

Record of Determinations: Panel Meeting 21 March 2019

| Modification | Vote Outcome | Shipper Voting Members | | | | | | Transporter Voting Members | | | | | IGT Voting Member | Consumer Voting Member | Consumer Voting Member | Determination Sought |
|--|---|------------------------|----|---------|----|----|----|----------------------------|----|----|----|----|-------------------|------------------------|------------------------|--|
| | | AG | DF | GW (MB) | MB | RF | SM | CW | TT | DM | RP | TS | JCo | JA | EP | |
| 0681 - Improvements to the quality of the Conversion Factor values held on the Supply Point Register | Not related to the Significant Code Review - <i>unanimous vote against</i> | X | X | 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 Self-Governance criteria? |
| | Issued to Workgroup 0681S with a report to be presented to the 20 June 2019 Panel - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification be issued to Workgroup 0681S with a report presented to the 20 June Panel? |
| 0682 - Market Participant MDD Migration to UNC Governance from the SPAA | Not related to the Significant Code Review - <i>unanimous vote against</i> | X | X | 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>majority vote in favour</i> | X | X | ✓ | ✓ | X | X | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | NV | Does Modification satisfy Self-Governance criteria? |
| | Issued to Workgroup 0682 with a report to be presented to the 16 May 2019 Panel - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification be issued to Workgroup 0682 with a report presented to the 16 May Panel? |
| 0683 - Updating the Offtake Arrangements Document (OAD) with recommendations resulting from UNC Request Workgroup 0646R - Review of the Offtake Arrangements Document - Phase 1 | Not related to the Significant Code Review - <i>unanimous vote against</i> | X | X | 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 Self-Governance criteria? |
| | Issued to Workgroup 0683S with a report to be presented to the 18 July 2019 Panel - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification be issued to Workgroup 0683S with a report presented to the 18 July Panel? |
| 0684 - Amendment of the Data Permission Matrix to add Meter Asset Provider as a new User type (Short Notice) | To be considered at Short Notice - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Consider at Short Notice? |
| | Not related to the Significant Code Review - <i>majority vote against</i> | ✓ | X | ✓ | ✓ | X | ✓ | X | X | X | X | X | X | X | X | Is Modification related to Significant Code Review? |
| | Is a Self-Governance Modification - <i>majority vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Does Modification satisfy Self-Governance criteria? |

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|--|--|------------------------|----|---------|----|----|----|----------------------------|----|----|----|----|-------------------|------------------------|------------------------|---|
| | | AG | DF | GW (MB) | MB | RF | SM | CW | TT | DM | RP | TS | JCo | JA | EP | |
| | Issued to Workgroup 0684S with a report presented by the 18 April 2019 Panel - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification be issued to Workgroup 0684S with a report by the 18 April 2019 Panel? |
| | Legal Text requested - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | To request Legal Text? |
| | | | | | | | | | | | | | | | | |
| 0678J - Amendments to Gas Transmission Charging Regime | To be considered at Short Notice - <i>unanimous vote against</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Consider at Short Notice? |
| | Not related to the Significant Code Review - <i>unanimous vote against</i> | X | X | X | X | X | X | X | X | X | X | X | X | X | X | Is Modification related to Significant Code Review? |
| | No a Self-Governance Modification - <i>unanimous vote against</i> | X | X | X | X | X | X | X | X | X | X | X | X | X | X | Does Modification satisfy Self-Governance criteria? |
| | Issued to Workgroup 0678 and to follow the same timeline where practicable - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification be issued to Workgroup 0684 with a report by the 21 March 2019 Panel? |
| | | | | | | | | | | | | | | | | |
| 0674 - Performance Assurance Techniques and Controls | Not related to the Significant Code Review - <i>unanimous vote against</i> | X | X | X | X | X | NV | 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 | X | X | Does Modification satisfy Self-Governance criteria? |
| | Issued to Workgroup 0674 with a report presented by the 19 September 2019 Panel - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification be issued to Workgroup 0684 with a report by the 19 September 2019 Panel? |
| | | | | | | | | | | | | | | | | |
| 0675S - Enabling changes to the BBL Interconnection Agreement to facilitate physical reverse flow | Modification 0675S returned to Workgroup with a report presented by 16 May 2019 Panel - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification 0675S be returned to Workgroup with a report presented by 16 May 2019 Panel? |
| | | | | | | | | | | | | | | | | |
| 0676R - Review of Gas Transporter Joint Office Arrangements | Modification 0676R returned to Workgroup with a report presented by 15 August 2019 Panel - <i>unanimous vote in favour</i> | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification 0675S be returned to Workgroup with a report presented by 15 August 2019 Panel? |

