

TRANSCO NETWORK CODE MODIFICATION PROPOSAL No. 0713
"Ability for User's to Vary their Modification Proposals"
Version 1.0

Date: 08/09/2004

Proposed Implementation Date:

Urgency: Non-Urgent

Justification

The Modification Rules permit Transco to vary it's own Modification Proposals and those User originated Proposals which it has adopted but prevent Users from varying their own Proposals.

This has the effect of unnecessarily delaying developments to Modification Proposals which could be of benefit to the community.

Nature of Proposal

To allow equal treatment for both Transco raised and User raised modification proposals.

Purpose of Proposal

This Proposal will remove the discrimination described above and give a User Proposal equal ability to be developed as is currently afforded to Transco Proposals under the Modification Rules by enabling the Proposer to vary their own Proposals.

It is considered that implementation of this Modification Proposal would better facilitate Transco's discharge of its licence condition 4D "Conduct of Transportation Business" by removing a clearly unfair, unjustifiable and preferential discrimination under the Modification Rules.

Consequence of not making this change

Transco would continue to enjoy a preferential position within the governance regime that cannot be justified and will remain open to criticism that the regime is unbalanced and unfair.

Area of Network Code Concerned

Section Y

Paragraph 2.1 Defined Terms

Amend definition of "User Proposal" as follows;

"User Proposal": any Modification Proposal made by a User pursuant to paragraph 6.1.2 which Proposal may be varied by such User pursuant to paragraph 11.4;

Amend paragraph 11.4 Variation of Modification Proposal as follows;

Transco will as it considers appropriate modify each Transco Proposal or User Proposal adopted by Transco (pursuant to paragraph 6.4) and a User will as it considers appropriate modify a User Proposal that it makes pursuant to paragraph 6.1.2 both having regard to better facilitating the achievement of the Relevant Objectives and having had regard to any other matter (including, but without limitation, representations (if any) received (in accordance with these Rules) from Users, Non-Code Parties, Third Party Participants and otherwise and the report of the relevant Workstream or Development Work Group and discussions at meetings of the Modification Panel) as appropriate.

Proposer's Representative

Steve Ladle (Total Gas and Power Limited)

Proposer

Steve Ladle (Total Gas and Power Limited)

Signature

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