

SCHEDULE 1

Regulation 2(1)

Data for the Purpose of Calculating Payments

Prescribed periods and prescribed sums applicable to all electricity distributors

| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> |
|-------------------|--------------------------|---|--|
| <i>Regulation</i> | <i>Prescribed Period</i> | <i>Prescribed Sum</i> | <i>Payment Date</i> |
| 4(2) | 10 working days | £65 | the working day on which the budget estimate should have been dispatched |
| 4(3) | 20 working days | £65 | the working day on which the budget estimate should have been dispatched |
| 5(2) | 5 working days | £15 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched | the working day on which the quotation is dispatched |
| 5(3) | 15 working days | £15 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched | the working day on which the quotation is dispatched |
| 6(2) | 25 working days | £65 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched | the working day on which the quotation is dispatched |
| 6(3) | 35 working days | £135 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched | the working day on which the quotation is dispatched |
| 6(4) | 65 working days | £200 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched | the working day on which the quotation is dispatched |

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| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> |
|-------------------|--------------------------|--|--|
| <i>Regulation</i> | <i>Prescribed Period</i> | <i>Prescribed Sum</i> | <i>Payment Date</i> |
| 7(3) | not applicable | £335 | the working day on which the quotation is found, in accordance with the quotation accuracy scheme, to have been inaccurate or incomplete |
| 7(4) | not applicable | £670 | the working day on which the quotation is found, in accordance with the quotation accuracy scheme, to have been inaccurate or incomplete |
| 8(2) | 7 working days | £15 for each working day after the end of the prescribed period up to and including the day on which contact occurs | the working day on which contact occurs |
| 8(3) | the agreed date | £35 for each working day after the agreed date up to and including the day on which the works are completed | the working day on which the works are completed |
| 9(2) | 7 working days | £65 for each working day after the end of the prescribed period up to and including the day on which contact occurs | the working day on which contact occurs |
| 9(3) | 10 working days | £135 for each working day after the end of the prescribed period up to and including the day on which contact occurs | the working day on which contact occurs |
| 9(4) | 15 working days | £200 for each working day after the end of the prescribed period up to and including the day on which contact occurs | the working day on which contact occurs |
| 9(5) | the agreed date | £25 for each working day after the agreed | the working day on which the works |

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| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> |
|-------------------|--------------------------|--|---|
| <i>Regulation</i> | <i>Prescribed Period</i> | <i>Prescribed Sum</i> | <i>Payment Date</i> |
| | | date up to and including the day on which the works at the premises are commenced | at the premises are commenced |
| 9(6) | the agreed date | £135 for each working day after the agreed date up to and including the day on which the works are completed | the working day on which the works are completed |
| 9(7) | the agreed date | £200 for each working day after the agreed date up to and including the day on which the works are completed | the working day on which the works are completed |
| 9(8) | the agreed date | £270 for each working day after the agreed date up to and including the day on which the works are completed | the working day on which the works are completed |
| 9(9) | the agreed date | £135 for each working day after the agreed date up to and including the day on which energisation occurs | the working day on which energisation occurs |
| 9(10) | the agreed date | £200 for each working day after the agreed date up to and including the day on which energisation occurs | the working day on which energisation occurs |
| 9(11) | the agreed date | £270 for each working day after the agreed date up to and including the day on which energisation occurs | the working day on which energisation occurs |
| 10(2) | 2 hours | £65 | the working day after the day on which the emergency attendance should have taken place |

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| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> |
|-------------------|--------------------------|--|--|
| <i>Regulation</i> | <i>Prescribed Period</i> | <i>Prescribed Sum</i> | <i>Payment Date</i> |
| 10(3) | 2 calendar days | £15 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed | the working day on which the fault rectification works are completed |
| 10(4) | 10 working days | £15 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed | the working day on which the fault rectification works are completed |
| 10(5) | 20 working days | £15 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed | the working day on which the fault rectification works are completed |
| 10(6) | 25 working days | £15 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed | the working day on which the fault rectification works are completed |
| 11(2) | 25 working days | £15 for each working day after the end of the prescribed period up to and including the day the quotation is dispatched | the working day on which the quotation is dispatched |
| 12(2) | the agreed date | £15 for each working day after the agreed date up to and including the day on which the works are completed | the working day on which the works are completed |
| 12(3) | 35 working days | £15 for each working day after the end of the prescribed period up to and including the day on which the works are completed | the working day on which the works are completed |

