

## Stage 01: Proposal

# 0326VV

## Allocation of unidentified gas following the appointment of the Allocation of Unidentified Gas Expert (AUGE)

This modification will ensure any issue(s) identified by the AUGE is reconciled back to the period to which it relates, irrespective of when the issue was identified by the AUGE. Such issues would only be reconciled back to the Application Date of 1st April 2012, where it can be demonstrated that the issue was prevailing at that time.



The Proposer recommends that this modification should be issued for consultation



High Impact



Medium Impact:



Low Impact:  
Shippers and Gas Transporters

What stage is this document in the process?

01

Proposal

02

Workgroup Report

03

Draft Modification Report

04

Final Modification Report

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## About this document:

This document is a proposal, which was presented by the Proposer to the Panel on 21<sup>st</sup> July 2011. The Panel considered the Proposer's recommendation, and referred the modification to the Workgroup for further assessment, as the Panel viewed the changes as material. It should be noted that this is a variation to Modification Q326V, raised in April, as a variation to Modification Q326 originally raised in November 2010. Modification Q326V was created, due to the approval of a related modification, Modification Q339, which impacted the "Application Date" outlined in Modification Q326.

This subsequent amendment is made to add clarity on the issues, which would be considered by the AUGE and takes on board feedback from the Workgroup on 7<sup>th</sup> September 2011.



3 **Any questions?**

6 Contact:

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# 1 Summary

## Is this a Self-Governance Modification

The Modification Panel did not determine this modification should follow Self Governance procedures.

## Why Change?

Ofgem approved modification 0229, which will see the introduction of the Allocation of Unidentified Gas Expert (AUGE). Such an expert will create a methodology for the allocation of unidentified gas to rectify the current cross-subsidy where the SSP market is picking up costs associated with the LSP market, through the Reconciliation by Difference (RbD) process.

Modifications 317 and 317A, raised by Shell Gas Direct and Centrica respectively, propose an interim allocation solution which details a level of contribution to be made by the LSP sector until such time as the AUGE calculates and implements its own statement.

However, ScottishPower is concerned that there is the potential for new issues to remain unallocated over the applicable period, even when the AUGE is appointed. Equally the current proposal under Modification 229 does not ensure when new issues are identified and established by the AUGE are then backed through the RbD process over the period to which they relate.

When Modification 0326 was originally raised (November 2010) it was predicated on the basis that the first AUGE year would start on 01 April 2011. Implementation of Modification 0339 has set now this as 01 April 2012. The variation request has therefore been raised to align 0326 with 0339 and this variation relates to Modification 326V.

## Solution

It is proposed that the Application Date is set at 1 April 2012, but that coupled with this, any future issue, with the exception of any previously agreed methodologies, identified by the AUGE is reconciled back to the period to which it relates, irrespective of when the issue was identified by the AUGE. Such issues would only be reconciled back to the Application Date of 1st April 2012, where it can be demonstrated that the new issue was prevailing at that time. We believe that the additional incentives require to be put in place to ensure that newly discovered issues that contribute to the level of unidentified gas are recognised and brought to the attention of the AUGE at the earliest possible opportunity. For the avoidance of doubt, the application date will roll forward in line with the invoicing rules set in accordance with UNC i.e. Section S 1.4.4.

This principle is demonstrated below:

