

**MODIFICATION 0664**

**TRANSFER OF SITES WITH LOW VALID METER READING SUBMISSION PERFORMANCE FROM CLASSES 2 AND 3 INTO CLASS 4**

[Draft] proposed legal text

**TRANSPORTATION PRINCIPAL DOCUMENT**

**SECTION M – SUPPLY POINT METERING**

Add new paragraph 5.17 to read as follows:

**5.17 Performance Assurance: Class 2 and 3 Supply Meters**

5.17.1 For the purposes of this paragraph 5.17:

- (a) **"Aggregate VMR Requirement"** is the requirement a User secure the Minimum VMR Requirement is satisfied for not less than the Applicable Percentage of the User's Relevant Supply Meter Points in a Performance **Period**;
- (b) **"Lock-out Period"** means in relation to a Failed Supply Meter Point the period (commencing on the date the Failed Supply Meter Point is re-classified in accordance with **paragraph 5.17.5**) determined from time to time as such by the PAC and notified to Users in accordance with paragraph 5.17.2;
- (c) **"Minimum VMR Requirement"** is the requirement a User secure that for each Relevant Supply Meter Point a Valid Meter Reading is obtained for not less than the Applicable Percentage of Days in a Performance **Period**;
- (d) **"Performance Period"** means the period (commencing on the first day of a calendar month) as determined from time to time as such by the PAC and notified to Users in accordance with paragraph 5.17.2;
- (e) in relation to a User and a calendar month:
  - (i) a **"Relevant Class 2 Supply Meter Point"** is a Supply Meter Point comprised in a Class 2 Supply Point in respect of which the User was the Registered User of the Supply Point for all days in the calendar **month**;
  - (ii) a **"Relevant Class 3 Supply Meter Point"** is a Supply Meter Point comprised in a Class 3 Supply Point in respect of which the User was the Registered User of the Supply Point for all days in the calendar **month**;
  - (iii) a **"Relevant Supply Meter Point"** is a Relevant Class 2 Supply Meter Point [or] a Relevant Class 3 Supply Meter Point.

**Commented [ 1 ]:** The 90% requirement.

**Commented [ 2 ]:** So three months from the date the re-classification as Class 4 is effective.

**Commented [ 3 ]:** The 25% requirement. A Performance Period can be between 89 and 92 days, how do we deal with 25% being between 22.25 and 23 days?

**Commented [ 4 ]:** So a rolling period of three calendar months commencing on the first day of each calendar month

**Commented [ 5 ]:** Do we need to exclude Failed Supply Meter Points from being included in the calculation for the next following Performance Period? The requirement to re-classify may not require the Failed Supply Meter Point to be reclassified before the end of the month following the Performance Period in which case it will fall into the calculation for the next Performance Period?

**Commented [ 6 ]:** Same as above.

5.17.2 [The CDSP] will in respect of a Gas Year (following notification from the PAC) notify Users by no later than 31 August in the Preceding Year of:

**Commented [ 7]:** CDSP to notify on basis of what PAC tells it?

(a) the applicable percentages (each an "**Applicable Percentage**") which shall apply for each Class of Relevant Supply Meter Point for the purposes of determining if a User has satisfied the Aggregate VMR Requirement and the Minimum VMR Requirement in a Performance Period in respect of each Class of Relevant Supply Meter Point;

**Commented [ 8]:** So it is possible applicable percentages could be different for Class 2 and Class 3.

(b) the number of calendar months in each Performance Period commencing in the Gas Year.

5.17.3 Each User shall secure that in respect of each Class of Relevant Supply Meter Point and a Performance Period:

**Commented [ 9]:** As above, requirement applies separately to Class 2 and Class 3.

(a) the Minimum VMR Requirement is satisfied in relation to the User's Relevant Supply Meter Points; and

(b) the Aggregate VMR Requirement is satisfied in relation to the User's Relevant Supply Meter Points.

