

Modification	At what stage is this document in the process?
<h1>0597:</h1> <h2>Rules for the release of incremental capacity at Interconnection Points</h2>	<div style="display: flex; flex-direction: column; align-items: flex-end;"> <div style="border: 1px solid green; background-color: #00a651; color: white; padding: 5px; margin-bottom: 5px;">01 Modification</div> <div style="border: 1px solid blue; background-color: #e6f2ff; padding: 5px; margin-bottom: 5px;">02 Workgroup Report</div> <div style="border: 1px solid purple; background-color: #f2e6ff; padding: 5px; margin-bottom: 5px;">03 Draft Modification Report</div> <div style="border: 1px solid orange; background-color: #fff9e6; padding: 5px;">04 Final Modification Report</div> </div>
<p>Purpose of Modification:</p> <p>To provide a process for acquiring incremental capacity at Interconnection Points that is compliant with the amended EU CAM Code.</p>	
	<p>The Proposer recommends that this modification should be assessed by a Workgroup</p> <p>This modification will be presented by the Proposer to the Panel on 20 October 2016. The Panel will consider the Proposer's recommendation and determine the appropriate route.</p>
	<p>High Impact:</p> <p>National Grid Gas Transmission; Users.</p>
	<p>Medium Impact:</p>
	<p>Low Impact:</p>

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Timetable		
The Proposer recommends the following timetable:		
Initial consideration by Workgroup	14 November 2016	
Workgroup Report presented to Panel	19 January 2017 (short notice)	
Draft Modification Report issued for consultation	19 January 2017	
Consultation Close-out for representations	09 February 2017	
Final Modification Report available for Panel	10 February 2017	
Modification Panel decision	16 February 2017	

1 Summary

What

Following the introduction of EU network code 984/2013 on Capacity Allocation Mechanisms (CAM) into the Uniform Network Code (UNC) - via Modification 500 - there is no current process for releasing and acquiring incremental capacity at Interconnection Points (IPs). This Modification will introduce a framework and rules into the UNC to enable the release of incremental capacity at Interconnection Points.

The Modification is based on the 15th September version of CAM that has not yet been approved via comitology. Due to the short time available prior to implementation in April 2017, it is necessary to proceed on the basis of the current legal text of CAM and amend following completion of comitology.

Why

The EU CAM code is currently being amended to introduce a process for acquiring incremental capacity at IPs. This process shall be reflected in the GB network codes to ensure compliance, and to provide clarity on how the EU wide process fits in with the existing GB commercial framework.

How

The Solution proposed here provides the framework and rules to enable the incremental process to take place. The process consists of the following stages:

- Demand assessment. Rules will be added to clarify how industry can signal interest in incremental capacity to National Grid.
- Design. Following an expression of demand for incremental capacity, then National Grid shall conduct technical studies to evaluate how the capacity can be delivered. National Grid, and adjacent TSOs, shall jointly consult industry on its proposals.
- Regulator approval. Following the industry consultation then National Grid, and adjacent TSOs, shall finalise and submit a project proposal to the Regulator(s). The framework for acquiring the Regulator's approval for the project proposal shall be added to the UNC.
- Allocation. The framework for the allocation mechanism will be added to the UNC. Note: It is National Grid's intent that the allocation mechanism is based, as far as possible, on the existing Planning and Advanced Reservation of Capacity Agreement (PARCA) phase 2 process.

2 Governance

Justification for Authority Direction

This modification is recommended to be sent to the Authority for direction. Introducing an effective process for releasing incremental capacity at IPs may have a material effect on competition in the shipping and transportation of gas, as well as the security of supply for GB if additional entry capacity is released. There will also be differences between rules at IPs and non-IPs for releasing incremental capacity, and so it may be appropriate for these differences to be considered by the Authority.

