

WHOLESALE-RETAIL CODE CHANGE PROPOSAL/ CHARGING CHANGE PROPOSAL

Change Proposal Reference <i>(To be completed by the Panel Secretary)</i>	CPW099	Version No	1.1
Type of Change Proposal: <i>(delete as appropriate)</i>	Change Proposal		
	Charging Change Proposal		
Submission Date			
Title: of Change Proposal/Charging Change Proposal	Clarify the responsibilities of Trading Parties during a planned event		
Summary: of Change Proposal/Charging Change Proposal <i>(40 to 50 Words Maximum)</i>	This change proposal is intended to enhance the clarity of the wording in the operational terms Part D, planned activities and improve the understanding of arrangements between Wholesalers and their retailers in line with the RWG Good Practice Guide on this subject		
General Details of the Proposer			
Name of Proposer	Stephanie Williams/Matthew Glover		
Capacity (to submit Change Proposals and Charging Change Proposals – on behalf of a Party, as a Panel member, as the customer representative, or the Market Operator or on behalf of the Authority; or Charging Change Proposals – on behalf of a Wholesaler).	On behalf of RWG Planned activities working group.		
Contact Email	Stephanie.williams@dwrcymru.com mglover@wave-utilities.co.uk		
Telephone Number	0800 260 5053 07966 879131		
The Proposer recommends that this Change Proposal/Charging Change Proposal should: <i>(delete as appropriate)</i>	Proceed to Assessment		
	Proceed to Consultation		
	Proceed to Recommendation		
Is the change Urgent (Yes/No)?	No		

If yes, please indicate which urgency principle(s) apply along with a rationale. Any supporting evidence should be included as an attachment to the Change Proposal form.		
Principle	Applies (Y/N)	Rationale
A significant impact on a party or parties, consumers or other stakeholder(s)	N	
A significant impact on the safety and security of the Central Market Operating System	N	
A material and immediate risk of causing a significant impact on the development and/or operation of the business retail market	N	
The code modification is required to comply with implement any Law	N	
If the change is Urgent please provide the proposed implementation date and the justification for this		
Proposed Implementation Date		
Justification		
Related Documents		
Reference of any associated Code Panel Change Proposal/ Charging Change Proposal	Planned Events Good Practice Guide Tracked version of Part D of the Wholesale Contract Schedule 1, Part 3: Operational Terms	
Documents Accompanying Form		
Change Proposal/ Charging Change Proposal Details		
Description of (i) the issue or defect which this Change Proposal seeks to address, or (ii) the modified or new charging method or charging structure required pursuant to this Charging Change Proposal, as required under the Market Arrangements Code Section 6.2.1(b).		
<p>Part D of the Wholesale Contract Schedule 1, Part 3: Operational Terms sets out the processes to be followed in relation to the long-term planning, short-term planning and reactive activities carried out by the Wholesaler in relation to the provision of Water Services and/or Sewerage Services.</p> <p>Lack of clarity on the roles and responsibilities of Retailers and Wholesalers in relation to this area of the market has resulted in different interpretations and expectations of individual trading parties. This, combined with a lack of consistency in the quality, terminology and delivery</p>		

mechanisms used in communicating these messages, has resulted in the concern that Retailers may not be able to effectively relay information to NHH customers and/or that NHH customers may not be notified of planned activities carried out by the Wholesaler in a timely manner.

Although Part D as currently written in the Operational Terms relates primarily to those planned activities that may affect the provision of water services and/or sewerage services, this change proposal acknowledges that Wholesalers undertake works that do not impact on the provision of water and/or sewerage services but may have the potential to otherwise impact a NHH customer's normal business, for example road closures, road diversions or access restrictions. The change proposal seeks to acknowledge the need for Wholesalers and Retailers to work together to ensure that NHH customers receive appropriate and timely notification in respect of planned activities undertaken by the Wholesaler and highlights the shift from retailer to wholesaler responsibility.

The proposed changes align with the guidance given in the Good Practice Guide developed by the RWG working group and should be viewed in conjunction with it when reviewing this CP. The proposed changes and the Good Practice Guide have been reviewed and approved by the RWG and feedback and comments incorporated throughout its development.

Description of the Change Proposal/ Charging Change Proposal, its nature and purpose and (for Change Proposals only) how it is consistent with the Principles and falls within the Objectives noted below, as required under the Market Arrangements Code Section 6.2.1(c).

Proposed change of wording (see full version of tracked changes)

Wholesale Contract, Schedule 1, Part 3 - Operational Terms
Section: Introduction and Summary

The changes proposed in this section are to widen the scope from interruptions to wider disruption and removes the burden of notifying all planned interruptions unless requested to do so or choose to do so. It also broadens the scope from non-public health SSA to all SSAs

Under all these processes the Wholesaler shall notify the **Retailer in advance of carrying out any planned work which it expects or reasonably should expect to have an effect on its Water Services and/or Sewerage Services provided to Non-Household Customers, including but not limited to interruptions to supply and decrease in pressure below the applicable minimum standard.** Such notifications shall be by electronic means.

