

Annex A: List of questions in the November Consultation

General questions	
1.	Do you agree that the Government conclusions are appropriately reflected in the SEC Stage 1 legal drafting? Please provide a rationale for your views, and any further comments on the draft legal text.
DCC charges	
2.	Do you have any comments on format of the DCC's Charging Statement for Service Charges?
3.	Do you agree with the thresholds applied to the 'first comer / second comer' principle (Five Year Rule for costs over £20,000)? If you disagree please set out the reasons for your preferred approach.
SEC Panel	
4.	Do you think the members of the Panel nominated by industry should be drawn from and elected in equal numbers by Party Category OR be elected by all Parties (as set out in the legal drafting)? Please give reasons for your answer.
Modifications	
5.	Do you support the proposed composition of the Change Board and its decision making arrangements?
6.	Do you think that the SEC should provide for Parties and the consumer representative to appeal Change Board recommendations before they are submitted to Ofgem? If so, what is the appropriate mechanism for determining such appeals?
7.	Do you have any further comments, or views on the cost implications to SEC Parties, regarding the proposals for governance, the modification process and the approach to appeal rights set out here and reflected in the legal drafting of Stage 1 of the SEC?
Liabilities	
8.	Do you agree that liability provisions for intellectual property rights and confidentiality should be included in the SEC? If so, do you agree that they should be unlimited?

9	Do you agree with the Government's proposal that in instances where the DCC is exposed to liabilities that exceed what it can claim from the person causing the original breach, the net liabilities for the DCC will be recoverable from SEC Parties by way of an increase in the DCC's fixed charges?
Dispute resolution	
10.	Do you agree that the Government's proposal to allow DCC to link service provider and SEC disputes in the arbitration process?
Code co-ordination	
11.	Do you agree that the proposed legal drafting covering change co-ordination with other codes meets the requirements as set out in chapter 5?
Passing registration information to the DCC	
12.	Do you agree that the proposed legal drafting for the SEC covering obligations on SEC Parties to pass registration information to the DCC is appropriate? Please provide a rationale for your views.
Transitional arrangements	
13.	Do you agree with the proposed variation to the SEC modification regime in the transitional period, including a right of veto for the Secretary of State?
14.	Comments are invited on the approach to transition as set out in this chapter and section L of the SEC. Please provide rationale to support your views.
Licence conditions	
15.	It is the Government's intention to introduce a regulatory obligation on suppliers to enrol SMETS-compliant domestic meters with the DCC and that this obligation would apply in relation to smart meters installed (from a specified point in the future). Do you agree with this intention? Please provide a rationale for your views.
16.	Do you agree in principle with the placing of a licence condition on gas and electricity suppliers to accede to and comply with the SEC?
17.	Do you agree that the licence conditions as drafted meet the policy requirements as set out in the chapter? Please provide a rationale for your views.
18.	Do you agree in principle with the placing of a licence condition on gas and electricity network operators to accede to and comply with the SEC?

19.	Do you agree that the licence conditions as drafted meet the policy requirements as set out in the chapter? Please provide a rationale for your views.
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