

Record of Determinations: Panel Meeting 17 November 2016

Modification	Vote Outcome	Shipper Voting Members					Transporter Voting Members					Consumer Voting Member	Determination Sought	
		AG	AL	AM	RF	SM	CW	FH	HC	JF	RP	SMo		
0601 - Revision of National Grid Gas plc's Individual Network Code to reflect the correct company name	Not related to the Significant Code Review - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	Is Modification related to Significant Code Review
	Is a Self-Governance Modification - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Does Modification satisfy the Self-Governance criteria
	Is suitable for Fast Track Self-Governance - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Is the modification suitable for Fast Track Self-Governance
	Implemented - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Modification 0601FT be implemented? (only votes in favour recorded)
0602 - Implementation of Non Effective Days and Variant Non-Business Days for Project Nexus Implementation (Project Nexus transitional modification)	Not related to the Significant Code Review - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	Is Modification related to Significant Code Review
	Is not a Self-Governance Modification - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	Does Modification satisfy the Self-Governance criteria
	Issued to Workgroup 0602 with a report presented by the January 2017 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Modification be issued to Workgroup with a report by the January 2017 Panel
	<i>Consider at short notice - unanimous vote against</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	<i>To be considered at short notice</i>
	Not related to the Significant Code Review - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	Is Modification related to Significant Code Review

0603 – Removal of liability for members of Performance Assurance Committee	Is a Self-Governance Modification - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Does Modification satisfy the Self-Governance criteria
	Proceed to Consultation - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Modification be Issued to Consultation? (includes a deemed request for Legal Text)
	Consultation to close out on 08 December 2016 - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should 0603S consultation end on 08 December 2016 (and FMR be taken at short notice)?
0596 – Implementing CGR3 decisions on Significant Code Reviews and self-governance	Proceed to Consultation - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should DMR be Issued to Consultation?
	Legal text required - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Is further Legal text required for inclusion in DMR?
	Cost estimate not required - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Is a cost estimate required for inclusion in DMR?
	Consultation to close out on 08 December 2016 - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should 0596 consultation end on 08 December 2016 (and FMR be taken at short notice)?
0600S – Amend obligation for the acceptance of EPDQD revisions made after D+5	Proceed to Consultation - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should DMR be Issued to Consultation?
	Legal text required - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Is further Legal text required for inclusion in DMR?
	Cost estimate not required - unanimous vote against	X	X	X	X	X	X	X	X	X	X	X	Is a cost estimate required for inclusion in DMR?
	Consultation to close out on 08 December 2016 - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should 0600S consultation end on 08 December 2016 (and FMR be taken at short notice)?

0570 - Obligation on Shippers to provide at least one valid meter reading per meter point into settlement once per annum	Workgroup 0570 to report to the February 2017 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Workgroup reporting date be extended to the February 2017 Panel
0571(A) - Application of Ratchet Charges to Class 1 Supply Points (and Class 2 with an AQ above 73,200kWhs)	Workgroup 0571 to report to the February 2017 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Workgroup reporting date be extended to the February 2017 Panel
0593 - Provision of access to Domestic Consumer data for Price Comparison Websites and Third Party Intermediaries	Workgroup 0593 to report to the January 2017 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Workgroup reporting date be extended to the January 2017 Panel
0595S - Amendment to the Arrangements between National Grid NTS and GNI at the Moffat IP to Provide for Interruption of Virtual Reverse Flow	No new Issues identified - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	Did Consultation raise new issues?
	Implemented - <i>with a unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Modification 0595S be implemented? (only votes in favour recorded)

In favour	Not in Favour	No Vote Cast	Not Present
✓	X	NV	NP

UNC Modification Panel

Minutes of the 198th Meeting held on Thursday 17 November 2016

at Elexon, 350 Euston Road, London NW1 3AW

Attendees

Voting Members:

Shipper Representatives	Transporter Representatives	Consumer Representative
A Green* (AG), Total A Love (AL), ScottishPower A Margan (AM), British Gas R Fairholme (RF), Uniper S Mulinganie (SMu), Gazprom	C Warner (CW), National Grid Distribution F Healy (FH), National Grid NTS H Chapman (HC), Scotia Gas Networks J Ferguson (JF), Northern Gas Networks R Pomroy (RP), Wales & West Utilities	S Moore (SMo), Citizens Advice

Non-Voting Members:

Chairman	Ofgem Representative
A Plant (AP), Chair	R Elliott (RE)

Also in Attendance:

A Clasper* (AC), National Grid Distribution; D Addison (DA), Xoserve; D Lond (DL), National Grid NTS; L Jenkins (LJ), Deputy Chair; R Fletcher (RF), Secretary; R Hinsley (RH), Xoserve and S Britton (SB), Cornwall Energy.

