

## FGO – TPD Section U – Categorisation

This paper reviews the provisions of TPD Section U (UK Link).

This paper proposes that in general all provisions of Section U can be treated as within one of the following 4 categories:

- General definitions/introductory text
- Rules about communications under the UNC given by UK Link. These rules need to remain in the UNC – they govern the effectiveness of Code Communications
- Creation and governance of the UK Link Manual. See below.
- Rules about access to and use of UK Link. These rules become part of the DSC (or are replaced by equivalent provisions in the DSC) – they are rules about service provision by the CDSP to its Core Customers.

In this paper it is assumed that all rights and obligations of the Transporters associated with the provision of UK Link become rights and obligations of the CDSP. The provision of UK Link may be a service line in the DSC Service Description.

The question what happens to the UK Link Committee is separate (part of the DSC governance issue) and is not addressed in this paper at this stage.

Quite significant redrafting of all of the provisions will be needed in any case – this paper is intended to provide a high level approach only.

If the principles in this paper are accepted we can provide a revised draft of TPD Section U containing only those provisions to be retained; and ensure that the other provisions are transferred to (or are equivalent to other provisions of) the DSC.

Currently the UNC does not provide for GTs to have access to UK Link – it does not need to since they are the providers of UK Link. Some changes may be needed in light of this.

The provisions of the UK Link Manual may be seen as:

- providing further detail about access to and use of UK Link, ie supplemental details of the relationship between CDSP and Core Customers; or
- providing rules about Code Communications which are supplemental to the UNC.

It practice it probably does both. A high level review of the UK Link Manual is needed to assess this issue. It may be that the UK Link Manual needs to exist for both purposes – ie it is part of the contractual arrangements between Parties under the UNC, and it is part of the DSC. On that basis the relevant provisions of Section U could remain in the UNC (perhaps transferred in part to GTB7 in the paragraph listing DSC Service Documents).

UNC Reference	Brief summary of provision	Category	Comments
<b>1. General</b>			
1.1 ( <i>Introduction</i> )	Sets out that CDSP will establish and operate UK Link and defines key terms such as UK Link Network, UK Link System. "UK Link Communication.	General definitions/introductory text.	Definitions needed in both UNC and DSC
1.2.1 to 1.2.6 ( <i>Code Communications</i> )	Sets out how UK Link Communications are to be given in order to be valid Code Communications.	Rules about communications under the UNC given by UK Link.	Retain in UNC
1.2.7 ( <i>Code Communications</i> )	Where UK Link Committee revises the means by which a Code Communication may be given, as set out in UK Link Manual, it must notify UNCC Committee.	Creation and governance of the UK Link Manual.	Retain in UNC (if still needed)
1.3 ( <i>External UK Link Users</i> )	Sets out who, and on what terms, third parties may access UK Link.	Rules about access to and use of UK Link	Transfer to DSC. Allowing third party access to UK Link may itself be a service provided to (or at least an obligation of the CDSP to) Core Customers.

1.4 ( <i>UK Link Manual</i> )	<p>Sets out what the UK Link Manual is and how it binds (or otherwise) the Users.</p> <p>States that Code prevails over UK Link Manual.</p>	Creation and governance of the UK Link Manual	Retain in UNC
1.5 ( <i>Helpdesk</i> )	Sets out the obligation on CDSP to provide helpdesk to deal with operational problems.	Rules about access to and use of UK Link	Transfer to DSC
1.6 ( <i>UK Link User Charges</i> )	Sets out charges in relation to use of UK Link.	Rules about access to and use of UK Link	Replaced in DSC by general charging rules
1.7 ( <i>Additional Access to UK Link System</i> )	<p>States that UK Link incorporates facilities which allow Users to (1) obtain information about its entitlements and obligations under Code; and (2) verify Code Communications.</p> <p>However, Users are still responsible for maintaining records of entitlements/obligations under Code and CDSP is not responsible for failure of UK Link to do so.</p>	Rules about access to and use of UK Link	Tbd
1.8 ( <i>Operational Security</i> )	Sets out rules on operational security, such as rules in the event of unauthorised access to UK Link.	Rules about access to and use of UK Link	Transfer to DSC
1.9 ( <i>Virus Protection</i> )	Sets out rules on preventing computer viruses.	Rules about access to and use of UK Link	Transfer to DSC

