

Minutes of Panel Meeting 45

21 July 2020 | 10:00 – 14:30

Videoconference Only

Status of the Minutes: Final

MEMBERS PRESENT

Jim Keohane	JK	Chair	Michael Rathbone	MR	Panel Member (Wholesaler)
Michelle Burns	MB	Panel Member (Associated Retailer)	Helyn Mensah	HM	Panel Member (Independent)
Andy Coates	AC	Alternate Panel Member (Associated Retailer)	Elsa Wye	EW	Panel Member (Independent)
Trevor Nelson	TN	Panel Member (Unassociated Retailer)	Pamela Taylor	PT	Panel Member (Independent)
Nicola Smith	NS	Panel Member (Unassociated Retailer)	Christina Blackwell	CB	Alternate Panel Member (Customer Representative)
Claire Yeates	CY	Panel Member (Unassociated Retailer)	Dan Mason	DM	Affiliated Panel Member (Ofwat)
Mark Holloway	MH	Panel Member (Wholesaler)	Sarah McMath	SM	Affiliated Panel Member (MOSL)
Martin Mavin	MM	Panel Member (Wholesaler)	Adam Richardson	AR	Panel Secretary

OTHER ATTENDEES

Steve Arthur	SA	MOSL (Presenter)	Tom Daborn	TD	MOSL (Observer)
Stuart Boyle	SB	MOSL (Presenter)	Carol Sgambaro	CS	MOSL Secretariat
Huw Comerford	HC	MOSL (Presenter)	Florentina Monea	FM	MOSL (Observer)
Chris Dawson	CD	MOSL (Presenter)	Steve Formoy	SF	MOSL (Observer)
George Kelly	GK	MOSL (Minute-Taker)	Patricia Quintata	PQ	Southern Water (Presenter)
Oliver Robins	OR	MOSL (Minute-Taker)	Rob Barker	RB	Wave Utilities (Observer)
Amanda Hinde	AH	MOSL (Observer)	Ray Porter	RP	Castle Water (Observer)
John Gilbert	JG	MOSL (Observer)			

APOLOGIES

Mike Keil	MK	Panel Member (Customer Representative)	Barry Hayward	BH	Panel Member (Associated Retailer)
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1. Welcome and Introductions

- 1.1 It was noted that notice of the meeting had been given, that the meeting had been properly convened and that a quorum was present. The Chair declared the meeting open.
- 1.2 The Chair welcomed Panel Members, AC (as it was their first panel meeting as an alternate), and all other attendees to Panel Meeting 45. It was noted that MK and BH had sent their apologies for the meeting.
- 1.3 The Chair noted that the Chair Appointment agenda item would be held as a closed session and that it would be the last item on the meeting agenda after AOB.

2. Minutes and Outstanding Actions

- 2.1 After due consideration, the Panel Members approved the minutes for the Ad Hoc Panel Meeting P43a (15 June 2020) and Panel Meeting P44 (30 June 2020) with no further alterations to be made.
- 2.2 The Panel agreed that the following actions could be closed as they had been completed:
 - 2.2.1 A41_08; A44_01; A44_02; A44_03; A44_05; A44_06; A44_08.
- 2.3 The Panel further agreed that the following actions would remain open:
 - 2.3.1 A29_06; A26b_04; A33_08; A36_04; A39_05; A43_01; A44_04; A44_07; A44_09; A44a_01; A44a_02.
- 2.4 One Panel Member noted that the method and frequency for ongoing monitoring of YVE's had not been agreed at the YVE and Vacancy meeting held on 17 July 2020. AR noted that there was an action (A44_04) open, which related to the issue of data analysis and continuous reporting of vacancy flags. In addition, two actions (A44a_01 and A44a_02) had been captured from the meeting on 17 July which related to the question of regularity and method of reporting as well as the role of the MPC in monitoring the unwinding of the COVID provisions. Updates on actions A44_04, A44a_01 and A44a_02 would be provided at the August Panel meeting.
- 2.5 Two members highlighted that it was important for the Secretariat to be clear from the outset on which meetings were to be held as a formal Panel meeting (including any 'closed' sessions) as it was not clear whether the Vacancy meeting on 17 July was a formal Panel meeting, as some Trading Parties were in attendance and some not, and it had not been advertised as a Panel Meeting. AR confirmed the vacancy update session on 17 July was not a formal Panel meeting and that it had been convened as an update from MOSL for Panel Members in response to a Panel action. The Panel noted that some of the Trading Parties that were aware of the update session, due to their attendance at the June Panel meeting, had joined the update and noted that it was important to ensure transparency where open Panel sessions were being held.

