

NIE Networks' Distribution Code

Process for Amending the Distribution Code

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1. INTRODUCTION

- 1.1 NIE Networks has in place and implements and complies with, a Distribution Code in accordance with Condition 27 of the NIE Networks' Electricity Distribution Licence ("the Licence").
- 1.2 Condition 27 of the Licence requires NIE Networks among other things, to –
- have in force, implement and comply with, a suitable Distribution Code covering all material technical aspects relating to:
 - connections to the distribution system;
 - the operation and use of the distribution system; and
 - the operation of electric lines and plant that are connected to the distribution system;
 - periodically review the Distribution Code and its implementation, in consultation with stakeholders who are parties to or interested in the code; and
 - to propose amendments to the Distribution Code following periodic reviews, to the Utility Regulator (UR) for approval to ensure the code remains fit for purpose.
- 1.3 Furthermore the Distribution Code requires NIE Networks to establish and maintain a Distribution Code Review Panel ("the Panel"), which shall be governed under a set of rules and procedures relating to the conduct of its business. These rules set out the objectives of the Panel and includes a requirement to –
- review all suggestions for amendments to the Distribution Code which the Utility Regulator or any stakeholders who are parties to or interested in the code may submit to NIE Networks or the Panel for consideration from time to time;
 - determine recommendations for amendments to the Distribution Code which NIE Networks or the Panel feels are necessary or desirable; and
 - consider what amendments are necessary to the Distribution Code arising out of any unforeseen circumstances referred to NIE Networks or the Panel.
- 1.4 The Panel comprises representatives of NIE Networks, SONI, the Utility Regulator and other stakeholders such as generators and parties connected to the network.
- 1.5 This document sets out the process that NIE Networks and the Panel will follow if and/or when amendments to the Distribution Code are required.

2. PROCESS FOR AMENDING THE DISTRIBUTION CODE

- 2.1 The Panel is responsible for keeping the Distribution Code under review. The Panel meets regularly (no less than once a year) and at each Panel meeting matters pertaining to the content of the Distribution Code are discussed.
- 2.2 If it is apparent that amendments may be required, NIE Networks will prepare a consultation document confirming the required amendments, setting out clearly what the proposed amendments are, and stating why they are required. Where a number of options may be available to deal with the reason for the amendment the consultation document shall endeavour to identify those options and explain why the preferred option has been chosen. The consultation will show the actual drafting amendments proposed to the Distribution Code.
- 2.3 The consultation document will initially be issued to the Panel for comment. Comments from the Panel members should be made in writing to the Secretary for circulation prior to the next meeting of the Panel. Comments from the Panel representatives will be discussed at the next meeting of the Panel and majority agreement reached on the content of the consultation document.
- 2.4 Once the consultation document has been agreed by the Panel it will be posted on NIE Networks' website so as to facilitate public consideration of the document. Panel representatives shall also use reasonable endeavours to make the existence of the consultation document known to other parties who may be affected by its content. The duration of the consultation will be of such length as is reasonable in the circumstances and the consultation document shall confirm the last date on which a response to the consultation can be submitted.
- 2.5 After the closing date for responses to the consultation, all responses will be assessed by the Panel in a timely manner. Any comments or submissions from the Panel members in relation to the responses should be made in writing to the Secretary for circulation. If necessary the consultation responses will be discussed at the next meeting of the Panel. Having reached majority agreement on the manner in which the consultation responses are to be addressed NIE Networks will develop a report containing all relevant details and submit the report to the Utility Regulator for consideration of the amendments. The report will be copied to members of the Panel, and posted on the NIE Networks website.
- 2.6 Where a consultation is required in relation to urgent matters the Secretary will be at liberty to call a special meeting of the Panel for the purposes of completing the process described above.

