transmission system,
- the co-ordination of the planning of licensees' transmission systems,
- the progression of matters necessary to respond to applications for new connections (or modifications of existing connections),
- planning for, and co-ordination of, transmission outages,
- procedures for developing, agreeing and implementing party entry processes,
- the resolution of disputes,
- the exchange of information between transmission licensees, which information they are free to disclose and relates to the discharge of their duties under the Act, transmission licences and other relevant statutory obligations,
- procedures to enable the system operator to produce information about the GB transmission system in accordance with standard condition C11 (Production of information about the GB transmission system), and
- procedures established in pursuance of paragraph 6.

Nothing in this condition shall preclude the licensee entering into other terms and arrangements connected with these terms and arrangements, outside of the STC, where such other arrangements are not inconsistent or in conflict with this licence or the STC or other relevant statutory requirements.

3. The objectives of the STC referred to in sub-paragraph 1(b) are the:
 - (a) efficient discharge of the obligations imposed upon transmission licensees by transmission licences and the Act;
 - (b) development, maintenance and operation of an efficient, economical and co-ordinated system of electricity transmission;

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Electricity Transmission Licence: Standard Conditions

- (c) facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the distribution of electricity;
 - (d) protection of the security and quality of supply and safe operation of the GB transmission system insofar as it relates to interactions between transmission licensees; and
 - (e) promotion of good industry practice and efficiency in the implementation and administration of the arrangements described in the STC.
4. The STC shall provide for:
- (a) there to be referred to the Authority for determination such matters arising under the STC as may be specified in the STC; and
 - (b) a copy of the STC or any part(s) thereof (which excludes any confidential information contained in the STC, as provided in that document) to be provided to any person requesting the same upon payment of an amount not exceeding the reasonable costs of making and providing such copy.
5. The provisions of paragraphs 1, 2, 4 and 10 shall not limit the matters which may be provided for in the STC.
6. The STC shall include procedures for its own amendment (including procedures for the amendment of the amendment procedures themselves), so as better to facilitate achievement of the applicable STC objectives, which procedures shall provide:
- (a) for proposals for amendment of the STC to be made by any of the STC parties or such other persons or bodies as the STC may provide;
 - (b) where such a proposal is made:
 - (i) for bringing the proposal to the attention of the STC parties and such other persons as may properly be considered to have an appropriate interest in it;
 - (ii) for proper consideration of any representations on the proposal itself or on the likely effect of the proposal on the core industry documents;

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Electricity Transmission Licence: Standard Conditions

- (iii) for the preparation by each transmission licensee of an assessment of the likely impact of the proposal on that licensee's transmission system and its other systems, provided that, so far as any such assessment requires information which is not generally available concerning that licensee or that licensee's transmission system, such assessment shall be made on the basis of that licensee's proper assessment (which that licensee shall make available for these purposes) of the impact of the proposal on that licensee's transmission system;
- (iv) for properly evaluating whether the proposed amendment would better facilitate achieving the applicable STC objectives, provided that so far as any such evaluation by the licensee requires information which is not generally available concerning another licensee or another licensee's transmission system or the GB transmission system, such evaluation shall be made on the basis of the licensee's proper assessment (which the licensee shall make available for these purposes) of the effect of the proposed amendment on the matters referred to in paragraph 3;
- (v) for development of any alternative amendment which may, as compared with the proposed amendment, better facilitate achieving the applicable STC objectives;
- (vi) for the preparation of a report by the STC parties which includes the following:
 - the proposed amendment and any alternative;
 - an evaluation of the proposed amendment and any alternative;
 - an assessment of the extent to which the proposed amendment or any alternative would better facilitate achieving the applicable STC objectives;
 - an assessment of the likely impact on each transmission licensee's transmission system and any other systems of that licensee and, to the extent practicable, on other licensees' transmission systems and any other systems of each other transmission licensee and on the GB transmission system, of the proposed amendment;

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Electricity Transmission Licence: Standard Conditions

- an assessment of the impact of the amendment on the core industry documents and the changes expected to be required to such documents as a consequence of the amendment;
 - to the extent practicable, the inclusion in the report of a recommendation or recommendations being the combined views of the STC parties concerning the amendment and any alternative and, where a combined view is not practicable, setting out the views of each STC party;
 - a timetable for implementation of the amendment and any alternative, including the date with effect from which such amendment (if made) is to take effect; and
- (vii) for the submission of the report to the Authority as soon after the proposal is made as is appropriate (taking into account the complexity, importance and urgency of the amendment) for the proper execution and completion of the steps in sub-paragraphs (i) to (vi);
- (c) for the timetable (referred to in sub-paragraph (b)(vi)) for implementation of any amendment to be such as will enable the amendment to take effect as soon as practicable after the Authority has directed such amendment to be made, account being taken of the complexity, importance and urgency of the amendment, and for that timetable to be extended with the consent of or as required by the Authority after those persons likely to be affected by the revision of the timetable have been consulted; and
- (d) for separate processes for the amendment of STC procedures and the schedule listing the STC procedures in force from time to time and which otherwise forms a part of the STC to those for the amendment of other parts of the STC set out in sub-paragraphs (a) to (c) above and paragraph 7.
7. (a) If a report has been submitted to the Authority pursuant to procedures described in paragraph 6(b)(vii), and the Authority is of the opinion that an amendment set out in such report would, as compared with the then existing provisions of the STC and any alternative amendments set out in such report, better facilitate achieving the applicable STC objectives, the Authority may direct the system operator to make that amendment

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Electricity Transmission Licence: Standard Conditions

on behalf of the STC parties and the system operator shall provide a copy of the direction to all other STC parties.

- (b) The system operator, on behalf of the STC parties, shall only amend the STC:
 - (i) in order to comply with any direction of the Authority pursuant to sub-paragraph (a); or
 - (ii) with the consent of the Authority,

and it shall not have the power to amend the STC in any other circumstance; and the system operator shall furnish the Authority with a copy of any amendment made.

- (c) Only the system operator shall have the power to amend the STC.
 - (d) The system operator shall ensure that a copy of any direction of the Authority pursuant to sub-paragraph (a) is made available to each STC party, including by way of publication.
 - (e) The system operator shall ensure that the other STC parties are furnished with a copy of any amendment so made.
8. The system operator shall prepare and publish a summary of the STC as amended or changed from time to time in such form and manner as the Authority may from time to time direct.
9. The licensee shall be a party to the STC Framework Agreement and shall comply with the STC.
10. The STC Framework Agreement shall contain provisions:
- (a) for admitting as an additional party to the STC Framework Agreement any person who accepts the terms and fulfils the conditions (each as specified in the STC) on which accession to the STC Framework Agreement is offered; and
 - (b) for referring for determination by the Authority any dispute which shall arise as to whether a person seeking to be admitted as a party to the STC Framework Agreement has fulfilled any accession conditions; and if the Authority determines that the person seeking accession has fulfilled all relevant accession conditions, for admitting such person to be a party to the STC Framework Agreement.

