

MODIFICATION 0116V

LEGAL TEXT

TPD SECTION G – SUPPLY POINTS

Amend paragraphs 1, 2, 3, 5, 6 and 7 to read as follows:

- 1.7.1 Subject to and in accordance with this paragraph 1.7, a DM Supply Meter Point may be comprised in more than one Supply Point if the Registered Users in respect of such Supply Meter Point have submitted to the Transporter a notification confirming that they wish to be sharing Registered Users and specifying (in accordance with paragraph 1.7.6) the basis on which the quantity of gas offtaken each Day (and in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on each Day) from the Supply Meter Point(s) comprised in such Supply Points is to be apportioned between such Users.
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- 1.7.6 A Shared Supply Meter Point Notification may provide for the allocation of gas offtaken at the Shared Supply Meter Point(s) to be determined each Day: (and in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on each Day):
- (a) by the Transporter, under standing instuctionsinstructions notified to the Transporter in advance by the Sharing Registered Users, in accordance with paragraph 1.7.7;
 - (b) by a person appointed as User Agent on behalf of each Sharing Registered User, in accordance with paragraph 1.7.8.
- 1.7.7 A Shared Supply Meter Point Notification under paragraph 1.7.6(a) shall provide for allocation between the Sharing Registered Users :
- (a) either:
(a)-(i) in the case of an LDZ Supply Point in tranches, in other words on the basis that the quantity of gas offtaken each Day which:
- (1) (i) does not exceed an amount;
 - (2) (ii) exceeds an amount but does not exceed a higher amount; or
 - (3) (iii) exceeds an amount
- in each case specified in the Shared Supply Meter Point Notification, is to be allocated to one of such Users, provided that such amounts shall be specified so that the whole quantity of gas offtaken each Day shall be allocated to one or more of such Users; or
- (b) if(ii) in the case of an NTS Supply Point, or LDZ Supply Point where none of the Supply Points in which the Shared Supply Meter Point is comprised is Interruptible, in percentages (aggregating 100%) specified in such notification;
- (b) in the case of an NTS Supply Point Component the basis for an allocation of the quantity of gas offtaken at 22:00 hours on each Day.
- 1.7.8 A Shared Supply Meter Point Notification under paragraph 1.7.6(b) shall provide for the appointment (with effect from a single date) of one person (a "**Sharing Registered User Agent**") as User Agent by all Sharing Registered Users for the purposes of:

- (a) informing the Transporter of the portions of the Supply Meter Point Daily Quantity to be allocated to each of them in respect of the Day (and in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on the Day) and for the purposes of paragraph 1.7.9; and
- (b) in the case of an LDZ Supply Point, complying with all Partial Interruption Rules and other provisions of paragraph 6.10 on behalf of all of the Sharing Registered Users.

1.7.9 Where a Shared Supply Meter Point Notification provides for the appointment of a Sharing Registered User Agent:

- (a) the Transporter will notify the Supply Meter Point Daily Quantity, and in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on the Day, to the User Agent not later than the specified time on the Day following the Gas Flow Day and (where such quantity is pursuant to any provision of the Code to be revised) may notify a revision of the quantity so notified to the User Agent not later than the specified time on the Exit Close Out Date;
- (b) if, by the specified time on the Day following the Gas Flow Day, and (where the Transporter notifies a revision of the Supply Meter Point Daily Quantity to the User Agent) by the specified time on the Day on which the Transporter notifies such revision, the User Agent has notified to the Transporter amounts, aggregating the Supply Meter Point Daily Quantity and in the case of an NTS Supply Point Component aggregating the quantity of gas offtaken at 22:00 hours on the Day (as revised at the relevant time), to be allocated to the Sharing Registered Users:
 - (i) the amounts so notified may be revised (provided they continue to aggregate the Supply Meter Point Daily Quantity, and in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on the Day as revised at the relevant time) by the User Agent at any time before the specified time on the Exit Close Out Day;
 - (ii) the Supply Meter Point Daily Quantity, and in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on the Day, shall be allocated between the Sharing Registered Users in the amounts so notified or such revised amounts so notified not later than the specified time on the Exit Close Out Day;
- (c) if, by the specified time on the Day following the Gas Flow Day, or by the specified time on any Day on which the Transporter notifies to the User Agent any revision of the Supply Meter Point Daily Quantity and in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on the Day, the User Agent has not so notified to the Transporter such amounts, ~~the Supply Meter Point Daily Quantity shall be allocated between the Sharing Registered Users;~~
 - (i) the Supply Meter Point Daily Quantity shall be allocated between the Sharing Registered Users:
 - ~~(i)-(1)~~ in proportion to the Nominated Quantities under the Users' Output Nominations for the relevant DM Supply Point Components for the Day or (if such Nominated Quantity is zero for each such User) in proportion to the Registered Supply Point Capacities at each such DM Supply Point Component; or
 - ~~(ii)-(2)~~ if the User Agent shall have notified the Transporter (not less than 15 Days before the Gas Flow Day) of proportions aggregating unity for the purposes of allocation in the circumstances contemplated in this paragraph (c), in such proportions;

