

MARKET CODE / OPERATIONAL CODE CHANGE PROPOSAL

Form
version 3.0

Change Proposal reference
(To be completed by the TP Sec.)

MCCP292

Version No.

D.2

PART A — SUBMISSION

A.1. GENERAL DETAILS

A.1.a. TITLE Gap Site Process Improvements

A.1.b. COMPANY Scottish Water

Change Proposals must be authorised by the person designated by the signatory to the Market Code Framework / Accession Agreement

A.1.c. AUTHORISED SIGNATURE NAME Richard Lavery

A.1.d. CONTACT NAME Richard Lavery CONTACT EMAIL; TEL./MOB. richard.lavery@scottishwater.co.uk
07875 873845

A.1.e. ASSOCIATED MCCP / OCCP OCCP072

A.1.f. ASSOCIATED DOCS.

A.1.g. PROPOSED URGENCY NON-URGENT

A.1.h. REASONS FOR URGENCY

The CMA CEO will review this information and make a decision as to whether to take this MCCP / OCCP forward as urgent as defined under Market Code Part 8.9.1

A.2. MCCP / OCCP DETAILS

A.2.a. ISSUE OR DEFECT WHICH THIS MCCP / OCCP SEEKS TO ADDRESS Required under Market Code Parts 8.7.1 (ii) (b) and 8.8.1 (ii) (b)

This MCCP accompanies OCCP072 on the same subject and contains consequential changes to:

- The Market Code Section 5.4.11, Gap Site Allocation Process; and
- Market Code Schedule 9, CSD 0101, Registrations - New Connections & New Supply Points SPID data.

This MCCP does not repeat the details contained in the OCCP072, but summarises the key points, and contains the drafting for the changes to the elements noted above to align the Market Code with the agreed Operational Code changes.

Summary of OCCP072 – Gap Site Process Improvements

The Operational Code contains two processes for the registration of gap sites:

- Process 29 – Gap Sites identified by Scottish Water; and
- Process 30 – Gap Sites identified by Licensed Provider.

The OCCP seeks to respond to areas of customer and LP concern, principally:

- Low customer understanding and awareness of what a gap site is, the registration process and what it will involve for the customer;
- Customers' desire to choose their own LP even where their site has been identified by an LP; and
- Customers being unable to obtain quotes from prospective LPs as the services at a premises are not visible until the SPID has been registered/made tradeable.

A.2.b. DESCRIPTION OF THE NATURE AND PURPOSE OF THE MCCP / OCCP AND HOW IT MEETS THE MARKET CODE / OPERATIONAL CODE OBJECTIVES AND PRINCIPLES FOR THE MARKET DOCUMENTS
 Required under Market Code Parts 8.7.1 (ii) (c) and 8.8.1 (ii) (c)

General Description

The proposed changes to the following sections of the Market Code and CSDs will align them with the Operational Code process revisions agreed via OCCP072:

- The Market Code Section 5.4.11, Gap Site Allocation Process; and
- Market Code Schedule 9, CSD 0101, Registrations - New Connections & New Supply Points SPID data.

Further changes have been made to this MCCP (changes from the last version highlighted in yellow) to address a discrepancy with the process timescales identified following the previous Technical Panel review.

Principles and Objectives affected

PRINCIPLE	AFFECTED (Y/N)	DESCRIPTION
Proportionality	Y	The changes to the sequence of the process will improve customer experience.
Transparency	Y	The changes will improve LP visibility of verified services to be registered at pending gap sites
Simplicity, Cost-effectiveness, and Security	N	
Non-exclusivity	N	
Barriers to Entry	N	
Customer Contact	Y	The changes will clarify the process for a customer choosing an LP during the registration process
Non-discrimination	N	
Non-detrimental to SW Core Functions	N	
MC / OC OBJECTIVES		

