

**Record of Determinations: Panel Meeting 20 February 2014**

Modification	Vote Outcome	Shipper Voting Members					Transporter Voting Members					Consumer Representative	Determination Sought	
		AB	AG (PB)	GJ	PB	RF	CW	EM	JE	JF	RH	KES		
0451V 0451AV - Individual Settlements For Pre-Payment & Smart Meters	Issued to Distribution Workgroup - with unanimous vote in favour	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should be referred to Distribution Workgroup	
	Workgroup to report by the July 2014 Panel - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Workgroup to report by the July 2014 Panel	
0478 - Filling the gap for SOQ reductions below BSSOQ until Project Nexus	Not related to the Significant Code Review - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification is related to Significant Code Review	
	Is not a Self-Governance Modification - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification should follow Self-Governance Procedures	
	Proceed to consultation - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Issue to Consultation	
	Legal Text requested - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Request legal text	
	Legal text not required - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Legal text not required for inclusion in DMR	
	Cost estimate not required - with 10 votes in favour and 1 abstention	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NV	✓	Cost estimate not required for inclusion in DMR
	Consultation to close out on 21 March - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Extend consultation
0479 – Inclusion of email as a valid UNC communication	Not related to the Significant Code Review - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification is related to Significant Code Review	
	Is a Self-Governance Modification - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Modification should follow Self-Governance Procedures	
	Issued to Workgroup 0479 - with unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should be referred to Workgroup 0479	



to be effective from 01/10/13	Legal Text requested - unanimous vote in favour	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Request legal text
	Issued to Workgroup 0482 - with unanimous vote in favour	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should be referred to Workgroup 0482
	Workgroup to report by the April 2014 Panel - unanimous vote in favour	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Workgroup to report by the April 2014 Panel
0483 – Performance Assurance Framework Incentive Regime	Not related to the Significant Code Review - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification is related to Significant Code Review
	Is not a Self-Governance Modification - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification should follow Self-Governance Procedures
	Issued to Workgroup 0483 - with unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should be referred to Workgroup 0483
	Workgroup to report by the October 2014 Panel - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Workgroup to report by the October 2014 Panel
0484 – Guidance for the Production of Legal Text	Not related to the Significant Code Review - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification is related to Significant Code Review
	Is a Self-Governance Modification - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Modification should follow Self-Governance Procedures
	Legal Text requested - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Request legal text
	Issued to Workgroup 0484 - with unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should be referred to Workgroup 0484
	Workgroup to report by the May 2014 Panel - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Workgroup to report by the May 2014 Panel
0485 – Introduction of LTUIOLI Mechanism to Facilitate Compliance with the EU Congestion Management Procedures	Not related to the Significant Code Review - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification is related to Significant Code Review
	Is not a Self-Governance Modification - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Modification should follow Self-Governance Procedures
	Issued to Workgroup 0485 - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should be referred to Workgroup 0485



0477 - Supply Point Registration - Facilitation of Faster Switching	Legal Text requested - unanimous vote in favour	NP	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	Request Legal Text	
0454 - Introduction of a Long Term Non Firm Capacity Product	Returned to Workgroup - unanimous vote in favour	NP	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	Return to Workgroup	
	Workgroup to report by the March Panel - unanimous vote in favour	NP	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	Workgroup to report by the March Panel	
0461 - Changing the UNC Gas Day to Align with the Gas Day in EU Network Codes	Not returned to Workgroup - with 5 in favour, 5 votes against and 1 abstention. Chair's casting vote against	✓	✓	X	✓	NV	X	X	✓	X	X	✓	Did consultation raise new issues	
	Consideration not deferred - 2 votes in favour and 6 votes against	NP	NV	X	✓	✓	X	X	X	X	X	X	Defer consideration	
	Implementation not recommended - with 5 votes in favour out of 10 votes present	NP		✓			✓	✓		✓	✓		Whether to recommend implementation	
0463S - Recognition of the '2nd January' Scottish Bank Holiday as a Business Day for Supply Point related transactions	Not returned to Workgroup - 7 votes against and 1 abstention	NP	NP	X	NV	X	X	X	X	X	X	✓	X	Did consultation raise new issues
	Implemented - Unanimous vote in favour	NP	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	Whether to implement	
0471S - Amending the start time that a Day-ahead Market Offer can be accepted	Not returned to Workgroup - unanimous vote against	NP	NP	X	X	X	X	X	X	X	X	X	X	Did consultation raise new issues
	Implemented - Unanimous vote in favour	NP	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	Whether to implement	
0476S - Alignment of DN Charging Methodology with RII0- GD1 Arrangements	Not returned to Workgroup - unanimous vote against	NP	NP	X	X	X	X	X	X	X	X	X	X	Did consultation raise new issues
	Implemented - Unanimous vote in favour	NP	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	Whether to implement	