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Electricity Transmission Licence: Standard Conditions

11. The licensee shall, in conjunction with the other STC parties, take all reasonable steps to secure and implement (consistently with the procedures applicable under or in relation to such documents), and shall not take any steps to prevent or unduly delay, changes to the core industry documents (other than the Grid Code) to which it is a party (or in relation to which it holds rights in respect of amendment), such changes being changes which are appropriate in order to give full and timely effect to and/or in consequence of any amendment which has been made to the STC.
12. The licensee shall, in conjunction with the other STC parties, take all reasonable steps to secure and implement (consistently with the procedures for amendment set out in the STC and in this condition), and shall not take any steps to prevent or unduly delay, changes to the STC which are appropriate in order to give full and timely effect to or in consequence of any change which has been made to the core industry documents (other than the Grid Code).
13. For the avoidance of doubt, paragraphs 11 and 12 are without prejudice to any rights of approval, veto or direction in respect of proposed changes to the documents referred to in those paragraphs, which the Authority may have.
14. The licensee shall comply with any direction to the licensee made pursuant to this condition.
15. The Authority may (following consultation with all affected STC parties) issue directions relieving the licensee of its obligations to implement or comply with the STC in respect of such parts of the licensee's transmission system or the GB transmission system or to such extent as may be specified in the direction.
16. In this condition:

"applicable STC objectives" means:

- (a) in relation to a proposed amendment of the amendment procedures, the requirements of paragraph 6 (to the extent that they do not conflict with the objectives set out in paragraph 3); and
- (b) in relation to any other proposed amendment, the objectives set out in paragraph 3.

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Electricity Transmission Licence: Standard Conditions

"party entry processes"	means the procedures, processes and steps to be followed by a party following accession to the STC Framework Agreement.
"STC procedures"	means the processes and procedures from time to time listed in the STC that the parties to such processes and procedures consider and agree are appropriate to support their compliance with the rest of the STC.
"transition modification provisions"	means the provisions of this condition which apply or applied during the transition period and which enable or enabled the Authority (whether with or without the consent of the Secretary of State) to direct the licensee to modify the STC in certain circumstances.

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Transmission Licence: Standard Conditions – Consolidated to 01 October 2008

Condition C11: Production of information about the GB transmission system

1. The licensee shall by not later than 31 May 2005 for the financial year ending 31 March 2005 and by 31 May in each financial year thereafter, prepare a statement in a form approved by the Authority showing in respect of each of the seven succeeding financial years circuit capacity, forecast power flows and loading on each part of the GB transmission system and fault levels for each transmission node, together with:
 - (a) such further information as shall be reasonably necessary to enable any person seeking use of system to identify and evaluate the opportunities available when connecting to and making use of such system;
 - (b) a commentary prepared by the licensee indicating those parts of the GB transmission system most suited to new connections and transport of further quantities of electricity; and
 - (c) such other matters as shall be specified in directions issued by the Authority from time to time for the purposes of this condition.
2. The licensee shall include in every statement prepared under paragraph 1 above the information required by that paragraph except that the licensee may with the prior consent of the Authority omit from such statement any details as to circuit capacity, power flows, loading or other information, disclosure of which would, in the view of the Authority, seriously and prejudicially affect the commercial interests of the licensee or any other transmission licensee or any third party.
3. The licensee may periodically revise the information set out in and, with the approval of the Authority, alter the form of the statement prepared in accordance with paragraph 1 and shall, at least once every year that this licence is in force, revise such statement in order that the information set out in the statement shall continue to be accurate in all material respects.
4. The licensee shall send a copy of any such statement or revision given under paragraphs 1 or 3 to any person who asks for one.
5. The licensee may make a charge for any statement or revision sent pursuant to paragraph 4 of an amount reflecting the licensee's reasonable costs of providing such, which costs shall

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Condition C14: Grid Code

1. The licensee shall in consultation with authorised electricity operators liable to be materially affected thereby prepare and at all times have in force and shall implement and comply (subject to paragraph 11) with the Grid Code:
 - (a) covering all material technical aspects relating to connections to and the operation and use of the GB transmission system or (in so far as relevant to the operation and use of the GB transmission system) the operation of electric lines and electrical plant connected to the GB transmission system or any distribution system of any authorised distributor and (without prejudice to the foregoing) making express provision as to the matters referred to in paragraph 5 below; and
 - (b) which is designed so as:
 - (i) to permit the development, maintenance and operation of an efficient, co-ordinated and economical system for the transmission of electricity;
 - (ii) to facilitate competition in the generation and supply of electricity (and without limiting the foregoing, to facilitate the GB transmission system being made available to persons authorised to supply or generate electricity on terms which neither prevent nor restrict competition in the supply or generation of electricity); and
 - (iii) subject to sub-paragraphs (i) and (ii), to promote the security and efficiency of the electricity generation, transmission and distribution systems in Great Britain taken as a whole.
2. The Grid Code shall be the code which existed and which the licensee maintained pursuant to its licence immediately prior to the start of the transition period, modified from time to time in accordance with the transition modification provisions and the provisions of this condition. The licensee shall (in consultation with authorised electricity operators liable to be materially affected thereby) periodically review (including upon the request of the Authority) the Grid Code and its implementation. Following any such review, the licensee shall send to the Authority:
 - (a) a report on the outcome of such review; and

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Electricity Transmission Licence: Standard Conditions

- (b) any proposed revisions to the Grid Code from time to time as the licensee (having regard to the outcome of such review) reasonably thinks fit for the achievement of the objectives referred to in paragraph (b) of paragraph 1; and
 - (c) any written representations or objections from authorised electricity operators liable to be materially affected thereby (including any proposals by such operators for revisions to the Grid Code not accepted by the licensee in the course of the review) arising during the consultation process and subsequently maintained.
- 3. Revisions to the Grid Code proposed by the licensee and sent to the Authority pursuant to paragraph 2 shall require to be approved by the Authority.
- 4. Having regard to any written representations or objections referred to in sub-paragraph (c) of paragraph 2, and following such further consultation (if any) as the Authority may consider appropriate, the Authority may issue directions requiring the licensee to revise the Grid Code in such manner as may be specified in the directions, and the licensee shall forthwith comply with any such directions.
- 5. The Grid Code shall include codes relating to the technical operation of the GB transmission system, including:
 - (a) connection conditions specifying the technical, design and operational criteria to be complied with by the licensee and by any person connected or seeking connection with the GB transmission system or by any person authorised to generate who is connected with or seeks connection with the GB transmission system or any distribution system of any third party which is located in Great Britain.
 - (b) an operating code specifying the conditions under which the licensee shall operate the GB transmission system and under which persons shall operate their plant and/or distribution systems in relation to the GB transmission system, in so far as necessary to protect the security and quality of supply and safe operation of the GB transmission system under both normal and abnormal operating conditions;
 - (c) a planning code specifying the technical and design criteria and procedures to be applied in the planning and development of the GB transmission system and to be taken into account by persons connected or seeking connection with the GB