(ii) in the case of an NTS Supply Point Component the quantity of gas offtaken at 22:00 hours on the Day shall be allocated in the same proportion to the allocation of the Supply Meter Point Daily Quantity under paragraph (b)(ii) or (c)(i)

provided that if the Transporter is reasonably satisfied that such omission of the User Agent resulted from an administrative error (by the agent) of an infrequent nature, the Transporter may permit the User Agent to submit (by such time, not later than the specified time, on the Exit Close Out Day as the Transporter may require) a late notification or revised notification for the purposes of paragraph ~~(eb)~~;

(d) such of the Code Communications which may be given under paragraphs 2, 3 and 4, as are specified in the Shared Supply Meter Point Procedures:

(i) if to be given by the Transporter may be given to the User Agent:

(ii) if to be given by a User (other than a User who is not for the time being a Sharing Registered User) may only be given by the User Agent; and

(e) if the Supply Meter Point Daily Quantity is allocated pursuant to paragraph (d) in respect of more than 12 Days in any Gas Year, the charges payable pursuant to ~~pararaph~~paragraph 1.7.18 in respect of that Gas Year by the Sharing Registered Users shall be determined (in accordance with the Transportation Statement) as though the Shared Supply Meter Point Notification were under paragraph 1.7.6(a).

1.7.12 In the case of a Shared Supply Meter Point which is comprised in relevant LDZ Supply Points of which at least one is Firm and one Interruptible (whether the Registered Users are the same or different Users), where an Interruption Notice was given:

....

1.7.14 ~~Where~~In respect of LDZ Supply Points where the rate of any Supply Point Transportation Charge is a function of Supply Point Capacity, the rate of such charge payable by a Sharing Registered User shall be determined on the basis of:

....

1.15.2 Where a Firm Allowance is in force under paragraph G1.15.3:

....

~~(d) the Registered User shall pay a charge ("the IFA Charge") to:~~

~~(i) National Grid NTS, calculated as the NTS Exit Capacity Charge set out in National Grid NTS'S Transportation Statement;~~

~~(ii) (d) the Registered User shall pay a charge ("the IFA Charge") to the relevant DN Operator, calculated as the LDZ Capacity Charge set out in the relevant DN Operator's Transportation Statement;~~

....

2.2.6 A "**Supply Point Commodity Rate Renomination**" is, where the Existing Registered User had previously confirmed in accordance with ~~paragraph B3.5.5~~Section B3.14.7 that the Applicable Commodity Rate in respect of the Current Supply Point was to be the NTS Optional Commodity Rate, a Supply Point Nomination submitted by the Existing Registered User of the Current Supply Point where:

....

2.3.1 A User may make a Supply Point Nomination in respect of a Larger Supply Point or may, where required, make a Supply Point Nomination in respect of a New Smaller Supply Point in accordance with paragraph 2.1.2 and this paragraph 2.3. Where a Proposing User wishes to make a Supply Point Nomination in respect of a Larger Supply Point for the purpose of:

- (a) [in the case of an LDZ Supply Point](#) increasing Supply Point Capacity for such Supply Point;
- (b) changing the Supply Point Component of any Supply Meter Point;
- (c) specifying a New Supply Point then the Proposing User may use the following process:

(i) (provided that the Proposed Supply Point will be a Current Supply Point) the User may submit, as appropriate, one or more Supply Point Nominations in accordance with paragraph 2.3 to nominate:

- (1) [in the case of an LDZ Supply Point](#) the prevailing Supply Point Capacity ~~of the Supply Point~~;
- (2) the existing Supply Point Component of each Supply Meter Point; or
- (3) the Current Supply Point

(any such Supply Point Nomination shall be referred to as a "**Supply Point First Nomination**"); and

(ii) at any time up to the date of the Supply Point Offer in respect of the Supply Point First Nomination the User may also submit, as appropriate, in accordance with paragraph 2.3, one or more Supply Point Nominations to:

- (1) [in the case of an LDZ Supply Point](#) increase the Supply Point Capacity ~~for such Supply Point~~;
- (2) change the Supply Point Component of any Supply Meter Point; or
- (3) specify a New Supply Point

(and any such Supply Point nomination shall be referred to as "**Supply Point Second Nomination**").