KEY	In favour	Not in Favour	No Vote Cast	Not Present
	✓	X	NV	NP

**UNC Modification Panel**

**Minutes of the 154<sup>th</sup> Meeting held on Thursday 20 February 2014 at ENA, Dean Bradley House, 52 Horseferry Road, London SW1P 2AF**

**Attendees**

**Voting Members:**

<b>Shipper Representatives</b>	<b>Transporter Representatives</b>	<b>Consumer Representative</b>
A Barnes (AB), Gazprom G Jack (GJ), British Gas P Broom (PB), GdF Suez and for A Green R Fairholme (RF), E.ON UK	C Warner (CW), National Grid Distribution E Melen (EM), Scotia Gas Networks J Edwards (JE), Wales & West Utilities J Ferguson (JF), Northern Gas Networks R Hewitt (RH), National Grid NTS	K Elliott-Smith (KES), Consumer Focus

**Non-Voting Members:**

<b>Chairman</b>	<b>Ofgem Representative</b>
L Jenkins (LJ), Joint Office	A Rooney (ARo), Ofgem

**Also in Attendance:**

A Love\* (AL), ScottishPower; A Williams (AW), National Grid NTS; E Thompson (ET), National Grid Distribution; H Burden (HB), National Grid NTS; H Chapman (HC), Xoserve; I DeksnYTE (ID) Northern Gas Networks; M Clark\* (MC) ScottishPower; M Hall\* (MH), Oil & Gas; M Jones\* (MJ), SSE; R Fletcher (RF), Secretary; S McGoldrick (SMc), National Grid NTS; T Davis\* (TD), Gazprom; V Sturman (VS) Ofgem and W Frances (WF), DECC.

\* *by teleconference*

## Record of Discussions

### 154.1 Note of any alternates attending meeting

G Jack for C Wright (British Gas)

P Broom for A Green (Total)

E Melen for A Musgrave (Scotia Gas Networks)

J Edwards for S Edwards (Wales & West Utilities)

### 154.2 Record of Apologies for absence

A Green, A Musgrave, C Wright and S Edwards.

### 154.3 Minutes and Actions of the Last Meetings

The minutes of the 16 January 2014 meeting were accepted.

### 154.4 Consider Urgent Modifications

#### a) Modification 0451AV - Individual Settlements For Pre-Payment & Smart Meters

LJ explained the process set out in the Modification Rules following the implementation of an Urgent Modification. He advised that Ofgem have made a number of recommendations regarding the review of profiles and related processes to be adopted. Therefore, it may be appropriate to review the rules to be implemented to ensure a more efficient process has not been overlooked.

AB challenged that as a decision has been made and Panel cannot raise modifications, what is expected. Shouldn't it be left to other parties to consider raising a modification if they felt circumstances warrant this approach?

LJ explained the proposed Terms of Reference for the Workgroup to consider. CW advised that there is an associated issue as an equivalent iGT UNC modification was proceeding through its process, which would require Transporters to carry out tasks they are not obligated to at present and that this might require an additional UNC modification.

Members offered the opinion that the Terms of Reference should be deferred to the Workgroup for their consideration of what should/needed to be assessed.

For Modification 0451AV, Members determined:

- That the subject of Modification 0451AV should be issued to the Distribution Workgroup for assessment with a report presented by the July 2014 Panel.

### 154.5 Consider New, Non-Urgent Modifications

- a) Modification 0478 - Filling the gap for SOQ reductions below BSSOQ until Project Nexus

JF introduced the modification and its aims. PB asked what happens to those consumers who may have missed out in the interim period where reductions were not allowed. JF advised that there was insufficient time available at the expiry of the previous arrangements to raise a modification to close out the gap, so there were no practical measures that could be adopted in time. However, it is hoped that these proposed arrangements would be in place for 01 October 2014. GJ asked if this modification ties into Modification 0445, JF confirmed that was correct, these proposals close the gap until Modification 0445 is implemented.

