

# DISTRIBUTION CODE MODIFICATION PROPOSAL FORM

<b>Modification Proposal submitted By:</b>  Derek Hynes	<b>DATE OF SUBMISSION OF PROPOSAL:</b>  25 <sup>th</sup> September 2013	<b>Modification Proposal Number:</b> <i>(to be assigned by Review Panel Secretary)</i>  #27
<b>CONTACT DETAILS FOR MODIFICATION PROPOSAL ORIGINATOR: (IF NOT DISTRIBUTION CODE REVIEW PANEL)</b>		
<b>NAME:</b>  DCRP	<b>TELEPHONE NUMBER:</b>  087 2062860	
<b>E-MAIL ADDRESS:</b>	distcodepanel@esb.ie	
<b>MODIFICATION PROPOSAL TITLE:</b>	Distribution Code Review Panel Membership and Constitution	
<b>DISTRIBUTION CODE SECTION(S) AFFECTED BY PROPOSAL</b>		
THE CONSTITUTION AND RULES OF THE DISTRIBUTION CODE REVIEW PANEL: <ul style="list-style-type: none"><li>• 5.1</li><li>• 21.3</li><li>• 21.7 (new)</li></ul>		
<b>MODIFICATION PROPOSAL DESCRIPTION</b> <i>(Clearly state the desired amendment and all text changes. Attach further information if necessary)</i>		
<p>5.1 The Panel shall consist of:</p> <ul style="list-style-type: none"><li>a) Chairperson and two persons appointed by and representing the DSO.</li><li>b) One person appointed by and representing the Commission.</li><li>c) One person representing the TSO.</li><li>d) One person representing Generators with Embedded Generation.</li><li>e) One person representing Major Customers.</li><li>f) One person representing the Public Electricity Supplier.</li><li>g) One representative of the Electro Technical Council of Ireland (ETCI).</li><li>h) One representative of independent Suppliers.</li><li>i) <b>Representatives of other users of the Distribution System as proposed by the Panel and approved by CER</b></li></ul>		
<p>Should any Member consider it appropriate to amend this Constitution <b>(including the composition of the Panel)</b>, the Member shall advise the Secretary who will, unless <b>he/she deems the</b> proposed amendments <b>to be</b> of minor consequence, notify each Member accordingly and invite representation <b>from the proposer</b>, within 10 Business Days following the date of such invitation in respect of the proposed amendment, <b>the</b> Secretary shall, within 3 Business Days immediately following the expiry of such 10 Business Days, send to each Member and the Commission copies of all representations received.</p>		
<p>The DSO will decide, based on these representations if the Constitution should be amended and shall notify the Commission accordingly.</p>		
<p>If the amendment proposed in 21.3 is considered by the Secretary to be of minor consequence it shall be included on the agenda of a subsequent Panel meeting and may be approved by agreement of all Members present.</p>		
<p><b>All applications for membership of the Panel will be made to the Secretary who will notify the Panel and who will vote at the next Panel meeting to propose or not the application for membership to Commission who will determine if the membership amendment is appropriate and will appoint the new member.</b></p>		

21.7 The Code will be published on an annual basis. Any modifications approved within the previous year by the Commission will be incorporated into the annual Code update. The updated Code will be proposed by the Chairman to the Panel at the first meeting of the year. The updated Code shall be deemed approved by the Panel by a simple majority of votes cast. The updated Code will be published on the DSO website.

**MODIFICATION PROPOSAL JUSTIFICATION** *(Clearly state the reason for the modification. Attach further information if necessary)*

There have been representations to the DSO from parties who are not members of the DCRP to be granted membership. The current constitution does not clearly allow for the membership to be expanded permanently or temporarily. The change proposed above allows for the existing Constitution amendment clause to be used to allow new or amended membership proposals to be determined on by the Commission.

**IMPLICATIONS OF NOT IMPLEMENTING THIS MODIFICATION**

The appointment of new members to the Panel to reflect industry changes is not clearly laid out in the existing constitution. This amendment allows the Commission to identify, or respond to membership amendment proposals.

**PLEASE SUBMIT MODIFICATION PROPOSALS TO THE PANEL SECRETARY BY E-MAIL TO: [DISTCODEPANEL@MAIL.ESB.IE](mailto:DISTCODEPANEL@MAIL.ESB.IE)**