

MODIFICATION 0730

COVID-19 CAPACITY RETENTION PROCESS

[Proposed] legal text

TRANSITION DOCUMENT

PART VI – TEMPORARY MEASURES

Amend paragraph 3.5 to read as follows:

1 Relevant Period

1.1 In this Part VI:

- (a) terms defined in the Transportation Principal Document and the General Terms have the meanings given in those Documents;
- (b) the "**1984 Act**" means the Public Health (Control of Disease) Act 1984;
- (c) the "**2020 Act**" means the Coronavirus Act 2020;
- (d) "**coronavirus**" has the meaning given in section 1(1) of the 2020 Act;
- (e) "**Relevant Impact**" means the reduction of a consumer's requirement for gas, or the inability to obtain Meter Readings, as a result of a cessation of, or a restriction on, the conduct of business activities or provision of services at the Consumer's Plant located at the relevant Supply Meter Point;
- (f) "**Relevant Measure**" means a legally binding requirement or restriction that is imposed by a Relevant Regulation and has a Relevant Impact;
- (g) "**Relevant Period**" means in relation to an LDZ Supply Point, a period during which a Relevant Measure has a Relevant Impact in relation to the LDZ Supply Point (for example, the period beginning when a Relevant Regulation that imposes the Relevant Measure enters into force and ending when it ceases to have effect in respect of the LDZ Supply Point).
- (g) "**Relevant Regulation**" means:
 - (i) in the case of a Supply Meter Point located in England or Wales, regulations made under section 45B or 45C of the 1984 Act; an order made under section 45I of the 1984 Act; or a direction given under Schedule 16 (Part 1), Schedule 20, or Schedule 22 (Part 2 or 4) to the 2020 Act;
 - (ii) in the case of a Supply Meter Point located in Scotland, regulations made under Schedule 19 to the 2020 Act; or a direction given under Schedule 16 (Part 2), Schedule 20, or Schedule 22 (Part 3) to that Act; or

- (iii) in the case of any Supply Meter Point any other Legal Requirement which has a Relevant Impact (and whether or not in respect of all or only certain Supply Meter Points located in the relevant part of Great Britain),

in each case as such regulations, orders or directions, or the provisions of the 1984 Act or the 2020 Act referred to in this paragraph (g), may be amended, re-stated, re-enacted, varied, consolidated or replaced from time to time;

Amend paragraph 3.5 to read as follows:

3.5.1 TPD Section G3.7 shall not apply in relation to a Relevant Supply Meter Point which is deemed to be Isolated in accordance with paragraph 3.3, provided the Relevant Supply Meter Point shall cease to be deemed to be Isolated with effect from the earlier of:

- (h) the date on which the Transporter or the CDSP becomes aware gas is being offtaken from the Total System at the Relevant Supply Meter Point in quantities which exceed the de minimus quantity;
- (i) the end of the Relevant Period

(and the CDSP will promptly update the Supply Point Register to remove the Isolated status).

Insert new paragraph 3.7 to read as follows:

3.7 Where a Relevant Supply Meter Point is deemed Isolated in accordance with this paragraph 3 the Registered User shall be entitled to a rebate equal to fifty per cent (50%) of the LDZ Capacity Charge in respect of the Relevant Supply Meter Point for each Day in the period:

- (a) commencing, where the Relevant Supply Meter Point was deemed Isolated:
 - (i) on a date earlier than the date on which the Code Modification referred to as Modification 0730 was implemented ("implementation date"), on the implementation date;
 - (ii) on or after the implementation date, on the relevant date;
- (b) ending on the date the Relevant Supply Meter Point ceased to be Isolated in accordance with paragraph 3.5.

3.8 For the purpose of paragraph 3.7, the Transporter shall ensure the Registered User receives the rebate (by way of an Amendment Invoice) as soon as reasonable practicable following the date on which the LDZ Capacity Charge is invoiced.