

Energy Balancing Credit Committee Minutes
Monday 22 July 2013
by Teleconference

Participants

Bob Fletcher (Chair)	(BF)	Joint Office	Non-Voting
Dimuthu Wijetunga	(DW)	Shipper	Voting
Gavin Ferguson	(GF)	Shipper	Voting
Pauline Babb	(PB)	Shipper	Voting
Mark Cockayne	(MC)	Xoserve	Non-Voting

Apologies

David Holland	(DH)	Shipper
David Trevallion	(DT)	Shipper
Jon Costa	(JC)	Shipper
Lorraine O'Shaughnessy	(LO)	Xoserve
Richard Fairholme	(RF)	Shipper

1. Introduction

BF welcomed the members to the meeting, which was quorate.

2. Minutes and Actions

The minutes from the previous meeting were accepted.

EBC0401 Emergency Credit Rules - Xoserve to develop a draft structure for review and discussion.

Update:ON HOLD UNTIL SEPTEMBER

3. Operational Update

MC provided the following Operational update for June 2013.

3.1 Cash Call Notices

During June there were 2 Cash Call Notice issued 1 was paid and 1 was appealed and withdrawn.

3.2 Further Security Requests (FSRs)

There were no FSRs issued during June 2013.

3.3 Settlement

The following performance was reported:

Month	Payment Due Date	Payment Due Date +2
May 2013	100%	100%
June 2013	100%	100%
Rolling 12 Months	99.90%	100%

There were no Failure to Pay Notices issued during June 2013.

Members thanked Xoserve for their efforts for achieving such an excellent performance.

4. Modifications

An update was given on the status of the modifications of interest to the EBCC. Of particular note were:

4.1 Modification 0429 - Customer Settlement Error Claims Process

MC advised that the Modification 0429 is to be implemented following receipt of Ofgem's decision. The modification is to go live on 01 April 2014 and will require a substantial review of operational processes.

4.2 Modification 0435—Arrangements to better secure firm gas supplies for GB customers

MC advised that development of the modification is on-going, though there is no further progress to report at this time as it is linked to the SCR.

4.3 Modification 0461—Changing the UNC Gas Day to Align with the Gas Day in EU Network Codes

MC advised that this modification is likely to be discussed at the 01 August Transmission day meeting. He noted that a number of initial representations have been raised by parties who are impacted by the proposed change.

4.4 Market Operator Security Provisions

MC reminded members to provide their comments on the draft agreement as soon as possible as Xoserve wish to progress the security provisions.

5. Significant Code Review – Security of Supply

No update provided. Use the following link to access Ofgems proposals:

<http://ofgem.us2.list-manage.com/track/click?u=bf7a12ea156b2b785979cb69&id=80b1705c7e&e=920a098b4f>

6. Bank Ratings Review

There was no further update available however MC noted that rating agencies may be considering options for changes later in the year.

7. Insolvencies

MC advised that the Independent Energy account is due to be closed soon though it is unlikely that any further dividends would be paid. Other insolvencies were being reviewed with the aim to close as many as possible.

8. Any Other Business

8.1 EU Third Energy Package Update

MC advised that National Grid have sent out a consultation on CAM requesting views on operating systems.

8.2 Energy Balancing invoice

GF asked why there had been additional values smeared in the energy balancing invoice. MC advised that an operating margins and neutrality adjustments had been made and these were reflected in the invoice. This was normal operational practice should National Grid take a balancing which resulted in selling long.

8.3 Individual Member and Organisation Accountability

GF asked if it would be possible for members and their organisations individual responsibilities to be set out to remind members of their potential liabilities.

MC agreed to provide these in a post meeting note though he was not aware of any significant liabilities associated to members other than those that could arise as a result of negligence.

Post meeting update - below is the relevant extract from the UNC TPD section X that outlines members liability:

- 1.2.7 No member of the Energy Balancing Credit Committee shall be liable (whether in contract or tort including negligence or otherwise) to National Grid NTS or any of the Users for anything done when acting properly in or in connection with his office under the Code, or anything done in what such member in good faith believes to be the proper exercise and discharge of the powers, duties, functions and discretions of that office in accordance with the Code; and each User and National Grid NTS waives any such liability that any such member may have and any claim in respect thereof.
- 1.2.8 Nothing contained in paragraph 1.2.7 shall exercise or limit the liability of a member of the Energy Balancing Credit Committee:
- (a) for death or personal injury resulting from the negligence of such member; or
 - (b) in any case where such member has in the exercise and discharge of its powers, duties, functions and discretions acted in bad faith or fraudulently.

8.4 Post implementation Support

MC advised that post implementation support is ongoing for Gemini, though the majority of issues were minor and in the main related to users operating systems.

9. Date of Next Meeting

The next EBCC meeting will take place via teleconference on Monday 23 September 2013 at 10.30.

Action Log – Energy Balancing Credit Committee

Action Ref	Meeting Date(s)	Minute Ref	Action	Owner	Status Update
EBC0401	26/04/2013	10	<i>Emergency Credit Rules</i> - Xoserve to develop a draft structure for review and discussion.	Xoserve (MC)	Carried Forward to be reviewed at the September meeting