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| (1) | (2) | (3) | (4) |
|------------|-------------------|----------------|----------------|
| Regulation | Prescribed Period | Prescribed Sum | Payment Date |
| 14(1) | 10 working days | £65 | not applicable |

SCHEDULE 2

Regulation 13

Practice and Procedure for Determinations

Determination of disputes

1.—(1) This Schedule applies where a dispute to which regulation 13 applies has arisen under any provision of these Regulations between an electricity distributor and a customer or relevant authority (as applicable).

(2) A dispute to which this Schedule applies—

- (a) may be referred to the Authority by any party or, with the agreement of any party, by a consumer advocacy body; and
- (b) on such reference, is to be determined by order made by the Authority.

(3) In making an order under this Schedule, the Authority must include in the order the reasons for reaching its decision with respect to a dispute.

Commencement Information

I1 Sch. 2 para. 1 in force at 1.4.2015, see [reg. 1\(1\)](#)

Timetable for the determination of individual disputes

2.—(1) The Authority must determine a dispute to which this Schedule applies before the end of eighty working days from the date when the dispute was referred to the Authority.

(2) If the Authority is satisfied that there are good reasons for departing from the requirements of sub-paragraph (1), the period in which a dispute may be determined may be extended with the consent of the referring party or parties.

Commencement Information

I2 Sch. 2 para. 2 in force at 1.4.2015, see [reg. 1\(1\)](#)

Procedure for the determination of individual disputes

3.—(1) Where an individual dispute is referred to the Authority, the Authority must, at the outset, send to the parties a notice of procedure for the determination of individual disputes.

(2) The notice under sub-paragraph (1) must—

- (a) set out a timetable by which each part of the procedure for the determination of individual disputes under this Schedule is to take place;

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- (b) provide a list of any documentation or other evidence that the Authority has received in connection with the dispute and inform the parties that such documentation or other evidence may be disclosed to other parties to the dispute unless it is specifically classed as confidential by the party to whom it belongs before the date expressly stated in the notice;
 - (c) inform the parties of any specific information that the Authority is requesting as part of the written statement prepared in accordance with paragraph 7; and
 - (d) explain the manner in which the Authority intends to publish the determination decision.
- (3) Upon receipt of a notice under sub-paragraph (1), the parties to the dispute must provide the Authority with—
- (a) the information specified in sub-paragraph (2)(c);
 - (b) any other information that they consider relevant to the dispute.
- (4) If the Authority decides it is necessary to obtain third party advice in relation to technical issues or any other issues that may arise during the determination, it must inform the parties to the dispute of its request for such advice and indicate to them in writing how that request will affect the timetable outlined in the notice issued under sub-paragraph (1).
- (5) At any time after receiving a written statement the Authority may, if it considers it appropriate to do so, request an oral hearing in accordance with paragraph 9.
- (6) If the Authority is satisfied that it has sufficient information to determine a dispute, it must prepare a draft determination statement containing the submissions of the parties and then send that statement to the parties for comment.
- (7) When the Authority has received comments from the parties, and is satisfied that it has sufficient information to make the determination decision, it must prepare and then issue to the parties a final determination statement.
- (8) The parties must, within one week of receiving a final determination statement, notify the Authority of any issue or information within that statement that should be excluded because such issue or information is of a confidential nature.
- (9) The Authority shall, upon receipt of any notification under sub-paragraph (8), make the necessary adjustments to the final determination statement and then publish that statement on its website in accordance with sub-paragraph (2)(d).

Commencement Information

I3 Sch. 2 para. 3 in force at 1.4.2015, see [reg. 1\(1\)](#)

Determination of multiple disputes

4.—(1) The Authority may, if it considers it appropriate to do so, consolidate into one or more categories (in each case a “consolidated group”) similar or related disputes for the purposes of determining those disputes.

(2) A determination made by the Authority for one or more consolidated groups must apply, in respect of each consolidated group, to each individual dispute within that group.