A.2.c. IMPACT Required under Market Code Parts 8.7.1 (ii) (d), (f) and (g), and 8.8.1 (ii) (d) and (f)		
CONFIGURED ITEM	IMPACTED (Y/N)	DESCRIPTION
MC / OC	MC	Changes to Market Code Section 5.4.11, Gap Site Allocation Process
CSDs	Y	CSD 0101 Registration – New Connections & New Supply Points
Wholesale Services Agreements	N	
Licences	N	
CMA Central Systems	N	
CMA business processes	N	
Trading Party systems		
Trading party business processes	Y	

A.2.d. DRAFT LEGAL TEXT/
Required under Market Code Parts 8.7.1 (ii) (d) and 8.8.1 (ii) (d)

The required changes to the Market Code including the CSDs are set out as tracked changes below. For completeness, we have also included sections which relate to gaps but *do not* require changing.

Changes to the Market Code

5.4.11 Gap Site Allocation Process: Changes are required to sub-sections 5.4.11 (i) and 5.4.11(iii), which should now read as set out below.

5.4.11 (i) If Scottish Water identifies any Gap Site it will, by a date falling within **52** Business Days of such identification (the “date for action”) **write to the Non-Household Customer at the relevant Eligible Premises (using the form approved by the Commission) informing them of the registration process which will be followed. Within 12 Business Days of the date of the letter Scottish Water will also visit the Supply Point to:**

- (a) verify the services provided at the Supply Point;**
 - (b) survey the site to install a meter; and therefore**
 - (c) deem the site as unmeasurable or where appropriate install a meter in accordance with the Operational Code.**
- ~~take the steps required by either section 5.4.11 (iii).~~

5.4.11 (iii) For the purpose of allocating Customers at Gap Sites, the following provisions apply:

- (a) **Within 5 Business Days of verifying services,** Scottish Water will write to the Non-Household Customer at the relevant Eligible Premises (using the form approved by the Commission) informing them that they must now choose a Licensed Provider within 15 Business Days or have one allocated to them. Scottish Water will also give each Customer a unique reference number. Scottish Water may mail the letter using a recorded or tracked method of delivery. Scottish Water will record any reference number associated with such delivery methods should one be available.
- (b) If a Licensed Provider agrees to supply the Non-Household Customer pursuant to Section 5.4.11(iii)(a), that ~~Licensed Provider~~**Non-Household Customer** must notify Scottish Water within **15 Business Days of the date of the letter issued in (a) above** and in accordance with Step a of Section 3.1.1 of CSD 0101 (Registration: New Connections & New Supply Points).
- (c) Having received such notification Scottish Water will submit the T001.0 (Request New SPID) to the CMA and shall identify the Licensed Provider chosen by the Non-Household Customer in the T001.0 request all in accordance with Step b of Section 3.1.1 of CSD 0101 (Registration: New Connections and New Supply Points).
- (d) The CMA will then Register the new Supply Point(s) in accordance with Section 3.1.1 of CSD 0101 (Registration: New Connections & New Supply Points).
- (e) If Scottish Water does not receive notice from the Non-Household Customer within **1745** Business Days from the date of its letter to the Non-Household Customer **in sub-section (a) above,** it will submit the T001.0 (Request New SPID) to the CMA with all available contact information for the Customer at the Gap Site, but will not include any information regarding the identity of a Licensed Provider in accordance with Step b of Section 3.4.1 of CSD 0101 (Registration: New Connections & New Supply Points).
- (f) Having received the T001.0 (Request New SPID) without an allocated Licensed Provider from Scottish Water, the CMA will allocate a Licensed Provider to the Non-Household Customer in accordance with Section 5.4.11(iv) below.

Changes to Schedule 9, CSD 0101, Registrations - New Connections & New Supply Points

Changes will be required in Section 3, New Supply Points – Entry Change of Use or Gap Site.