2.3.2 A Supply Point Nomination which is a Supply Point Commodity Rate Renomination shall comply with the provisions of paragraph 2.3.9 and any other Supply Point Nomination shall specify:

....

- (e) [in the case of an LDZ Supply Point](#) where the Proposed Supply Point includes one or more DM Supply Meter Points, the proposed Supply Point Capacity and proposed Supply Point Offtake Rate in respect of the DM Supply Point Component, in compliance with the requirements of paragraph 5;

2.4.2 A Supply Point Offer will specify in relation to the Proposed Supply Point:

- (a) the identity of the Proposing User;
- (b) the address(es) of the Supply Point Premises;
- (c) the Supply Meter Point Reference Number, manufacturer's serial number, and (where the Proposed Supply Point comprises a Sub-deduct Supply Meter Point) Meter Link Code of each Supply Meter Point comprised in the Proposed Supply Point Registration;

- (d) where the Proposed Supply Point includes one or more NDM Supply Meter Points:
 - (i) the Applicable End User Category in accordance with Section H1.7;
 - (ii) [in the case of an LDZ Supply Point Capacity and NTS Exit, Supply Point Capacity](#) (in accordance with Section H4.1); and
 - (iii) the Nominated Meter Reading Frequency or (where more frequent) the minimum Meter Reading Frequency required under Section M3 in respect of each relevant Supply Meter;
- (e) [in the case of an LDZ Supply Point](#) where the Proposed Supply Point includes one or more DM Supply Meter Points:
 - (i) details in respect of Supply Point Capacity and Supply Point Offtake Rate in accordance with paragraph 2.4.3;
 - (ii) whether the Proposed Supply Point is a Firm Supply Point or an Interruptible Supply Point, and (if Interruptible) whether TNI and whether (as respects the DM Supply Point Component) SDMC(I);
 - (iii) details of the Daily Read Equipment installed and the Supply Meter Point Reference Number of each Supply Meter Point at which any such Daily Read Equipment is installed;
- (f) the Exit Zone and (where applicable) LDZ in which the Proposed Supply Point is located;
- (g) the Annual Quantity for each Supply Meter Point;
- (h) [the relevant](#) Supply Point Transportation Charges;
- (i) the Supply Meter Point Reference Number of any Supply Meter Point comprised in the Proposed Supply Point which has been Isolated; ~~and~~
- (j) a number by which the Supply Point Offer may uniquely be identified; or
- (k) where a User has made a Supply Point Nomination in accordance with paragraph 2.3.2(h) or 2.3.9(c), the distance between the Specified Entry Point and the Proposed Supply Point, the six figure grid references, the capacity of the Proposed Supply Point and the NTS Optional Commodity Rate; or
- (l) where a User has made a Supply Point Nomination in accordance with paragraph 2.3.2(h) the Notional NTS Connection Point, the distance between the Notional NTS Connection Point and the Proposed Supply Point, the eight figure grid references, the capacity of the Proposal Supply Point and the LDZ Optional Capacity Rate;
- (m) the identity of the Gas Act Owner;
- (n) the identity of the Meter Asset Manager.

2.4.3 ~~Where~~[in the case of an LDZ Supply Point where](#) the Proposed Supply Point includes a DM Supply Point Component:

- (a) the Supply Point Capacity ("**Offered Supply Point Capacity**") specified in the Supply Point Offer shall be:
 - (i) where the Nominated Supply Point Capacity is less than the Bottom-Stop Supply Point Capacity, the Bottom-Stop Supply Point Capacity;

- (ii) otherwise, but subject to paragraph 5.5, the Nominated Supply Point Capacity (provided that where the Nominated Supply Point Capacity is not less than the Bottom-Stop Supply Point Capacity but less than the Prevailing Supply Point Capacity, paragraph 2.7.3 shall apply);
- (b) subject to paragraph 5.5, the Supply Point Offtake Rate specified in the Supply Point Offer shall be the Nominated Supply Point Offtake Rate; and
- (c) the Supply Point Offer will also specify (for information purposes, where not specified under paragraph (a)(i)) the Bottom-Stop Supply Point Capacity.

2.4.5 WhereIn the case of an LDZ Supply Point where the Proposed Supply Point includes a DM Supply Point Component, at any time at which the Proposing User has not submitted a Supply Point Confirmation:

....