ACTION A45_01
- 2.6 One member queried how MOSL would obtain confidence in the vacancy findings if the audit sample was not statistically significant. In addition, they believed that it was worth looking further into whether the audit actually verified whether properties were vacant or occupied when the sampling was undertaken.

3. Ofwat Update

- 3.1 DM provided an update from Ofwat. DM firstly thanked Trading Parties and CC Water for their responses to the consultation on [Covid19 next steps](#). He noted that Ofwat was to produce and publish a 'minded-to' paper before the Ad-hoc Panel Meeting on Tuesday, 28 July 2020, to set out Ofwat's proposed decisions where code changes would be needed and the direction of travel on some issues. DM noted that Ofwat would work with MOSL to prepare a brief to Panel Members outlining where changes may be required.

ACTION: A45_02

- 3.2 He noted that a three-week consultation on proposed amendments to the interim supply code process was published on the week prior to the Panel meeting.
- 3.3 DM further stated that findings on project RISE and Ofwat's annual State of the Market Report would be published on the week commencing 10 August 2020.
- 3.4 One member requested whether the 'minded-to' decision document, which would be published before Tuesday 28 July 2020, could be flagged and sent round to all members in parallel with the code changes, so that they could obtain an understanding of the wider context behind them. DM clarified that the brief would be circulated in parallel with the code changes. He noted the code changes would be focused on the changes which required decisions by the end of July 2020 and not specifically focusing on issues where decisions were not required to this timescale.
- 3.5 Another member requested the Secretariat ensure that all Panel Members, including Independent members, are included in the distribution list as some had not received updates regarding Ofwat publications and similar in the past.

ACTION: A45_03

4. MOSL Update

- 4.1 SA noted, the action against Covid monitoring to provide clarity to Panel and Trading Parties. He noted the plan to expand data to show retrospective actions. He presented a 'Beta-version' of the top ten Trading Parties' positions and noted that a version of this snapshot of vacancy would be provided on a monthly basis.

ACTION: A45_04

- 4.2 One member noted that because of the differing approaches taken by trading parties in addressing COVID vacancy assurance, we would expect to see some retrospective adjustments to be made as customer confirmations are received. A Panel member questioned whether this would be captured and reported. SA responded that the presentation was a snapshot update, and that MOSL would provide revised versions afterwards. This would allow members to see which Trading Parties retrospectively added or removed flags over the COVID months.
- 4.3 A member questioned the vacancy levels in the presented graph. SA confirmed that the graph only included COVID related vacancy.
- 4.4 SA noted that MOSL would provide the number of COVID vacant sites changed to occupied, those remaining vacant, consumption analysis and YVE Monitoring.

- 4.5 SA then noted the COVID-unwinding approach and that MOSL would work closely with the MPC including the possible introduction, and monitoring of new standards or indicators.
- 4.6 SA noted that the action on reports and reporting (A44_04) was not to be closed as it was on-going. He noted that the full batch of COVID reporting would be discussed at the August 2020 Panel Meeting.
- 4.7 The Panel noted that the snapshot report was to be produced on a two-weekly basis, but the more important and complex 'back-casting view' report of who was making retrospective changes would take two-three weeks to formulate. Therefore, members could expect an interim report mid-August, and the full report for the August 2020 Panel meeting.

