

CMAG ITE Subgroup 4 Final Minutes

Meeting number **4**

Venue **MS Teams**

Date of meeting **5 August 2024**

Classification **Public**

Attendees

Attendees

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|----------------|----|--------------------------|
| Eleanor Haynes | EH | Subgroup Member |
| Ali Fouladiasl | AF | Subgroup Member |
| Stuart Wells | SW | Subgroup Member / EMR DB |
| Oliver Meggitt | OM | CMAG Facilitator |
| Chris Arnold | CA | CMAG Secretariat |
| Phillip Paul | PP | CMAG Secretariat |
| Paul Farmer | PF | CMAG Secretariat |

1. Recap from ITE Subgroup Meetings

1.1 CA presented a recap of previous ITE Subgroups, no comments were received.

2. ITE Legal Text Review

- 2.1 CA highlighted two wider questions for consideration. The first, whether ITE's could use Rules based Exhibits or follow a combination of CM Rules and requiring the use of ITE report templates owned by EMR DB, termed as a 'hybrid' approach.
- 2.2 EMR DB do not believe the 'hybrid' approach is effective. SW believes if the hybrid approach is taken there would be a lack of certainty in the requirements of the form which could ultimately lead to Capacity Providers pressuring EMR DB to change the contents of the ITE Reports.
- 2.3 PP questioned EMR DB on maintaining changes to EMR DB owned templates under the hybrid solution. PP questioned whether EMR DB would manage a consultation (change process) or would this fall to CMAG? SW believes that would be a question for CMAG to consider.
- 2.4 PP asked subgroup members to comment on how they would like to manage change to any Exhibit templates. EH noted as long as Exhibits reflect the rules at the time of writing, then doesn't see this being a big issue. Noting there have not been many rule changes in this area to date. Subgroup members indicated that there could be merit in the CMAG reviewing the templates after a year of operation to ensure that the forms were fit for purpose. AF stated that as long any Exhibits are written correctly in the first drafting there should not be a requirement for regular periodic reviews. A subgroup member suggested that an annual review of ITE experiences, after the first year of using new Exhibits only could be useful. Also doesn't see a need in designing another change process.
- 2.5 Members decided that the ITE report templates should be Rules Exhibits rather than EMR DB owned templates. Consequently, any detailed guidance would be moved from the current draft templates and become part of EMR DB guidance.

- 2.6 CA noted that the Secretariat would review the current template text in light of the subgroup preference for an Exhibit approach. SW advised contacting Ofgem about their expectations for the wider Exhibit review later this year, which the Secretariat agreed to do.
- 2.7 SW not sure how new ITE report Exhibits could work in the new EMR DB portal Exhibit generator, which is intended for Portal users to generate draft declarations for Director's sign-off. SW is having an internal discussion and will take this offline.
- 2.8 PP asked members for their expectations on how ITE Exhibits would be submitted with other ITE documents. Subgroup members agreed that it should be submitted as an appendix to a ITE Report. However, the Exhibit will be the minimum requirement as per the rules, and perhaps all that is submitted, but this will not be recommended.
- 2.9 The subgroup discussed whether an ITE declaration should be signed as part of each Exhibit submitted stating that they are independent and have relevant experience to be an ITE or if a separate single declaration, covering all Exhibits submitted would be preferable. The subgroup preferred a signed declaration at the bottom of each Exhibit. The secretariat agreed to update the legal text to reflect this.
- 2.10 In terms of possibly managing new Exhibits, SW thought it would be better to separate out ITE Exhibits from current (director level) Exhibits. Again, this could form part of the wider Exhibit review that Ofgem would like to see later this year.
- 2.11 CA led the subgroup through the legal text for each type of ITE report. Highlighting comments from members made prior to the meeting. Capturing any updates and seeking agreement for final drafting. Areas covered were forms for EYC (CMU/GU), FCM, LSD and TPS as well as accompanying updates to the CM Rules.
- 2.12 CA also presented the second wider question. The review of legal text had highlighted inconsistent use of the terms, CMU level and GU level, within the rules.
- 2.13 SW believes this is a question for ITEs and what they believe is correct to use. Therefore, EMR DB doesn't have an opinion, but believe some ITE discretion is preferable. EH agreed with a case-by-case approach and believes the appropriate term is dependent on the specific CMU.
- 2.14 In light of discussions, CA would share the GU level legal text with CMAG and ask if they wanted to progress this as a separate change. Subgroup members would recommend the CMU level text to CMAG, as this is the way Rule 8.3.6A is written for EYC CMU and GU level text.

3. ITE Reporting Areas Updates

- 3.1 CA presented the meeting objective of agreeing the expected content for a series of forms/declarations that could be used by ITEs and Capacity Providers to meet their obligations under the CM rules. Legal text will then be developed and circulated. CA reminded members that the Secretariat are not intending to convene another subgroup meeting and urged members to raise final comments on content in this session.
- 3.2 CA went through questions on items identified in pre meeting reviews by members, capturing actions and discussion points raised by members.

4. Next Steps and AOB

- 4.2 CA presented a summary of recommendations and conclusions, which are intended to be presented at the August CMAG meeting. Pending any changes agreed from today's meeting. No comments were received. CA to take away agreed comments on legal text and circulate updates. Legal text will likely be ready in September for members to review via SharePoint.