The Wholesaler shall also notify the Retailer of any planned change to supply, including any change in pressure or change in the composition of water provided, which takes place within all or part of its Area and which is reasonably likely to affect the supply to Eligible Premises which are the subject of **Site Specific Arrangements.**

The Wholesaler should continue to conduct any public consultations, communications or campaigns which it runs in relation to planned activities affecting its Network and shall not exclude Non-Household Customers from those communications. The Wholesaler must also ensure that, where it is required to do so (for example when making a Disconnection for the purposes of carrying out works under section 60 of the Water Industry Act 1991) it provides notice to the Non- Household Customer and makes an alternative supply.

If requested by the Wholesaler or through their own choosing, the Retailer shall also notify its Non-Household Customer of any planned interruption to supply (and, in the case of any **Site Specific Arrangements,** any planned change to supply) covered by this part D which is

reasonably likely to affect it, and the Wholesaler and the Retailer shall co-operate to ensure any such notifications are consistent with each other. Such co-operation shall include but is not necessarily limited to following the processes in this part D (Planned activities and affected services).

Purpose and scope of Processes D1, D2 and D3:

The changes proposed in this section aims to expand works having an effect to may have an impact:

Process D1 – Notification of capital works that may have an impact on Non-Household Customers - long-term planning

Step 1

Clarity of 3 months in advance instead of at least once every 3 months and confirmation that wholesalers can continue to speak to customers on planned events. It also clarifies the Wholesalers can communicate directly with customers on these matters:

At least three (3) Months in advance, but sooner if known, the Wholesaler shall notify the Retailer of all work that it intends to conduct on its Network and which may impact the Water Services and/or Sewerage Services which it provides; together with any information about the expected impact. Such information shall include:

- high level indications of the planned work to the Wholesaler's Network including the nature of the work and the geographical area affected; and
- where available, more detailed information about the programme of work, including specific geographical areas by postcode out code (i.e. the first three (3) or four (4) digits of the postcode), the nature of the work and the likely level of any impact or disruption to Water Services and/or Sewerage Services.

At the same time, the Wholesaler shall notify the Retailer of any updates to previous notifications, including any changed, further or more specific information in relation to work or interruptions.

The wholesaler will be expected to communicate with NHH customers directly where appropriate before, during and after the works.

Process D2 – Short-term planned activities

Step 1

This change request gives a clearer definition of customer types:

Where any such activities may have an impact on Sensitive Customers or **those with Site Specific Arrangements**, the Wholesaler shall give the Retailer any additional relevant information in relation to these activities as it has available.

Step 3

This change is proposed because the wholesaler may not know 48 hours in advance the planned date has changed, but outlines that the retailer and customer will be updated of the change:

If the Wholesaler is unable to complete the work on the planned date for reasons outside its control, then it may reschedule the proposed start date and advise the Retailer and customers of this change.

Process D3 – Reactive activities

Step 1

This change removes the reference to food and drink and simplifies to sensitive and SSA:

Where any planned activities may have an impact on **Sensitive Customers or those with Site Specific Arrangements**, the Wholesaler shall give the Retailer additional information in relation to these activities so far as it relates to the Retailer's Non-Household Customers.

Principles and Objectives

Description of the principles and objectives affected by the Change Proposal on the items below (if applicable) as detailed in Part A of Schedule 1 Part 1: Objectives Principles and Definitions.

Principles	Affected (Y/N)	Description
Efficiency	Y	Trading parties will benefit by having more clarity during a planned event
Proportionality		
Transparency	Y	The changes to the wording will improve the overall understanding of responsibility and roles. Simplicity, cost-effectiveness and security
Simplicity, cost-effectiveness and security	Y	The changes to the wording will improve the overall understanding of responsibility and roles.
Barriers to entry		
Non-discrimination		
Customer participation		
Customer contact		
Seamless markets		
No limit on upstream competition		
Business Terms Objectives		
Operational Terms Objectives	Y	The change will further ensure that necessary operational interactions between the Wholesaler and the Retailer work effectively.
Market Terms Objectives	Y	Removal of inconsistencies and areas of uncertainty in the Codes will ensure that the market functions as intended.

Description of the impact of the Change Proposal/ Charging Change Proposal on the following items, as required under the Market Arrangements Code Sections 6.2.1 (f), (g) and (h).		
Configured Item	Impacted (Y/N)	Description
Schedule 1: Terms and Conditions of a Wholesale Contract		
Wholesale-Retail Code, Schedule 1 Part 1 (Objectives, Definitions and Principles)		
Wholesale-Retail Code, Schedule 1 Part 2 (Business Terms)		
Wholesale-Retail Code, Schedule 1 Part 3 (Operational Terms)	Y	Part D planned events change or wording
Wholesale-Retail Code, Schedule 1 Part 4 (Market Terms)		
Wholesale-Retail Code, Schedule 1 Part 5 (CSDs)		
Wholesale-Retail Code, Schedule 1 Part 6 (Operational Forms)		
Appointment		
Licence		
Any other industry code, agreement or document (e.g. the Wholesale Contract or the MOSL Articles) (please specify)		
Central Market Operating System		
Trading Party systems which interface with Central Systems and other relevant Trading Party systems/ business processes.		
Scottish Core Industry Documents		

Further Information

Description of any discussions on the topic of the Change Proposal/ Charging Change Proposal at the User Forum (as relevant) or otherwise relevant discussions with parties, as required under the Market Arrangements Code Section 6.2.1(i).

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Further Comments

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Key
