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10<sup>th</sup> December 2008

**Re: UNC Modification Proposal 0238 “Amendment to Protected Information Provisions to facilitate DNO compliance with SPAA Schedule 23”**

Dear John

Thank you for the opportunity to comment upon this Modification Proposal, I can confirm that we (WWU) are **fully supportive** of its implementation.

This Modification Proposal has been raised by National Grid Distribution, following discussions with the other Distribution Network Operators (DNOs). The aim of the Modification Proposal is to clarify arrangements for providing information to Suppliers that is subject to provisions and/or obligations under the Utilities Act 2000, the Uniform Network Code (UNC) Transportation Principal Document (TPD) and the Supply Point Administration Agreement (SPAA).

Under Standard Special Condition A31\* “*Supply Point Information Service*” of the gas transporter licence, each DNO has an obligation to provide a supply point information service for use by the parties listed within the licence condition. The DNOs fulfil this obligation through xoserve, the transporter agency, by offering various information services. One of these services is known as Internet Access to Data (IAD) and is contained within the Agency Charing Statement (ACS) as a Non-Code User Pays Service.

Under Standard Condition 14\*\* “*The Supply Point Administration Agreement*” of the gas transporters licence, each DNO has an obligation to become a party to the SPAA and thereafter comply with the relevant mandatory provisions contained within. SPAA Schedule 23 “*SCOGES*” (which is the Single Centralised Online Gas Enquiry Service) is a mandatory Large Transporter schedule and obligates each DNO to provide an online supply point enquiry service. As with the

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\* Standard Special Condition A31 “*Supply Point Information Service*” of the gas transporters licence can be found on the Ofgem website (<http://epr.ofgem.gov.uk/index.php?pk=doc226719>)

\*\* Standard Condition 14 “*SCOGES*” of the gas transporters licence can be found within the E-Public Register on the Ofgem website (<http://epr.ofgem.gov.uk/index.php?pk=doc172448>)

24 hour gas escape number  
Rhif 24 awr os bydd nwy yn gollwng

**0800 111 999\***

\*calls will be recorded and may be monitored  
caiff galwadau eu recordio a gellir eu monitro

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obligations under SSC A31 the DNOs fulfil this obligation through the Non-Code User Pays Services contained within the ACS.

Unlike the UNC, the SPAA is a Supplier centric agreement. The obligations contained within Schedule 23 are for information services to be provided to Suppliers, not Shippers. This has raised questions as to whether the obligations contained within Schedule 23 of the SPAA are in conflict with the Protected Information provisions within Section V5 of the UNC TPD and with Section 105 of the Utilities Act 2000.

In order to ensure that this conflict is removed, or if there is no actual conflict then to clarify this point, this Modification Proposal will introduce a further exception with Section V5.5 of the UNC TPD. This exception will allow disclosure by DNOs of Protected Information for the Change of Supplier (CoS) purposes to Suppliers and to other persons pursuant to applications made in accordance with the principles contained in the 'Other Users Access' provisions of SPAA Schedule 23.

Including Suppliers, and other persons, as a class of person permitted under the UNC TPD Section V5 Protected Information provisions, will assist in providing absolute clarity that WWU, as a DNO, remain compliant with, or the relevant parts of, SSC 31, SC 14, the UNC, the Utilities Act 2000 and the SPAA. We therefore agree with the Proposer that Implementation of this Modification Proposal will facilitate SSC A11.1 (c) "so far as is consistent with sub-paragraphs (a) and (b), the efficient discharge of the licensee's obligations under this licence".

If you have any questions relating to this Modification Proposal Representation then please do not hesitate in contacting me.

Yours sincerely

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