5.17.4 The CDSP will notify each User by no later than [ ] in the month following the end of a Performance Period, and in respect of each Class of Relevant Supply Meter Point:

**Commented [ 10]:** To confirm the CDSP will do this?

**Commented [ 11]:** When? Assume it has to be before the end of the following month?

(a) if the User has failed to satisfy the Aggregate VMR Requirement; and

(b) if so, the identity of those Relevant Supply Meter Points in respect of which the User has failed to satisfy the Minimum VMR Requirement (each a "**Failed Supply Meter Point**").

**Commented [ 12]:** To confirm it is only if the 90% requirement is not achieved that we move to re-classifying those sites which failed the individual site performance requirement, i.e. the 25%?

**Commented [ 13]:** To confirm this information is not notified if the 90% requirement is achieved.

and paragraph 5.17.5 shall apply in respect of each Failed Supply Meter Point.

5.17.5 Where this paragraph applies, and subject to paragraph 5.17.6, the User shall submit, as soon as reasonably practicable, but in any within thirty (30) days of the date referred to in paragraph 5.17.5, a Supply Point Amendment to change the Class of the Failed Supply Meter Point to a Class 4 Supply Meter Point (failing which the CDSP shall [as soon as reasonably practicable] revise the Supply Point Register such that the Failed Supply Meter Point is re-classified as a Class 4 Supply Meter Point]).

5.17.6 Paragraph 5.17.6 shall not apply in relation to a Failed Supply Meter Point if on any Day during the relevant Performance Period:

(a) [the Class 1 Requirement applied in relation to the Failed Supply Meter Point;]

(b) [the circumstances in the Class 1 Ratchet Charge Guidance Document applied in respect of [a] Supply Point in which the Failed Supply Meter Point is comprised].

**Commented [ 14]:** To confirm this reference sufficient – what are they?

5.17.7 Following the change of Class of a Failed Supply Meter Point in accordance with paragraph 5.17.5 the User who was the Registered User of the Failed Supply Meter Point during the relevant Performance Period shall not be permitted to change the Class of the Failed Supply Meter Point to Class 2 or Class 3 prior to the expiry of the Lock-out Period.

5.17.8 Where an Applicable Percentage for a Gas Year is different from the equivalent Applicable Percentage for the Preceding Year the lower Applicable Percentage shall be treated as

applying in respect of each Performance Period which includes a calendar month falling in both the Gas Year and the Preceding Year.

**Commented [ 15 ]:** To confirm this is correct.

5.17.9 Where a User changes the Class of a Relevant Supply Meter Point from Class 2 to Class 3, or vice versa, and the User continues as the Registered User of the Supply Point in which the Supply Meter Point is comprised for all days in a Performance Period, the Supply Meter Point shall be deemed for the purposes of this paragraph 5.17 to be a Relevant Supply Meter Point falling in:

- (a) the Class with the lowest Applicable Percentage applying in respect of the Minimum VMR Requirement in relation to the calendar month in which the change of classification was effective;
- (b) where the Applicable Percentages referred to paragraph (a) are the same, the Class of the Supply Meter Point prior to the change in classification.

**Commented [ 16 ]:** To confirm.

**Commented [ 17 ]:** We need a default rule.

## TRANSITION DOCUMENT

### PART IIC

Add new paragraph [1.3.7] to read as follows:

#### 1.3.7 TPD Section M5.17

**Commented [ 18 ]:** All to be confirmed.

For the purposes of TPD Section M5.17 and for the Gas Year in which the Code Modification referred to as Modification 0664 is implemented and effective from]:

- (c) in relation to the both Relevant Class 2 Supply Meter Points and Relevant Class 3 Supply Meter Points:
  - (i) the Applicable Percentage in relation to the Aggregate VMR Requirement is [ninety per cent (90%)];
  - (ii) the Applicable Percentage in relation to the Minimum VMR Requirement is [twenty-five per cent (25%)];
- (d) the Performance Period is a period of (3) calendar months, and the first Performance Period shall commence on [ ]; and
- (e) the Lock-out Period is a period of three (3) months.

**Commented [ 19 ]:** When?

**Commented [ 20 ]:** Not calendar months, i.e. 90ish days.