

## GT D – ANNEX D-2

### COMMITTEE REPRESENTATIVES

#### 1 Defined terms

1.1 For the purposes of this Annex D-2:

(a) **"Nominating Shipper User"** means:

(i) a Shipper User; or

(ii) where there is more than one relevant Shipper User in a Shipper User Group, a Shipper User which has been authorised by all Shipper Users in that group to make nominations under this Annex D-2 on their behalf;

(b) **"Relevant Date"** means, ~~in~~ respect of the appointment of Shipper User Representatives from 1 ~~April~~October in a year, the preceding 1 ~~January~~April;

(c) **"Shipper User Group"** means a Shipper User, and where another Shipper User is a ~~fifty percent~~per cent (50%) Affiliate of the Shipper User, such Shipper Users taken together, and in relation to a Shipper User Group:

(i) ~~(a)~~ a **relevant** Shipper User is a Shipper User belonging to the Shipper User Group;

(ii) ~~(b)~~ the **relevant** Class is the Class to which the Shipper User Group belongs.

#### 2 Appointment

##### 2.1 Classes of Shipper User Groups

2.1.1 A Shipper User Group is **Class A** if at the Relevant Date the number of Supply Points in respect of which relevant Shipper Users are the Registered User exceeds, in aggregate, one million (1,000,000).

2.1.2 A Shipper User Group is **Class B** if at the Relevant Date:

(a) it is not a Class A Shipper User Group; and

(b) in respect of Supply Points in relation to which relevant Shippers Users are the Registered User, not less than fifty per cent (50%) of such Supply Meter Points comprised in such Supply Points are assigned a Market Sector Code indicating the Supply Point Premises are Non-~~Domestic~~domestic Premises.

2.1.3 A Shipper User Group is **Class C** if it is not Class A or in Class B.

##### 2.2 Shipper User Representatives

2.2.1 The Shipper User Representatives for each DSC Committee shall be appointed as follows:

(a) two (2) representatives shall be appointed by Shipper User Groups in Class A;

- (b) two (2) representatives shall be appointed by Shipper User Groups in Class B;
- (c) two (2) representatives shall be appointed by Shipper User Groups in Class C;

each in accordance with paragraphs 2.2.2, 2.2.3, ~~2.2.4~~2.2.4, 2.2.5 and ~~2.2.5~~2.2.6.

2.2.2 For each DSC Committee a Shipper User Group may nominate up to two (2) individuals to act as a representative of the relevant Class (being in each case an individual who is willing to act as such a representative).

2.2.3 ~~Each~~For each Shipper User Group, the Nominating Shipper User, shall submit to the ~~[Code Administrator]~~:

(a) the names of up to two individuals for each DSC Committee nominated by it by no later than ~~[28 February]~~1 September in a year for the purposes of paragraph ~~2.2.4~~2.2.4, and:

(b) at the same time, a declaration that either:

(i) the Nominating Shipper User is the only Shipper User in the Shipper User Group; or

(ii) the Nominating Shipper User is authorised by all Shipper Users in the relevant Shipper User Group to make such nomination, and such declaration shall identify the names of all Shipper Users in the Shipper User Group.

2.2.4 For each DSC Committee, and for each Class of Shipper User Group, the Shipper User Representatives shall be appointed, (where  $\Sigma_{NI}$  is, ANN is the aggregate number of nominations for each DSC Committee, and for each Class of Shipper ~~Group, the total number of individuals nominated to be a Shipper User Representative,~~ User Group) as follows:

(a) if ~~,  $\Sigma_{NI}$  equals~~ANN is zero (0), then ~~two (2) individuals~~the representatives will be appointed ~~as the Shipper User Representatives in~~in accordance with paragraph 2.2.5;

(b) if ~~,  $\Sigma_{NI}$  equals~~ANN is one (1), then the individual nominated will be appointed as a Shipper User Representative, and the second ~~Shipper User Representative~~representative will be appointed in accordance with paragraph 2.2.5;

(c) if ~~,  $\Sigma_{NI}$  equals~~ANN is two (2), then the individuals nominated are appointed as the Shipper User Representatives;

(d) ~~if,  $\Sigma_{NI}$  is~~If ANN is greater than two (2), then, subject to paragraph ~~(e);~~2.2.6, the two individuals with the highest number of nominations are ~~appointed as the Shipper User Representatives; or~~

~~(e) if:-~~

~~(i)  $\Sigma_{NI}$  is greater than two (2), and~~

~~(ii) more than two (2) individuals share the highest number of nominations, or the next highest number of nominations the [Code Administrator] will pick two of the relevant individuals at random, and the individuals whose names are so picked shall be~~ appointed as the Shipper User Representatives.

2.2.5 Where ~~there is a requirement to appoint a Shipper User Representative to a DSC Committee in accordance with~~ this paragraph ~~(non-Class appointment)~~, ~~[2.2.5 applies~~ the Code Administrator] will notify all Shipper User Groups of the further requirement, to appoint a number of Shipper User Representatives (Shortfall Number of Representatives or SNR) and each Shipper User Group (irrespective of its Class) shall submit to the [Code Administrator] the name of an a number of (up to the SNR) individual(s) nominated by it ~~for the non-Class appointment~~ by no later than ~~[14 March]~~September and the Shipper User Representative(s) shall be appointed, (where  $\Sigma_{NI}$  ASN is the ~~total number of individuals nominated to be the Shipper User Representative~~, aggregate number of nominations for the Shortfall Number of Representatives) as follows:

- (a) if ~~,  $\Sigma_{NI}$  equals one (1)~~, the ASN is not greater than the SNR then the individual(s) nominated will be appointed as the Shipper User Representative(s);
- (b) if ~~,  $\Sigma_{NI}$  -~~ the ASN is greater than ~~two (2)~~ the SNR, then, subject to paragraph ~~(c)~~, 2.2.6, the individual(s) with the highest number of nominations up to the SNR will be appointed the Shipper User Representative; ~~or (s)~~.