1.10 (Liability)	Sets out rules about liability for damage to software / data	Rules about access to and use of UK Link	Transfer to DSC (probably replaced by other rules in DSC)
1.11.1 ( <i>Planned UK Link downtime</i> )	UK Link (or parts thereof) will not be operational or accessible at certain times to allow for maintenance.	Rules about access to and use of UK Link	Rules needed in DSC but also relevant to UNC (restriction on Code Communications)
1.11.2 -1.11.4 ( <i>Planned UK Link downtime</i> )	States that during planned UK Link downtime, Users will not be able to make Code Communications.  UK Link downtime will not be a Code Contingency unless CDSP expects downtime to extend beyond planned period.	Rules about access to and use of UK Link  Rules about communications under the UNC given by UK Link.	Rules needed in DSC but also relevant to UNC (restriction on Code Communications)
1.12 ( <i>DNO Users</i> ) and 1.13 ( <i>Trader User</i> )	States that in Section U references to Users include DNO Users and Trader Users.	General definitions/introductory text.	Retain in UNC
<b>2. Equipment and Operational Requirements</b>			
2.1 ( <i>Introduction</i> )	Introductory text in relation to equipment and operational requirements.	General definitions/introductory text.	Transfer to DSC
2.2 ( <i>User Equipment and User Software</i> )	Sets out requirements in relation to User Equipment and User Software for the purposes of accessing UK Link.	Rules about access to and use of UK Link.	Transfer to DSC

2.3 ( <i>Transporter Available Equipment and Software</i> )	Relates to provision of central equipment and software by CDSP to Users.	Rules about access to and use of UK Link.	Transfer to DSC
2.4 ( <i>Means of Telecommunication</i> )	Means of telecommunication will be set out in UK Link Manual.	Rules about access to and use of UK Link.	Transfer to DSC; may also refer in UNC
2.5 ( <i>Authorised Representative</i> )	States that a User may only have access to UK Link through an Authorised Representative.	Rules about access to and use of UK Link	Transfer to DSC
2.6 ( <i>User Identification and Passcode</i> )	States that Users will be given a UK Link Identity to access UK Link.	Rules about access to and use of UK Link.	Transfer to DSC. May need to refer (eg 2.6.3, 2.6.6) in UNC
2.7 ( <i>Temporary inhibition of access</i> )	CDSP may inhibit access to UK Link in circumstances where User is not complying with its obligations under the UK Link Manual or Code.	Rules about access to and use of UK Link.	Transfer to DSC
2.8 ( <i>Termination</i> )	On termination, User must return all central equipment, return all licenced software and discontinue access to UK Link.	Rules about access to and use of UK Link.	Transfer to DSC (but definition of 'termination' to be discussed)
<b>3. Licence</b>			
3.1 ( <i>Introduction</i> )	Grants licence to each User to have access to UK Link, use licenced software make use of the UK Link Manual.	Rules about access to and use of UK Link.	Transfer to DSC
3.2 ( <i>Restrictions on the use of Licenced Software and the UK Link</i> )	States the restrictions placed on Users in relation to the use of Licenced Software and the UK Link	Rules about access to and use of UK Link.	Transfer to DSC

<i>Manual)</i>	Manual		
3.3 ( <i>Interoperability of Licenced Software</i> )	Provisions in relation to the CDSP providing interoperability information to Users for purposes of allowing licenced software to be used with other software.	Rules about access to and use of UK Link.	Transfer to DSC
3.4 ( <i>Releases</i> )	States that new versions of licenced software will be released and that User must install such new software and destroy superseded versions.	Rules about access to and use of UK Link.	Transfer to DSC
3.5 ( <i>Copyright</i> )	CDSP warrants that licenced software does not infringe copyright and if in the future it does, the licenced software may be modified to make it non-infringing.	Rules about access to and use of UK Link.	Transfer to DSC
3.6 ( <i>Indemnities</i> )	Indemnity given by Users to CDSP in respect to loss resulting from User breaching the provisions of paragraph 3.2 ( <i>Restrictions on the use of Licenced Software and the UK Link Manual</i> ).  Indemnity given by CDSP to Users in respect to loss resulting from CDSP breach of paragraph 3.5 ( <i>Copyright</i> ).	Rules about access to and use of UK Link.	Transfer to DSC (subject to wider discussion about CDSP liabilities)
<b>4. UK Link Communication</b>			
4.1 ( <i>Introduction</i> )	Lists forms of UK Link	Rules about communications under	Retain in UNC. Amend to recognise that SPA communications in Section

	Communications.	the UNC given by UK Link.	G are made with the CDSP as 'counterparty'.
4.2 ( <i>Particular communication facilities</i> )	States that UK Link includes Gateways and Automatic Audit Trails and explains these facilities.	Rules about communications under the UNC given by UK Link.	Retain in UNC but DSC needs to reflect this.  Consider whether the provision of UK Link should be a CDSP Direct Service specified in the UNC (ie in the amended Section U). This might help address the treatment of the UK Link Manual.
4.3 ( <i>T-U On-Line Communication</i> )	Explains what a T-U On-Line Communication is and how it is given and received.	Rules about communications under the UNC given by UK Link.	Retain in UNC
4.4 ( <i>U-T On-Line Communication</i> )	Explains what a U-T On-Line Communication is and how it is given and received.	Rules about communications under the UNC given by UK Link.	Retain in UNC
4.5 ( <i>Batch Transfer Communication</i> )	Explains what a Batch Transfer Communication is and how it is given and received.	Rules about communications under the UNC given by UK Link.	Retain in UNC
4.6 ( <i>Active Notification</i> )	Explains what an Active Notification Communication is and how it is given and received.	[Rules about communications under the UNC given by UK Link.]	Is Active Notification part of the CDSP services?
4.7 ( <i>Audit Trail</i> )	Obligation on both CDSP and Users to maintain audit trail.	Rules about communications under the UNC given by UK Link.	Retain in UNC