When amendments become effective

- 2.7 A relevant consideration that will be included in the consultation document and the report to the Utility Regulator is the date from which any proposed amendments, if approved, should take effect and how any party already connected to the electricity network will be affected by the proposed amendment.
- 2.8 Pursuant to Condition 27 paragraph 5 of the NIE Networks Electricity Distribution Licence, the Utility Regulator must issue a direction to NIE Networks requiring NIE Networks to revise the Distribution Code in such manner and with effect from such date as may be specified in the direction. In order to assist the Utility Regulator in issuing its direction the NIE Networks report will confirm the proposed date on which the amendment is to become effective. The options applicable to the effective date are given below.

High priority amendments

- 2.9 If NIE Networks and the Panel consider the amendment to the Distribution Code is required with high priority, then the report to the Utility Regulator shall make this clear and the effective date proposed shall be the date on which the direction is given by the Utility Regulator. An amendment can be considered high priority if absent the amendment, NIE Networks is unable to comply fully with its statutory or licence obligations. NIE Networks will make clear in its consultation document and the report to the Utility Regulator why the amendment is considered high priority.
- 2.10 If the amendment is considered high priority and the Utility Regulator grants approval for the amendment, NIE Networks will on receipt of the Utility Regulator direction, publish the amended Distribution Code on its website without delay. In addition NIE Networks will provide a marked version, or extract of the amended sections, so that the amendment made to the Distribution Code will be clearly apparent. Where there is a delay in publishing the amended Distribution Code NIE Networks shall not seek to enforce the amendment until the date of publication.
- 2.11 The previous version of the Distribution Code will be archived on the NIE Networks website.

Fixed dates for other amendments

- 2.12 For all other amendments to the Distribution Code i.e. amendments that are not considered high priority, the proposed effective date shall be either 1 April or 1 October, whichever comes first after the likely date for receipt of a direction from the Utility Regulator.
- 2.13 In these circumstances, after having received direction from the Utility Regulator, NIE Networks will publish the direction from the Utility Regulator along with an amended Distribution Code stating that the amended Distribution Code will take effect on the next 1 April or 1 October (whichever occurs first after publication), or as directed by the Utility Regulator. The existing Distribution Code will remain on the NIE Networks website until the amended Distribution Code becomes effective, at which point the previous Distribution Code will be archived on the website.

Impact on existing connectees

- 2.14 The impact of the proposed amendment on parties already connected to the network will be considered in the consultation document. In some cases it may be necessary to apply the proposed amendment to existing connectees in order to ensure the safety or operational efficiency of the network or for other technical reasons. However the default position is that the proposed amendment will not apply to existing connectees unless otherwise specified.
- 2.15 Where the proposed amendment is to apply to existing connectees, the report issued by NIE Networks to the Utility Regulator will confirm the reasons for this and those existing connectees affected. If existing connectees are affected by the proposed amendment this will be clear from the proposed amendment.

Amendments to ancillary documents to the code

- 2.16 In general, the same process for amending the Distribution Code should apply in respect of amendments to any ancillary document to the code e.g. setting schedules.
- 2.17 However in the event the proposed amendment(s) to any ancillary document will have no impact on parties connected to the distribution system, or who operate or use the distribution system, or who operate electric line or plant connected to the distribution system, then the proposed amendments need not be consulted on publicly. The Panel shall decide on such occasions if there is a need to consult publicly.

Communicating amendments to the code

- 2.18 NIE Networks will publish on its website any amendments made to the Distribution Code, in accordance with the timing circumstances discussed at paragraphs 2.7 to 2.13 above.
- 2.19 All members of the Panel who are not also employees of NIE Networks shall be responsible for informing those stakeholders that they represent e.g. electricity suppliers or generators, of the amendments to the Distribution Code.

Change control

- 2.20 The Secretary of the Panel shall be responsible for retaining a complete record of amendments made to the Distribution Code.
- 2.21 Furthermore a record of all amendments made to the Distribution Code shall be noted in the code itself, either at the front of the code or at the end. The record will include the date amendments were made, and a brief description of the amendments that are made.