Requested Next Steps

This modification should:

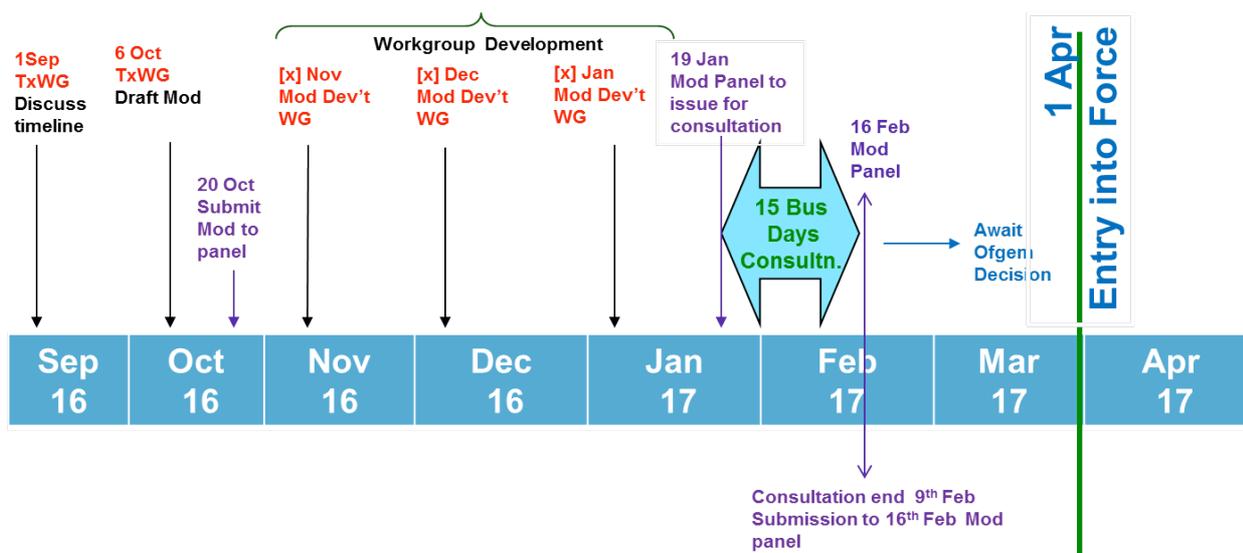
- be subject to Authority Direction

- be assessed by a Workgroup

The process for releasing incremental capacity is quite a substantive one, therefore would benefit from industry discussion, review and comment.

3 Why Change?

The EU CAM code is currently being amended to introduce a process for acquiring incremental capacity at IPs. This process shall be reflected in the GB network codes to provide clarity on how the EU wide process fits in with the existing GB commercial framework. In the event National Grid were to implement the CAM rules without a corresponding UNC modification then there would be a lack of transparency and clarity around the process.



4 Code Specific Matters

Reference Documents

The amended CAM code can be found here:

[insert CAM code document link once available]

The original CAM Code can be found here:

[http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0984,](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0984)

The National Grid website describing the PARCA framework and process can be found here:

<http://www2.nationalgrid.com/UK/Services/Gas-transmission-connections/PARCA-Framework/>

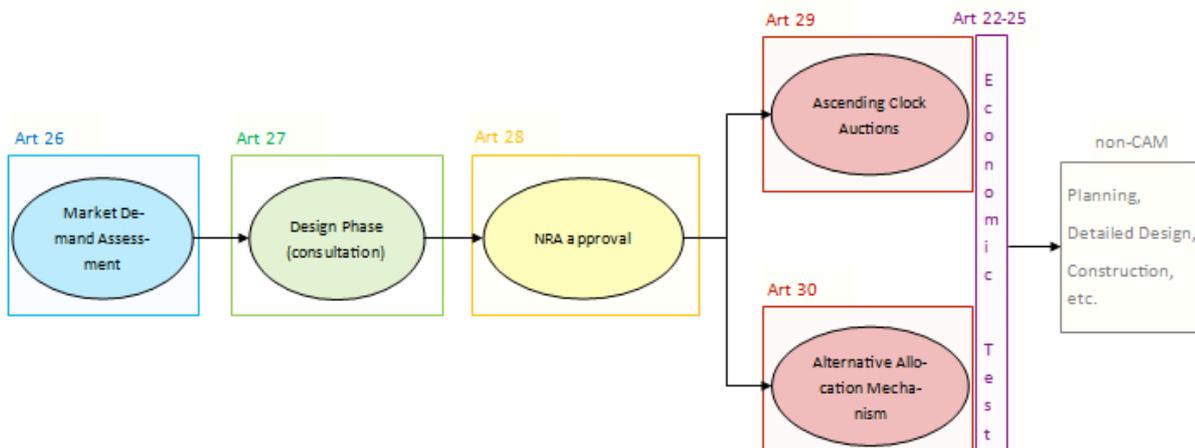
Knowledge/Skills

An understanding of the original EU CAM code, the European Interconnector Document within the UNC (notably section B), and the current GB PARCA process would be beneficial.