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Electricity Transmission Licence: Standard Conditions

transmission system in the planning and development of their own plant and systems;
and

- (d) procedures relating to the outage of generation sets and a balancing code specifying, among other matters, information to be submitted by authorised electricity operators to the licensee for the purposes of, and the making of offers and bids in, the balancing mechanism, and the issuing by the licensee of instructions by reference to such offers and bids.
6. The licensee shall, upon receipt by the licensee of a direction from the Secretary of State to do so, revise the Grid Code so as to incorporate any changes to the Grid Code designated by the Secretary of State on or before 8 September 2004.
 7. The licensee shall give or send a copy of the Grid Code (as from time to time revised) to the Authority.
 8. The licensee shall (subject to paragraph 9) give or send a copy of the Grid Code (as from time to time revised) to any person requesting the same.
 9. The licensee may make a charge for any copy of the Grid Code (as from time to time revised) given or sent pursuant to paragraph 8 of an amount which will not exceed any amount specified for the time being for the purposes of this condition in directions issued by the Authority.
 10. In preparing, implementing and complying with the Grid Code (including in respect of the scheduling of maintenance of the GB transmission system), the licensee shall not unduly discriminate against or unduly prefer any person or class or classes of person in favour of or as against any person or class or classes of persons.
 11. The Authority may (following consultation with the licensee) issue directions relieving the licensee of its obligations to implement or comply with the Grid Code in respect of such parts of the GB transmission system and/or to such extent as may be specified in the directions.
 12. In this condition, authorised electricity operator includes any person transferring electricity to or from Great Britain across an interconnector; and

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Electricity Transmission Licence: Standard Conditions

"transition modification provisions" means the provisions of this condition which apply or applied during the transition period and which enable or enabled the Authority (whether with or without the consent of the Secretary of State) to direct the licensee to revise the Grid Code in certain circumstances.

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Transmission Licence: Standard Conditions – Consolidated to 01 October 2008

Condition D2: Obligation to provide transmission services

1. The licensee shall, in accordance with the STC, provide to the system operator the transmission services set out in paragraph 2.
2. The transmission services which the licensee shall provide in accordance with paragraph 1 shall consist of the following:
 - (a) making available those parts of the licensee's transmission system which are intended for the purposes of conveying, or affecting the flow of, electricity so that such parts are capable of doing so and are fit for those purposes;
 - (b) a means of enabling the system operator to direct the configuration of those parts of the licensee's transmission system made available to it and, consistent with such means, giving effect to any such direction from time to time; and
 - (c) a means of enabling the system operator to obtain information in relation to the licensee's transmission system which is needed by the system operator to enable it to co-ordinate and direct the flow of electricity onto and over the GB transmission system and, consistent with such means, providing such information to the system operator.

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Condition D3: Transmission system security standard and quality of service

1. The licensee shall at all times plan and develop the licensee's transmission system in accordance with the GB Security and Quality of Supply Standard version 1, together with the STC or such other standard of planning and operation as the Authority may approve from time to time and with which the licensee may be required to comply (following consultation (where appropriate) with any authorised electricity operator liable to be materially affected thereby) and shall, in so doing, take into account the system operator's obligations under standard condition C17 (Transmission system security standard and quality of service) to co-ordinate and direct the flow of electricity onto and over the GB transmission system.
2. The licensee shall no later than 2 months after the end of the financial year as required by the system operator, provide to the system operator all such information as may be necessary or as the system operator may reasonably require for the purpose of submitting a report to the Authority in compliance with paragraph 3 of standard condition C17 (Transmission system security standard and quality of service) of the transmission Licence.
3. *(Omitted)*
4. The Authority may (following consultation with the licensee and, where appropriate, any relevant authorised electricity operator) issue directions relieving the licensee of its obligations under paragraph 1 in respect of such parts of the licensee's transmission system and to such extent as may be specified in the directions.
5. The licensee shall give or send a copy of the documents (other than the STC) referred to in paragraph 1 (as from time to time revised) to the Authority.
6. The licensee shall (subject to paragraph 7) give or send a copy of the documents (as from time to time revised) referred to in paragraph 5 to any person requesting the same.
7. The licensee may make a charge for any copy given or sent pursuant to paragraph 6 of an amount which will not exceed any amount specified for the time being for the purposes of this condition in a direction issued by the Authority.

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Condition C7: Prohibition on discriminating between users

1. In the provision of use of system or in the carrying out of works for the purpose of connection to the GB transmission system, the licensee shall not discriminate as between any persons or class or classes of persons.
2. Without prejudice to paragraph 1 and subject to paragraphs 3 and 5, the licensee shall not make charges for provision of use of system to any authorised electricity operator or class or classes of authorised electricity operator which differ in respect of any item separately identified in the statement referred to at paragraph 2(b) of standard condition C4 (Charges for use of system) from those for provision of similar items under use of system to any other authorised electricity operator or class or classes of authorised electricity operator except in so far as such differences reasonably reflect differences in the costs associated with such provision.
3. Notwithstanding paragraph 2, the licensee shall not make use of system charges in respect of any item of charge separately identified in the statement referred to at paragraph 2(b) of standard condition C4 (Charges for use of system) on any authorised electricity operator whose contract does not provide for him to receive the service to which such item of charge refers.
4. The licensee shall not in setting use of system charges restrict, distort or prevent competition in the generation, transmission, supply or distribution of electricity or in the participation of the operation of an interconnector.
5. For the avoidance of doubt the adjustment of use of system charges made in accordance with standard condition C13 (Adjustments to use of system charges (small generators)) shall not place the licensee in breach of this condition.

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Condition C8: Requirement to offer terms

1. Unless otherwise determined by the Authority under standard condition C9 (Functions of the Authority), on application made on or after the BETTA go-live date by:

- (a) any authorised electricity operator in the case of an application for use of system; and
- (b) any person in the case of an application for connection,

the licensee shall (subject to paragraph 6) offer to enter into the CUSC Framework Agreement.

2. On application made on or after the BETTA go-live date by any person or any authorised electricity operator in accordance with paragraph 1, the licensee shall, where required by the STC, notify other transmission licensees in accordance with the STC and, for the purpose of making an offer for connection or modification to an existing connection or for use of system, shall co-operate and co-ordinate its activities with any other transmission licensees in accordance with the STC.

