

DRAFT 19 May 2015

MODIFICATION 0525

DRAFT LEGAL TEXT - ATTACHMENT A

Modification 0525 will modify EID Sections A (General), B (Capacity), C (Nominations) and D (Allocation) and Transition Document Part V. The draft text has been prepared as a mark-up of those Sections as they will appear following Modifications 0493 and 0500 (currently awaiting Ofgem approval) and 0510 and 0519 (currently in consultation) if those Modifications are approved.

UNC TRANSITION DOCUMENT

PART V – EUROPEAN INTERCONNECTION DOCUMENT

PART VA – GENERAL

1 Interpretation

1.1 In this Part VA:

- (a) terms defined in the Transportation Principal Document or the European Interconnection Document have the meanings given to them in those Documents;
- (b) **CAM Effective Date** means 1 November 2015;
- (c) **CAM Operational Date** means, in relation to an Interconnection Point, the date, not earlier than the EID Implementation Date and not later than the CAM Effective Date, determined and published by National Grid NTS as the date on which certain communications under EID Section B can first be made in relation to that Interconnection Point;
- (d) a reference to a Gas Year 20XX/XY is to the Gas Year which starts 1 October 20XX and ends 30 September 20XY.

1.2 For the purposes of this Part VA, where a provision (relevant provision) of the Code is effective from a particular Gas Flow Day ('D') the Code including the relevant provision shall be effective in respect of deliveries of gas to, offtakes of gas from and gas flows in the Total System (and for avoidance of doubt including the holding of System Capacity) on and from Gas Flow Day D.

1.3 Pursuant to paragraph 1.2, where and to the extent that under the Code any communication, determination or other thing in relation to the Gas Flow Day may be or is to be given, made or done:

- (a) on any Day before the Gas Flow Day, the Code including the relevant provision shall apply, in relation to Gas Flow Day D and each subsequent Gas Flow Day, on Days before such Gas Flow Day,
- (b) on any Day after the Gas Flow Day, the Code without the relevant provision shall apply, in relation to Gas Flow Day D-1 and each preceding Gas Flow Day, on Days after such Gas Flow Day,

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in relation to such communications, determinations and other things.

1.4 Where, in relation to an Interconnection Point and a particular provision of the European Interconnection Document, the Interconnection Agreement specifies a Day (later than the Day or Gas Flow Day from which, under this Part VA, that provision is to be effective) from which the Adjacent TSO will be able to give and receive the communications necessary for the operation of that provision, that provision shall be effective from the Day or Gas Flow Day so specified.

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2 EID Section A

2.1 General

2.1.1 Subject to paragraphs 1.4 and 2.2, the provisions of EID Section A shall be effective from the EID Implementation Date.

2.1.2 Notice given by a User prior to 1 October 2015 under any provision of the Transportation Principal Document or an Ancillary Agreement of the User's intention to hold System Capacity or nominate gas for offtake or delivery at an Interconnection Point shall satisfy the requirement under EID Section A2.4.1 in relation to that Interconnection Point.

2.2 Europe Reference Conditions

2.2.1 The provisions of EID Section A1.5 shall be effective from Gas Flow Day 1 April 2016.

3 EID Section B

3.1 General

3.1.1 Subject to paragraph 1.4, the provisions of EID Section B shall be effective in accordance with this paragraph 3.

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3.2 Commencement of EID Section B

3.2.1 The first Auctions to be held under the provisions of EID Section B shall be in respect of the Capacity Periods set out in the table below; and the provisions of EID Section B shall come into force accordingly:

Auction	Capacity Period
Annual Yearly Auctions	Gas Years 2016/17 to 2030/31
Annual Quarterly Auctions	Quarters in Gas Year 2016/17
Rolling Monthly Auctions	December 2015
Rolling Day-ahead Auctions, Interruptible Rolling Day-ahead Auctions and Within-Day Auctions	1 November 2015