5 Solution

Overview (for information only)

This below overview has been added for information purposes to set the context for the sections that follow.



The market demand assessment covers how the market will signal to Transmission System Operators (TSOs) a potential need for capacity at IPs beyond the unsold technical capacity available.

The project design covers technical studies and a TSO led public consultation on the proposed incremental project.

National Regulatory Authorities (NRA) approval covers the finalisation of the Project Proposal followed by a NRA decision on whether the project goes ahead.

The allocation mechanism can be via the standard Annual Yearly Auctions at IPs, or an alternative mechanism can be proposed under the Project Proposal.

Any allocation or reservation of capacity will be subject to an economic test.

CAM does not cover rules for gaining planning consent or for construction however, these naturally remain a necessary part of the process for creating incremental capacity.

End of 'For Information'.

Demand Assessment

1. Biennial Process

- 1.1. The market will be able to submit demand indications to National Grid for a window of 8 weeks, starting from the moment the Annual Yearly auction opens.
- 1.2. The first demand indication window will take place in 2017 and subsequently must take place at least in odd numbered years.
- 1.3. Any interested party can submit a demand indication (i.e. party does not need to be a User).
- 1.4. Demand indications are non-binding and shall include the following information:
 - 1.4.1. the two or more adjacent entry-exit systems between which demand for incremental capacity is expressed and the requested direction;
 - 1.4.2. The gas years for which a demand for incremental capacity is expressed;
 - 1.4.3. The amount of capacity demanded between the respective entry-exit systems in each gas year (a range is permitted);

- 1.4.4. Information on non-binding demand indications which were or will be submitted to other transmission system operators, in case such indications are linked to each other, such as demand for capacities at several related IPs;
- 1.4.5. Whether the demand expressed is subject to any conditions relating to 1.4.1 to 1.4.4 above;
 - 1.4.5.1. Demand is linked to demand at other interconnection points.
 - 1.4.5.2. Demand is linked to demand expressed across a number of different years.
 - 1.4.5.3. Demand is linked to a minimum acceptable quantity.
- 1.4.6. Contact details for the party.
- 1.5. National Grid will confirm receipt of a demand indication within 2 business days. Demand indications will be included in the demand assessment report where they are considered to be competent by NG.
- 1.6. If a demand indication is received late (i.e. after the window shuts), then National Grid shall, in its discretion, decide whether to include the additional demand indication in the ongoing demand assessment phase or not.
- 1.7. National Grid shall respond to demand indications within 16 weeks of the start of the Annual Yearly auction, or in the case of late demand indications within 8 weeks after receiving it.
- 1.8. The response shall provide at least the following information:
 - 1.8.1. Confirmation that the demand indication is competent (as per paragraph 1.11 below).
 - 1.8.2. Confirmation that the demand indication will be considered in the ongoing demand assessment;
 - 1.8.3. Where demand indications are received late and are not being considered in the ongoing demand assessment, whether the demand assessment process will be initiated in the following (even) year to consider them;
 - 1.8.4. Confirmation, and justification, of which demand assessment report the indicated demand will be assessed in, if not in 1.8.1 and 1.8.2.
- 1.9. NG will consider a demand indication to be competent where:
 - 1.9.1. All the information required under 1.4 has been correctly and fully submitted.
 - 1.9.2. The relevant fee has been paid and is available to National Grid in cleared funds.
- 1.10. A demand assessment report will be produced and published within 16 weeks of the start of the Annual Yearly auction.
- 1.11. The demand assessment report shall take into account the following criteria:
 - 1.11.1. whether the Community-wide Ten Year Network Development Plan (TYNDP) identifies a physical capacity gap whereby a specific region is undersupplied in a reasonable peak scenario and where offering incremental capacity at the IP in question could close the gap; or a national NDP identifies a concrete and sustained physical transport requirement;
 - 1.11.2. whether no yearly standard capacity product linking two adjacent entry-exit systems is available in the annual yearly capacity auction for the year in which incremental capacity could be offered for the first time and in the three subsequent years, because all the capacity has been contracted;
 - 1.11.3. whether network users submitted non-binding demand indications requesting incremental capacity for a sustained number of years and all others economically efficient means for maximising the availability of existing capacity are exhausted;
 - 1.11.4. whether the incremental capacity would result in stranded costs of other non-depreciated gas infrastructure in the same and neighbouring entry-exit systems due to insufficient use of existing capacity.
- 1.12. The market demand assessment report shall include at least the following:
 - 1.12.1. a conclusion on whether to initiate an incremental capacity project (i.e. whether to proceed to the design phase);
 - 1.12.2. the aggregated non-binding demand indications received during the latest demand indication window;
 - 1.12.3. the aggregated non-binding demand indications that were received before the latest demand indication window was opened, and have been rolled forward to be considered at this time;
 - 1.12.4. The aggregated non-binding demand indications that were received after the latest demand indication window shut, but will still be considered at this time;