3. On application made on or after the BETTA go-live date by any person the licensee shall (subject to paragraph 6) offer to enter into a bilateral agreement and/or a construction agreement relating to connection or modification to an existing connection and such offer shall reflect any associated TO offer which relates to that offer and shall make detailed provision regarding:

- (a) the carrying out of work (if any) required to connect the GB transmission system to any other system for the transmission or distribution of electricity and for the obtaining of any consents necessary for such purpose;
- (b) the carrying out of works (if any) in connection with the extension or reinforcement of the GB transmission system rendered (at the discretion of a transmission licensee where the works are to be carried out on that licensee's transmission system) appropriate or necessary by reason of making the connection or modification to an existing connection and for the obtaining of any consents necessary for such purpose;

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Electricity Transmission Licence: Standard Conditions

- (c) the installation of appropriate meters (if any) required to enable the licensee to measure electricity being accepted into the GB transmission system at the specified entry point or points or leaving such system at the specified exit point or points;
 - (d) the date by which any works required to permit access to the GB transmission system (including for this purpose any works to reinforce or extend the GB transmission system) shall be completed (time being of the essence unless otherwise agreed by the person seeking connection);
 - (e) the connection charges to be paid to the licensee, such charges:
 - (i) to be presented in such a way as to be referable to the connection charging methodology or any revision thereof; and
 - (ii) to be set in conformity with the requirements of paragraph 8 of standard condition C6 (Connection charging methodology) and (where relevant) paragraph 4; and
 - (f) such further terms as are or may be appropriate for the purpose of the agreement.
4. For the purpose of determining an appropriate proportion of the costs directly or indirectly incurred in carrying out works under a bilateral agreement and/or construction agreement, the licensee will have regard to:
- (a) the benefit (if any) to be obtained or likely in the future to be obtained by any transmission licensee or any other person as a result of carrying out such works whether by reason of the reinforcement or extension of the GB transmission system or the provision of additional entry or exit points on such system or otherwise; and
 - (b) the ability or likely future ability of any transmission licensee to recoup a proportion of such costs from third parties.
5. The licensee shall offer terms in accordance with paragraphs 1 and 3 above as soon as practicable and (except where the Authority consents to a longer period) in any event not more than the period specified in paragraph 7 below after receipt by the licensee of an application containing all such information as the licensee may reasonably require for the purpose of formulating the terms of the offer.

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Electricity Transmission Licence: Standard Conditions

6. The licensee shall not be obliged pursuant to this condition to offer to enter or to enter into any agreement if:
- (a) to do so would be likely to involve the licensee:
 - (i) in breach of its duties under section 9 of the Act;
 - (ii) in breach of any regulations made under section 29 of the Act or of any other enactment relating to safety or standards applicable in respect of the transmission business;
 - (iii) in breach of the Grid Code; or
 - (iv) in breach of the conditions; or
 - (b) the person making the application does not undertake to be bound insofar as applicable by the terms of the Grid Code and/or the CUSC from time to time in force; or
 - (c) in the case of persons making application for use of system under paragraph 1, such person ceases to be an authorised electricity operator; or
 - (d) it is unable to do so due to another transmission licensee having notified the licensee that, for one or more of the reasons set out in paragraph 4 of standard condition D4A (Obligations in relation to offers for connection etc), it is not obliged to offer to enter or to enter into any agreement with the licensee in accordance with paragraph 1 or paragraph 3 of standard condition D4A (Obligations in relation to offers for connection etc) and that it does not intend to offer to enter or to enter into any such agreement.
7. For the purposes of paragraph 5, the period specified shall be:
- (a) in the case of persons seeking use of system only and seeking to become a party to the CUSC Framework Agreement if not already a party, in connection with such use, 28 days; and

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Electricity Transmission Licence: Standard Conditions

- (b) in the case of persons seeking a bilateral connection agreement or a construction agreement (and seeking to become a party to the CUSC Framework Agreement if not already a party, in connection with such agreements), 3 months; and
 - (c) in any other case, 28 days.
8. The licensee shall within 28 days following receipt of a request from any person, give or send to such person such information in the possession of the licensee as may be reasonably required by such person for the purpose of completing an application under the Application Regulations or such provisions of similar effect contained in any further regulations.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Transmission Licence: Standard Conditions – Consolidated to 01 October 2008

Condition 20. Compliance with Core Industry Documents

Grid Code

20.1 The licensee must comply with the Grid Code.

Distribution Code

20.2 The licensee must at all times have in force, implement, and comply with the Distribution Code.

Other codes and agreements

20.3 The licensee must be a party to and comply with:

- (a) the Balancing and Settlement Code;
- (b) the Connection and Use of System Code;
- (c) the Distribution Connection and Use of System Agreement; and
- (d) the Master Registration Agreement,

from the earlier of the date on which it offers to distribute electricity or the date on which it begins to distribute electricity in Great Britain.

Consequential changes

20.4 If a consequential change is required in any Core Industry Document, the licensee must take all reasonable steps to secure, and must not take any unreasonable steps to prevent or delay, the making or implementation of that consequential change.

20.5 For the purposes of paragraph 20.4, a consequential change is any modification that is required to be made to a Core Industry Document solely in order to give full and timely effect to a modification made to that or any other Core Industry Document.

Rights of appeal and veto

20.6 Paragraph 20.4 is without prejudice to:

- (a) any rights of appeal that the licensee may have in relation to decisions made by the Authority under a Core Industry Document; and
- (b) any rights of approval, veto, or direction that the Authority or the Secretary of State may have in relation to changes to a Core Industry Document.

Derogations

- 20.7 The Authority may (after consulting the licensee and, where appropriate, any other Authorised Electricity Operator likely to be materially affected) give a direction (“a derogation”) to the licensee that relieves it of its obligations under any Core Industry Document in respect of such parts of that document, to such extent, for such period of time, and subject to such conditions as may be specified in the direction.

Fuel Security Code

- 20.8 The licensee must comply with the Fuel Security Code.
- 20.9 The Fuel Security Code has effect as a standard condition of this licence.

Interpretation

- 20.10 In this condition:

The licensee’s obligation to comply with a Core Industry Document or the Fuel Security Code is an obligation to comply with the provisions of that document so far as they are applicable to the licensee.

Core Industry Document means any and all of the following:

- (a) the Balancing and Settlement Code,
- (b) the Connection and Use of System Code,
- (c) the Distribution Code,
- (d) the Distribution Connection and Use of System Agreement,
- (e) the Grid Code,
- (f) the Master Registration Agreement,
- (g) the Revenue Protection Code,
- (h) the System Operator Transmission Owner Code, and
- (i) any other document designated by the Authority for the purposes of this condition following consultation with the licensee.

Fuel Security Code means the document of that name designated by the Secretary of State under section 7(4)(b) of the Act as a condition of every electricity licence of any type granted, or treated as granted, under section 6 of the Act.