Section 3.1, Licensed Provider initiated

3.1.1 Description of the Process Diagram Steps

Step b, Request Supply Point(s) [T001.0]:

Scottish Water shall endeavour to identify any information regarding the premises from its records, including assessing whether a site visit will be required to verify the Services at the Supply Point(s), in which case they should liaise with the Licensed Provider(s) in accordance with the Operational Code.

Scottish Water will submit the T001.0 (Request New SPID) to the CMA no later than **19 Business Days** after **the date of its letter to the Non-Household Customer informing them that they must now choose a Licensed Provider within 15 Business Days or have one allocated to them (comprising 15 Business Days for the customer to respond, 2 Business Days contingency for issues such as postal delays and 2 Business Days for the submission of transactions by Scottish Water) receiving notification from the Licensed Provider(s) at Step a above.** The submission will reflect that the New Supply Point(s) arises from an Entry Change of Use or Gap Site and whether the Supply Point(s) relates to both Water and Sewerage Services, or only one of those Services. **If the Non-Household Customer has informed Scottish Water of the identity of a Licensed Provider who has agreed to supply the Non-Household Customer then that Licensed Provider shall be identified in the T001.0 request. If not, the Licensed Provider who notified Scottish Water of the New Supply Point shall be identified in the T001.0 request.**

Section 3.2, Scottish Water initiated

3.2.1 Description of the Process Diagram Steps

Step b, Request Supply Point(s) [T001.0]:

Once Scottish Water has written to the Non-Household Customer in accordance with **sub-section 5.4.11 (iii)(a) of the Market Code (the Gap Site Allocation Process)**

either:

and No Licensed Provider(s) has been chosen by the Customer, **and** Scottish Water will, within **179 Business Days** of the date of its letter to the Non-Household Customer **(comprising 15 Business Days for the customer to respond, 2 Business Days contingency for issues such as postal delays and 2 Business Days for the submission of transactions by Scottish Water)**, submit the T001.0 (Request New SPID) to the CMA. The submission will reflect that the New Supply Point(s) arises from a Gap Site, whether the Supply Point(s) relates to both Water and Sewerage Services, or only one of those Services and, since no Licensed Provider has been involved, will not include any information regarding the identity of a Licensed Provider.

or:

Scottish Water has been notified that a Licensed Provider(s) has agreed to supply the Non-Household Customer and Scottish Water will, within **179 Business Days** of the date of its letter to the Non-Household Customer **(comprising 15 Business Days for the customer to respond, 2 Business Days contingency for issues such as postal delays and 2 Business Days for the submission of transactions by Scottish Water)**, submit the T001.0 (Request New SPID) to the CMA. The submission will reflect that the New Supply Point(s) arises from a Gap Site, whether the Supply Point(s) relates to both Water and Sewerage Services, or only one of those Services and will include the identity of the relevant Licensed Provider.

Step c: Create Supply Point(s) and issue SPID(s) to Scottish Water [T002.1]

If the Non-Household Customer **informed** Scottish Water within the timeframe set out in Section 5.4.11 (iii) of the Market Code that a Licensed Provider **had** agreed to supply the Non-Household Customer, ~~t~~The CMA will create the Supply Point(s) and notify Scottish Water within 1 Business Day of allocating the Supply Point(s) to **a** the Licensed Provider(s) **identified by the Non-Household Customer** (see step c, using Data Transaction T002.1 (Notify New SPID (SW))). This notification will constitute a request to submit the supporting information for the Supply Point(s) for which they are the Data Owner.

Step c: Allocate Supply Points(s) to Licensed Provider and notify SPIDs [T002.0]

If the Non-Household Customer **did** not inform Scottish Water within the timeframe set out in Section 5.4.11 (iii) of the Market Code that a Licensed Provider has agreed to supply the Non-Household Customer, ~~t~~The CMA will allocate the Supply Point(s) to a Licensed Provider(s) in accordance with the Gap Site Allocation Process.