ACTION: A45_05

- 4.8 One member questioned how the Panel was to determine issues of importance, and if so, what actions Panel Members needed to take. SA noted that MOSL would provide the information and flag areas of concern. He further noted MOSL would delve deeper to provide this assurance to the Panel Members. SA also noted in response to the earlier question regarding statistical significance that whilst the volume of premises assessed by the market auditor was not large enough to be considered statistically significant, the timescales for the audit and the need to provide a timely response and indicator of focus areas, this approach was deemed appropriate.
- 4.9 One member was not clear whether the Panel or the MPC were leading. They also sought clarification whether PwC needed to do any further audits. SA responded that any further work for the market auditor would be discussed as part of the Panel Audit sub-group. There was the possibility that MOSL would recommend further targeted audit reviews.
- 4.10 Another member considered there may be a role for the Market Performance Operating Plan (MPOP) to look at the COVID-impacted areas and the impact of COVID-flag vacancy on the Market. They noted this would allow prioritisation on aspects which they felt were important. SA confirmed there was a workstream within the MPOP around this issue and agreed that this could form the vehicle for some of this monitoring and intervention work.
- 4.11 A Panel Member reflected on the statistical significance of the market auditor's work and noted that if significant decisions were to be made on the basis of this work then statistical significance was required. A second member also echoed this point.
- 4.12 One member further explained that the audit contained a qualitative as well as a quantitative element. SA noted that the quantitative element was more indicative, and that the qualitative element ought to be taken into account when considering decisions which had to be made.
- 4.13 One member noted that a lot of what was discussed was the process of how data was used to make decisions. They requested whether SA could provide a framework for how MOSL will use the data being tracked and reported on to make decisions or ask Panel and MPC to make decisions.

ACTION: A45_06

- 4.14 The Chair noted that Panel Members could ask questions and clarification from SA before the August 2020 Panel meeting, for efficiency during the next meeting.

- 4.15 One member questioned the Panel's balance between operational and strategic reviews. They noted that in the MOSL Market focus there was a reference to MOSL providing their business plan to CEO's, and they were curious to know if this was to be covered in the MOSL strategy briefing after the Panel Meeting. They also queried if MOSL had published its quarterly report and that there was a number of key metrics and KPI's included in this. They believed it might be useful for Panel Members to discuss this. They also noted the Isle Utilities project and the importance it carried and asked whether they could get more insight into how that would feed into the MPF.
- 4.16 SM noted that there would be an element of response to all three of the above questions in the session after the Panel meeting. She noted that the quarterly reports increased transparency and disclosure and would be publicly available. SM noted the Isle Utilities report on consumption would be touched on in the session after the Panel.

5. Committee Reports

Trading Disputes Committee (TDC)

- 5.1 EW provided an update from the TDC meeting held on 15 July 2020. EW noted that the consultation for [CPW092: Unified Disputes Process and Committee](#) had been released, and the responses were reviewed on the week before the Panel meeting. EW further noted that there seemed to be a general support from the market in relation to this change proposal, however, there was a key follow up point in relation to, if this change was to be implemented, whether the TDC would be able to access funds (and how quickly it would be able to do so) in order to call in appropriate expertise, where appropriate.
- 5.2 One member noted that the proposed approach provided for the resolution of disputes on an urgent basis, if appropriate, which was a consideration based on feedback from the GDPR Issues Committee.
- 5.3 EW referred the Panel to the addendum to the Committee Reports and apologised for its late circulation. She stated that the purpose of the addendum was to put forward a proposal to amend the current TDC composition (currently six Retailer members and four Wholesaler members) under its Terms of Reference to 5 Retailer members and 5 Wholesaler members.
- 5.4 EW explained the rationale for the proposal, confirming that the TDC composition was not consistent with that of other Committees of the Panel. In addition, if the TDC was to become the sole Committee for dealing with all Trading Disputes in the market, then a more even split of 5 Retailers and 5 Wholesalers would be more appropriate.
- 5.5 EW highlighted the current challenges with trying to fill two Retailer vacancies (the TDC had recently called for two Retailer vacancies and had not received any responses). Subject to Panel approval of the amended Terms of Reference, EW also sought approval to call for one Wholesaler and One Retailer nomination.
- 5.6 The Panel:
- **AGREED** to the changes to the TDC Terms of Reference (unanimous); and
 - **AGREED** that the nomination process to appoint a Wholesaler member to the TDC could commence as soon as practicable.

General Data Protection Regulation (GDPR) Issues Committee

- 5.7 HM noted there was no update as the GDPR Issues Committee had not met since the last Panel Meeting.

Credit Committee (CC)

- 5.8 The Chair noted there was no update as the CC had not met since the last Panel meeting.

