



Update from Governance Workgroup

May 2022

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Maintaining Legal Text

- ▶ Workgroup discussed how legal text can be maintained when a significant amount of time has passed since the original drafting and the Modification is still awaiting an Ofgem decision
- ▶ A number of suggestions were discussed:
 - ▶ Use the 'consent to modify' route
 - ▶ Ofgem 'send back' Modification if they cannot make a decision
 - ▶ Panel request Ofgem to 'send back' Modification if legal text or solution need further work due to time passed

Panel would welcome Ofgem's views on the most appropriate approach

Exceptional Circumstances

- ▶ Modification 0803 - Exceptional Circumstances Modification process was raised February 2022
- ▶ Proposer agreed to withdraw the Modification following discussions with Ofgem - concerns around defining an exceptional circumstances 'event'
- ▶ It was agreed that some sort of prioritisation criteria would assist Ofgem in managing workload and allocating resources
- ▶ The Workgroup agreed that anything that would have an imminent high impact effect on consumers should be prioritised
- ▶ It was acknowledged that the Joint Office could support prioritisation by identifying, where possible, any New Modifications that have a direct link to a current 'event' and where there was an imminent high impact on consumers

Panel to consider including a question on whether any New Modifications have a direct link to a current 'event' and have an imminent and high impact on consumers

Fast Track (FT) Criteria

- ▶ Modification 0462 (implemented 2013) introduced a Fast Track Self-Governance capability into the UNC Modification Rules
- ▶ Modification 0807FT was discussed and it was acknowledged that it was slightly different to the usual FT Modifications where minor typographical errors are amended
- ▶ In this particular case the change *may* impact how Users' processes and/or systems had been implemented under the original solution
- ▶ It was accepted that a statement from the CDSP explaining the change would help Users assess the impact on their systems / processes
- ▶ JO to consider including additional information in the implementation email where it is deemed appropriate to do

Workgroup reviewed criteria and following discussion deemed it still fit for purpose and no changes required

Duration of User Representative Appointments

- ▶ Workgroup discussed difference between duration lengths noting Panel representative durations were 2 years and other committee representative durations only 1 year
- ▶ The Code Reform changes were discussed and whether extended appointment durations would provide consistency and stability during a period of considerable change
- ▶ It was suggested that the Joint Office could write out to shippers for their thoughts, noting that Transporter representatives are directly nominated
- ▶ If longer appointment durations were agreed should they commence from 2023, when Panel representatives are appointed, or should a Modification be raised to enact change earlier?

Should all User Representative Appointment duration be for at least 2 years or until Code Reform changes take affect?