Condition 12. Requirement to offer terms for Use of System and connection

Agreement for Use of System

- 12.1 The licensee must, on receiving a request from any person (“the requester”) asking it to do so, offer to enter into an agreement for Use of System under which it will:
- (a) accept into the licensee’s Distribution System, at any Entry Point and in any quantity that was specified by the requester in the request, electricity that is provided by or on behalf of the requester; and
 - (b) distribute that quantity of electricity (subject to any distribution losses) to such Exit Point on the licensee’s Distribution System and to any person as the requester may specify.

Treatment of requests for connection

- 12.2 On receiving a request from any person asking it to make a connection, the licensee:
- (a) must not treat that request as anything other than a Notice given under section 16A of the Act requiring it to make the connection pursuant to section 16(1) of the Act; and
 - (b) to the extent that the request does not comply with the requirements of section 16A of the Act, must take all reasonable steps to ensure that it does so comply.

Provision of information about connection terms

- 12.3 Where the licensee makes an offer to make a connection under section 16(1) of the Act, it must in that offer make detailed provision in relation to:
- (a) any works required to connect the licensee’s Distribution System to any other Distribution System or a Transmission System, and any consents needed for that purpose;
 - (b) any works to extend or reinforce the licensee’s Distribution System which in the opinion of the licensee are necessary or appropriate in consequence of the connection, or modification of an existing connection and any consents needed for that purpose;
 - (c) the installation of any switchgear or other apparatus required for the interruption of supply; and
 - (d) except to the extent included in any agreement offered in accordance with standard condition 34 (Requirement to offer terms for the provision of Legacy Metering Equipment) or standard condition 35 (Requirement to offer terms for the provision of Data Services), the installation of:

Standard conditions of the Electricity Distribution Licence – consolidated on 1 June 2008

- (i) any Electricity Meters required to enable the licensee to measure electricity that is being accepted into or leaving the licensee's Distribution System at specified Entry Points or Exit Points, and
- (ii) any special metering, telemetry, or Data Processing equipment for the purpose of enabling any party to the Balancing and Settlement Code to comply with its obligations under that code in respect of metering or the licensee's performance of any related service.

Charges and other terms for Use of System and connection

12.4 Where the licensee makes an offer to enter into an agreement for Use of System under paragraph 12.1 or to make a connection under section 16(1) of the Act, it must in that offer set out:

- (a) the charges to be paid, which must (unless clearly inappropriate):
 - (i) be consistent with the relevant Charging Methodology within the meaning of standard condition 13 (Charging Methodologies for Use of System and connection), and
 - (ii) be presented so as to be referable to the Use of System Charging Statement or the Connection Charging Statement (as the case may be) of the licensee under standard condition 14 (Charges for Use of System and connection);
- (b) such other detailed terms as may be appropriate for the purposes of the agreement; and
- (c) in the case only of an offer to make a connection, the date by which any works required for connection to the licensee's Distribution System, including any works to extend or reinforce that system, will be completed (time being of the essence unless otherwise agreed with the person who requires the connection to be made).

Timing of offer of Use of System and connection terms

12.5 The licensee must offer terms for an agreement for Use of System under paragraph 12.1 and for the making of a connection under section 16(1) of the Act:

- (a) as soon as is reasonably practicable after its (or its agent's) receipt of the request from the requester or of the Notice under section 16A of the Act (as the case may be); and
- (b) in any event, not more than the period set out in paragraph 12.6 after the receipt by the licensee of all the information that it may reasonably require for the purpose of formulating the terms of the offer.

Standard conditions of the Electricity Distribution Licence – consolidated on 1 June 2008

12.6 The period set out in this paragraph is:

- (a) in the case of a request for an agreement for Use of System only, 28 days;
- (b) in the case of a request for an agreement for both Use of System and a connection, three months; and
- (c) in the case of a request for a connection, three months.

Exceptions to the obligation to offer terms

12.7 The licensee is not obliged under paragraph 12.1 to offer to enter into an agreement for Use of System or under paragraph 12.2 to offer to enter into an agreement for connection if doing so would be likely to cause it to be in breach of:

- (a) its duties under section 9 of the Act;
- (b) any regulations made under section 29 of the Act, or any other enactment that relates to safety or standards applicable to the Distribution Business;
- (c) the Grid Code or the Distribution Code; or
- (d) any of the Conditions of this licence,

or if the requester does not agree to be bound, to the extent applicable to him, by the terms of the Grid Code or the Distribution Code.

Settlement of disputes

12.8 Disputes arising under this condition are subject to the provisions of standard condition 7 (Determinations by the Authority) to the extent provided for in that condition.

Application Regulations

12.9 The licensee must, within 28 days of receiving a request from any person, give him any information held by the licensee that he reasonably requires for the purpose of completing an application under the Application Regulations.

Interpretation

12.10 In this condition, any reference to a connection to be made under or pursuant to section 16(1) of the Act includes a reference to a connection to be made in accordance with the terms of a special connection agreement under section 22 of the Act.

Condition 15. Standards for the provision of Non-Contestable Connection Services

Introduction

15.1 This condition applies where:

- (a) a person (“the applicant”) has asked the licensee to provide any of the services mentioned in paragraph 15.2 in relation to the connection of Premises to the licensee’s Distribution System; and
- (b) the applicant’s request is limited to the provision of Non-Contestable Connection Services by the licensee.

15.2 The services covered by this condition are the services of:

- (a) providing Quotations (including Point of Connection information) in relation to the provision referred to in paragraph 15.1(b);
- (b) responding to design submissions in relation to connections; and
- (c) completing Final Works and Phased Energisations as Non-Contestable Connection Services.

15.3 Those services and the standards that apply to them are specified in greater detail in the Table of Services and Standards (“the Table”) set out at Appendix 1, which is part of this condition.

15.4 A request received by the licensee under paragraph 15.1, in relation to a service referred to in paragraph 15.2, becomes effective for the purposes of this condition when the applicant has supplied:

- (a) all of the information that the licensee, in statements it has made available relating to the purposes of this condition, has specified is reasonably required to enable it to provide that service; and
- (b) payment of any charges that apply in relation to the provision of that service.

15.5 If a request received by the licensee under paragraph 15.1, in relation to a service referred to in paragraph 15.2, does not contain all of the information required under paragraph 15.4, the licensee must inform the applicant within five Working Days of receiving the request.

The relevant services and their standards

15.6 Where this condition applies, the licensee, in relation to each of the services specified in Column 1 of the Table, must:

- (a) take all reasonable steps in every case to provide the relevant service to the applicant; and
- (b) without limiting the general effect of that obligation, provide the relevant service to the applicant in at least 90 per cent of all cases,

in accordance with the corresponding standard specified in Column 2 of the Table.