Market Performance Committee (MPC)

- 5.9 JG noted the appointment of the new Retailer MPC member, and ongoing discussions on a Trading Party's performance against its rectification plan.
- 5.10 It was further noted that the MPC had voted on trigger points for escalation, but the MPC were not intending to escalate to the Panel at this stage. It was explained that an update on the Trading Party's performance would be provided, as a closed session, at the end of this Panel meeting, after AOB.
- 5.11 With regards to the general effectiveness of MPC meetings, JG noted that a decision had been made that, in the July meeting, agenda items which required decisions from MPC members would be timetabled in the morning; whereas those items for information or discussion only, would be scheduled for the afternoon.

Market Governance Steering Group

- 5.12 AR provided an update on the new Market Governance Steering Group. Following on from the previous meeting, where the Panel approved the approach to the workstreams, three Panel Members agreed to become members of the Market Governance Steering Group; these members were: Martin Mavin (MM) from the Wholesalers, Nicola Smith (NS) from the Retailers, Pamela Taylor (PT) from the Independent Members and Adam Richardson (AR) as MOSL sponsor.
- 5.13 The Panel confirmed that it was happy with the composition of the Market Governance Steering Group.

6. Change Report

- 6.1 SB noted that no new changes had been formally raised in July 2020. Change Proposals CPW069 ([Right of a Retailer to appoint an Accredited Entity to repair or replace a faulty meter when a Wholesaler misses the associated SLA](#)) and CPW075 ([Settlement Estimation - Remove estimated meter readings when forward estimating](#)) were deferred from the July 2020 meeting, to the August 2020 meeting. There were also no new 'live' consultations at present as some had recently closed.
- 6.2 The three changes to be discussed in the meeting were all part of the May 2021 release and all CMOS affecting. They all required a major release of the CMOS software which is why they could not be implemented any earlier. This was also why CPW075 was delayed as MOSL needed

to verify if there was bandwidth available to implement this change in May 2021 along with the three other changes presented in this meeting, and the Bilaterals solution.

- 6.3 An observer questioned the proposed implementation date for [CPW069: Right of a Retailer to Appoint an Accredited Entity](#), which was planned to be recommended at the August 2020 Panel. SB noted a decision from Ofwat was likely to be received in October 2020 which was likely too close for the November 2020 release. This would be considered further before presenting this change at the August 2020 meeting.

ACTION: A45_08

- 6.4 One member queried whether a dedicated release would fix the May 2021 bottlenecking issue. AR noted that when the Panel considered implementation lead times for these three changes, Trading Parties would likely be impacted, so members should consider this when recommending the release dates. The overall release schedule was based on feedback from Trading Parties where they preferred two major releases per year (May and November). He noted there was also a third release where no Trading Party testing is required in the summer. There was opportunity for ad hoc releases if requested, but the impact on Trading Parties must be carefully considered.
- 6.5 One member made an observation from the consultation responses, which was to batch together similar changes which have similar affects. They noted this ought to be taken into account in future releases.

7. Draft Recommendation Report: CPW085 Premise Vacant transaction link to DPID

- 7.1 The Panel considered the Draft Recommendation Report for [CPW085: Premises Vacant Link Transaction to DPID](#) as presented by PQ. This change sought to reduce the number of sites within the Market that, while registered as Vacant, maintain a live Trade Effluent Service Component.
- 7.2 One member noted that in the past a Trading Party issued trade effluent consent against the premises, not the customer. They sought clarification on whether that caused problems with this change. PQ confirmed that the Party was an outlier, and they would have to adapt their systems to bring them more in line with other Wholesalers. To do this, they would have to separate the Discharge Point Identifier (DPID) from the consent to allow multiple ID's. She noted this party was aware they were an outlier.
- 7.3 Another member questioned whether the Trade Effluent Issues Committee (TEIC) had considered whether a Wholesaler should Identify a vacant premise, and then look into consent management to determine whether a DPID should be valid or not. They noted unresolved issues, particularly around the shared responsibility of the site between two Wholesalers and two Retailers, and how this was managed. They queried whether it was better for the Wholesaler to manage this, rather than multiple other parties. They questioned whether the Wholesaler on the Water side, knowing it is vacant, should still be billing the site due to the fact they couldn't mark it as vacant as there was a DPID.
- 7.4 PQ, noted that the first question was considered but it was too significant a change. Sewerage Wholesalers do manage their consent, but the vast majority are not contacted on a pro-active

basis by the Water Wholesaler – the main point of contact was with the Retailer. It was deemed most appropriate to be aligned with standard processes. The Panel noted that, if it was learned the customer did not require a DPID anymore, the process allowed the Wholesaler to submit a termination and inform the Retailer.