PB asked what happens to those that have missed out if they had made a request and due to no fault of their own, the arrangements were not in place and so their request was rejected. JF advised that they were unaware of any such applications, although they had received an enquiry for October 2014.

PB felt a Workgroup should consider if there was an answer to the interim period related issues discussed. GJ asked if the aim is to get a one off window to manage the period missed by the gap between modifications. PB wanted a level playing field so those that have missed out would be treated fairly.

ARo advised that Ofgem were not over concerned by the gaps between modifications so far, though they would review the process as information is provided.

RH was concerned that the Solution doesn't appear to propose a change to UNC. JF did not agree, as this was a comment on style. RH was still concerned that the modification is not clear even though it is a copy of a previously implemented modification. Other members disagreed with this view as the legal text had been used in previous modifications.

JF confirmed that the Suggested Text provided should be considered Legal text for inclusion in the Draft Modification Report.

For Modification 0478, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;
- The criteria for Self-Governance are not met as this modification is expected to have a material impact on consumers;
- To request Legal Text;
- It should proceed to consultation;
- Legal text is not required for inclusion in the draft Modification Report;
- A cost estimate is not required for inclusion in the draft Modification Report; and

- Consultation to close out 21 March 2014.

b) Modification 0479 – Inclusion of email as a valid UNC communication

JF introduced the modification and its aims. ARo advised that Ofgem were in favour of this modification being put forward as an improvement in communication practices. SMC asked if it is proposed that email is additional to or replacing the fax? JF advised that the intention is to allow it as an additional method rather than replace fax.

GJ asked about the legality of email compared to fax and the issues around deemed receipt. JF agreed that the process would need to be reviewed but email technology has moved on and methods are more secure.

For Modification 0479, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;
- The criteria for Self-Governance are met as this modification is not expected to have a material impact on competition or consumers;
- The modification be issued to Workgroup 0479 for assessment with a report presented by the July 2014 Panel.

c) Modification 0480 - Minor update to UNC General Terms Section B

JF introduced the modification and its aims. ARo confirmed Ofgem supported the use of Fast Track procedures for this modification.

For Modification 0480, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;
- The criteria for Self-Governance are met as this modification is not expected to have a material impact on competition and consumers;
- The criteria for Fast-Track Self-Governance are met as this modification is properly a housekeeping modification required as a result of some error or factual change;
- That Modification 0480FT should be implemented.

d) Modification 0481 - Amendment to AQ Values Present Within Annex A of the CSEP NExA AQ Table Following the 2013 AQ Review

MJ introduced the modification and its aims. PB asked if a process could be introduced to update the table following confirmation through the iGT modification process rather than using a UNC modification for this purpose. MJ confirmed that this is a one off event for this modification and it is not proposed to develop additional processes.

CW confirmed that there is no Legal Text required to implement this modification as it is an amendment to the LDZ CSEP NExA.

For Modification 0481, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;
- The criteria for Self-Governance are not met as this modification is expected to have a material impact on independent Gas transporters and their charging arrangements;
- To request Legal Text;
- It should proceed to consultation;
- Legal text is not required for inclusion in the draft Modification Report;
- A cost estimate is not required for inclusion in the draft Modification Report; and
- Consultation to close out 21 March 2014.

e) Modification 0482 - Proposed Changes to Mod 81 Reports to be effective from 01/10/13

MC introduced the modification and its aims. SMC asked if the costs identified by Xoserve were for running or amending the reports. HC confirmed it is for amending reports rather than running them. HC advised that the reports would need to be rerun and that this would involve a cost, which is yet to be identified, though it is not considered to be material.

MC clarified that only the reports produced in November would need to be rerun, others would not. Other industry groups have been informed such as Operational forum and Distribution Workgroup.

PB asked if the modification is amending the existing reports or replacing them with new reports. MC confirmed it amends and enhances the existing reports.