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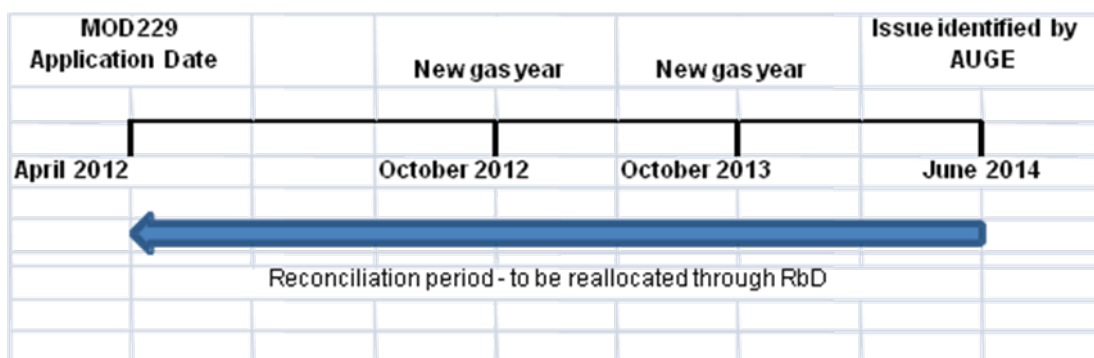
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This proposal will allow newly discovered issues, such as Transporter notified metering errors, to be allocated to both the LSP and SSP sector, where the unidentified gas has involved both market segments. It also represents a rebasing of the risk to ensure that the LSP and SSP markets face the same risks of unidentified gas.

This proposal would apply to both credit and debits. If the proposal were not accepted, then it would remain that the SSP market is cross-subsidising the LSP market, if issues go beyond a one year period. Therefore, potentially significant amounts of energy will continue to be allocated to the incorrect sector. This is not an effect that was contemplated within modifications 229 and 317/A, which look to ensure energy costs are appropriately and correctly assigned to the relevant market sector.

## Impacts & Costs

This proposal is based upon the principles of MOD 229 invoicing requirements; hence we expect the requirements for this MOD to be embedded within the introduction of MOD229 functionality. Therefore, impacts and costs should be minimal. However, we do recognise that there is an additional requirement for the LSP market share to be recorded on a daily basis from the 1st April 2012 (rolling forward in line with the invoicing rules set in accordance with UNC i.e. Section S 1.4.4).

## Implementation

1st April 2012

## The Case for Change

As currently approved Modification 229 does not ensure when newly discovered issues are identified and established by the AUGE are then backed through the RbD process over the period to which they relate. Given the fact that 229 was raised to address the current cross subsidy between the SSP and LSP markets in relation to unidentified gas and to ensure this is appropriately distributed it does not seem complete that an issue that is known to relate to a previous period is not addressed by being backed through RbD. ScottishPower are concerned that there is the potential for issues to remain unallocated over the applicable period, even when the AUGE is appointed.

Hence, we believe this Proposal is required to ensure any issue(s) identified by the AUGE is reconciled back to the period to which it relates, irrespective of when the issue was identified by the AUGE. Such issues would only be reconciled back to the

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Application Date of 1st April 2012, where it can be demonstrated that the issue was prevailing at that time.

When Modification 0326 was originally raised (November 2010) it was predicated on the basis that the first AUGÉ year would start on 01 April 2011. Implementation of Modification 0339 has set now this as 01 April 2012. The Modification 0326V variation request was therefore raised to align 0326 with 0339 and this subsequent variation request is made to add clarity on the issues which would be considered by the AUGÉ.

## Recommendations

The Proposer requests the Workgroup to assess the modification and recomend to the Panel that it is issued to consultation.

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## 2 Why Change?

It has been widely recognised and accepted (via a number of Modifications) that the allocation of unidentified gas required amendment, since currently only the SSP market bares the cost, with the LSP market not contributing. After much debate and a number of modifications Ofgem approved modification 229, which will introduce the Allocation of Unidentified Gas Expert (AUGE). Such an expert will create a methodology for the allocation of unidentified gas to rectify the current cross-subsidy where the SSP market is picking up costs associated with the LSP market, through the Reconciliation by Difference (RbD) process.

Subsequent modifications 317 and 317A, raised by Shell Gas Direct and Centrica respectively, proposed an interim allocation solution which details a level of contribution to be made by the LSP sector until such time as the AUGE calculates and implements its own statement. Modification 317 has since been approved by Ofgem (implementation 19<sup>th</sup> November 2010).