- 7.5 To the second question, there were two things which were considered to improve the termination process. From Retailer feedback, the SLA was better to be on the Wholesaler to terminate the DPID or clarify whether it was correct, so the Retailer is not stuck with unnecessary charges. The second was within the process G6 (Termination of Trade Effluent Consent) process to add wording stating 'the best available information on when the site became vacant should be used to terminate the DPID'. This would allow any changes to be backdated, thus ensuring Retailers did not incur unnecessary and unbillable charges to the customer. The same member queried if a customer was no longer at their premise, whether termination could occur without the consent of the customer, for the reason that the Retailer would then not be paid if the Customer was no longer there. PQ confirmed this was correct, and should be happening, but it was not.
- 7.6 A member noted one of the consultation queries that the change might breach the water industry act. They believed, along with PQ, that it did not. HC confirmed that this had been discussed with the trading party who raised the concern and the Trading Party was satisfied with the response.
- 7.7 Another member questioned if the change could create more tasks for customers. They also sought clarification regarding CC Water's concerns on this.
- 7.8 The Customer Representative Panel member noted that the Draft Recommendation Report stated the need to remove data in CMOS to correct for this. The Customer Representative Panel member then stated there was uncertainty in relation to the effect on Customer billing and echoed the point made above that it may cause other issues such as delays for customers.
- 7.9 PQ noted that there indeed may be a slight delay if vacancy were challenged, but this would ensure the correct decision was made. In this situation, reasons for declining the request would be required which would open up dialogue between Retailers and customers to resolve the issue. As to whether this would impact customers and to what extent, it was unknown at this stage as each case was different.
- 7.10 One member requested clarification on how this has been managed historically. PQ noted that Southern Water had run two projects with their principle Retailer, which had raised issues with income and cashflow, as well as issues with the customer. She noted that after the second project there were still five sites which had both vacancy and an active trade effluent DPID, but this number was initially over 300. She noted that they had worked hard to resolve this issue with the Retailer, but this has not worked.
- 7.11 Another member questioned who was the Water Wholesaler and Water Retailer in the two example projects. PQ noted that in the vast majority of cases, the Retailer was the sewerage only or Water and Sewerage Retailer.
- 7.12 The Panel noted there was a potential drafting issue with CSD0301 with the wording needing to be changed from 'Vacant' to 'Occupied'. MOSL confirmed it would review this particular clause and amend as required before submitting the Panel's recommendation to Ofwat.

ACTION 45_09

7.13 The Panel:

- **AGREED** to recommend the implementation of CPW085 to the Ofwat for approval (9 in favour, 1 against, 2 abstained);
- **AGREED** to recommend an implementation date (9 in favour, 1 against, 2 abstained) of:
 - 14 May 2021, if Ofwat approval is received by 31 October 2020; or
 - 5 November 2021, if Ofwat approval is received by 6 May 2021

7.14 One Member who disagreed did so as they believe this was not the correct solution to the issue. They believed the burden would be passed onto the Retailer. They believed the concern should sit with the Waste Retailer, rather than the Water Retailer.

7.15 The two Members who abstained were unsure of how the solution might impact customers.

7.16 PQ invited a Water only Retailer to comment. They believed the correct changes had to be made as swiftly and succinctly as possible, as per the change presented.

7.17 The Panel requested that MPC undertake monitoring of the backlog as a result of CPW085.

ACTION: A45_10

8. Draft Recommendation Report: CPW088 Enabling Wholesaler and Retailer to update Meter location data and GIS X/Y

8.1 The Panel considered the Draft Recommendation Report for CPW088. This change sought to facilitate a more efficient and effective way for Wholesalers and Retailers to maintain and update meter location details in CMOS, in order to improve customer service and ultimately increase the accuracy of meter reads and settlement. This CMOS affecting change would allow Retailers to update meter GIS X and Y coordinates and Wholesalers to update the 'Meter Location Free Descriptor' and 'Meter Outreader Location Free Descriptor' fields.

