

Variation Request

Modification 0213: “Introduction of User Pays Governance Arrangements into the UNC”

Date: 18 December 2008

The Proposer, EDF Energy, requests a variation to this Proposal, pursuant to UNC Modification Rules Section 6.5.1(c) of the UNC.

Reason for Variation

An issue was caused by the fact that under Business Rule 10 the Panel was able to request a more detailed cost estimate as part of the DMR. The intent was that the Panel could request a more detailed cost estimate for inclusion within the DMR to aid the consultation process.

However as under the code the DMR has to be issued within a specified period once the panel has decided to send the proposal to consultation, this would have created problems with the legal text and possibly resulted in the detailed cost estimate only being included within the FMR. Business rule 10 has therefore been re-worded so that the panel can request a more detailed cost estimate when the Modification Proposal is submitted to the panel immediately prior to consultation.

This will allow the detailed cost estimate to be included within the DMR and consulted upon.

In addition the legal text has been worded so that once the detailed cost estimate has been produced the only option for the panel is to send the proposal to consultation.

Nature of Variation

There has been a slight change to the wording of Business Rule 10 within the Modification Proposal that has been highlighted as part of the legal text review. This does not vary the intent of the Modification Proposal, and is solely to ensure that the legal text can reflect the intent of the Proposal and discussions at the Governance Workstream.

In addition, the legal text produced has been incorporated within the Proposal such that it can be formally issued as part of the consultation process.

Proposer's Representative

Rosie McGlynn

Proposer

EDF Energy