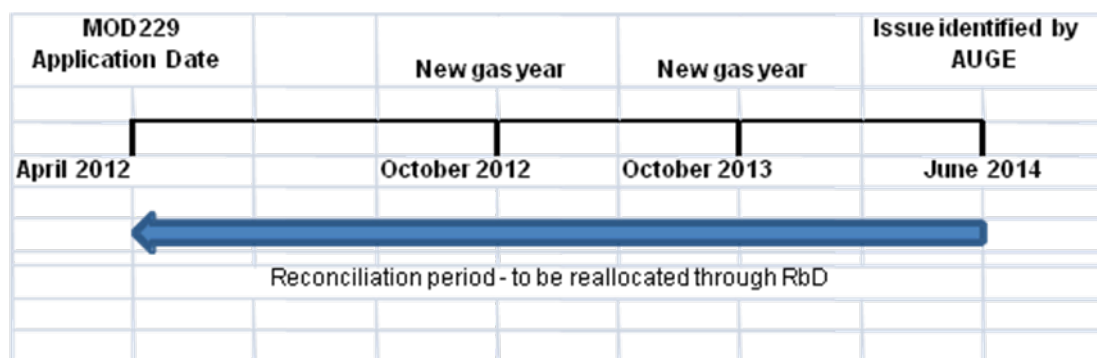
However, ScottishPower is concerned that there is the potential for new issues to remain unallocated over the applicable period, even when the AUGE is appointed. Equally the current proposal under Modification 229 does not ensure when new issues are identified and established by the AUGE are then backed through the RbD process over the period to which they relate.

When Modification 0326 was originally raised (November 2010) it was predicated on the basis that the first AUGE year would start on 01 April 2011. Implementation of Modification 0339 has set now this as 01 April 2012. The Modification 326V variation request was therefore raised to align 0326 with 0339 and this subsequent variation request is made to add clarity on the issues which would be considered by the AUGE.

### 3 Solution

This Proposal seeks to ensure that any future issue identified by the AUGÉ can be retrospectively adjusted to the AUG Application Date of 1st April 2012 or the maximum invoice date as set out in UNC Section S 1.4.4. It is proposed that any future newly discovered issue identified by the AUGÉ is reconciled back to the period to which it relates, irrespective of when the issue was identified by the AUGÉ. Such new issues would only be reconciled back to the Application Date of 1st April 2012, where it can be demonstrated that the issue was prevailing at that time. We believe that the additional incentives require to be put in place to ensure that any new issues that contribute to the level of unidentified gas are recognised and brought to the attention of the AUGÉ at the earliest possible opportunity. For the avoidance of doubt, the application date will roll forward in line with the invoicing rules set in accordance with UNC i.e. Section S 1.4.4 and any previously agreed methodologies will be outside of the scope of this proposal, whereas new metering errors are not.

This principle is demonstrated below:



This proposal will allow new issues, such as Transporter notified metering errors, to be allocated to both the LSP and SSP sector, where the unidentified gas has involved both market segments. It also represents a rebasing of the risk to ensure that the LSP and SSP markets face the same risks of unidentified gas.

This proposal would apply to both credit and debits. If the proposal were not accepted, then it would remain that the SSP market is cross-subsidising the LSP market, if issues go beyond a one year period. Therefore, potentially significant amounts of energy will continue to be allocated to the incorrect sector. This is not an effect that was contemplated within modifications 229 and 317/A, which look to ensure energy costs are appropriately and correctly assigned to the relevant market sector.

## 4 Relevant Objectives

The Proposer believes that implementation will better facilitate the achievement of **Relevant Objectives a, b, c, d, e and f.**

Proposer's view of the benefits against the Code Relevant Objectives	
Description of Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	
b) Coordinated, efficient and economic operation of (i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters.	
c) Efficient discharge of the licensee's obligations.	
d) Securing of effective competition: (i) between relevant shippers; (ii) between relevant suppliers; and/or (iii) between DN operators (who have entered into transportation arrangements with other relevant gas transporters) and relevant shippers.	Yes
e) Provision of reasonable economic incentives for relevant suppliers to secure that the domestic customer supply security standards... are satisfied as respects the availability of gas to their domestic customers.	
f) Promotion of efficiency in the implementation and administration of the Code	Yes

### Standard Special Condition A11.1 (d):

The early identification of new issues that contribute to the level of unidentified gas and the subsequent re-apportionment of costs associated with these issues over the period in which these costs have been incurred, will result in an improvement in the equitable distribution of unallocated gas costs between these market sectors. We believe that there requires to be appropriate incentives on all Users to readily bring forth, to the attention of the AUGE, matters that have the potential to affect the level of unallocated gas.

