

Representation - Draft Modification Report 0574

Creating the permission to release supply point data to the Theft Risk Assessment Service (TRAS)

Responses invited by: **5pm on 09 September 2016**

To: enquiries@gasgovernance.co.uk

Representative:	Shanna Key
Organisation:	NGN
Date of Representation:	06/09/2016
Support or oppose implementation?	Oppose
Relevant Objective:	d)(ii) Neutral

Reason for support/opposition: Please summarise (in one paragraph) the key reason(s)

NGN are concerned that this modification provides permission for bulk data release but does not provide suitable justification for the provision of this personal data, or how it will be used. We understand that suppliers have obligations in SPAA to supply portfolio data including these data items to the TRAS along with additional information that facilitates analysis for identifying theft on registered sites. The additional provision of this MPRN level data therefore has no clear purpose. In order to put in place a confidentiality agreement and contract to provide this data if this modification is approved, the purpose of the data is required and must be justified. Without the addition of clear purpose for each of the data items we cannot support this bulk data release at this time.

While we agree that efficient identification of supplier theft should provide a positive competitive position between suppliers, we are unable to see how provision of this bulk data set specifically further this.

Self-Governance Statement: *Please provide your views on the self-governance statement.*

As a permissions only modification, this could be considered suitable for self-governance, however as the provision of a subsequent service could involve providing personal data (MPRN, address) to a third party we believe this should be subject to additional scrutiny. On balance, we therefore believe that this should not be subject to self-governance.

Implementation: *What lead-time do you wish to see prior to implementation and why?*

Should this modification be approved suitable confidentiality agreements and commercial arrangements would need to be established before a service could be provided. At this time the priority of activity within the Transporter Agency, who would deliver any service, is to progress Project Nexus/UK Link Programme.

Impacts and Costs: *What analysis, development and ongoing costs would you face?*

This modification only provides permission, not delivery of a service. As such, no costs would be incurred in implementing this modification. Costs may be incurred should a service be developed based on the permission provided. These costs have not yet been assessed.

Legal Text: *Are you satisfied that the legal text will deliver the intent of the Solution?*

As provider of legal text, we have identified an error in the text provided in the draft modification report. The last sentence of the text should read:

“For the purposes of the Code the TRAS shall have the same meaning as contained within the SPAA.”

This error is as a result of producing the legal text for this modification alongside the text for 0584 and is a typographical error which we would like to be acknowledged when making a recommendation on the modification.

Modification Panel Members have requested that the following questions are addressed:

Q1: To inform Panel's consideration of self-governance, views are requested as to whether respondents believe that releasing these data items represents a material impact on commercial arrangements for either / both Shippers and Transporters.

Are there any errors or omissions in this Modification Report that you think should be taken into account? *Include details of any impacts/costs to your organisation that are directly related to this.*

We wish to see a clear purpose and justification for the release of each of the data items. This data, together with other relevant data for analysis, is already being provided by suppliers to the TRAS in order to discharge their existing SPAA obligations. For identifying supplier responsible theft we consider additional provision of this data to be unnecessary duplication.

Please provide below any additional analysis or information to support your representation

Within the background section of the modification the proposer suggests that the TRAS may be able to utilise this data to identify unregistered sites. The TRAS service is specific to suppliers, and therefore the identification of unregistered sites is beyond the scope of the TRAS service. Specific unregistered sites reports are already provided to shippers and transporters and monitored through current industry processes. As suppliers do not have a contractual relationship with unregistered sites the identification of these appears to be inefficient.