- 1.12.5. An assessment of the expected amount, direction and duration of demand for incremental capacity at the common interconnection points with each adjacent entry-exit system or interconnectors.
- 1.12.6. a conclusion on whether, for which interconnection points and for which expected demand level, technical studies for incremental capacity projects will be conducted;
- 1.12.7. provisional timelines for the incremental capacity project, technical studies and the consultation described in the design phase;
- 1.12.8. what fees, if any, will be applied;
- 1.12.9. the types and, where available, the aggregated size of conditional demand indications received.
- 1.13. National Grid shall use the standard templates for the demand assessment reports as provided by ENTSOG.
- 1.14. National Grid shall publish point(s) of contact for the project, and keep this up to date as the project progresses.

2. Ad-hoc (open season) Process

- 2.1. A demand indication can be submitted by a party at any time outside the biennial demand assessment process. The information provided will be as per paragraph 1.4.
- 2.2. Upon receiving a demand indication then NG will confirm receipt to the relevant party within 2 business days.
- 2.3. If a demand indication is received outside the biennial demand assessment window, then National Grid shall, in order of preference:
 - 2.3.1. Where possible accept the demand indication (subject to competency) and incorporate the demand into any existing incremental project at the IP; or
 - 2.3.2. Open an ad-hoc demand assessment window, subject to agreement from other relevant TSOs;
 - 2.3.3. Inform the applicant when its demand can be considered if not 2.3.1 or 2.3.2, and provide justification why it cannot be considered under 2.3.1 or 2.3.2.
- 2.4. Ad-hoc demand indications will be checked for competency in line with paragraph 1.10.
 - 2.4.1. An ad-hoc demand indication window will be opened for 8 weeks, unless otherwise specified by NGG.
- 2.5. The ad-hoc window will open by no later than the latter of:
 - 2.5.1. 5 business days after the initial competent ad-hoc demand indication is received.
 - 2.5.2. The earliest time acceptable to other relevant TSOs (that have been identified as relevant through the demand indication(s));
- 2.6. Within 8 weeks of the closure off the ad-hoc demand indication window then National Grid will produce an ad-hoc demand assessment report.
- 2.7. The content of the ad-hoc demand assessment report will be the same as for the biennial demand assessment report i.e. requirements as per paragraphs 1.13 and 1.14.