Should the AUGE's analysis conclude that a new issue(s) has consistently contributed to the level of unallocated gas, the ability to re-apportion energy charges back to the application date of 1<sup>st</sup> April 2011 or a period up to the maximum invoice period will give increased confidence to RbD Shippers on cost allocations.

Competition in the SSP market will be improved. This Modification will ensure that costs that do not relate to these consumers are not being met by the Shippers in that market. It will improve the attractiveness of the SSP market to new entrants.

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### **Standard Special Condition A11.1 (f):**

This proposal seeks to ensure the framework being introduced under MOD229 is complete in relation to ensuring costs of unidentified gas are appropriately associated and distributed to the correct market sector. Without this proposal unidentified gas costs that are clearly attributable to a period earlier than the one AUGE year will not be re-apportioned across the relevant market participants.

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## 5 Impacts and Costs

### Consideration of Wider Industry Impacts

The modification is unlikely to have wider industry impacts.

### Costs

#### Indicative industry costs – User Pays

##### Classification of the proposal as User Pays or not and justification for classification

This proposal is based upon the principles of MOD 229 invoicing requirements; hence we expect the requirements for this MOD to be embedded within the introduction of MOD229 functionality. However, we do recognise that there is an additional requirement for the LSP market share to be recorded on a daily basis from the 1st April 2012 (rolling forward in line with the invoicing rules set in accordance with UNC i.e. Section S 1.4.4.

##### Identification of Users, proposed split of the recovery between Gas Transporters and Users for User Pays costs and justification

On a User Pays basis as provided for in MOD 229

##### Proposed charge(s) for application of Users Pays charges to Shippers

On the same charging basis for Modification 229, as defined in the ACS:

[http://www.gasgovernance.co.uk/sites/default/files/AgencyChargingStatement\\_live%201%20July%202010.pdf](http://www.gasgovernance.co.uk/sites/default/files/AgencyChargingStatement_live%201%20July%202010.pdf)

##### Proposed charge for inclusion in ACS – to be completed upon receipt of cost estimate from Xoserve

To be determined, per above

### Impacts

#### Impact on Transporters' Systems and Process

Transporters' System/Process	Potential impact

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UK Link	<ul style="list-style-type: none"> <li>We expect changes to UK Link to be extremely limited, if at all required since the proposal utilises the mechanism introduced by MOD229 and will simply require a reconciliation to take place back to a relevant date (no earlier than 1 April 2012). This concept already exists as introduced by MOD152V relating to the limitation on retrospective invoicing and invoice correction.</li> </ul>
Operational Processes	<ul style="list-style-type: none"> <li>None identified</li> </ul>
User Pays implications	<ul style="list-style-type: none"> <li>As above – none since incorporated within 229.</li> </ul>



**Where can I find details of the UNC Standards of Service?**

In the Revised FMR for Transco's Network Code Modification **0565 Transco Proposal for Revision of Network Code Standards of Service** at the following location:  
<http://www.gasgovernance.com/networkcodearchive/551-575/>

Impact on Users	
Area of Users' business	Potential impact
Administrative and operational	<ul style="list-style-type: none"> <li>Some Users are likely to face small administrative and operational costs to manage additional invoices from GTs and the contractual requirement to pass these costs through to consumers. This Proposal will expand the timescales that these additional bills can be applied from.</li> <li>Implementation of this Modification may also result in the subsequent recovery of these costs through contractual terms with their customers. Additional administration may be introduced in order to manage these processes.</li> </ul>
Development, capital and operating costs	<ul style="list-style-type: none"> <li>Some Shippers may need to make changes to their systems.</li> </ul>
Contractual risks	<ul style="list-style-type: none"> <li>None identified</li> </ul>
Legislative, regulatory and contractual obligations and relationships	<ul style="list-style-type: none"> <li>None identified</li> </ul>