The CMA will notify the Licensed Provider(s) of ~~the~~**any** Supply Point(s) so allocated within 1 Business Day of receipt of the T001.0 in respect of that Supply Point(s), using Data Transaction T002.0 (Notify New SPID (LP)). This notification will constitute a request for that Licensed Provider(s) to submit a T003.0 (Partial Registration Application).

Step c1: Send Copy of Gap Site letter to Licensed Provider

Scottish Water shall send to the **Licensed Provider identified by the Non-Household Customer or, as the case may be, the** allocated Licensed Provider upon request a copy of the letter sent to the Non-Household Customer **under Section 5.4.11 (iii) of the Market Code**.

Section 4.2, Process Diagrams, and Section 4.3, Interface and Timetable Requirements, will also require consequential amendments to align with the changes above.

If changes are identified for CSD0301 Data Transaction Catalogue Annex, these will not be provided in this MCCP, but will be provided following the deployment of the associated system updates. This is because the majority of CSD0301 Annex is system generated automatically and can only be updated after associated changes have been incorporated into the relevant system.

A.3. IMPLEMENTATION DETAILS

A.3.a. PROPOSED IMPLEMENTATION DATE OR LEAD TIME

Timescale must not overlap with the period of consultation with the Commission and should take account of the impacts identified in Section A.2.c. Any quoted lead time should commence from date of Approval.

TBC once confirmation has been received on the publication of the Operational Code including OCCP072.

A.3.b. ANY LIMITATIONS OR DEPENDENCIES FOR IMPLEMENTATION

A.4. ANY OTHER COMMENTS

--

PART B — TP ASSESSMENT

B.1. ASSESSMENT PROCESS

B.1.a. ASSESSMENT START DATE	2022-11-24	ASSESSMENT END DATE	2023-06-15
B.1.b. IMPACT ASSESSMENT REQUIREMENT	IA NOT REQUIRED		
B.1.c. CONSULTATION REQUIREMENT	TP CONSULTATION NOT REQUIRED		
B.1.d. ASSOCIATED DOCUMENTS (to this Part B)			

B.2. ASSESSMENT DETAILS

B.2.a. CHANGE SPEC AND IMPACT (IF DIFFERENT FROM THAT ORIGINALLY SUBMITTED)

--

B.2.b. CMA INTERNAL SYSTEMS IMPACT

None.

B.2.c. DRAFT LEGAL TEXT (IF DIFFERENT FROM THAT ORIGINALLY SUBMITTED)

--

B.2.d. CUSTOMER IMPACT

The changes will clarify the process for a customer choosing an LP during the registration process

B.2.e. TP ASSESSMENT

Taking into account complexity, importance and urgency, and having regard to whether or not such proposal is within the relevant Objectives and Principles as required under Market Code Parts 8.7.1 (v) and 8.8.1 (iv)

Impact on Principles and Objectives (if different from that originally submitted)	
Cost Estimate	
Benefit Estimate (L: < 10k, M: £10k to £100k, H: > £100k)	

B.3. TP DECISION	TP APPROVED
B.4. FINAL TP VIEWS	Unanimously approved by the TP on 15-06-23
B.5. PLANNED IMPLEMENTATION DATE	September 2023

WITHDRAWN BY PROPOSER?	NO
COMMENTS	
DATE OF WITHDRAWAL	

PART C — COMMISSION APPROVAL

C.1. DATE FINAL REPORT ISSUED TO COMMISSION	2023-07-04
C.2. APPROVAL STATUS	APPROVED CHANGE
C.3. DATE OF APPROVAL STATUS	2023-08-01
C.4. COMMISSION RESPONSE REFERENCE	CMA CP010823

PART D — IMPLEMENTATION

D.1. IMPLEMENTATION DATE	21 Sept 2023
D.2. IMPLEMENTATION DETAILS (MC version, CSD versions, CMA Central Systems release number, etc.)	
Market Code v51	