BETTA GO-LIVE DATE DIRECTION

Recitals

Whereas:

(1) on 26th August 2004, in exercise of the power conferred upon her by section 137(1) of the Energy Act 2004 ("Energy Act"), the Secretary of State determined new standard conditions for transmission licences ("the new standard conditions") with effect on and from 1st September 2004;

(2) on 26th August 2004 a scheme made by the Secretary of State pursuant to section 138 of, and schedule 17 to, the Energy Act provided that the new standard conditions referred to at recital (1), were incorporated into all existing transmission licences with effect on and from 1st September 2004;

(3) on 26th August 2004 and on 31st August 2004, in exercise of the power conferred upon her by section 134(1) of the Energy Act, the Secretary of State modified:

(a) the new standard conditions of all existing transmission licences;

(b) the standard conditions of the generation, distribution and supply licences; and

(c) the amended standard conditions and the special conditions of the transmission, generation, distribution and supply licences,

(and the conditions so modified are together referred to below as "the modified licence

Department of Trade and Industry

Direct Line
Fax
Minicom +44 (0)20 7215 6740
Enquiries +44 (0)20 7215 5000
www.dti.gov.uk
Continuation 2

conditions");

(4) the modifications referred to in recital (3) were stated to have effect either on and from 1st September 2004 or on and from the "BETTA go-live date";

(5) the "BETTA go-live date" is defined in the new standard conditions and the modified licence conditions as the date which the Secretary of State indicates in a direction shall be the BETTA go-live date;

(6) the new standard conditions, as modified in the manner described in recital (3) provided for the designation of a System Operator – Transmission Owner Code ("STC") and the direction of changes to be made to the Connection and Use of System Code ("CUSC") and the Grid Code by the Secretary of State;

(7) on 1st September 2004 the Secretary of State designated the STC and directed changes to the CUSC and Grid Code with effect on and from 1st September 2004. Each code defines a specified date as being the date which the Secretary of State indicates in a direction shall be the BETTA go-live date.

Direction

The Secretary of State hereby directs that, unless the Secretary of State revokes this direction in accordance with its terms before 1st April 2005, the BETTA go-live date shall be 1st April 2005.

The Secretary of State may revoke this direction before 1st April 2005 if, in her opinion, it is not reasonably practicable to implement the new trading and transmission arrangements (as defined in accordance with section 133 of the Energy Act) on and from 1st April 2005. If the Secretary of State revokes this direction before 1st April 2005, she may issue a further direction to indicate the date that shall be the BETTA go-live date.

Mike O’Brien

Minister for Energy and E-commerce
For and on behalf of the Secretary of State for Trade and Industry