2.2.6 ~~(c) where~~ Where for the purposes of making an appointment under paragraphs 2.2.4(d) or 2.2.5(b) two (2) or more individuals ~~share the highest~~ hold an equal number of nominations, the [Code Administrator] ~~will~~ shall pick ~~one of the relevant individuals~~ the individual to be appointed at random, and the individual ~~whose names is~~ so picked shall be appointed ~~as~~ the Shipper User Representative.

## 2.3 NTS Representatives

2.3.1 National Grid NTS shall appoint one representative to each DSC Committee.

## 2.4 DNO Representatives

2.4.1 Each DN Operator shall appoint one representative each to each DSC Committee.

## 2.5 IGT Representative

2.5.1 The Association of Independent Gas Transporters shall appoint one representative to each DSC Committee.

## 3 Retirement

3.1 Each Committee Representative on each DSC Committee shall retire on ~~the 31 March~~ 30 September in each year. A retiring Committee Representative shall be eligible for re-appointment.

3.2 ~~A Shipper User Representative shall be deemed to retire where the Shipper User Representative is the employee of (or is a contractor engaged by) a Shipper User Group, and:~~ Where:

- ~~(a) the Shipper User Group [changes Class] during the period of the Shipper User Representative's appointment;~~
- (a) (b) the a Shipper User Representative ceases to be an employee (or contractor) of the employed or engaged by a Shipper User Group comprised in the Class in respect of which the Shipper User Representative was appointed;

(b) [a] Shipper User Group which employs or engages a Shipper User Representative changes (on the basis of the application of the paragraph 2.1) Class during the period of the Shipper User Representative's appointment.

the relevant Shipper User Representative shall [be deemed] to retire (with effect from the date in respect of which paragraph (a) or (b) applies) and it shall be the responsibility of the relevant Shipper User Group to notify the Code Administrator of the relevant change in circumstance (and the date thereof) in respect of the relevant Shipper User Representative.

- 3.3 Each Shipper User Representative shall be appointed in accordance with paragraph 2 (whether following retirement in accordance with paragraph 3.1 or 3.2). Each Shipper User Representative shall be appointed from 1 ~~April~~October in year (or where appointed following a retirement under paragraph 3.2, from ~~the such~~ later date of such appointment).
- 3.4 National Grid NTS shall, not later than ~~one calendar month before 1 April~~1 September each year, notify the Committee Secretary of the identity of the individual to be appointed as a NTS Representative with effect from the following 1 October.
- 3.5 Each DN Operator shall, not later than ~~one calendar month before 1 April~~1 September each year, notify the Committee Secretary of the identity of the individual to be appointed as its DNO Representative with effect from the following 1 October.
- 3.6 The Association of Independent Gas Transporters shall, not later than ~~one calendar month before 1 April~~September each year, notify the Committee Secretary of the identity of the individual to be appointed as the IGT Representative with effect from the following 1 October.
- 3.7 Each individual who is to be appointed as a Committee Representative shall be entitled to receive notice of any meeting of the relevant DSC Committee which is to take place after the date from which their appointment is effective .
- 3.8 Any Committee Representative who is, pursuant to paragraph 3.1 or 3.2 to retire (and who is not re-appointed) shall not be entitled to receive notice of any meeting of the relevant DSC Committee which is to take place after date from which their ~~appointment~~retirement is ~~effective~~effective.

#### **4 Ceasing to be a Member**

- 4.1 If any Committee Representative shall for whatever reason (other than retirement pursuant to paragraph 3.1 or 3.2) notify the Committee Secretary that he wishes to cease to be a Committee Representative, he shall cease to be a Committee Representative in accordance with the notice (and the Committee Secretary shall inform, in due course, any relevant persons determined by the Committee Secretary).
- 4.2 Where pursuant to paragraph 4.1 or otherwise a vacancy shall arise, in the case of:
- (a) a Shipper User Representative, a replacement shall be appointed as a Shipper Users Representative for the relevant Class in accordance with paragraph 2;
  - (b) a NTS Representative, National Grid NTS shall, by notice to the Committee Secretary, identify another individual to be appointed as a NTS Representative;
  - (c) a DNO Representative, the relevant DN Operator shall notify the Committee Secretary of the identity of a replacement to be appointed as a DNO Representative;

- (d) an IGT Representative, the Association of Independent Gas Transporters may, by notice to the Committee Secretary, identify another individual to be appointed as an IGT Representative.

## **5 Alternates**

- 5.1 A Committee Representative shall not appoint as an alternate an individual who is an existing Committee Representative.
- 5.2 Where a Committee Representative with an appointed alternate [is deemed to retire under paragraph 3.2 or] ceases to be a Committee Representative under paragraph 4, such alternate shall be appointed as the replacement Committee Representative until the following 31 March.

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