* via teleconference

Record of Discussions

198.1 Note of any alternates attending meeting

None.

198.2 Record of Apologies for absence

None.

198.3 Minutes and Actions of the Last Meeting(s)

Members approved the minutes from the previous meetings (20 & 28 October and 04 November 2016).

No outstanding actions to consider.

198.4 Consider Urgent Modifications

None.

198.5 Consider New Non-Urgent Modifications

a) Modification 0601 - Revision of National Grid Gas plc's Individual Network Code to reflect the correct company name

FH introduced the modification and its aims.

For Modification 0601, Members determined:

- It is not related to the Significant Code Review;
- The criteria for Self-Governance are met as this modification is not expected to have a material impact on the contractual regime for the transportation of gas through pipes;
- Is suitable for Fast Track Self-Governance as it is clearly a house keeping change; and
- That Modification 0601FT should be implemented.

b) Modification 0602 - Implementation of Non Effective Days and Variant Non-Business Days for Project Nexus Implementation (Project Nexus transitional modification)

AC introduced the modification and its aims. SMu was concerned that this modification doesn't allow time for objections in the transfer process and doesn't think this it is straightforward as it could have significant impacts on systems to facilitate a short-term change. CW agreed that a review of what is being proposed should be undertaken in the Workgroup to get a considered industry view.

AM would like to see supporting information on the technical solution so that Panel and Workgroup are informed about the potential impacts of the proposed change.

DA advised that the objection window could be addressed but that information obtained from the Project Nexus Technical Workgroup is that most impacted User systems just require a parameter change in the existing systems for a short term which would work for this solution, it would not impact the new Nexus systems.

SMu was concerned that they would be expected to make changes to systems that were being made redundant by Nexus – this is not the most economic or efficient use of resources at a time leading up to implementation of a new system.

AL was concerned that at the Workgroup meeting, there had been comments that in some scenarios there wouldn't be an option to object to a transfer. DA clarified that this was a question seeking participant's views and not what is being proposed.

SMu suggested that more time was needed to assess a suitable solution and associated impacts.

RP asked if Nexus implementation was delayed to the contingency date of 01 July and as this is a Saturday, would there be a need for Variant Non-Business Days. DA confirmed they would not be required.

A number of members were concerned that Self-Governance was proposed for this modification as they felt it was not suitable. It was agreed to take a view from the Workgroup, although LJ asked members to note that the revised criteria for Self-Governance is likely to be implemented by the time Panel considers the modification again.

AM advised that the iGT UNC version of this modification is being progressed as Self-Governance.

For Modification 0602, Members determined:

- It is not related to the Significant Code Review;
- The criteria for Self-Governance are not met as this modification is expected to have a material impact on competition; and
- That Modification 0602 be issued to Workgroup 0602 for assessment, with a report to be presented no later than the January 2017 Panel.

c) *Modification 0603 – Removal of liability for members of Performance Assurance Committee*

RP introduced the modification and its aims. AM asked if the protection currently in UNC is not sufficient or that there is none for all or just PAC members. RP advised that all UNC parties have protection to a point. However, as PAC members are similar to EBCC members as their actions can directly impact an individual organisation, therefore PAC members should be protected in a similar way to EBCC members. This is different to other committees such as DESC as their activities impact organisations collectively and do not specifically target individual organisations.

JF felt the PAC operates in a different way to other committees, as its members need to sign confidentiality agreements etc therefore they need to be afforded additional protection.

For Modification 0603, Members determined:

- To consider the modification at short notice;
- It is not related to the Significant Code Review;
- The criteria for Self-Governance are met as this modification is not expected to have a material impact on competition or the contractual regime for the transportation of gas through pipes;
- To request Legal Text; and
- It should proceed to Consultation with a close out date of 08 December 2016.

198.6 Existing Modifications for Reconsideration

None.

198.7 Consider Workgroup Issues

None.

198.8 Workgroup Reports for Consideration

- a) Modification 0596 – Implementing CGR3 decisions on Significant Code Reviews and self-governance

A number of additional questions and comments were included in the Draft Modification Report to seek additional or supporting information from respondents to the consultation.

For Modification 0596, Members determined that:

- It should proceed to Consultation with a close out date of 08 December 2016.

- b) Modification 0600S – Amend obligation for the acceptance of EPDQD revisions made after D+5

AP noted the recommendations in the Workgroup Report that Modification 0600S be returned to Workgroup as it required further assessment.

