

24/12/96

Service Development

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Dear Colleague,

NOTICE OF IMPLEMENTATION

MODIFICATION 0097

Relief from overrun charges resulting from CVA error

Please note that Proposal 0097 was implemented effective from 06:00 1 March 1996.

The Report was signed by Ofgas 23/12/96. The Modified text resulting from this modification is detailed below,

Modified Text:

Transition Document Part II paragraph 8

Insert the following under Section B:

- "B2.6.1 (1) For the period from 1st March 1996 until 31st October 1997, where:
- (i) a single person is for the time being appointed, pursuant to an Agreement (the "Agency Agreement") of which a copy has been provided to TransCo, as User Agent to submit Entry Allocation Statements on behalf of all Users at the System Entry Points comprised in an Aggregate System Entry Point;
 - (ii) a User incurs a System Entry Overrun Charge in any month in respect of such Aggregate System Entry Point;
 - (iii) not more than 10 Business Days after the date of submission of the Invoice Document which contains such charge, or in

relation to Gas Flow Days before 1st October 1996 not later than 20th December 1996, the User notifies TransCo that the User believes that the condition in paragraph (2) is satisfied;

- (iv) the amount by which the System Entry overrun Charge would (pursuant to paragraph (4)) be reduced is not less than £500; and
- (v) the User procures that (at no cost to TransCo) the User Agent submits to TransCo, not later than the Invoice Due Date, or in relation to Gas Flow Days before 1st October 1996 not later than 15th January 1997, a certificate (subject to paragraph (5)) as to the matters set out in paragraph (3),

then the amount of the System Entry Overrun Charge will, with effect from the date on which TransCo receives the User Agent's certificate, be reduced in accordance with paragraph (4), and an appropriate invoice adjustment will be made in accordance with Section S.

- (2) The condition is that, as a result of a failure (subject to paragraph (5)) by the User Agent:
 - (i) to comply with a material requirement of the Agency Agreement, or
 - (ii) to receive a routine communication which was submitted pursuant to the Agency Agreement by the User or any other party to the Agency Agreement,

the User's Entry Allocation Statement (as at the Entry Close-out Date) did not correctly reflect the User's entitlement to gas delivered to the System at the relevant System Entry Point.

- (3) The User Agent's certificate shall:
 - (i) refer to the User's notification to TransCo under paragraph (1)(iii);
 - (ii) state that the User Agent has investigated the matter and that the condition in paragraph (2) is satisfied;
 - (iii) provide a brief description of the basis on which such condition is satisfied; and
 - (iv) state the quantity which, had the failure referred to in paragraph (2) not occurred, would have been set out in the User's Entry Allocation Statement (as at the Entry Close-out Date).

- (4) The System Entry Overrun Charge shall be reduced so that the User is liable only for the amount, if any, which the User would have incurred by way of System Entry Overrun Charge if the UDQI in respect of the relevant System Entry Point had been the quantity certified pursuant to paragraph (3)(iv).
- (5) TransCo may from time to time publish or revise implementation terms (generally or in relation to a particular Agency Agreement) for the purposes of this paragraph, in which case:
 - (i) a User Agent's certificate shall be in such form as TransCo may reasonably specify in such implementation terms;
 - (ii) a failure shall be counted for the purposes of paragraph (2) only where it is such a failure, or a failure in relation to such a provision of the Agency Agreement, as is described in such implementation terms.
- (6) Nothing in or done pursuant to this paragraph shall entitle the User or any other User to revise any Entry Allocation Statement, or affect any UDQI of any such User.

Yours faithfully,

A handwritten signature in black ink that reads "Steve Adams". The signature is written in a cursive style with a large, sweeping flourish at the end.

Steve Adams
Commercial Analyst