For Modification 0482, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;
- The criteria for Self-Governance are met as this modification is not expected to have a material impact on competition or consumers;
- To request Legal Text;

- The modification be issued to Workgroup 0482 for assessment with a report presented by the April 2014 Panel.

f) Modification 0483 - Performance Assurance Framework Incentive Regime

GJ introduced the modification and its aims. AL was concerned that this modification has been raised against the general views of the Performance Assurance Workgroup as it is considered to be premature in the overall development of the performance assurance regime.

ARo advised that Ofgem were content with the modification going forward from this time as it may help to focus the work required.

For Modification 0483, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;
- The criteria for Self-Governance are not met as this modification is expected to have a material impact on competition;
- The modification be issued to Workgroup 0483 for assessment with a report presented by the October 2014 Panel.

g) Modification 0484 - Guidance for the Production of Legal Text

TD introduced the modification and its aims. TD suggested that legal text is requested and that the workgroup does not meet until the text is available for review. CW disagreed that the Workgroup should only meet when the text is available, as the modification sets in place the guidelines that should be reviewed in the Workgroup.

RH suggested that the Modification Rules were materially impacted and therefore this modification should not be classed as Self Governance. ARo advised that Ofgem had no view on Self Governance at this time, although they did consider that the guidelines should aid transporters meeting their licence condition obligations for efficiency in the implementation of Code. AB felt that as the guidelines were to be discussed at workgroup, the materiality would be apparent at that time.

GJ asked if the guidelines were guidance only and were not placing obligations in Code. AB confirmed that was the case, it was proposing a framework so that all parties were aware of what was expected for the production of text.

LJ asked members to note that Ofgem can amend the Self Governance status of a modification should they consider it warranted.

For Modification 0484, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;

- The criteria for Self-Governance are met as this modification is not expected to have a material impact on the Code Governance arrangements or Modification Rules;
- To request Legal Text;
- The modification be issued to Workgroup 0484 for assessment with a report presented by the May 2014 Panel.

h) Modification 0485 – Introduction of LTUIOLI Mechanism to Facilitate Compliance with the EU Congestion Management Procedures

RH introduced the modification and its aims. PB asked what happens if there was under utilisation of capacity during the summer, does this impact the overall capacity available. RH advised that the assessment is made over 2 consecutive 6 months periods and that there is a mechanism which allows an appeal to Ofgem.

AB explained that capacity might not be lost if attempts have been made to make the capacity available to others, even if the capacity was not taken up. AB also explained that all capacity must be sold to trigger this process as it's designed to prevent hoarding. LJ added that it only applied at one of the two Interconnection Points; Bacton and Moffat. National Grid would need to provide sufficient evidence that congestion was occurring.

For Modification 0485, Members determined:

- The modification is not related to the Significant Code Review as it is not a related subject;
- The criteria for Self-Governance are not met as this modification is expected to have a material impact on competition;
- The modification be issued to Workgroup 0485 for assessment with a report presented by the June 2014 Panel.

## 154.6 Consider Workgroup Issues

### Workgroup Reports for Consideration

#### a) Modification 0440 - Project Nexus – iGT Single Service Provision

Members accepted the recommendations in the Workgroup Report:

- It should proceed to consultation;
- Legal text is not required for inclusion in the draft Modification Report; and
- A cost estimate is not required for inclusion in the draft Modification Report; and
- Consultation should close on 21 March 2014.

#### b) Modification 0455S - Updating of Meter Information by the Transporter

GJ challenged the User Pays aspects of the modification with 100% to Shipper Users as he felt that some benefit was gained by the Transporters. CW advised that the process and associated costs were in the control of Users as they were responsible for providing correct asset data.

CW advised that some workgroup participants were concerned that the modification was Self Governance, as it was introducing charges and that this was inconsistent with Self Governance modifications. He also pointed out that it was within a User's gift not to incur the charges introduced by providing the appropriate data in the first place.

ARo advised that Ofgem were willing to consider Shipper representations concerning Self Governance and may review the status of the modification once consultation had closed.

Members accepted the recommendations in the Workgroup Report:

- That the Self-Governance Status should be retained;
- It should proceed to consultation;
- Legal text is not required for inclusion in the draft Modification Report; and
- A cost estimate is not required for inclusion in the draft Modification Report;
- The question on Self Governance should be highlighted and comments sought in representations;
- Consultation should close on 21 March 2014.