3.2.2 The last periods in respect of which System Capacity will be allocated, or NTS Entry Capacity for a month surrendered, at Interconnection Points under the provisions of TPD Sections B2 and B3 referred to in EID Section B1.8, shall be as set out in the table below; and those provisions shall cease to have effect in respect of Interconnection Points (and EID Section B1.8 shall come into force) accordingly:

System Capacity	Period
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Quarterly NTS Entry Capacity - annual QSEC invitation	Calendar quarters in the Gas Years 2016 to 2030
Monthly NTS Entry Capacity – annual AMSEC invitation	Calendar months April 2015 to March 2016 inclusive
Monthly NTS Entry Capacity - rolling monthly surrender invitation and rolling monthly invitation	October 2015
Daily NTS Entry Capacity, Daily Interruptible NTS Entry Capacity,	31 October 2015
Annual NTS Exit (Flat) Capacity	Gas Years 2015 to 2017 inclusive
Daily NTS Exit (Flat) Capacity and Offpeak Daily NTS Exit (Flat) Capacity	31 October 2015

- 3.2.3 EID Section B2.1.1 applies only in respect of the allocation (and EID Sections B1.1.3 and B1.6.6 apply in respect of the acquisition) of Interconnection Point Capacity in respect of Capacity Periods commencing with the Capacity Periods set out in paragraph 3.1; and accordingly those Sections do not affect the acquisition or holding by a User of System Capacity at an Interconnection Point, for any period which falls in whole or part on or after the CAM Effective Date, which was allocated under any provision of TPD Section B prior to such provision ceasing to be effective in accordance with paragraph 3.2.
- 3.2.4 A User may not submit, in relation to an Interconnection Point:
- (a) a request to Bundle Interconnection Point Capacity under EID Section B6.4;
 - (b) a Surrender Offer under EID Section B7; or
 - (c) notification of a System Capacity Transfer in accordance with EID Section B9;
- before the CAM Operational Date in relation to that Interconnection Point.
- 3.2.5 With effect on and from the CAM Operational Date in relation to an Interconnection Point, notification of a System Capacity Transfer for a Transfer Period which falls (in whole or part) after the CAM Effective Date may only be submitted in accordance with EID Section B9.
- 3.2.6 All Surrender Offers in relation to an Interconnection Point received by National Grid NTS no later than the Day before the CAM Effective Date shall be deemed for the purposes of EID Section B7.3.3(a) to have been submitted at the start of the CAM Effective Date.
- 3.2.7 For the avoidance of doubt, in accordance with EID Section B1.6, until such time as the CPO Rules and Processes recognise Interconnection Point Capacity expressed in kWh/Day (as opposed to kWh/hour), Users will not be able to submit communications or otherwise participate in CPO Activities in respect of Interconnection Points at which Interconnected System Capacity is expressed only in kWh/Day.
- 3.3 Enduring Annual NTS Exit (Flat) Capacity**
- 3.3.1 Paragraph 3.2 does not apply in respect of Enduring Annual NTS Exit (Flat) Capacity.
- 3.3.2 Applications for Enduring Annual NTS Exit (Flat) Capacity may be made (subject to and in accordance with the provisions of TPD Section B3.2) up to and including but not after the Annual Application Window in July 2015 (or in the case of TPD Section B3.2.3(b), 30 June 2015); and, in relation to applications for Enduring Annual NTS Exit (Flat) Capacity at

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Interconnection Points, those provisions shall cease to have effect (and EID Section B1.8 shall come into force) accordingly.

3.3.3 Paragraphs 3.3.4 applies where (pursuant to an application made under the provisions of TPD Section B3.2 prior to such provisions ceasing to be effective in accordance with paragraph 4.2), at the CAM Effective Date, a User is registered as holding Enduring Annual NTS Exit (Flat) Capacity at an Interconnection Point (including for the avoidance of doubt Enduring Annual NTS Exit (Flat) Capacity to be held with effect from a Day falling after the CAM Effective Date).

