

# 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>	Mike Kay
<b>Company Name</b>	P2 Analysis Ltd
<b>No. of DCode Stakeholders Represented</b>	Zero
<b>Stakeholders represented</b>	1
<b>Role of Respondent</b>	Engineering Consultant
<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>	Y

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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 – this is a timely proposal, or even overdue. As per Q3, I think it should be tackled more via the DCUSA as it is a commercial issue – there is no uncertainty over the technical issues. However I accept this proposal will probably work as intended, and for expediency, could be taken forward.	We note your comments, the modification to the Distribution Code text is to allow DNOs a process to engage with customers regarding technical non-compliance and ensure all steps are transparently pursued before de-energisation. The "right" to de-energise technically non-compliant connections already exists, this modification seeks to obligate the DNO to de-energise where the DNO is of the opinion that there is a material detrimental impact on the network. The modification does not change any existing commercial contractual arrangements
Q2	Do you agree that the proposed modifications satisfy the applicable Distribution Code objectives? If not, please explain your concerns.	Yes	Noted, thank you.
Q3	Do you agree with the process and the timeline associated with it? If not, please explain your concerns.	No. The remedy does not recognize the legal and commercial structure of the industry. Compliance with the Distribution Code is a contractual obligation of being connected to the distribution system. Breaches of contract should be dealt with in the commercial documentation, not the technical documentation. The intended remedy for breaches of the connexion contract should be dealt with in those contracts and/or in DCUSA. The DCUSA and contracts already contain the	This modification provides a process under the DCode for DNO engagement with customers, in addition to any outlined within contractual connection agreements under DCUSA. The modification has been proposed by the DCRP to mirror the processes already in place within the Grid Code regarding non-compliant generation.

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	Question	Response	Secretariate Response
		<p>bones of the requirements for breach, for notices etc.</p> <p>The drafting proposed for the D Code seems to be broadly appropriate – but it is hard to see why it should not be incorporated into DCUSA rather than the D Code.</p>	
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?	Yes – assuming the drafting remains in the D Code, see below. But as noted above this does not seem the right solution.	Thank you, these will be assessed before progressing the modification.
Q6	Do you have any other comments?	No	Noted, thank you.

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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
	DGC11.2		E	It seems overkill to introduce new definitions for New and Existing Equipment.	Subject to DGC11.3, modifications to the <b>Distribution Code</b> that change the obligations on <b>Users</b> to comply with the <b>Distribution Code</b> in relation to their <b>Equipment</b> will apply to any <del>n</del> <b>New Equipment installed on or after</b> <del>as from</del> the <b>Effective Date</b> of the relevant modification.	Agree that these proposed changes are as clear and avoids the need to create two new definitions. Suggested change incorporated, but supplemented by reference to the User's installation as per the suggested changes to DGC11.3.
	DGC11.3		E	It seems overkill to introduce new definitions for New and Existing Equipment.	If a modification to the <b>Distribution Code</b> is a <b>Retrospective Modification</b> , all <b>Users</b> must comply with the <b>Retrospective Modification</b> in relation to any <del>Existing-existing</del> <b>Equipment as installed in the Customer's Installation before<del>from</del> the <b>Effective Date</b> of the <b>Retrospective Modification</b>.</b>	Agree that these proposed changes are as clear and avoids the need to create two new definitions. Suggested change incorporated but referring to the defined term User's installation, rather than the proposed (new defined) term Customer's Installation.
	DGC12.3		E	There are two paragraphs (a) and two paragraphs (b).	Rename/renumber	Accepted. Changed to align with other sections in the DCode
	DCG12.3		G	The second (a) and (c) are essentially the same thing. Similarly (a) is included within the definition of Retrospective Modification in (b) – so it is redundant.	Delete the second (a). And ideally (c) too since it is included in the definition of Retrospective Modification.	Not accepted. Whilst G59/3-7 was a retrospective modification, given that progress of the ALoMCP is one of the drivers for this modification, the working group thought it helpful to specifically refer to G59/3-7. Reference to item (c) is to recognise that some generators do not have the pre-existing protection settings that were not changed in the G59/3-7 modification, so should be retained.

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

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	DGC12.3		T	The second (a), (b) and (c) are examples. Another key, and useful, example would be compliance with the key system stability requirements of G99.	<u>(d) Those requirements contributing to the stability of the Total System, such as generation fault ride through requirements, frequency sensitive mode etc.</u>	Not accepted. The workgroup discussed the implications of non-compliance with fault ride through requirements, but concluded that at the moment there was insufficient evidence to conclude that distribution connected generation which failed to ride through a fault on the transmission system would have a sufficiently material effect on the transmission system, for this to be included at this stage.
	DGC12.5		G	Stage 2 – Second notice (week 4). It seems too specific to require the noticed to be laminated. Why not just suitably robust? Lamination is only one way of achieving the ends.	2. If the Customer or the Generator does not respond to the notification provided under Stage 1, the DNO will attach a <del>laminated</del> <u>suitably robust and durable</u> copy of that notification to a suitable location at or as close as possible to the Customer's or the Generator's site, for example to the site gate, fence, door, metering annex etc	Suggested change incorporated.

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	DGC12.6			Notification process should recognize the existing DCUSA <u>(Schedule 2B and Schedule 13)</u> obligations.	The <b>DNO</b> will give the notifications required under each stage of the <b>Distribution Code Compliance</b> <u>in accordance with the National Terms of Connection or with the bilateral connection agreement, and</u> <del>Process either by post (i) to the Customer's or the Generator's registered office address, (ii) to the address contained in the most recent version of the Connection Agreement or (iii) to the most recent address held by the DNO for correspondence with the Customer or the Generator.</del> Where the <b>DNO</b> holds an email address for the <b>Customer</b> or the <b>Generator</b> the <b>DNO</b> will also email the relevant notification to that email address.	Accepted. The NTC and the BCA include the process for delivering notices, so making reference to these in the DCode should minimise confusion. Suggested change incorporated.  After having read the NTC I don't think that there is a need to include the rest of this clause. NTC clarifies the notice can be posted / emailed, the delivery address and the date/time when the notice is deemed to have been served. The DCUSA Schedule 13 proforma BCA also makes provision for information about notices. My suggestion, for discussion, is that DGC12.6 becomes:  The DNO will give the notifications required under each stage of the Distribution Code Compliance Process in accordance with the National Terms of Connection or with the relevant bilateral connection agreement.
	Definitions		E	Existing Equipment New Equipment	Not needed if recommendations re DGC11.2 and DGC11.3 adopted above.	Accepted. Definitions deleted.
	Definitions			Business Day	Not needed. But if you do feel it is necessary then better to define as "has the same meaning as Working Day in Section 64 of the Act"  In fact it would be better to replace "business day" in the D Code with "working day".	

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