

# Report Phase Consultation Responses



## P390 'Allowing extensions to ELEXON's business and activities, subject to additional conditions'

This Report Phase Consultation was issued on 17 April, with responses invited by 29 April 2020.

### Phase

Initial Written Assessment

Definition Procedure

Assessment Procedure

Report Phase

Implementation

### Consultation Respondents

Respondent	Role(s) Represented
National Grid ESO	System Operator
Npower group	Supplier, Supplier Agent
The Association for Decentralised Energy	Trade Body

Question 1: Do you agree with the Panel's initial unanimous recommendation that P390 should be approved?

### Summary

Yes	No	Neutral/No Comment	Other
3	0	0	0

### Responses

Respondent	Response	Rationale
National Grid ESO	Yes	Yes, we consider that P390 better facilitates Objective (d) since it delivers process and time efficiencies compared with the current practice of using the Modification Change process to seek approval to tender for additional business activities.
Npower group	Yes	We agree that allowing Elexon to pursue other activities beyond its existing vires, subject to the application of certain criteria, would bring a benefit to the industry. This modification would allow this to be taken forward in a more efficient way than currently. As such, we consider that P390 could contribute to the promotion of effective competition, and the promotion of efficiency in the administration of the BSC.
The Association for Decentralised Energy	Yes	P390 better facilitates Objectives (c) and (d) than the baseline.

Question 2: Do you agree with the Panel that the redlined changes to the BSC deliver the intention of P390?

## Summary

Yes	No	Neutral/No Comment	Other
3	0	0	0

## Responses

Respondent	Response	Rationale
National Grid ESO	Yes	We agree with the Panel that the proposed redlined changes do deliver the intention of P390 and is consistent with Business Requirements and solution development.
Npower group	Yes	We consider that the legal text will deliver the intention of this modification.
The Association for Decentralised Energy	Yes	The changes appear to deliver the intention of P390.

## Question 3: Do you agree with the Panel's recommended Implementation Date?

### Summary

Yes	No	Neutral/No Comment	Other
3	0	0	0

### Responses

Respondent	Response	Rationale
National Grid ESO	Yes	We agree with the recommended implementation date and consider it appropriate given the change is to process and no system changes are required.
Npower group	Yes	No rationale provided
The Association for Decentralised Energy	Yes	No rationale provided

Question 4: Do you agree with the Panel's initial view that P390 should not be treated as a Self-Governance Modification?

**Summary**

Yes	No	Neutral/No Comment	Other
3	0	0	0

**Responses**

Respondent	Response	Rationale
National Grid ESO	Yes	We agree with the Panel that P390 should not be treated as Self-Governance and that the window given for the Authority to reject or request an extension is appropriate.
Npower group	Yes	It is right that this modification should be subject to Authority consent.
The Association for Decentralised Energy	Yes	P390 materially impacts criterion v. 'the Code's governance procedures or modification procedures', so does not meet Self-Governance Criteria.

## Question 5: Do you have any further comments on P390?

### Summary

Yes	No
1	2

### Responses

Respondent	Response	Rationale
NG ESO	Yes	As per the Workgroup discussion, it is still NG ESO's preference for Panel to have the power to veto tender bids. Should other Industry participant responses indicate a similar preference for Panel to have a stronger role in the process, then it may be worth revisiting a dedicated Panel approval mechanism as part of the solution.
Npower group	No	None provided
The Association for Decentralised Energy	No	None provided