Commencement Information

I4 Sch. 2 para. 4 in force at 1.4.2015, see [reg. 1\(1\)](#)

Timetable for determination of multiple disputes

5.—(1) The Authority, when determining disputes falling within a consolidated group, must determine those disputes before the end of six months from the date when they were consolidated into that group by the Authority under paragraph 4.

(2) If the Authority is satisfied that there are good reasons for departing from the requirements of sub-paragraph (1), the period in which disputes falling within a consolidated group may be determined may be extended by notice to the representatives of any such group nominated under paragraph 10.

Commencement Information

15 Sch. 2 para. 5 in force at 1.4.2015, see [reg. 1\(1\)](#)

Procedure for the determination of multiple disputes

6.—(1) Where the Authority considers it appropriate to consolidate disputes under paragraph 4, it must send to the parties a notice of procedure for the determination of those disputes.

(2) The notices under sub-paragraph (1) must—

- (a) set out a timetable by which each part of the procedure for the determination of multiple disputes under this Schedule is to take place;
- (b) provide a list of any documentation or other evidence that the Authority has received in connection with the dispute and inform the parties that such documentation or other evidence may be disclosed to other parties to the dispute unless it is specifically classed as confidential by the party to whom it belongs before the date expressly stated in the notice;
- (c) inform the parties of any specific information that the Authority is requesting in accordance with paragraph 11; and
- (d) explain the manner in which the Authority intends to publish the determination decision.

(3) Upon receipt of a notice under sub-paragraph (1), the parties to the dispute must provide the Authority with—

- (a) the information specified in sub-paragraph (2)(c); and
- (b) any other information that they consider relevant to the dispute.

(4) Upon receipt of the information provided in accordance with sub-paragraph (3), the Authority may, if it considers it fitting to do so, prepare a list of consolidated groups and then consult as to whether those consolidated groups are appropriate.

(5) When consulting under sub-paragraph (4), the Authority must—

- (a) publish and explain its proposals in a manner which it believes will bring them to the attention of persons most likely to be affected; and
- (b) invite those persons to comment to the Authority within a period of time specified in the publication of the proposals.

(6) Upon receipt of responses to the consultation under sub-paragraph (5), the Authority must have regard to those responses before finalising the consolidated groups.

(7) When the Authority has decided on the consolidated groups for the purpose of determining multiple disputes, it must appoint customer representatives as required by paragraph 10.

(8) Following the appointment of the customer representatives for the consolidated groups, those customer representatives and the electricity distributors must prepare a written statement.

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(9) Upon receipt of the written statements, the Authority may decide that it is necessary to obtain third party advice in relation to technical issues or any other issues that may arise during the determination. If third party advice is requested, then the Authority must inform the customer representatives and the electricity distributors of that request and indicate in writing how this request will affect the timetable outlined in the notice issued under sub-paragraph (1).

(10) At any time after receiving the written statement the Authority may request an oral hearing in accordance with paragraph 9.

(11) If the Authority is satisfied that it has the necessary information, it must prepare a draft determination statement containing the submissions of the customer representatives and the electricity distributors and then send that statement to the customer representatives and the electricity distributors for comment.

(12) When the Authority has received comments from the customer representatives and the electricity distributors, and is satisfied that it has sufficient information to make the determination decision, it must issue a final determination statement for a consolidated group or for each consolidated group where there is more than one.

(13) The customer representatives and the electricity distributors must within one week of receiving a final determination statement notify the Authority of any issue or information within that statement that should be excluded because it is of a confidential nature.

(14) The Authority must, upon receipt of any notification under sub-paragraph (13), make the necessary adjustments to the final determination statement and then publish that statement on its website in accordance with sub-paragraph (2)(d).

Commencement Information

I6 Sch. 2 para. 6 in force at 1.4.2015, see [reg. 1\(1\)](#)

Written statements

7.—(1) The Authority may, by notice, ask any party to a dispute to produce a written statement with respect to a matter specified in the notice.

(2) The power to ask for the production of a written statement includes power to specify the time and place at which it is to be produced.

(3) No person is to be compelled under this paragraph to produce a written statement with respect to any matter about which he could not be compelled to give evidence in civil proceedings in the High Court or Court of Session.

(4) The Authority may make copies of a document produced to it under this paragraph.