Design Phase

3. Joint Consultation

- 3.1. National Grid and the adjacent TSO(s) shall conduct a joint consultation on its proposals to deliver incremental capacity and this shall take place by no later than 12 weeks from the start of the design phase.
- 3.2. The duration of the consultation shall be no less than 1 month and no greater than 2 months, and this shall be clearly specified in the consultation when it is issued.
- 3.3. The consultation shall cover at least the following elements:
 - 3.3.1. A description of the incremental capacity project, including a cost estimate;
 - 3.3.2. The offer levels (for bundled capacity products) at the IP;

- 3.3.3. The proposed allocation mechanism, including justification if an alternative allocation mechanism is proposed;
- 3.3.4. Provisional timelines of the incremental capacity project;
- 3.3.5. General rules and conditions that a User must accept to participate and access capacity in the binding capacity allocation phase of the incremental capacity process, including any collateral to be provided by network users and how possible delays in the provision of capacity or the event of a disruption to the project are dealt with contractually;
- 3.3.6. Where a fixed price approach is followed then the elements IND and RP, as defined in the Tariffs code, will be provided;
 - 3.3.6.1. IND is the chosen index;
 - 3.3.6.2. RP is the risk premium to be applied.
- 3.3.7. The f-factor (as defined in the CAM code);
- 3.3.8. Any additional demand indications received after the demand indication window shut;
- 3.3.9. Whether the incremental capacity is likely to result in a sustained, significant decrease in the utilisation of other non-depreciated gas infrastructure in the same and adjacent entry-exit systems or along the same gas transport route.

Regulator Approval

4. Project Proposal

- 4.1 Following completion of the consultation, National Grid and the adjacent TSO(s) shall prepare a project proposal for submission to the relevant National Regulatory Authorities (NRAs) and for publishing.
- 4.2 The project proposal shall be submitted to the NRAs by no later than the latter of:
 - 4.2.1 3 months following the end of the consultation;
 - 4.2.2 The earliest time acceptable to the other relevant TSOs.
- 4.3 The project proposal shall include, at least, the following information:
 - 4.3.1 All offer levels, reflecting the range of expected demand for incremental capacity at the relevant IP;
 - 4.3.2 The general rules and conditions that a User must accept to participate and access capacity in the binding capacity allocation phase of the incremental capacity process, including any collateral to be provided by network users and how possible delays in the provision of capacity or the event of a disruption to the project are dealt with contractually;
 - 4.3.3 Timelines of the incremental capacity project, including any changes since the consultation, and measures to prevent delays and minimise the impact of delays;
 - 4.3.4 The parameters to be used in the economic test:
 - 4.3.4.1 The present value of binding commitments of network users for contracting capacity is derived from the following parameters:
 - 4.3.4.1.1 estimated reference price;
 - 4.3.4.1.2 potential auction premium;
 - 4.3.4.1.3 mandatory minimum premium.
 - 4.3.4.2 The present value of the estimated increase in the allowed revenue of National Grid;
 - 4.3.4.3 The f-factor (as defined in the CAM code).
 - 4.3.5 Whether an exceptionally extended horizon for contracting capacity for an additional period of up to 5 years beyond the allocation of up to 15 years after the start of operational use may be required.
 - 4.3.6 The proposed alternative allocation mechanism and its justification, including the conditional commitments allowed under such a mechanism.
 - 4.3.7 Where a fixed price approach is followed for the incremental capacity project, the following elements (described in Article 33(2)(b)) of the Tariffs code:
 - 4.3.7.1 The applicable price for a gas year at the time when the product is auctioned;
 - 4.3.7.2 The chosen index (IND);
 - 4.3.7.3 The risk premium applied (RP).

5 Joint Notice

- 5.1. Upon publication of the NRAs' decision on the incremental project, then National Grid and the adjacent TSO(s) shall prepare and publish, jointly, a notice with at least the following information:
- 5.1.1. The information contained in the project proposal;
 - 5.1.2. The contract(s) relating to the capacity offered;
 - 5.1.3. The actual costs incurred by National Grid in completing the design work and whether there is any corresponding adjustment in the demand indication fee;
 - 5.1.4. Whether there is a need for reinforcement works.
- 5.2. The joint notice shall be published by no later than 2 months before the offer of incremental capacity in the annual yearly auction. Following publication of the joint notice then the project will move to the allocation phase, which will be either the standard allocation mechanism or the alternative allocation mechanism as per the approved Project Proposal.