3.3.4 Where this paragraph 3.3.4 applies:

- (a) the User will continue (subject as provided in TPD Section B3.1.5(c)(i), (ii) and (iii), and subject to paragraph (c) below) to hold such Enduring Annual NTS Exit (Flat) Capacity until and including the Day before the EANE(F)C Expiry Date;
- (b) on and with effect from the EANE(F)C Expiry Date the User shall cease to hold such Enduring Annual NTS Exit (Flat) Capacity;
- (c) the provisions of TPD Section B3.2.14 to B3.2.24 shall continue to apply (up to the EANE(F)C Expiry Date in respect of the reduction of Enduring Annual NTS Exit (Flat) Capacity; but such provisions do not apply after the CAM Effective Date in respect of the increase of Enduring Annual NTS Exit (Flat) Capacity.

3.3.5 The **EANE(F)C Expiry Date** in relation to Enduring Annual NTS Exit (Flat) Capacity which a User is registered as holding is:

- (a) 1 October 2020, or
- (b) if later, the Day following the expiry of the Commitment Period or such earlier date (not earlier than 1 October 2020) as National Grid may in its discretion and of its initiative decide and notify to the User on the basis of the principles in TPD Section B3.2.17(a).

3.3.6 For the avoidance of doubt paragraph 3.3.4(b) applies irrespective of whether the User's Available NTS Exit (Flat) Capacity would become negative as a result.

3.3.7 Paragraph 3.3.8 applies where (pursuant to an application made under the provisions of TPD Section B3.2 prior to such provisions ceasing to be effective in accordance with paragraph 3.2.2), at the CAM Effective Date, a User is registered as holding NTS Exit (Flat) Capacity at an Interconnection Point (including for the avoidance of doubt Enduring Annual NTS Exit (Flat) Capacity to be held with effect from a Day falling after the CAM Effective Date).

3.3.8 Where this paragraph 3.3.8 applies, the provisions of TPD Section B6 as to System Capacity Assignment shall continue to apply in respect of such Registered NTS Exit (Flat) Capacity, but in the case of Enduring Annual NTS Exit (Flat) Capacity subject to paragraph 3.3.4 which shall apply equally in respect of the Assignee User.

3.4 Overrun Charges

3.4.1 For the purposes of TPD Section B2.12.3, in respect of any Day on or after the CAM Effective Date in relation to which NTS Entry Capacity at an Interconnection Point was allocated under TPD Section B2.2, B2.3 or B2.4, 'A' shall be the highest of all of the prices referred to in TPD Section B2.12.3(a) and EID Section B10.3.1(a).

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3.4.2 For the purposes of TPD Section B3.13.3, in respect of any Day on or after the CAM Effective Date in relation to which NTS Exit (Flat) Capacity at an Interconnection Point was allocated under TPD Section C3.4 or C3.5, 'A' shall be the highest of all of the prices referred to in TPD Section B3.13.3(a) and EID Section B10.3.2.

4 EID Section C

4.1 ~~Subject to paragraph 1.4, the provisions of EID Section C shall be effective from the Gas Flow Day 1st October 2015.~~

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5 EID Section D

5.1 ~~Subject to paragraph 1.4, the provisions of EID Section D shall be effective from the Gas Flow Day 1st October 2015.~~

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5.2 For the purposes of EID Section D1.2.1(e):

- (a) subject to paragraph (b), for each Interconnection Point, the Cumulative Steering Difference is zero for 30 September 2015;
- (b) in relation to an Interconnection Point which is established after 1 October 2015, the Cumulative Steering Difference is zero for the Day before the commencement of commercial operations at the Interconnection Point as determined under the Interconnection Agreement.