2.4.10 The matters referred to in paragraph 2.4.9 are:

- (a) the Supply Meter Points comprised in the Proposed Supply Point;
- (b) the Annual Quantity, End User Category and in the case of an LDZ Supply Point, the Supply Point Capacity of the Proposed Supply Point; and
- (c) in the case of an LDZ Supply Point, whether at the date of the Supply Point Offer any Existing Supply Point (if Interruptible) is TNI, and (if so) the number of Days of the Interruption Allowance.

2.5.3 By making a Supply Point Confirmation in respect of a Proposed Supply Point the Proposing User:

- (a) warrants to the Transporter:
 - (i) that; or
 - (ii) where the User will not be the supplier, that the supplier (or if there is more than one supplier, the suppliers between them) has (or have) warranted to the User that

as at the Proposed Supply Point Registration Date there will be in force a contract or contracts (including a deemed contract pursuant to paragraph 8(1) or 8(2) of the Gas Code) for the supply to the consumer of the gas offtaken by such User from the Total System at the Proposed Supply Point; and

- (b) agrees (if the confirmation becomes effective):
 - (i) to be the Registered User in respect of the Proposed Supply Point; and
 - (ii) to be registered as holding at an LDZ Supply Point:
 - (1) as to the NDM Supply Point Component (if any), Supply Point Capacity (and accordingly LDZ Capacity) ~~and NTS Exit Capacity~~ determined in accordance with Section H4;
 - (2) as to the DM Supply Point Component (if any), the Confirmed Supply Point Capacity (and accordingly LDZ Capacity);
 - (iii) that it consents to the disclosure of the information by the Transporter in accordance with paragraph 2.8.8(b).

2.5.4 ~~Subject~~In the case of an LDZ Supply Point subject to paragraph 2.7.4(a), the "**Confirmed Supply Point Capacity**" in respect of the DM Supply Point Component of a Proposed Supply Point (for which the Supply Point Confirmation becomes effective) is the Offered Supply Point Capacity.

~~2.7.3 Where:~~

2.7.3 In the case of an LDZ Supply Point where:

- (a) the Proposed Supply Point includes a DM Supply Point Component; and
- (b) the Prevailing Supply Point Capacity is, or (in accordance with paragraph 2.4.5(b)) at any time before a Supply Point Confirmation is submitted becomes, greater than the Offered Supply Point Capacity

a Supply Point Confirmation may be submitted only for a Proposed Supply Point Registration Date falling within the Capacity Reduction Period.

2.7.4 ~~Where~~In the case of an LDZ Supply Point where the Proposed Supply Point includes a DM Supply Point Component, at any time after a Supply Point Confirmation is submitted but before the Supply Point Registration Date:

....

3.2.2 For so long as a Supply Point Withdrawal has not become effective in accordance with paragraph 3.2.1, the Withdrawing User shall remain liable for Supply Point Transportation Charges in respect of the Withdrawing Supply Point determined on the basis of the Supply Point Capacity, and LDZ Capacity ~~and (where applicable) NTS Exit Capacity~~ held immediately before submission of the Supply Point Withdrawal....

....

5.1.1 Except for paragraph 5.6 this paragraph 5 applies only in respect of DM Supply Point Components comprised in an LDZ Supply Point and nothing in this paragraph 5 shall apply in respect of an NTS Supply Point Component.

6.1.1

- (a) Subject to the further provisions of this paragraph 6, where at any time aan LDZ Supply Point is eligible to be an Interruptible Supply Point in accordance with paragraph 6.2, the Registered User may by giving notice to the Transporter not later than the Change Request Deadline designate the Supply Point as being Interruptible with effect from an Eligible Status Change Date (and nothing in this paragraph 6 shall apply in respect of an NTS Supply Point).

....

6.1.3 For the purposes of the Code:

- (a) a Supply Point is "**Interruptible**" where the offtake of gas from the Total System at the LDZ Supply Point is subject to Interruption in accordance with paragraph 6.7, and otherwise is "**Firm**";
- (b) an "**Interruptible Supply Point**" is aan LDZ Supply Point which is for the time being designated as Interruptible;
- (c) a "**Firm Supply Point**" is a Firm LDZ Supply Point which is not for the time being designated as Interruptible (including one which has been redesignated as Firm);

....

6.1.9 In respect of an Interruptible Supply Point the Registered User (or Sharing Registered Users) shall:

- (a) not be required to pay ~~NTS Exit Capacity Charges and~~ LDZ Capacity Charges:

....

