

UNC Workgroup 0509 Minutes
Permission to release Protected Information to an Authorised
Third Party for Performance Assurance settlement risk analysis
Thursday 23 April 2015
at ENA, Dean Bradley House, 52 Horseferry Road,
London SW1P 2AF

Attendees

Bob Fletcher (Chair)	(BF)	Joint Office
Mike Berrisford (Secretary)	(MB)	Joint Office
Alex Ross-Shaw	(ARS)	Northern Gas Networks
Andy Clasper	(AC)	National Grid Distribution
Andrew Margan	(AM)	British Gas
Chris Warner	(CW)	National Grid Distribution
Colette Baldwin	(CB)	E.ON UK
David Mitchell	(DM)	Scotia Gas Networks
Gareth Davies*	(GD)	National Grid NTS
Hilary Chapman	(HC)	Xoserve
Kirandeep Samra	(KS)	Npower
Kirsten Elliott-Smith	(KES)	Cornwall Energy
Lorna Lewin	(LL)	DONG Energy
Mark Jones*	(MJ)	SSE
Mark Lyndon*	(ML)	National Grid NTS

* via teleconference

Copies of all papers are available at: <http://www.gasgovernance.co.uk/0509/230415>

The Workgroup Report is due to be presented at the UNC Modification Panel by 18 June 2015.

1. Review of Minutes and Actions

1.1. Minutes

The minutes of the previous meeting were accepted.

1.2. Actions

There were no outstanding actions to consider.

2. Workgroup Discussion

2.1 Consideration of Amended Modification

During an onscreen review of the amended modification, CB explained that the latest set of amendments follow the receipt of further feedback from A Miller, Xoserve. In short the rationale behind these latest changes focuses on the removal of some Performance Assurance Framework (PAF) specific aspects. In acknowledging that further amendments might be required in due course, CB invited parties to provide feedback.

Section 1 – Solution - discussions focused on what/who constitutes an ‘Authorised Third Party’ and how these would be designated, with one option suggested being

via formal UNCC approval of the release of information by Xoserve. When asked CB confirmed that a view from Ofgem had not been sought on the provision of information to third parties. BF suggested there is an existing process, which is User Pays for the provision of information to MAMs.

In essence what the modification is seeking to introduce is a high-level process whereby Users are able to request the provision of 'protected' information (in short, an 'enabling' modification).

Moving on to focus on the proposed Business Rules (BRs) contained within 'Section 3 – Solution' the consensus of the Workgroup is that these are 'fit for purpose' as drafted.

AM wondered whether or not a modification that seeks to provide a framework to facilitate access to (users) data qualifies as a self-governance modification. BF pointed out that the 21 August 2014 Panel meeting did not believe that the self-governance criteria had been met.

CW highlighted that the release of information/data is clearly defined within UNC TPD Section V, paragraph 5. CB reminded those present that she has previously stated that where personal data is concerned, the Workgroup would need to consider how this is best anomalised to avoid invoking Data Protection issues. Whilst indicating that she would be happy to approach Ofgem for its view on this matter, she would prefer to develop the modification further before doing so.

BF wondered whether it would be beneficial to consider developing a register of which parties had been granted access, and to what information. AM made reference to the MRAP15 process, whilst CB explained that she is proposing treating each application in isolation on an individual basis – a party previously granted permission would not necessarily (or automatically) be granted the same permission for any subsequent requests.

When asked about the possible utilisation of 'Sponsors', AM explained that this would be reflective of existing industry practises such as the electricity market side.

Whilst AM suggested that it would be crucial to ensure that the correct confidentiality aspects between parties are put in place, other parties remained deeply concerned about the definitions and tensions between what is seen as personal or confidential data/information and some of the principles behind the modification which they believe could/would potentially lead to Data Protection related issues. AM noted that justification for the releasing of data/information, personal or otherwise, would be key to the success of the proposed process and the granularity level of the information concerned would have a bearing. He believes that once the business rules have been bottomed out, Transporters would be able to seek a legal view on the matter. CB provided a brief summary of the twelve definitions for personal data as supplied by the Data Protection Agency.

CB agreed to consider including a high-level approvals process, MRAP15 and Data Protection Agency aspects (looking at UNC Modification 0530 as a reference) within an amended version of the modification in due course. CB pointed out that the Data Protection Act should not be used as a barrier for the provision of information if there is clear justification for the data being used.

2.2 Consideration of Legal Text

CW voiced his concern that the proposals potentially relate to a 'carve out' of existing Code provisions and believes that a legal view is required as the modification could have a significant Code related ramifications whilst at the same time potentially conflicting with primary Data Protection conditions/requirements.

2.3 Development of Workgroup Report

BF advised that he would seek an extension to the Workgroup Report submission date to the July Panel meeting, subject to a formal request for legal text at either the May or June Panel meetings.

DM advised that he would be seeking a view from the Scotia Gas Network lawyers.

Thereafter, further consideration of the Workgroup Report was deferred.

3. Next Steps

Consideration deferred.

4. Diary Planning

Further details of planned meetings are available at: www.gasgovernance.co.uk/Diary

Workgroup meetings will take place as follows:

Time/Date	Venue	Workgroup Programme
10:30 Thursday 28 May 2015	31 Homer Road, Solihull, B91 3LT	Standard Workgroup agenda plus: Consideration of Amended Modification Consideration of Legal Text Development of Workgroup Report
10:30 Thursday 25 June 2015	ENA, Dean Bradley House, 52 Horseferry Road, London SW1P 2AF	<i>To be confirmed</i>
10:30 Thursday 23 July 2015	31 Homer Road, Solihull, B91 3LT	<i>To be confirmed</i>