- c) Modification 0467 - Project Nexus - iGT Single Service Provision; data preparation

Members determined for Modification 0467 that:

- The modification be returned to Workgroup 0467 for further assessment with a report presented by the April 2014 Panel.

**Consideration of Workgroup Reporting Dates and Legal Text Requests:**

Members determined unanimously to extend the following Workgroup reporting dates:

Workgroup	Reporting Date
0466 - Daily Meter Reading Simplification	May 2014
0470 - Notification of Minimal Safety operating gas needs of large customers	April 2014

Members determined unanimously to request Legal text for the following modifications:

Modification
0470 - Notification of Minimal Safety operating gas needs of large customers
0477 - Supply Point Registration - Facilitation of Faster Switching

## 154.7 Final Modification Reports

### a) Modification 0454 - Introduction of a Long Term Non Firm Capacity Product

LJ explained the questions highlighted in the send back letter from Ofgem. In summary:

1. Provision of sufficient evidence or criteria to justify the release of discretionary capacity to certain users on an exclusive basis in the light of NGG's obligation not to discriminate between users.
2. The criteria used to determine what (as in its source) and how much discretionary capacity will be available for use as LTNF (and not made available for other users, if that is the case).
3. The criteria for determining when the LTNF buyback option will be exercised, and in particular the order in which it will be exercised compared to other products that are subject to curtailment.

Members determined for Modification 0454 that:

- It should be returned to Workgroup;
- The modification be issued to Workgroup 0454 for assessment with a report presented by the March 2014 Panel.

### b) Modification 0461 - Changing the UNC Gas Day to Align with the Gas Day in EU Network Codes

WF provided the following view on Modification 0461:

*"There have been questions about whether the GB downstream gas sector is required to change to a 5:00 - 5:00 UTC gas day. DECC officials' interpretation is as follows:*

*Article 3(7) of the Commission Regulation EU No. 984/2013 establishing a Network Code on Capacity Allocation Mechanisms in Gas Transmission Systems (CAM) defines "gas day" as "the period from 5:00 to 5:00 UTC the following day for winter time and from 4:00 to 4:00 UTC the following day when daylight saving is applied". As CAM only applies to Interconnection Points, to be compliant with CAM this 5-5 day is only required at Interconnection Points.*

*However, the draft Commission Regulation establishing a Network Code on Gas Balancing of Transmission Networks also defines the gas day as 5:00 – 5:00 UTC, by adopting the definitions under Article 3 of CAM. Unlike CAM, the Balancing Code will apply to balancing zones, which includes the downstream sector. It is clear from the terms of the Balancing Code that the term "gas day", as defined, is intended to apply not only at Interconnection Points but throughout a balancing zone. On the assumption that the Balancing Code will be formally adopted and published in the next few weeks, to be compliant we consider that the downstream sector will need to adopt a 5:00 – 5:00 UTC gas day. When*

*it comes into force, the Regulation establishing the Balancing Code will be directly applicable in national law.*

*We recognise concerns have been raised and are happy to further discuss these.”*

PB felt there were new issues raised in consultation responses and that the discussion is ongoing between DECC and Ofgem, therefore it would be beneficial if the Workgroup were to review these aspects before Panel makes its recommendations to Ofgem.

LJ asked if these issues were within the scope of UNC. PB confirmed that they were to a point as these proposals impact Shipper Users upstream arrangements with producers. AB agreed these impacts were there but a way forward needs to be agreed to consider impacts both up and downstream and how these changes can be implemented without creating material issues for other parties.

AB felt there is some leeway as the balancing code is still under development so these arrangements are not needed at this time.

RH felt that this sort of issue had been managed before and that other more slick arrangements can be put in place later to ensure the process works for them. PB was concerned that all these issues were not the same as those previously experienced; it is far more complex and wide ranging.

GJ felt there was an obligation on all to identify a solution to meet this requirement so that a process similar to the CVA arrangements process can be identified and implemented.

AB wanted to understand the driver, as the relevant codes don't apply until 01 October 2015. These were considered to be system driven both for National Grid and Shipper Users.