8.2 CD noted that the solution put forward under CPW088 had been amended to address concerns raised in the consultation. These concerns related to data ownership in the context of possible disputes. The solution set out that the current data owner retained responsibility for the item as normal. CD also confirmed that the relevant data items were not settlement affecting (although improvement in the accuracy of settlement is a secondary benefit of increasing meter data accuracy). The change sought to make the biggest impact at the lowest cost and complexity compared to several alternative solutions that had been proposed in the consultation.

8.3 A Panel member stated that they were unsighted on the scale of the issue that CPW088 sought to resolve and therefore could not form a view on the benefit of the change. They suggested that the solution, specifically the concept of joint data ownership, could introduce further problems, and other non-CMOS affecting solutions such as bulk submission mechanisms could better address the underlying issue.

8.4 Several members agreed with the principle behind CPW088, but requested clarification where accountability would sit between Trading Parties with joint data ownership. One member noted that the MPC had spent a significant amount of time resolving challenges associated with shared responsibilities and ownership. CD acknowledged that the Panel would need to make a judgement

on whether the potential for ambiguity and uncertainty in this regard outweighed the added flexibility that the change sought to provide in terms of improving market data.

- 8.5 Another member requested clarification why the proposal had moved away from the concept of shared ownership following consultation, and whether this meant that there were problems associated with the ownership of the 11 shared data items already in the market. CD stated that incorporating the concept of shared ownership within CPW088 would set a precedent of different parties sharing ownership of an item at the same time, whereas the 11 shared data items previously referenced are shared at different times as stipulated in CSD 0105. It had been deemed simpler and more suitable to leave ownership with the data owner whilst providing access for other party to update it should they wish.
- 8.6 The member also requested clarification on how the process would be audited, specifically the accessibility of the Business Transaction Dossier and the level of detail that this would provide. CD explained that the Business Transaction Data would be readily accessible, and whilst not being particularly user friendly, could be exported and converted for the purpose of identifying the persons responsible for making any changes to meter location details. Furthermore, should CPW088 be recommended for implementation, there would be scope for a non-code change to formalise such reporting.
- 8.7 Another member queried whether Trading Parties, particularly Retailers, had given any indication on the extent to which they would use this mechanism should it be implemented, as this would give some indication of the cost benefit. CD explained that Retailers had been supportive of the solution. The Panel discussed the idea further, with one member suggesting that there was a finite limit to its use for data cleansing purposes, and another that from their own experience they would not expect the solution to be widely used. Several members noted that they were yet to see evidence to suggest that the benefits would outweigh the significant resources required to implement the change.
- 8.8 CD acknowledged that the utility of the change might plateau in time, but reiterated that the solution would facilitate a necessary improvement in underlying meter location issues due to the legacy of sub-optimal market design. In turn, the provision for Retailers to update meter location details would help to reduce their “skip rates”.
- 8.9 One member suggested that where a Retailer had experienced difficulty in finding a meter to be read, it would be simpler for that Retailer to send a request to the Wholesaler to check and update the X and Y coordinates within a certain SLA. CD stated that the provision for only the Wholesaler to update the GIS coordinates was illogical and created a disconnect where Retailers are only able to update the Free Descriptor Field. The Panel Member stated that the provision appearing wrong in concept did not necessarily justify the potential passing on of data collection costs to the Retailer.
- 8.10 Another member explained that whilst CPW088 appeared logical in this regard, it was important to consider whether the change was sensible and practical in the context of the Objectives and Principles. Specifically, the Panel needed evidence to substantiate the argument that delays associated with poor location data warranted the significant investment to alter the status quo.
- 8.11 The Panel:

- **AGREED** to recommend CPW088 to Ofwat for rejection (3 votes in favour, 7 votes against, 2 abstentions).
 - **AGREED** to recommend an implementation date of;
 - 14 May 2021, if Ofwat approval is received by 31 October 2020; or
 - 5 November 2021, if Ofwat approval is received by 31 May 2021.
- 8.12 The Panel members who voted in favour of CPW088 did so based on the customer benefits that it offered and the progressive, collaborative approach that it proposed in moving towards a shared data world. Those members agreed with the benefits as outlined in the Recommendation Report.
- 8.13 The Panel members who voted against CPW088 reiterated concerns over the justification of cost, the proposed sharing of data items and associated accountabilities, and whether the solution described was the best solution to the problem.
- 8.14 The Panel members who abstained supported the principle behind CPW088, but were unsure whether the solution was best suited to the problem, and also cited concerns over the lack of evidence to the significance of the problem.
- 8.15 Noting the general support from Trading Parties that had responded to the consultation, one Panel member who voted against CPW088 stated that the Panel should not to lose sight of the issue that it sought to address.
- 8.16 MOSL confirmed that whilst CPW088 would be presented to Ofwat with a recommendation to reject, this important step in the customer journey would be revisited within the strategic metering review.