<b>5. Trading between Users</b>			
5.1 ( <i>General</i> )	Explains that Users may use UK Link for making User Trade Communications.	[Rules about communications under the UNC given by UK Link.]	May retain in UNC. (Is it actually in use?)
5.2 ( <i>Basis of User Trade Communication</i> )	States that User Trade Communications will be made as a U-T On-Line Communication (although Transporters will not be involved nor be concerned with the User Trade Communication).	[Rules about communications under the UNC given by UK Link.]	Retain in UNC?
5.3 ( <i>Effect of User Trade Communication: Users</i> )	Sets out the effect of User Trade Communications for Users.	[Rules about communications under the UNC given by UK Link.]	Retain in UNC?
5.4 ( <i>Effect of User Trade Communication: Transporter</i> )	Upon User making a User Trade Communication a Trade Notice will automatically be given under Code.  States that Transporter is not concerned with User Trade Communications.	[Rules about communications under the UNC given by UK Link.]	Retain in UNC?
<b>6. Contingency Arrangements</b>			
6.1 ( <i>General</i> )	States that Users and CDSP agree to adopt and implement Contingency Procedures.	Rules about communications under the UNC given by UK Link.	Retain in UNC, but CDSP must agree in DSC to implement.
6.2 ( <i>Code Communication</i> )	In the event of a Code Contingency the Contingency Procedures may provide for Code Communications to be made other than as a UK Link	Rules about communications under the UNC given by UK Link.	Retain in UNC

	<p>Communication.</p> <p>Generally the provisions of Code will still apply during an event of a Code Contingency.</p> <p>Recognises that it may not be possible for some Code Communications to be given during a period of a Code Contingency.</p>		
6.3 ( <i>Class A Contingencies</i> )	States that in the event of a Class A Contingency the application of certain provisions of Code (such as charges) and the timetables for giving certain Code Communications may be modified.	Rules about communications under the UNC given by UK Link.	Retain in UNC
6.4 ( <i>Short-term suspension of access</i> )	The CDSP may temporarily suspend access to UK Link to prevent/remedy degradation to UK Link.	Rules about communications under the UNC given by UK Link.	Retain in UNC
<b>7. Failure of UK Link</b>			
7.1 ( <i>Performance levels</i> )	<p>UK Link has been built to achieve certain Performance Levels over Performance Periods.</p> <p>UK link is not designed and will not be operated to achieve Performance Levels where the Usage Volume exceeds the designed maximum volume.</p>	Rules about access to and use of UK Link.	No provisions required in UNC. To be covered in DSC (provisions on performance levels, contract management, change control).

7.2 ( <i>UK Link operational performance</i> )	Defines what constitutes a "minor" software error and how such error shall be treated/rectified.	Rules about access to and use of UK Link.	To be covered in DSC
7.3 ( <i>Performance liability</i> )	Specifies the cases of performance failure in which a Class 2 Modification must be proposed to rectify such failure.	Rules about access to and use of UK Link.	May be covered in DSC but without liability aspects
7.4 ( <i>Defects not attributable to the Transporter</i> )	Specifies the circumstances that will not represent an error in the UK Link software.	Rules about access to and use of UK Link.	May be covered in DSC
7.5 ( <i>UK Link Performance Monitoring Procedures and Reviews</i> )	States that the UK Link Performance Monitoring Procedures must be implemented and contains provisions regarding the appointment of UK Link Performance Auditor.	Rules about access to and use of UK Link.	May be covered in DSC
7.6 ( <i>Failure Liability</i> )	Specifies liability for a UK Link Failure.	Rules about access to and use of UK Link.	Liability not provided in DSC
<b>8. UK Link Modifications</b>			
8.1-8.6	Introduces concept of UK Link Modification.  Classifies UK Link Modification into Class 1, Class 2 and Class 3 Modifications and sets out applicable process for each.	Rules about change to UK Link  Creation and governance of the UK Link Manual  (Class 1 and Class 3 Modifications apply to both modifications to UK Link System/UK Link Network and UK Link Manual therefore it straddles	Subsumed into DSC change control arrangements.

		two categories.)	
<b>9. Monitoring of the implementation of the UK Link Programme</b>			
9.1-9.3	Shippers must assist with enabling Relevant Agency to prepare report on the implementation of the UK Link Programme by 1 December 2014.	-	This provision seems to be redundant (as the deadline has passed). Delete?  Does not fall into one of the four categories.