Standard conditions of the Electricity Distribution Licence – consolidated on 1 June 2008

15.7 The licensee is not required to comply with its obligations under paragraph 15.6:

- (a) if and to the extent that the Authority consents otherwise;
- (b) if the applicant asks for a lower standard than is set out in the Table to be applied to a relevant service in any particular case;
- (c) if compliance by the licensee would be likely to cause the licensee to breach regulations made under section 29 of the Act (so long as the licensee has taken all reasonable steps to prevent such breach from occurring);
- (d) if the licensee is prevented from doing so by circumstances not within its control; or
- (e) if it is not reasonable in all the circumstances of the case for the licensee to be required to do so.

Audit of service provision and information reporting

15.8 The licensee must, by 30 June each year, unless otherwise agreed by the Authority:

- (a) undertake an audit relating to its provision during the previous Regulatory Year of the services to which paragraph 15.2 refers;
- (b) inform the Authority of the nature and scope of that audit; and
- (c) if asked to do so by the Authority in Writing, review the audit and the manner in which it is being operated, with a view to determining whether any change should be made to it or the manner of its operation.

15.9 The licensee must, by 30 June each year, provide the following information in respect of the previous Regulatory Year to the Authority:

- (a) the number of requests that the licensee has responded to for each of the services specified in Column 1 of the Table;
- (b) the time taken in each case to provide the relevant service;
- (c) for requests where the licensee's provision of the service failed to meet the corresponding standard specified in Column 2 of the Table, a commentary on those failures;
- (d) the number of requests in relation to which any of sub-paragraphs (a) to (e) of paragraph 15.7 has applied; and
- (e) the results of any audit carried out under paragraph 15.8.

Power to direct exemption

15.10 The Authority may give a direction to the licensee that this condition does not have effect in its licence from the date and for the duration specified in that direction.

Standard conditions of the Electricity Distribution Licence – consolidated on 1 June 2008

- 15.11 The Authority's power to give a direction under paragraph 15.10 includes power to revoke that direction upon reasonable Notice to the licensee following consultation with it.

Guidance concerning this condition

- 15.12 The Authority may issue, and may from time to time revise, guidance on any of the provisions of this condition, with a view to:

- (a) removing or reducing inconsistencies between Electricity Distributors in their interpretation and application of those provisions; and
- (b) improving the form or manner in which, or changing the frequency with which, information is to be collected, provided, or reported under any requirement of this condition,

so as more effectively to achieve its purposes.

- 15.13 Where any guidance is in force under paragraph 15.12, the licensee must act in accordance with that guidance.

- 15.14 Before issuing guidance under paragraph 15.12, the Authority, by Notice given to all Electricity Distributors, must:

- (a) state that it proposes to issue guidance and specify the date on which it proposes that this should take effect;
- (b) set out the text of the guidance and the Authority's reasons for proposing to issue it; and
- (c) specify the time (which must not be less than a period of 28 days from the date of the Notice) within which representations or objections with respect to the proposal may be made,

and must consider any representations or objections which are duly made and not withdrawn.

- 15.15 In paragraph 15.14, "issuing guidance" includes issuing any revision of it.

Interpretation

- 15.16 For the purposes of this condition:

References to information are references to information that is accurate in all material respects.

Associated Works means any works required in order to provide a connection to the licensee's Distribution System, including any necessary Reinforcement Works or Diversionary Works.

Demand Connection means a connection the purpose of which is to enable the Premises to receive a supply of electricity from the licensee's Distribution System.

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Diversionary Works means the service consisting of the moving of any electric lines or electrical plant in order to facilitate the extension, redesign, or redevelopment of any Premises on which such lines or plant are located and to which they are connected.

Energisation means the licensee's taking of the steps necessary to enable an electrical current to flow from (or to) the licensee's Distribution System to (or from) the Point of Connection, in response to a request from the applicant.

Final Works means the installation of the connection equipment in such a way that, subject to Energisation, the Premises are physically able to receive a supply of electricity from the licensee's Distribution System or (as the case may be) the licensee's Distribution System is physically able to receive a supply of electricity from the Premises.

Generation Connection means a connection the purpose of which is to enable the licensee's Distribution System to receive a supply of electricity from the Premises.

Phased Energisation, in relation to a part only of the Premises, means the physical ability, subject to the completion of Final Works, to allow an electrical current to flow from (or to) the licensee's Distribution System to (or from) that part by means of the insertion of a fuse or as a result of a switching operation.

Point of Connection means the point on the licensee's Distribution System at which the Premises will be directly or indirectly connected to that system.

Premises includes any land, building, or structure and any Distribution System other than the licensee's.

Quotation means information provided to the applicant in Writing and includes information relating to the Point of Connection, a statement of the charges that will apply (subject to any terms of the Quotation) in accordance with the licensee's combined statement prepared under paragraph 13 of standard condition 13 (Charging Methodologies for Use of System and connection), and any other information reasonably required by the applicant.

Reinforcement Works means works required on the licensee's Distribution System to accommodate a new or an increased connection.

15.17. Appendix 1 follows immediately below.

Appendix 1: Table of Services and Standards

COLUMN 1 – SERVICE	COLUMN 2 – STANDARD
<p>1. Provision of Quotations</p> <p>Provide a Quotation:</p> <p>(a) low voltage demand: for a new Demand Connection to the licensee’s Distribution System where the highest voltage of the assets at the Point of Connection and any Associated Works is not more than one kilovolt.</p> <p>(b) low voltage generation: for a new Generation Connection to the licensee’s Distribution System where the highest voltage of the assets at the Point of Connection and any Associated Works is not more than one kilovolt.</p> <p>(c) high voltage demand: for a new Demand Connection to the licensee’s Distribution System where the highest voltage of the assets at the Point of Connection and any Associated Works is more than one kilovolt but not more than 22 kilovolts.</p> <p>(d) high voltage generation: for a new Generation Connection to the licensee’s Distribution System where the highest voltage of the assets at the Point of Connection and any Associated Works is more than one kilovolt but not more than 22 kilovolts.</p> <p>(e) extra high voltage demand: for a new Demand Connection to the licensee’s Distribution System where the highest voltage of the assets at the Point of Connection and Associated Works is more than 22 kilovolts but not more than 72 kilovolts.</p> <p>(f) other connections: for a new Demand Connection or Generation Connection to the licensee’s Distribution System that is not included within the preceding sub-paragraphs.</p>	<p>within fifteen Working Days of receiving the request</p> <p>within thirty Working Days of receiving the request</p> <p>within twenty Working Days of receiving the request</p> <p>within fifty Working Days of receiving the request</p> <p>within fifty Working Days of receiving the request</p> <p>within three months of receiving the request</p>

Standard conditions of the Electricity Distribution Licence – consolidated on 1 June 2008

