

# Distribution Code Consultation Response Proforma

## DCRP/21/05/PC: Distribution Code Compliance

Stakeholders are invited to respond to this consultation, expressing their views or providing any further evidence on any of the matters contained within the consultation document. Stakeholders are invited to supply the rationale for their responses to the set questions.

Please send your responses and comments by **17:00, 7<sup>th</sup> October 2021** to [dcode@energynetworks.org](mailto:dcode@energynetworks.org) and please title your email 'Consultation Response DCRP/21/05/PC Distribution Code Compliance'. Please note that any responses received after the deadline may not receive due consideration by the Working Group.

Any queries on the content of the consultation pro-forma should be addressed to DCode Administrator on 020 7706 5105, or to [dcode@energynetworks.org](mailto:dcode@energynetworks.org)

|  |                    |
|--|--------------------|
| <b>Respondent</b>  | Alan Creighton     |
| <b>Company Name</b>  | Northern Powergrid |
| <b>No. of DCode Stakeholders Represented</b>   |                    |
| <b>Stakeholders represented</b>  |                    |
| <b>Role of Respondent</b>  | Distributor        |
| <b>We intend to publish the consultation responses on the DCode website. Do you agree to this response being published on the DCode website? [Y/N]</b> | Yes                |

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|    | Question  | Response   | Secretariate Response  |
|----|---|--|--|
| Q1 | Do you agree with the general intent of the proposed modification? If not, please explain your views.   | Yes.   | Noted, thank you.  |
| Q2 | Do you agree that the proposed modifications satisfy the applicable Distribution Code objectives? If not, please explain your concerns.   | Yes, we agree that the proposed modification would have a positive impact on items (a), (c) and (d) of the applicable Distribution Code objectives as they establish a transparent means of ensuring compliance of Customers and Generators equipment.   | The proposed process has been considered and will be implemented in the best way possible to allow customers every opportunity to engage with DNOs in a timely and transparent nature before the step of de-energisation of equipment is taken.                |
| Q3 | Do you agree with the process and the timeline associated with it? If not, please explain your concerns.  | Yes.   | Noted, thank you.  |
| Q4 | The implementation date of the Process described is 1st September 2022 and will coincide with the closure of the Accelerated Loss of Mains Change Programme on 31st August 2022. Do you agree with the proposed implementation date of the Process? If not, please explain why. | Yes.   | Noted, thank you.  |
| Q5 | Do you have any comments on the proposed legal text drafting?   | <p>We have two minor comments to make on the proposed legal text:</p> <p>1 In DGC12.5 there is reference to non-compliances arising from an EU Network Code. Further consideration should be given to the use of the term “EU Network Code” following Brexit. For example, it may be more appropriate to</p> | <p>For consistency with the rest of the document it is proposed to keep the reference to (applicable) EU Network Codes and update all references in Distribution Code when DCode EU Exit modification developed.</p> <p>"would" is to be changed to "will"</p> |

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|    | Question                        | Response  | Secretariate Response |
|----|---------------------------------|---|-----------------------|
|    |                                 | <p>refer to those EU Network Codes that still apply considering the application of the Statutory Instruments prepared under the European Union (Withdrawal) Act 2018 (as amended by the European Union (Withdrawal Agreement) Act 2020). This should be considered alongside the other changes that need to be made to the Distribution Code and the associated standards arising from Brexit.</p> <p>2 In DGC12.5, we suggest revising the text “Where it is reasonable to act on a <b>Customer’s</b> or a <b>Generator’s</b> request, the <b>DNO</b> would apply to the <b>Authority</b> for derogation following the process in Ofgem’s guidance” to “Where it is reasonable to act on a <b>Customer’s</b> or a <b>Generator’s</b> request, the <b>DNO</b> <b>will</b> apply to the <b>Authority</b> for derogation following the process in Ofgem’s guidance <b>document</b>. “</p> |                       |
| Q6 | Do you have any other comments? |   |                       |

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Please provide comments relating to the specific technical content of the proposed modifications<sup>1</sup>

| Page / line No | Clause/ Subclause | Paragraph Figure/ Table | Type of comment (General/ Technical/Editorial) | COMMENTS  | Proposed change  | OBSERVATIONS OF THE SECRETARIAT on each comment submitted  |
|----------------|-------------------|-------------------------|--|---|--|--|
|                | DGC12.5           |                         |  | In DGC12.5 there is reference to non-compliances arising from an EU Network Code. Further consideration should be given to the use of the term “EU Network Code” following Brexit. For example, it may be more appropriate to refer to those EU Network Codes that still apply considering the application of the Statutory Instruments prepared under the European Union (Withdrawal) Act 2018 (as amended by the European Union (Withdrawal Agreement) Act 2020). This should be considered alongside the other changes that need to be made to the Distribution Code and the associated standards arising from Brexit. | None proposed.   | Agreed to retain the term EU Network Code on the basis that this is an existing term used in the DCode and all references to EU legislation will be reviewed in a subsequent DCode modification; this use of the term will be reviewed as part of that modification. |
|                | DGC12.5           |                         |  | In DGC12.5, we suggest revising the text “Where it is reasonable to act on a Customer’s or a Generator’s request, the DNO would apply to the Authority for derogation following the process in Ofgem’s guidance” to “Where it is reasonable to act on a Customer’s or a Generator’s request, the DNO will apply to the Authority for derogation following the process in Ofgem’s guidance document.”  | Where it is reasonable to act on a Customer’s or a Generator’s request, the DNO will apply to the Authority for derogation following the process in Ofgem’s guidance document. | Accepted on the basis that 'will' is more prescriptive than 'would'.   |

<sup>1</sup> Add more rows if required