Commencement Information

I7 Sch. 2 para. 7 in force at 1.4.2015, see [reg. 1\(1\)](#)

Production of documents and other evidence

8.—(1) The Authority may, by notice, ask a party to a dispute to produce such documentation (including other evidence), in such form and at such time as it directs, as the Authority may reasonably require to enable it to make the determination decision.

(2) The power to ask for the production of a document is a power to ask for its production—

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- (a) at the time and place specified in the notice; and
 - (b) in a legible form.
- (3) No person is to be compelled under this paragraph to produce a document that he could not be compelled to produce in civil proceedings in the High Court or Court of Session.
- (4) The Authority may make copies of a document produced to it under this paragraph.

Commencement Information

I8 Sch. 2 para. 8 in force at 1.4.2015, see [reg. 1\(1\)](#)

Oral hearings

- 9.**—(1) For the purposes of this Schedule, an oral hearing may be held, and evidence may be heard at such a hearing from any party to a dispute.
- (2) The Authority may, by notice, request any party to a dispute—
- (a) to attend at a time and place specified in the notice; and
 - (b) at that time and place, to give evidence to any person appointed by the Authority to conduct the oral hearing.
- (3) At any oral hearing, the Authority may request the customer or a person attending the hearing as a representative of the electricity distributor to give evidence or make representations or observations.
- (4) If any party fails to attend a hearing to be subjected to a requirement under sub-paragraph (3), the Authority may determine the dispute without hearing his evidence, representations, or observations.
- (5) No person is to be compelled under this paragraph to give evidence that he could not be compelled to give in civil proceedings in the High Court or Court of Session.

Commencement Information

I9 Sch. 2 para. 9 in force at 1.4.2015, see [reg. 1\(1\)](#)

Customer representatives for multiple disputes

- 10.**—(1) Where disputes are consolidated into categories under paragraph 4, the Authority must nominate one or more customers to be representatives of each consolidated group.
- (2) A customer nominated to be a representative of a consolidated group under this paragraph is only to become a representative if he consents to do so.

Commencement Information

I10 Sch. 2 para. 10 in force at 1.4.2015, see [reg. 1\(1\)](#)

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Collection of information in multiple disputes

11.—(1) The Authority may by notice ask any customer or relevant authority (as applicable) who is a party to a dispute falling within a consolidated group to produce such information with respect to a matter specified in the notice as the Authority may reasonably require to enable it to make the determination decision.

(2) The power to require the production of information under this paragraph includes the power to specify the time and place at which it is to be produced.

(3) No person is to be compelled under this paragraph to produce information with respect to any matter about which he could not be compelled to give evidence in civil proceedings in the High Court or Court of Session.

Commencement Information

I11 Sch. 2 para. 11 in force at 1.4.2015, see [reg. 1\(1\)](#)

Payment to customers

12. An order determining a dispute does not (where there is more than one customer at the premises) determine who is beneficially entitled to any payment required to be made by the order.

Commencement Information

I12 Sch. 2 para. 12 in force at 1.4.2015, see [reg. 1\(1\)](#)

Set-off

13. Where a dispute is determined by an order requiring an electricity distributor to make a payment to the customer or the relevant authority (as applicable) and the electricity distributor fails to make that payment, the customer may set off the amount so ordered to be paid against any charges that are owed by the customer to the electricity distributor.

Commencement Information

I13 Sch. 2 para. 13 in force at 1.4.2015, see [reg. 1\(1\)](#)

Costs

14.—(1) An order determining a dispute may include a provision requiring the electricity distributor or the customer or the relevant authority (as applicable) to pay a sum in respect of the costs or expenses incurred by the Authority.

(2) In including in an order under sub-paragraph (1) any such provision as to costs, the Authority must have regard to the conduct and means of the parties and any other relevant circumstances.

Commencement Information

I14 Sch. 2 para. 14 in force at 1.4.2015, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- Sch. 1 Table substituted by [S.I. 2023/887 reg. 3\(4\)](#)
- reg. 2(1) words inserted by [S.I. 2023/887 reg. 3\(1\)](#)
- reg. 16(4)(a) words substituted by [S.I. 2023/887 reg. 3\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 17A inserted by [S.I. 2023/887 reg. 3\(3\)](#)