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PART VB - INTERCONNECTION AGREEMENTS

1 Power to amend and enter into agreements

- 1.1 Notwithstanding any provision of TPD Section I or Section J or any of the Ancillary Agreements, National Grid NTS may, without the agreement or consent of any User, agree to amend each Interconnection Agreement (including Network Entry Provisions and Network Exit Provisions contained in such Interconnection Agreement), and may enter into each Tripartite Agreement, so as to be in the form which is submitted by the Adjacent TSO to, and approved by, the Authority pursuant to Standard Licence Condition 3(1) of the Interconnector Licence held by the Adjacent TSO.
- 1.2 The provisions of this Part VB apply separately in respect of each Interconnection Agreement and Tripartite Agreement.
- 1.3 Each Ancillary Agreement shall be deemed modified to permit the Interconnection Agreement to be amended as provided in paragraph 1.
- 1.4 Before the Adjacent TSO submits the proposed amended Interconnection Agreement or (as the case may be) proposed Tripartite Agreement to the Authority for approval, National Grid NTS will consult with Users in respect of the Relevant Provisions, as follows:
- (a) National Grid NTS will send the proposed Relevant Provisions to Users and invite Users to comment on the proposed Relevant Provisions within a period of four weeks from when the proposed Relevant Provisions are sent to Users (and for avoidance of doubt the four week period may have started before the Code was modified to include this Part VB);
 - (b) National Grid NTS may send minor changes to the proposed Relevant Provisions to Users up to two weeks before the end of such four week period;
 - (c) National Grid NTS may extend the period within which Users may comment on the proposed Relevant Provisions;
 - (d) National Grid NTS will consider the comments made by Users under paragraph (a) and may agree with the Adjacent TSO to amend the proposed Relevant Provisions on the basis of such comments, and will send (or arrange for the Adjacent TSO to send) to the Authority such comments no later than when the Adjacent TSO submits the proposed amended Interconnection Agreement or (as the case may be) proposed Tripartite Agreement to the Authority for approval.
- 1.5 The powers contained in this Part VB may not be exercised by National Grid NTS in relation to each Interconnection Agreement on more than one occasion, and such powers lapse on 1 October 2015.

2 Interpretation

2.1 For the purposes of this Part VB:

- (a) the **Interconnection Agreements** are:
 - (i) the Interconnection Agreement dated 25 August 1998 between National Grid Gas plc and Interconnector (UK) Limited (as amended and restated);

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- (ii) the Interconnection Agreement dated 25 August 1998 between National Grid Gas plc and GNI (UK) Limited (formerly BGE (UK) Limited) (as amended and restated); and
 - (iii) the Interconnection Agreement dated 21 April 2009 between National Grid Gas plc and BBL Company V.O.F (as amended and restated);
- (b) the **Ancillary Agreements** are:
- (i) the Ancillary Agreement in respect of the UK-Continent Interconnector dated 25 August 1998 between National Grid Gas plc and the Users listed in Part 2 of Schedule 1 to the Ancillary Agreement (as amended and restated);
 - (ii) the Ancillary Agreement in respect of the GB-Ireland Interconnector dated 25 August 1998 between National Grid Gas plc and the Users listed in Part 2 of Schedule 1 to the Ancillary Agreement (as amended and restated); and
 - (iii) the Ancillary Agreement in respect of the BBL Interconnector dated 18 November 2010 between National Grid Gas plc and the Users listed in Part 2 of Schedule 1 to the Ancillary Agreement (as amended and restated);
- (c) the **Tripartite Agreements** are:
- (i) the Tripartite Agreement to be entered into between National Grid Gas plc, GNI (UK) Limited and Premier Transmission Limited;
 - (ii) the Tripartite Agreement to be entered into between National Grid Gas plc, GNI (UK) Limited and Gas Networks Ireland Limited;
- (d) **Relevant Provisions** are the following provisions of an Interconnection Agreement or Tripartite Agreement:
- (i) Network Entry Provisions;
 - (ii) Network Exit Provisions;
 - (iii) provisions agreed between the TSOs to give effect to:
 - (aa) the provisions of EID Section B relating to Bundled Interconnection Point Capacity;
 - (bb) the provisions of EID Section C relating to the functions of Initiating TSO and Matching TSO;
 - (cc) the provisions of EID Section D as to the Operational Balancing Account and the determination of Users' UDQIs and UDQOs;so far as such provisions provide for or directly affect how the arrangements between Users and National Grid NTS under the EID operate;
- (e) provisions governing communication between TSOs in exceptional events.

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