For Modification 0600S, Members determined that:

- That Modification 0600S be returned to Workgroup 0600S for assessment, with a report to be presented no later than the February 2017 Panel.

198.9 Consideration of Workgroup Reporting Dates and Legal Text Requests

Members determined unanimously to extend the following Workgroup reporting date(s):

Workgroup	New Reporting Date
0570 - Obligation on Shippers to provide at least one valid meter reading per meter point into settlement once per annum	February 2017
0571(A) - Application of Ratchet Charges to Class 1 Supply Points (and Class 2 with an AQ above 73,200kWhs)	February 2017
0593 - Provision of access to Domestic Consumer data for Price Comparison Websites and Third Party Intermediaries	January 2017

Members determined unanimously to request Legal text for the following modification(s):

Modification
None

198.10 Consideration of Variation Requests

None.

198.11 Final Modification Reports

- a) Modification 0595S - Amendment to the Arrangements between National Grid NTS and GNI at the Moffat IP to Provide for Interruption of Virtual Reverse Flow

For Panel discussion see the Final Modification Report published at: <http://www.gasgovernance.co.uk/0595>

Members then voted and determined by unanimous vote to implement Modification 0595S.

198.12 Any Other Business

- a) CGR3 Implementation Plan

LJ presented the CGR3 implementation plan and progress made to date, which included the aspects of Modification 0596 presented earlier in the meeting.

Cross Code Forward Workplan

LJ advised that the proposed Workplan has been presented to COB where it had received favorable comments and that the next step is to discuss it further with other Code Administrators to see if a consensus can be reached for its adoption.

Project Management Assurance

LJ advised that this item was being considered and would require a modification. HC advised that she intended to raise a modification with a likely development timeline of 6 months. SMu challenged the timeline as he felt a simple call off agreement should be straightforward and arranged without much difficulty.

LJ advised there is a balance to be struck between complexity and simplicity and also control of the process as a number of parties would be involved in the procurement process.

Self-Governance Criteria

LJ advised that this item would be closed on the Workplan as Modification 0596 is being progressed.

b) User Representation Elections 2017 - overview

LJ advised that he had recently asked for views from SPOCs and although comments were sparse, by and large they were happy with the process. However, it may be worth considering consultation early next year to canvas wider industry views as he felt there was a lack of engagement.

SMu was happy with this approach but didn't want the timeline reduced for nominations as there needs to be time allowed for lobbying which is not visible to the administrator.

Members felt it would be worth running the process past UNCC or Panel as appropriate at some point in early 2017.

AL asked if there should be a more general review of nominations and membership of Panel and committees. RF felt the nomination process should be amended to allow members to join mid year, particularly if there was a vacancy in a Committee.

AL challenged if non SPOCs can vote, can UNC parties without a nominated SPOC submit a vote. SMu advised that only SPOCs could vote in the nomination process.

AG asked what is being consulted upon as he was not aware there were any issues with the process as is. Why suggest wider than SPOCs, as they would have been appointed provide the views of their companies?

LJ advised that he would like to get wider industry view to ensure all had the opportunity to engage in the process.

c) Panel Members Quarterly Feedback

AP sought feedback and views from members.

CWa mentioned that there is an ongoing issue with teleconference facilities and that it might improve the experience for others who dial into the meeting if there were a focus on this.

SMu suggested that it might the media used or that where some are in the room and some are dialing in, it is not always easy to follow the meeting due to the background noise.

LJ agreed to continue discussions with Elexon to see if the experience could be improved.

d) Modification Process – online submissions

SMu suggested that it would be beneficial if the process could be brought online and that where possible it could then be used as a central repository for all Code Administrators. It shouldn't be difficult to bring the process online so that modifications, reports and consultation responses could all be submitted directly through a web portal.

AM noted that some CAs use automated systems to various degrees of success and careful consideration needs to be given to their design to ensure the process is improved.

SMu suggested that in a digital age it should be possible to do so.

LJ advised that he would consider if there were any options that could be progressed. RE was happy with the approach but concerned that the detail might throw up issues when considering Cross Code impacts as there were variations in the process that would need to be considered.

e) Pre Panel Briefing

AL was happy with the Pre Panel briefing note and asked if it was possible for comments received during the Pre Panel briefing to be included.

AL advised that any comments received that were relevant to the process he raised during the Panel meeting to allow members to consider the context of each with the item being discussed.

198.13 Conclusion of Meeting and agreed Date of Next Meeting

10:30, Thursday 15 December 2016, at Elexon

Action Table (17 November 2016)

Action Ref	Meeting Date	Minute Ref	Action	Owner	Status Update