Impact on Transporters	
Area of Transporters' business	Potential impact

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Impact on Transporters	
System operation	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
Development, capital and operating costs	<ul style="list-style-type: none"> <li>• As above – contained within 229 developments</li> </ul>
Recovery of costs	<ul style="list-style-type: none"> <li>• Per 229</li> </ul>
Price regulation	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
Contractual risks	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
Legislative, regulatory and contractual obligations and relationships	<ul style="list-style-type: none"> <li>• None identified</li> </ul>
Standards of service	<ul style="list-style-type: none"> <li>• None identified</li> </ul>

Impact on Code Administration	
Area of Code Administration	Potential impact
Modification Rules	<ul style="list-style-type: none"> <li>•</li> </ul>
UNC Committees	<ul style="list-style-type: none"> <li>•</li> </ul>
General administration	<ul style="list-style-type: none"> <li>•</li> </ul>

Impact on Code	
Code section	Potential impact
	TPD Section E

Impact on UNC Related Documents and Other Referenced Documents	
Related Document	Potential impact
Network Entry Agreement (TPD I1.3)	
Network Exit Agreement (Including Connected System Exit Points) (TPD J1.5.4)	
Storage Connection Agreement (TPD R1.3.1)	
UK Link Manual (TPD U1.4)	
Network Code Operations Reporting Manual (TPD V12)	
Network Code Validation Rules (TPD V12)	
ECQ Methodology (TPD V12)	

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Impact on UNC Related Documents and Other Referenced Documents	
Measurement Error Notification Guidelines (TPD V12)	
Energy Balancing Credit Rules (TPD X2.1)	
Uniform Network Code Standards of Service (Various)	

Impact on Core Industry Documents and other documents	
Document	Potential impact
Safety Case or other document under Gas Safety (Management) Regulations	
Gas Transporter Licence	

Other Impacts	
Item impacted	Potential impact
Security of Supply	
Operation of the Total System	
Industry fragmentation	
Terminal operators, consumers, connected system operators, suppliers, producers and other non code parties	

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## 6 Implementation

Implementation should be 1<sup>st</sup> April 2012.

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## 7 The Case for Change

In addition to that identified the above, the Proposer has identified the following:

### Advantages

This Proposal seeks to ensure that any future issue identified by the AUGÉ can be retrospectively adjusted to the AUG Application Date of 1st April 2012 or the maximum invoice date as set out in UNC Section S 1.4.4. We believe the benefits of this proposal are that it will:

- Reduce the current cross-subsidy between the LSP and SSP sectors in a clear and simple way.
- Introduces an incentive on Users to identify to the AUGÉ at an early stage, those issues that may be contributing to the level of unallocated gas
- Introduces improved transparency and accuracy on the allocation of RbD
- Where the AUGÉ analysis determines that an issue has over a period of time contributed to the level of unallocated gas, that the retrospective adjustments can be made back to AUG Application Date of 1st April 2012 or to the maximum invoice period as set out in Section S 1.4.4.
- Incentivises market participants to make appropriate financial provisions in readiness for reconciliations back as far as 1 April 2012

### Disadvantages

- The retrospective nature (i.e. either 1 April 2012 or another specified later date) will introduce some cost uncertainty to market participants but as already established this is the same situation the SSP market currently face
- May result in additional administration costs for the Transporter Agency

## 8 Legal Text

*Text, either suggested or formal, should be inserted at this point. The status of this text should also be stated.*

**Insert subheading here**

Insert text here

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## 9 Recommendation

The Proposer invites the [Workgroup](#) to:

- [Recommend](#) that Modification 0326VV progress to Consultation