COLUMN 1 – SERVICE	COLUMN 2 – STANDARD
<p>2. Information and design submissions</p> <p>(a) Point of Connection information: provide the technical information necessary to enable the applicant to identify the proposed location and characteristics of the Point of Connection of the Premises to the licensee’s Distribution System, where the highest voltage of the assets at that point and any Associated Works is more than 22 kilovolts but not more than 72 kilovolts.</p> <p>(b) design submissions for low voltage and high voltage connections: in response to a design submitted by the applicant for the licensee’s approval, outlining a new proposal for connecting Premises to the licensee’s Distribution System, provide a written approval of the proposed design, or a written rejection stating reasons for rejection.</p> <p>(c) design submissions for extra high voltage and other connections: in response to a design submitted by the applicant for the licensee’s approval, outlining a new proposal for connecting Premises to the licensee’s Distribution System, provide a written approval of the proposed design, or a written rejection stating reasons for rejection.</p>	<p>within thirty Working Days of receiving the request</p> <p>within ten Working Days of receiving the proposed design (unless any part of it would require or directly affect the use of extra high voltage assets)</p> <p>within twenty Working Days of receiving the proposed design</p>
<p>3. Final Works and Phased Energisation</p> <p>Subject to all conditions precedent being met:</p> <p>(a) low voltage connections: complete the Final Works for a low voltage connection.</p> <p>(b) high voltage connections: complete the Final Works for a high voltage connection.</p> <p>(c) extra high voltage connections: inform the applicant of the date by which it is proposed to complete the Final Works for an extra high voltage connection.</p> <p>(d) low voltage energisation: complete the works required for a low voltage Phased Energisation.</p> <p>(e) high voltage energisation: complete works required for a high voltage Phased Energisation.</p>	<p>within ten Working Days of receiving the request</p> <p>within twenty Working Days of receiving the request</p> <p>within twenty Working Days of receiving the request (and complete the works as soon as reasonably practicable)</p> <p>within five Working Days of receiving the request</p> <p>within ten Working Days of receiving the request</p>

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Standard conditions of the Electricity Distribution Licence – consolidated on 1 June 2008

COLUMN 1 – SERVICE	COLUMN 2 – STANDARD
<p>Note: the conditions precedent to be satisfied for the purposes of Part 3 of this Table are those specified by the licensee and agreed by the applicant under the provisions of the Construction and Adoption Agreement (as defined in Engineering Recommendation G81 of the Energy Networks Association) or such similar agreement as the licensee may from time to time adopt.</p>	<p>calculation of time: where a request is received or a service is provided by the licensee under the provisions of this Table after 5 pm on any Working Day or at any time on any other day, it is to be treated as if it had been received or provided on the next following Working Day.</p>

Condition 19. Prohibition of discrimination under Chapters 4 and 5

Chapter 4: Use of System and connection

- 19.1 The licensee must not discriminate between any person or class or classes of persons:
- (a) in providing Use of System;
 - (b) in carrying out works for the purposes of connection to the licensee's Distribution System; or
 - (c) in providing for a modification to or the retention of an existing connection to that system.
- 19.2 Without prejudice to paragraph 19.1, and subject to standard condition 14 (Charges for Use of System and connection), the licensee must not make charges for providing Use of System to any person or class or classes of persons which differ from the charges for such provision to any other person or any other class or classes of persons, except insofar as such differences reasonably reflect differences in the costs associated with such provision.

Chapter 4: Non-Contestable Connection Services

- 19.3 The licensee, in providing Non-Contestable Connection Services and information about them, must not discriminate between:
- (a) any business of the licensee comprising the provision of connections to the licensee's Distribution System;
 - (b) any business of any Affiliate or Related Undertaking of the licensee comprising such provision; and
 - (c) any business of any other person comprising such provision.
- 19.4 The licensee must provide the Authority with information about its compliance with paragraph 19.3 in a format set by the Authority (which may be amended from time to time after consultation with the licensee) at the following times:
- (a) every year on or before such date as may be specified by the Authority after consultation with the licensee; and
 - (b) on any other date that the Authority may specify.

Chapter 4: Connection of Metering Equipment

- 19.5 In offering terms for the connection of Metering Equipment to its Distribution System, the licensee must not show undue preference to, or unduly discriminate between, any person or class or classes of persons.

Chapter 4: Metering Point Administration Services

- 19.6 In providing Metering Point Administration Services, the licensee must not discriminate between any Electricity Suppliers.
- 19.7 Without prejudice to paragraph 19.5, and subject to standard condition 18 (Provision of and charges for Metering Point Administration Services), the licensee must not make charges for providing Metering Point Administration Services to any Electricity Supplier that differ from the charges for such provision to any other Electricity Supplier, except insofar as such differences reasonably reflect differences in the costs associated with such provision.

Chapter 5: The Distribution Code

- 19.8 In implementing and maintaining the Distribution Code and in complying with its obligations under that code (including in respect of the scheduling of the maintenance of its Distribution System), the licensee must not show undue preference to, or unduly discriminate between, any person or class or classes of persons.

Condition 21. The Distribution Code

Licensee's obligation

- 21.1 The licensee must take all steps within its power to ensure that the Distribution Code in force under this licence at 31 May 2008 remains a code approved by the Authority that complies with each of the following requirements.
- 21.2 The first requirement is that the Distribution Code must cover all material technical aspects relating to connections to and the operation and use of the licensee's Distribution System or (so far as is relevant to such operation and use) the operation of electric lines and electrical plant connected to that system.
- 21.3 The second requirement, which is without prejudice to the first requirement, is that the Distribution Code must make express provision for the matters referred to in paragraphs 21.5 to 21.7.
- 21.4 The third requirement is that the Distribution Code, so far as is consistent with the first two requirements, must be designed so as to:
- (a) permit the development, maintenance, and operation of an efficient, co-ordinated, and economical system for the distribution of electricity; and
 - (b) facilitate competition in the generation and supply of electricity.

Specific contents of the Distribution Code

- 21.5 The Distribution Code must include a Distribution Planning and Connection Code (see paragraph 21.6) and a Distribution Operating Code (see paragraph 21.7).
- 21.6 The Distribution Planning and Connection Code must contain:
- (a) planning conditions that specify the technical and design criteria and procedures that are to be applied by the licensee in the planning and development of its Distribution System and taken into account by persons having a connection or seeking a connection to that system in the planning and development of their own plant and systems; and
 - (b) connection conditions that specify the technical, design, and operational criteria to be complied with by any person having a connection or seeking a connection to the licensee's Distribution System.
- 21.7 The Distribution Operating Code must specify the conditions under which the licensee must operate its Distribution System, and under which persons must operate their own plant and systems in relation to that system, so far as is necessary to protect the security, quality of supply, and safe operation of the licensee's Distribution System under both normal and abnormal operating conditions.