Allocation

6. Alternative Mechanism

- 6.1. The project proposal shall state the proposed allocation approach (being auctions or an alternative mechanism). The rules for allocation via the alternative allocation mechanism will be contained within the project proposal (as required by paragraph 4.3) for NRA approval on a case by case basis.

For information only – it is National Grid's intent to propose the use of the existing PARCA phase 2 methodology in the project proposal for any incremental projects. This means the capacity will be reserved via a PARCA contract alongside a security deposit. The PARCA contract will contain all the information regarding the Reservation Date, Allocation Date, Security Requirements, Termination, Demonstration, User Nomination etc. The following amendments to the process should be noted:

- The 28 days at the start of phase 2 to submit a binding commitment may be varied by National Grid in order to align with other relevant TSOs, and in order to avoid overlap with any other existing auction or application processes affecting the relevant gas years.
- Conditional commitments may be made e.g. a commitment at Bacton/Moffat may be linked to a commitment at other EU IPs.
- The economic test will be amended in line with the requirements of CAM.
- No requirement to run an ad-hoc QSEC auction (as regular one will naturally take place within time).

End of 'For Information'.

Other

7. Demand Indication Fee

- 7.1. A fee will be required to achieve competency and will be payable by each party submitting a demand indication.
- 7.2. The fee will replace the PARCA Application Fee, but shall be equivalent in value to it.
- 7.3. The fee will be returned in full to the party if:
- 7.3.1. An incremental project is not initiated following publication of the demand assessment report;
 - 7.3.2. The economic test for an incremental project is positive.
- 7.4. Conversely the fee will be retained by National Grid if the economic test is negative. For the avoidance of doubt this includes where parties submit nil submissions into the economic test.

7.5. Where a fee is retained by National Grid then it will be reconciled against actual costs incurred, between the publication of the demand assessment report and the publication of the Joint Notice, by National Grid in progressing the incremental project.

6 Impacts & Other Considerations

Does this modification impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?

No impact identified.

Consumer Impacts

Slightly positive. There has been no process for releasing incremental capacity at Interconnection Points since the introduction of the original EU CAM code in Nov 2015. These rules will facilitate the release of incremental capacity to the GB market which in turn could increase gas supplies to GB, facilitate competition and so be of benefit to consumers.

Cross Code Impacts

None identified.

EU Code Impacts

This UNC modification proposal demonstrates how GB will comply with the incremental part of the amended EU CAM code. There are also some links into the Tariffs code, and these have been flagged as such in the solution.

Central Systems Impacts

These will be investigated as part of the Workgroup assessment. Any change to systems identified through this Modification is anticipated to be dealt with, and funded, through National Grid's EU Phase 4 project.

User Pays

User Pays	
Classification of the modification as User Pays, or not, and the justification for such classification.	No User Pays service would be created or amended by implementation of this modification and it is not, therefore, classified as a User Pays Modification.
Identification of Users of the service, the proposed split of the recovery between Gas Transporters and Users for User Pays costs and the justification for such view.	n/a
Proposed charge(s) for application of User Pays charges to Shippers.	n/a
Proposed charge for inclusion in the Agency Charging Statement (ACS) – to be completed upon receipt of a cost estimate from Xoserve.	n/a

7 Relevant Objectives

Impact of the modification on the Relevant Objectives:	
Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	None
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.	None
c) Efficient discharge of the licensee's obligations.	None
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.	None
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.	None
f) Promotion of efficiency in the implementation and administration of the Code.	None
g) Compliance with the Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	Positive

This Modification furthers relevant objective g) Compliance with the Regulation...because it introduces an incremental process which reflects the amendment to EU CAM network code (Regulation 984/2013).

8 Implementation

No implementation timescales are proposed.

The European Commission has specified that this Regulation should come into effect on 1st April 2017, however it is currently anticipated that the demand assessment phase begins on the 6th March 17 as it is tied to the date of the 2017 Annual Yearly auction. The Authority decision should take account of these timelines.

9 Legal Text

Text Commentary

To be provided during the workgroup process.

Text

To be provided during the workgroup process.

10 Recommendations

Proposer's Recommendation to Panel

- Refer this proposal to a Workgroup for assessment.