

Minutes of CLLS Energy Committee Meeting

24 July 2013 at 6pm

Attendees:

Robert Lane, CMS Cameron McKenna LLP
Charlotte Waldron, CMS Cameron McKenna LLP
Michael Coates, Shell International BV
Sarah King, CMS Cameron McKenna LLP

Apologies:

Clare Hatcher, Clyde & Co
David Baker, White & Case
Paul Stacey, Slaughter and May
Geoffrey Picton-Turbervill, Ashurst
Geoff Tyler, Pinsent Masons
James Watson, Osborne Clarke
Jeremy Gewirtz, Linklaters
Jonathan Marsh, Vitol

1. Introduction

- 1.1 It was agreed that the minutes from the meeting on 5 March 2013 would be re-circulated for comments and approval.
- 1.2 The attendees raised the point that minutes from the last three meetings have not been uploaded to the CLLS website. Charlotte Waldron and Robert Leeder agreed to liaise to ensure that the minutes from the meetings in November 2012, January 2013 and March 2013 are uploaded to the website.

2. Industry news and updates

- 2.1 There was a discussion about current market trends.
 - 2.1.1 Robert Lane drew attention to current trends in the electricity sector, including Electricity Market Reform and Retail Market Review.
 - 2.1.2 Robert Lane also drew attention to REMIT and its wide-ranging implications across a diverse range of projects and transactions. It was agreed that ensuring compliance with REMIT is a large task and that REMIT is having a more pervasive and deeper effect than first expected.

3. Oil and Gas issues

- 3.1 Michael Coates drew attention to revenue transparency regulations and their effect on oil and gas operations. Specific issues identified in relation to revenue transparency regulations were confidentiality obligations and breach of foreign law.

4. Review and consideration of live consultations in the energy sector (please see the Appendix for further detail)

4.1 It was noted that the majority of consultations were broadly policy based consultations rather than legal consultations.

4.2 It was noted that it is useful for the group to receive a list of live consultations and that the current list reflects an interesting range of live issues, including REMIT and Electricity Market Reform.

5. Any other business

5.1 Robert Leeder explained that a consultation on the transparency of company ownership would close in September. It was agreed that this might be of interest to the group.

6. Next Meeting

6.1 The next meeting was set for mid September.

APPENDIX

Review and consideration of live consultations in the energy sector

1. Live DECC Consultations

- 1.1 Call for evidence: role of UK refining and fuel import sectors (see link [here](#)) – closes 15 July 2013.
- 1.2 Consultation on community energy call for evidence (see link [here](#)) – closes 1 August 2013.
- 1.3 Consultation on environment and climate change: balance of competences review (see link [here](#)) – closes 12 August 2013).
- 1.4 Stage 1 of the Smart Energy Code: conclusions and proposal (see link [here](#)) – closes 14 August 2013.
- 1.5 Consultation on the draft Electricity Market Reform Delivery (see link [here](#)) – closes 25 September 2013.
- 1.6 Transition from the Renewables Obligation to Contracts for Difference (see link [here](#)) – closes 25 September 2013.
- 1.7 Consultation on energy savings opportunity scheme (see link [here](#)) – closes 3 October 2013.

2. Live Ofgem Consultations

- 2.1 Open letter: Automatic rollovers in the non-domestic market – call for evidence (see link [here](#)) – closes 11 July 2013.
- 2.2 Competition in connections – Consultation on ENWL’s competition notice (see link [here](#)) – closes 18 July 2013.
- 2.3 Consultation on transmission owners’ proposed network access policies (see link [here](#)) – closes 19 July 2013.
- 2.4 Offshore transmission – proposed modifications under section 11A(2) of the Electricity Act 1989 to the licences of Offshore Transmission Owners (OFTOs) (see link [here](#)) – closes 19 July 2013.
- 2.5 Statutory consultation on changes to Electricity North West Limited’s distribution licence condition CRC 14 (see link [here](#)) – closes 22 July 2013.
- 2.6 The retail market review – statutory consultation on RMR domestic proposals (see link [here](#)) – closes 23 July 2013.
- 2.7 Consultation on the potential requirement for new balancing services by National Grid Electricity plc (NGET) to support an uncertain mid-decade electricity security of supply outlook (see link [here](#)) – closes 26 July 2013.
- 2.8 Independent gas transporters’ relative price control – consultation on revising the guidance document and potential changes to special condition 1 of the IGT licence (see link [here](#)) – closes 26 July 2013.

- 2.9 Pricing benchmarks in gas and electricity markets – a call for evidence (see link [here](#)) – closes 31 July 2013.
 - 2.10 Review of typical domestic consumption values (see link [here](#)) – closes 31 July 2013.
 - 2.11 Integrated transmission planning and regulation project: Emerging thinking (see link [here](#)) – closes 2 August 2013.
 - 2.12 Open letter consultation on RIIO-ED1 business plans (see link [here](#)) – closes 2 August 2013.
 - 2.13 Offshore transmission – Notice under s8A(3) of the Electricity Act 1989 (London Array) (see link [here](#)) – closes 8 August 2013.
 - 2.14 Wholesale power market liquidity: final proposals for a “secure and promote” licence condition (see link [here](#)) – closes 9 August 2013.
 - 2.15 Open letter – feed-in tariff (FIT): Guidance for licensed electricity suppliers – changes to guidance (see link [here](#)) – closes 19 August 2013.
 - 2.16 Third party intermediaries: exploration of issues and options (see link [here](#)) – closes 23 August 2013.
 - 2.17 Consultation on simplification plan (see link [here](#)) – closes 27 August 2013.
 - 2.18 Consultation on tackling electricity theft (see link [here](#)) – closes 28 August 2013.
 - 2.19 Consultation on our proposed REMIT penalties statement and procedural guidelines (see link [here](#)) – closes 29 August 2013.
 - 2.20 Gas transmission charging review – call for evidence (see link [here](#)) – closes 16 September 2013.
- 3. Live Europa Consultations**
- 3.1 ACER evaluation under Article 34 of Regulation 713/2009 (see link [here](#)) – closes 18 September 2013.
 - 3.2 Consultation on sustainable buildings (see link [here](#)) – closes 1 October 2013.