9. Draft Recommendation Report: CPW089 - T101 Adding Billing Address fields

- 9.1 The Panel considered the Draft Recommendation Report for CPW089. This change sought to create new data Items within CMOS relating to the contact and billing address details of a property's developer/customer. This would improve the provision of customer/developer billing information from Wholesaler to Retailer when creating new SPIDs, and therefore increase the efficiency of customer onboarding and facilitate SPIDs in becoming tradable more quickly.
- 9.2 CD stated that whilst some Wholesalers were currently using offline updates, or the additional comments field in the Request New SPID (T101.W) transaction to informally pass on this data, there was no obligation and quality expectation in doing so. CPW089 would standardise the submission of this information where it was known, and this efficient transfer would reduce the inconvenience experienced by Retailers and Customers where a Developer had moved on without providing the incoming customer details (e.g. matters of missed consumption). Change Proposal CPW089 would also improve the vacancy situation where the property developer was not marked as a customer in CMOS (with the SPID being marked Vacant as a result).
- 9.3 CD explained that CPW089 sought to address concerns raised in the consultation by clarifying that where this information was legitimately unknown, the Wholesaler could enter a value of "Not Known" in the mandated fields. The priority of the change was to introduce the facility to pass on this information. As such CPW089 should be considered as a simple and facilitative change designed to address an area of billing information transfer that had degraded since market

opening, rather than being designed to provide the sole solution to wider issues regarding SPID creation and registration.

9.4 A Panel member queried whether a non-system based interim solution could be quickly implemented to assist with customer onboarding whilst CPW089 was being considered by Ofwat. CD explained that the market effectively already had an interim solution in place, that being the use of the additional field box in the T101.W.

9.5 Another member supported the intent of CPW089, but was unsure whether the scale of the problem justified the expense of the change to MOSL and Trading Parties, particularly where workarounds were available (e.g. making the information available via a Wholesaler's secure portal) and where the issue could soon be resolved through the implementation of the bilateral solution. The member also suggested that new connection activities removed from the code in [CPW058 'Removing Processes A1-A5 \(Developer Services\)'](#) needed to be revisited at some point.

9.6 CD stated the solution set out in CPW089 should have been in place at market opening and referenced the findings of the 2019/2020 Market Audit as adequate support for its implementation. CD further explained that because the onboarding process currently sits outside of the Operational Terms, it did not fall within the scope of the Bilateral Transactions Programme.

9.7 The Panel discussed whether the bilateral solution could be expanded to offer the CPW089 solution on a cheaper basis, given that the implementation of the bilateral solution would facilitate data transfer more generally. CD explained that because the Bilateral Transactions Programme would be delivered in phases, with Process C1 currently being planned for delivery in May 2021, fitting in an extra capability at such short notice would not be achievable. Panel Members also noted that, due to the creation of additional fields to the T101.W, Trading Parties would still need to develop their systems (thus incurring cost) to extract information from any bilateral solution. The current CPW089 solution ensured that the new Developer/Customer information would be directly linked into CMOS alongside other Customer information.

9.8 The Panel discussed whether a data protection impact assessment was required given the dissemination of new personal data in CMOS. HM (speaking as the Chair of the GDPR Committee) explained that for any individual company exchange, GDPR compliance is a company by company obligation, and that the central systems aspect had been suitably covered by the attachment of personal data flags to the new data items in CSD 0301 (although personal data will only apply in the unlikely event that the developer is an individual). HM stated that it would have been helpful for the GDPR Committee to have been consulted on the change.

9.9 CD explained that this data would be only remain in CMOS until transaction T132.R (Submit Core Customer Data) was carried out. HM highlighted the importance for companies to consider the necessity/lawful basis for storing and sharing personal data, not only the duration and controller.