6.9.2 Where there is a failure to Interrupt at a Supply Point:

- (a) irrespective of whether the failure to Interrupt resulted from Force Majeure, where the Transporter determines that the failure to Interrupt results in a significant risk to the security of the relevant System the Transporter may take any steps available to it to isolate or disconnect any or all Supply Meter Points (irrespective of whether any is a Shared Supply Meter Point) comprised in the Supply Point; and
- (b) subject to paragraph 6.10.5, save where the failure to Interrupt resulted from Force Majeure or, in exceptional circumstances, where the Registered User can demonstrate to the Transporter's reasonable satisfaction that it made all reasonable efforts to Shutdown (including but not limited to ensuring that appropriate action is taken at the Supply Point but despite such efforts gas in excess of the Shutdown Tolerance flowed):
 - (i) the Registered User shall on the first Day of the first failure to Interrupt in any Gas Year, pay a charge determined as 2 times the Applicable Annual Rate of the ~~NTS Exit Capacity Charge in respect of an NTS Supply Point or~~ LDZ Capacity Charge ~~where the Supply Point is not an NTS Supply Point~~ that would be payable (in respect of Supply Point Capacity in accordance with paragraph 6.3.9) if the LDZ Supply Point was designated as Firm; and

....

6.9.7 In the circumstances in paragraph 6.9.6, subject to paragraph 6.9.8:

- (a) all of the Interruptible Supply Points of which the User is Registered User, other than those within paragraph (b), shall automatically be redesignated as Firm with effect from the failure Day;
- (b) in relation to each such Supply Point in respect of which the Transporter determines that the Firm Transportation Requirement would not (without adjustment of the Supply Point Capacity or Supply Point Offtake Rate) be satisfied and in relation to such Supply Points as are specified in paragraph 6.9.8:
 - (i) the Supply Point shall be treated as being a Firm Supply Point for the purposes of determining the Supply Point Transportation Charges and any Supply Point Ratchet ~~Charges or NTS Exit Overrun~~ Charges payable by the User, but shall be treated (subject to paragraph (ii)) as being an Interruptible Supply Point for other purposes of the Code;

....

7.3.6 Where a User submits

- (a) a Supply Point Nomination in accordance with paragraph 2.3 (in respect of a Larger Supply Point, or a New Smaller Supply Point and there is more than one Supply Meter Point comprised in the Proposed New Smaller Supply Point):
 - (i) the User shall provide to the Transporter the User's estimate of the quantity which the User expects to be offtaken from the Total System at the Supply Meter Point in a 12 month period under seasonal normal conditions, which estimate shall (if the Supply Point Confirmation becomes effective) be the Annual Quantity for the Supply Meter Point;

- (ii) where there is a DM Supply Point Component [comprised in an LDZ Supply Point](#), the Nominated Supply Point Capacity shall not be less than the User's estimate of the maximum quantity of gas to be offtaken on any Day in the next 12 months on the basis of reasonable assumptions as to weather conditions;

....

7.4.1 The Siteworks Terms and Procedures allow for the Siteworks Contract to specify (at the request of the Siteworks Applicant):

- (a) a Supply Point or (without prejudice to the requirements of this Section G for submission of a Supply Point Nomination and/or Supply Point Confirmation) a Proposed Supply Point, or a Supply Point Component, in which the Supply Meter Point or New Supply Meter Point subject to the request for Siteworks is or is to be comprised; and
- (b) in relation to such Supply Point or Supply Point Component:
 - (i) in the case of a DM Supply Point Component [comprised in an LDZ Supply Point](#), an amount of Supply Point Capacity and/or a Supply Point Offtake Rate (but without prejudice to the requirement subsequently to apply therefor);
 - (ii) in the case of an NDM Supply Point Component, a threshold rate increase (in accordance with paragraph 5.6.3(b));
 - (iii) a request that the Firm Transportation Requirement be satisfied or (in the case of a TNI Supply Point) the Interruption Allowance be reduced

following such Siteworks.

7.4.3 Where [in respect of an LDZ Supply Point](#):

- (a) a User submits (in accordance with paragraph 2.3), not later than the Target Completion Date or such later date as the Transporter shall have agreed (for the purposes of this paragraph) with the Siteworks Applicant, a Supply Point Nomination in respect of a Proposed Supply Point which includes a Siteworks Specified Supply Point Component which includes a New Supply Meter Point;

....

7.4.4 [Where in the case of an LDZ Supply Point where](#) a User applies, not later than the Target Completion Date or such later date as the Transporter shall have agreed (for the purposes of this paragraph 7.4.4) with the Siteworks Applicant, for increased Supply Point Capacity or an increased Supply Point Offtake Rate (in accordance with paragraph 5) at a Siteworks Specified Supply Point Component, which does not exceed the Siteworks Specified Supply Point Capacity or (as the case may be) Supply Point Offtake Rate, the Transporter will (subject to the provisions of the Code) accept such application.