

Action 101 Update:

On the Send back criteria; Standard Licence condition A11 15(b)(ii) sets out the send back direction by the Authority for parties to:

*“revise and re-submit a notice provided in accordance with paragraph 15(a) to reflect the additional steps (including drafting or amending existing drafting of the amendment to the uniform network code), revisions (including timetable revisions), analysis or additional information specified in the direction to enable the Authority to form such an opinion in accordance with paragraph 15(b)(i) as soon after the Authority’s direction as is appropriate (taking into account the complexity, importance and urgency of the modification)”.*

Ofgem can only send back modifications if, in our view, it fails to let us come to the conclusion that the particular modification either better facilitates the achievement of the relevant objectives or it doesn’t. We felt that UNC760 did not meet this criteria.