9.10 The Panel:

- **AGREED** (10 votes in favour, 1 vote against, 1 abstention) to recommend CPW089 to Ofwat for implementation; and
- **AGREED** to the implementation date of:
 - 14 May 2021, if Authority approval is received by 31 October 2020; or
 - 27 August 2021, if Authority approval is received by 4 March 2021.

9.11 The Panel Member who abstained strongly supported the aim and intentions of the change but were unable to support it based on the lack of quantifiable evidence that the overall benefits to the market and customers outweighed the significant costs of implementation. As such they were unable to judge whether CPW089 would provide value for money.

9.12 The Panel Member who voted against the proposal expressed similar reservations and explained that they felt the issue would be addressed later in the round with other activities.

10. Any Other Business

10.1 The Chair confirmed that the Panel Nomination meeting for the Associated Retailer Elected Representatives would take place on 19 August 2020.

10.2 The Panel discussed the current practice of circulating Panel papers via email, and whether it would be more efficient and effective to upload Panel papers to SharePoint only. Some Panel Members stated that email circulation was preferable due to the ease of being able to access papers offline and some prevailing issues with accessing SharePoint. The Chair suggested that this discussion could be deferred until more normal circumstances (post-COVID-19).

10.3 EW reiterated the request for TDC nominations and encouraged the Panel Members to invite their colleagues to put their names forward.

Closed Session

11. Update on Performance of a Trading Party

11.1 The Panel noted an update from the Chair of the MPC on the performance of a Trading Party against its Performance Rectification Plan.

11.2 The Panel agreed that it was appropriate for the MPC to discuss this in the first instance, before any escalation to the Panel taking place.

12. Panel Chair Appointment

12.1 The Panel considered the recommendation of the Panel Chair Nomination (“PCN”) Committee, regarding the appointment of a new Panel Chair.

12.2 Panel Members noted the process followed by the PCN Committee and the engagement it had had with Ofwat and the MOSL board consistent with the requirements of the process set out in Change Proposal CPM026 ‘Panel Chair and Alternate’ (which was subject to approval by Ofwat).

12.3 The Panel:

- **AGREED** the appointment of the proposed Panel Chair, subject to Ofwat approval of CPM026 ‘Panel Chair and Alternate’ (unanimous).

12.4 There being no further business, the meeting was closed.

13. Actions

Action Number	Action
A45_01	Secretariat to make it clear from the outset which meetings were to be held as a formal Panel meeting (including any 'closed' sessions), to ensure consistency is applied when inviting Trading Parties.
A45_02	DM and AR to prepare a brief together on code changes required within the Ofwat 'minded-to' paper, for circulation to Panel before the 28 July 2020 meeting.
A45_03	Secretariat to ensure the document distribution list contains all Panel Members, including Independent members, as some had not received updates regarding Ofwat publications and similar in the past.
A45_04	SA noted, the action against Covid monitoring to provide clarity to Panel and Trading Parties. He noted the plan to expand data to show retrospective actions. He presented a 'Beta-version' of the top ten Trading Parties' positions and noted that a version of this snapshot of vacancy would be provided on a monthly basis.
A45_05	The Panel noted that the snapshot report was to be produced on a two-weekly basis, but the more important and complex 'back-casting view' report of who was making retrospective changes would take two-three weeks to formulate. Therefore, members could expect an interim report mid-August, and the full report for the August 2020 Panel meeting.
A45_06	One member noted that a lot of what was discussed was the process of how data was used to make decisions. They requested whether SA could provide a framework for how MOSL will use the data being tracked and reported on to make decisions or ask Panel and MPC to make decisions.
A45_07	Secretariat to request for nominations to fill vacancies within the TDC.
A45_08	An observer questioned the proposed implementation date for CPW069: Right of a Retailer to Appoint an Accredited Entity , which was planned to be recommended at the August 2020 Panel. SB noted a decision from Ofwat was likely to be received in October 2020 which was likely too close for the November 2020 release. This would be considered further before presenting this change at the August 2020 meeting.
A45_09	The Panel noted there was a potential drafting issue with CSD0301 with the wording needing to be changed from 'Vacant' to 'Occupied'. MOSL confirmed it would review this particular clause and amend as required before submitting the Panel's recommendation to Ofwat.
A45_10	The Panel requested that MPC undertake monitoring of the backlog as a result of CPW085.

