

**UNIFORM NETWORK CODE MODIFICATION PANEL**

**MINUTES OF THE 83<sup>rd</sup> MEETING**

**HELD ON THURSDAY 06 AUGUST 2009**

**Members Present:**

**Transporter Representatives:** R Hewitt (National Grid NTS), C Warner (National Grid Distribution), B Dohel (Scotia Gas Networks), J Ferguson (Northern Gas Networks) and S Trivella (Wales & West Utilities),

**User Representatives:** C Wright (British Gas Trading), R Fairholme (E.ON UK) and P Broom (GDF Suez)

**Ofgem Representative(s):**

J Dixon

**Terminal Operators Representative:**

R Monroe

**Joint Office:**

T Davis (Chairman) and J Bradley (Secretary)

**83.1 Note of any alternates attending meeting**

P Broom for A Bal (Shell), C Wright for A Barnes (Gazprom) and B Dohel for A Gibson (Scotia Gas Networks)

**83.2 Record of Invitees to the meeting**

None

**83.3 Record of apologies for absence**

A Bal, A Barnes and A Gibson,

**83.4 Consider New, Non-Urgent Modification Proposals**

- a) Proposal 0258: "Facilitating the Use of Remote Meter Reading Equipment for the Purposes of Demand Estimation Forecasting Techniques"

At the request of B Dohel (Scotia Gas Networks), the Panel voted UNANIMOUSLY to defer consideration.

- b) Proposal 0260: "Revision of the Post-emergency Claims Arrangements"

Following a presentation from R Hewitt and a discussion, the Panel voted UNANIMOUSLY for the Proposal to proceed to Consultation. After R Hewitt advised that draft legal text was expected to be made available prior to the close of the consultation period, the Panel voted on whether legal text should be prepared prior to the Proposal being issued for consultation, with the following members casting votes in favour: B Dohel, R Fairholme, P Broom (also as proxy for A Bal). Therefore the Panel did not determine that legal text was required. Noting that, notwithstanding their view that the Proposal fell within the User Pays arrangements, National Grid NTS had agreed to fund any implementation costs, the Panel then voted UNANIMOUSLY not to request a Detailed Cost Assessment. If the Authority direct that he Proposal should be implemented, R Hewitt undertook to advise the Panel of the costs involved. The Panel then voted UNANIMOUSLY for representations to close-out on 04 September 2009.

J Dixon expressed concern that, by offering an opinion on whether or not an impact assessment would be conducted by Ofgem, the Proposal could create an element of uncertainty. It was, therefore, agreed that the Draft Modification Report should include a statement that Ofgem did not believe the Proposal met the criteria which would lead to an impact assessment being required.

c) Proposal 0261: “Annual NTS Exit (Flat) Capacity Credit Arrangements”

Following a presentation from R Hewitt and a discussion, the Panel voted UNANIMOUSLY for the Proposal to proceed to Consultation. They did not determine that legal text was required, with no votes cast in favour.

**83.5 Consider New Proposals for Review**

Review Proposal 0264: “Review of Industry Arrangements to Accommodate Reduced Demand at DM Supply Points”

Following a presentation from C Warner and a discussion, the Panel voted UNANIMOUSLY for the Proposal to proceed to Review. The Review Group was requested to report by the December 2009 Panel. It was agreed that Terms of Reference, for Panel approval, would be considered at the initial meeting. The Panel noted the suggestion, within Ofgem’s decision letter on Proposal 0244 “Amending DM Supply Point Data for Sites with Significant Changes in Usage”, that the DNs should consider whether some form of transitional relief is appropriate. They therefore requested the Review Group prioritise consideration of possible transitional relief and seeking to identify a means by which this could be implemented prior to October 2009.

**83.6 Any Other Business**

Proposal 0262 “Treatment of Capacity affected by Force Majeure”.

National Grid NTS requested that this Proposal be considered at short notice. The Panel then voted on whether to discuss the Proposal, with R Hewitt voting in favour. Therefore the Panel did not consider this Proposal.

R Hewitt referred to the minutes of the May 2009 Modification Panel. His understanding was that National Grid NTS had requested that the Panel seek a Detailed Cost Assessment on Proposal 0246 and its alternatives, but that this request had been rejected. This was confirmed by M Watson who was in attendance and had acted as R Hewitt’s alternate at that meeting. This was not reflected in the minutes. It was agreed that Panel Members review both the minutes and their own recall of the discussion and consider any amendment to the minutes at the next Panel Meeting.

**83.7 Conclude Meeting and Agree Date of Next Meeting:**

The Panel noted that the next Panel meeting is due to be held on 20 August 2009 at Elexon’s Offices.