

MOD 0691S - CDSP to convert Class (2) 3 or 4 Meter Points to Class 1 when G1.6.15 criteria are met

Legal drafting questions

	Question	Initial View (Xoserve-BG)
1	What happens if the CDSP doesn't have the SHQ or SOQ for a site?	<ul style="list-style-type: none"> • SHQ/SOQ should already be available for PC2 • Business rule needed for PC 3 and PC 4 • Values should ideally come from the shipper (in consultation with the customer) but equally not providing this information shouldn't be a method to frustrate the process.
2	Class 1 sites are subject to ratchet charges so the SOQ used by Xoserve when moving the site into Class 1 would need to be correct, has this been discussed at the workgroup?	<ul style="list-style-type: none"> • This is currently the case • Responsibility is on shipper to provide a correct value – see Q1
3	The Mod needs to set out the criteria for a Class 1 site alternatively the section of code that defines a class 1 site should be referenced.	<ul style="list-style-type: none"> • The Mod title already references G1.6.15. • As Mod 0690 aims to change the rules in G1.6.15 would it be better to quote the section and not the obligation in this Mod, so that it remains aligned to G1.6.15, whatever happens?
4	Thought needs to be given as to how the CDSP is able to procure a contract with a service provider to install DM equipment as this isn't currently possible at present further discussion at the workgroup is needed, you may want to consider amending the solution or withdrawing the modification until review group 0694R has been concluded.	<ul style="list-style-type: none"> • DNs thoughts on this appreciated – we don't want to wait for the outcome of 0694 as the handful of sites in EUC09 can be quite significant and we are looking to improve the speed of conversion sooner rather than later.
5	Does the proposed report need to be referenced in the legal text or is this something that the PAC will develop this needs to be clear for the lawyers. If this is to be developed separately, it should be removed from the solution section of this mod as otherwise the solution and legal text will not match (and in theory the mod and text could get rejected from Panel/at consultation due to this)	<ul style="list-style-type: none"> • Would be looking to design a draft report as part of this Mod and make it available along with the workgroup report. Keen to get the PARR updated as part of this process and not pass the buck to PAC, which is what usually happens. <p>Reporting of Xoserve actions (e.g.)</p> <ul style="list-style-type: none"> • MPRN, Shipper Short Code, AQ / SHQ / SOQ & other relevant meta-data as per XRN 4867 • Status (Approaching criteria / Criteria met / Transfer in progress / Transfer complete) • Date AQ first approached DM threshold • Date UNC criteria fully met • Date of DM equipment installation • Date transferred to PC1
6	Can you confirm if there is to be a change to the Data Services Contract we cannot write legal text based on something that may or may not happen.	<ul style="list-style-type: none"> • Yes, would expect this to be added as a service line in the DSC
7	Do mechanisms exist for the CDSP to pass costs onto Shippers or is this something new again this needs to be clearly set out in the solution to enable the lawyer to write the legal text or would this just be covered under the normal service line approach?	<ul style="list-style-type: none"> • Yes, the DSC includes "Specific Services" which are charged on a per transaction basis and the Business Plan sets out the unit charges for the coming year. • Would expect that we would need to draft the text of the additional service line in the same way that we would draft the details of the extract PARR report
8	The grace period of one month needs to be set out in either business days or supply point systems business days.	<ul style="list-style-type: none"> • Suggest 28 business days
9	The qualifying period needs to be set in the solution	<ul style="list-style-type: none"> • See Q3 above – as the qualifying period is set out in G1.6.15 is it better to reference that clause here and not possibly cause a conflict? • Also see MOD 0690