ARo advised that Ofgem were considering a Regulatory Impact Assessment to include both upstream and downstream. VS confirmed that any RIA would be centered on Modification 0461 and not the underlying policy for the change. AB did not think this went far enough as it doesn't mean that this is in the best interest of the UK.

Members determined for Modification 0461 that:

- No new issues were raised during consultation;

When considering if new issues had been raised during consultation, the Panel vote was split with 5 votes in favour and 5 votes against. The Panel Chair casting vote was used to vote against new issues being raised during consultation.

LJ explained that, in making his vote, he had to consider the requirements of the Modification Rules and particularly that changes should be measured against the Relevant Objectives. Whilst recognising the significance of the issues raised in the Consultation, he considered the issues being discussed were outside the scope and influence of UNC and be unlikely to lead to a change to the modification.

- Members then failed to recommend implementation of Modification 0461.

See the Final Modification Report published at [www.gasgovernance.co.uk/0461](http://www.gasgovernance.co.uk/0461)

- c) Modification 0463S - Recognition of the '2nd January' Scottish Bank Holiday as a Business Day for Supply Point related transactions

Members determined unanimously to implement Modification 0463S.

For Panel discussion see the Final Modification Report published at [www.gasgovernance.co.uk/0463](http://www.gasgovernance.co.uk/0463)

- d) Modification 0471S - Amending the start time that a Day-ahead Market Offer can be accepted

Members noted that the implementation for this modification was subject to the confirmation of system implementation timescales.

Members determined unanimously to implement Modification 0471S.

For Panel discussion see the Final Modification Report published at [www.gasgovernance.co.uk/0471](http://www.gasgovernance.co.uk/0471)

- e) Modification 0476S - Alignment of DN Charging Methodology with RIIO-GD1 Arrangements

Members noted that the implementation for this modification was likely to be 01 April 2014.

Members determined unanimously to implement Modification 0476S.

For Panel discussion see the Final Modification Report published at [www.gasgovernance.co.uk/0476](http://www.gasgovernance.co.uk/0476)

#### **154.8 Consents to Modify**

- a) Consent to Modify C052 - Revision to the legal text associated with the implementation of UNC Modification 0376S Increased Choice when Applying for NTS Exit Capacity”

RH gave an overview of the discussions that had been held with Ofgem. He advised that Ofgem were unwilling to make the consent as they felt the amendments should be managed through a modification.

RH was seeking a view from Panel as to their willingness to accept a fast-track modification.

GJ felt it was straight forward as it was proposed to correct an error between the overlap of modifications. That a pragmatic solution should be sought and agreed.

ARo advised that they were minded to decline the consent as it is more than the scope of the original modification and there is also an amendment to correct additional errors in UNC text.

RH was concerned if a modification was raised it could be challenged to the point the Self Governance is not appropriate and the modification ends up with Ofgem for a decision, so defeating the objective of refusing the Consent.

RH agreed to review the options and consider raising a Self Governance modification.

#### **154.9 Any other business**

- a) Consultation regarding the governance arrangements for the appointment of the Panel Chair

LJ provided an update on the Panel Chair consultation and associated report. Representations were unanimous in their views that the Panel chair should be independent and that JGAC had taken these views onboard. JGAC were now putting together a role description, appointment process and the associated costs for an independent Panel Chair and intended to consult on the proposed arrangements as this was a commonly held view in representations. Members offered no further comments at this time.

- b) JO Customer Survey 2013 (for information)

LJ explained the Customer Survey and asked if there were any comments by exception.

RH advised that he thought the modification process was elongated due to the adoption of CACoP. ARo thought it would be useful to consider other Codes as their process may be shorter or easier to follow.

- c) Code Administration Code of Practice KPIs – JO 2013 Report (for information)

LJ explained the KPIs and asked if there were any comments by exception.

JF noted that Page 3 Modification 0430 is listed as having received one representation when it had received 7.

- d) SPAA/UNC Change of Supplier (COS) Smart Meter Read Working Group Terms of Reference

CW advised the progress made to date and explained that the draft Terms of Reference. Members noted that the first meeting is to be on 03 March 2014. CW advised that SPAA were seeking to appoint a chair for the meeting(s) and that he would provide updates at future Panel meetings.

#### **154.10 Conclude Meeting and Agree Date of Next Meeting**

10:30 20 March 2014, at the ENA.