Procedure for revising the Distribution Code

- 21.8 The licensee must (in consultation with other Authorised Electricity Operators likely to be materially affected) periodically review (including at the Authority's request) the Distribution Code and its implementation.
- 21.9 After completing any such review, the licensee must send to the Authority:
- (a) a report on the outcome of the review;
 - (b) a statement of any proposed revisions to the Distribution Code that the licensee (having regard to the outcome of the review) reasonably thinks are appropriate for the continuing achievement of the objectives referred to in paragraph 21.4; and
 - (c) any written representations or objections from Authorised Electricity Operators (including any proposals by such operators for revisions to the Distribution Code that have not been accepted by the licensee in the course of the review) that were received during the consultation process and have not been withdrawn.
- 21.10 Revisions to the Distribution Code that are proposed by the licensee and sent to the Authority under paragraph 21.9(b) must not be implemented without the Authority's approval.
- 21.11 The Authority (having regard to any representations or objections referred to in paragraph 21.9(c) and after any further consultation that it considers appropriate) may give a direction to the licensee that requires it to revise the Distribution Code in such manner as may be specified in the direction.

Availability of the Distribution Code

- 21.12 The licensee must give or send a copy of the Distribution Code (as from time to time revised):
- (a) to the Authority; and
 - (b) to any person who requests it.
- 21.13 The licensee may make a charge for any copy of the Distribution Code given or sent under paragraph 21.12(b) but this must not exceed the amount specified in directions issued by the Authority for the purposes of this condition generally, based on its estimate of the licensee's reasonable costs of providing the copy.

Performance of obligations

- 21.14 The licensee must fulfil its obligations under this condition in conjunction and co-operation with all other Electricity Distributors and in accordance with such arrangements for that purpose as are approved by the Authority.

Condition 22. Distribution Connection and Use of System Agreement

Licensee's obligation

- 22.1 The licensee must take all steps within its power to ensure that the Distribution Connection and Use of System Agreement (“the DCUSA”) in force under this licence at 31 May 2008 remains an agreement that:
- (a) is designed to facilitate achievement of the Applicable DCUSA Objectives set out in Part A of this condition;
 - (b) conforms to the requirements of Parts B to D of this condition in relation to the amendment of the DCUSA; and
 - (c) makes express provision for the matters described in the Schedule of DCUSA Contents (“the Schedule”) set out at Appendix 1, which is part of this condition.

Part A: Applicable DCUSA Objectives

- 22.2 The Applicable DCUSA Objectives are these:
- (a) the development, maintenance and operation by the licensee of an efficient, co-ordinated, and economical Distribution System;
 - (b) the facilitation of effective competition in the generation and supply of electricity and (so far as is consistent with that) the promotion of such competition in the sale, distribution, and purchase of electricity;
 - (c) the efficient discharge by the licensee of the obligations imposed upon it by this licence; and
 - (d) the promotion of efficiency in the implementation and administration of the DCUSA arrangements.

Part B: Principles for making an amendment to the DCUSA

- 22.3 Any proposals to amend the DCUSA must be designed to better facilitate the achievement of the Applicable DCUSA Objectives.
- 22.4 The DCUSA may be amended at any time in accordance with such procedures (including procedures for amending those procedures) as may be Specified and are in conformity with the principles set out in paragraph 22.5.
- 22.5 Those principles are that:
- (a) proposals for the amendment of the DCUSA may be made by any Electricity Distributor, any other party to the DCUSA, the National Consumer Council, the GB System Operator, and such other persons or bodies as may be designated by the Authority;

- (b) the amendment procedures for dealing with any such proposal must comply with the requirements of Part C below;
- (c) the making and implementation of any amendment of the DCUSA must comply with the provisions of Part D below; and
- (d) those parts of the DCUSA that are Specified pursuant to paragraph A3(g) of the Schedule may not be amended without the Authority's approval, which must be sought in accordance with the appropriate procedures set out in the DCUSA.

Part C: Procedures for making an amendment to the DCUSA

- 22.6 The procedures contained in the DCUSA for the making of amendments to the DCUSA must have as their objective the achievement of the matters set out in the following provisions of this Part C.
- 22.7 The procedures must ensure that every proposed amendment is brought to the attention of all parties mentioned in or pursuant to paragraph 22.5(a).
- 22.8 They must ensure that any and all representations made in respect of a proposed amendment are able to be properly considered by the relevant decision makers.
- 22.9 They must ensure that the question of whether any proposed amendment better facilitates the achievement of the Applicable DCUSA Objectives is able to be properly evaluated.
- 22.10 They must ensure that an amendment report is prepared in such manner and has all such contents as may be Specified, including:
 - (a) a proposed implementation date that would enable any proposed amendment to take effect as soon as practicable after the decision to implement it has been reached, taking into account the complexity, importance, and urgency of that amendment; and
 - (b) a summary of and copies of all submissions made in respect of the proposed amendment.
- 22.11 They must ensure that the proposed implementation date may be altered with the consent of or as directed by the Authority.
- 22.12 They must ensure that parties to the DCUSA, after considering the amendment report prepared in accordance with paragraph 22.10 and whether the amendment would, as compared with the existing provisions of the DCUSA, better facilitate the achievement of the Applicable DCUSA Objectives, are able to vote for:
 - (a) the implementation or rejection of the proposed amendment, in the case of a proposal to amend any part of the DCUSA that is not Specified pursuant to paragraph A3(g) of the Schedule; or

- (b) a recommendation to the Authority to approve or reject the proposed amendment, in the case of a proposal to amend any part of the DCUSA that is Specified pursuant to paragraph A3(g) of the Schedule.
- 22.13 They must ensure that all votes cast pursuant to paragraph 22.12 are compiled so that the DCUSA Panel established in accordance with paragraph A3(d) of the Schedule may take such steps as are necessary to facilitate the implementation of any proposed amendment or (as the case may be) to put forward a recommendation to the Authority.

Part D: Implementation of an amendment to the DCUSA

22.14 No amendment of the DCUSA may be made unless:

- (a) the parties to the DCUSA have voted, pursuant to paragraph 22.12(a), in favour of the amendment described in the relevant amendment report; or
- (b) the Authority, having had regard to the Applicable DCUSA Objectives, directs the licensee, in conjunction with every other Electricity Distributor, to amend the DCUSA in such manner as is stated in that direction following the making of a recommendation to the Authority by the parties to the DCUSA pursuant to paragraph 22.12(b).

Part E: Interpretation

22.15 For the purposes of this condition:

- (a) “amendment” must be read in accordance with the meaning given to the term “modification” in section 111 of the Act, and any related expressions are to be read accordingly; and
- (b) words and expressions appearing in Appendix 1 that are defined under any provision of the DCUSA have the meaning given by, or are to be read in accordance with, that provision.

Specified means specified in the DCUSA.

22.16 Appendix 1 follows immediately below.