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|---|---|------------------------|----|---------|----|----|----|----------------------------|----|----|----|----|-------------------|------------------------|------------------------|--|
| | | AG | DF | GW (MB) | MB | RF | SM | CW | TT | DM | RP | TS | JCo | JA | EP | |
| 0680S - UNC Changes as a Consequence of 'no deal' United Kingdom Exit from the European Union | Proceed to Consultation, with consultation closing out on 11 April 2019 - unanimous vote in favour | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification 0680S be issued to Consultation, closing on 11 April and be considered at short notice at the 18 April 2019 Panel? |
| 0671 - New Capacity Exchange process at NTS exit points for capacity below baseline | Workgroup 0671 reporting date extended with a report to be presented by 20 June 2019 Panel - unanimous vote in favour | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Workgroup 0671 reporting date be extended with a report presented by 20 June 2019 Panel? |
| 0667 - Inclusion and Amendment of Entry Incremental Capacity Release NPV test in UNC | Legal Text requestd - unanimous vote if favour | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | To Request Legal Text? |
| 0652 – Introduction of winter read/consumption reports and associated obligations | No new issues were identified during Consultation - unanimous vote against | X | X | X | X | X | X | X | X | X | X | X | X | X | X | Were new issues identified during Consultation? |
| | Modification 0652 recommended to be implemented - unanimous vote in favour | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification 0652 be implemented? (Yes votes only) |
| 0665 - Introduction of suitable classification of Ratchetable Supply Points & ensuring accurate Capacity Allocations (SOQ) | No new issues were identified during Consultation - unanimous vote against | X | X | X | X | X | X | X | X | X | X | X | X | X | X | Were new issues identified during Consultation? |
| | Modification 0665 recommended to be implemented - unanimous vote in favour | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Should Modification 0665 be implemented? (Yes votes only) |

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

UNC Modification Panel

Minutes of the 240 Meeting held on Thursday 21 March 2019

at

Elexon, 4th Floor, 350 Euston Road, London NW1 3AW

Attendees

Voting Members:

| Shipper Representatives | Transporter Representatives | Consumer Representatives |
|---|--|--|
| A Green (AG), Total D Fittock (DF), Corona Energy M Bellman (MB), Scottish Power and alternate for G Wood R Fairholme (RF), Uniper S Mulliganie (SM), Gazprom | C Warner (CWa), Cadent T Thompson (TT), National Grid NTS D Mitchell (DM), SGN R Pomroy (RP), Wales & West Utilities T Saunders (TS), Northern Gas Networks J Cooper* (JC), BUUK | J Atherton (JA), Citizens Advice E Proffitt (EP), MEUC |

Non-Voting Members:

| Chairperson | Ofgem Representative | Independent Supplier Representative |
|-----------------------|----------------------|--|
| M Shurmer (MS), Chair | J Dixon (JD) | |

Also in Attendance:

A Rawding* (AR), Northern Gas Networks; E Rogers (ER), Xoserve; F Cottam* (FC), Xoserve; G Dosanjh (GD), Cadent; K Dudley* (KD), EON UK; K Riley (KR), South Hook; L King* (LK), Ofgem; P Garner (PG), Joint Office; R Fletcher (BF), Secretary; R Hailes (RH), Joint Office; S Britton (SBr), Cornwall Insight and S Singh (SS), Cadent.

**by teleconference*

Record of Discussions

Introduction

MS welcomed all attendees to the meeting and then set out the order of business for the meeting.

MS noted that this was the last Panel meeting Chris Warner (CW) is due to attend as

a Panel Member. On behalf of Members, MS thanked CW for his contributions and long service to Panel.

240.1 Note of any alternates attending meeting

David Mitchell for H Chapman, SGN
Mark Bellman for G Wood, British Gas
Teresa Thompson for D Lond, National Grid

240.2 Record of Apologies for absence

H Chapman, SGN
D Lond, National Grid
G Wood, British Gas

240.3 Minutes and Actions of the Last Meeting(s)

Members then approved the minutes from the previous meetings on 21 February 2019 and 01 March 2019.

240.4 Consider Urgent Modifications

None presented.

240.5 Consider New Non-Urgent Modifications

a) Modification 0681 - Improvements to the quality of the Conversion Factor values held on the Supply Point Register

KD introduced Modification 0681, its aims.

RP asked about sites over the 732,000kWh threshold without a specific value and what is going to be done. KD noted that the information identified in the assessment process might require some consideration at Workgroup but as yet no sanctions were being considered.

For Modification 0681 Members determined:

- It is not related to the Significant Code Review, by unanimous vote;
- The criteria for Self-Governance are met as this Modification is unlikely to impact competition or consumers, by unanimous vote;
- That Modification 0681S is issued to Workgroup 0681S with a Report presented to the 20 June Panel, by unanimous vote.

b) Modification 0682 - Market Participant MDD Migration to UNC Governance from the SPAA

KD introduced Modification 0682 and outlined its aims. TS asked if the UNC Modification and SPAA change will be run together so that the timelines

aligned. KD advised that previously there was a joint workgroup approach, but it was not anticipated as being needed here as the solution was understood.

JD noted that SPAA consider the change to be a material impact as data is being transferred from their control to UNC control, whereas, this UNC Modification is not proposed to be material. He noted that from his perspective this was not a material change as it was just changing the governance for controlling the data. Due to the complexity and for reasons of pragmatism, it was suggested that Ofgem should make the decision for all three impacted Codes (SPAA, IGTUNC and UNC).

SM agreed with the approach to ensure the process remained aligned and implementation could be coordinated. However, RP felt the Modification should be consider as suitable for Self-Governance as it met the criteria and if Ofgem held a different view they should call in the Modification.

JD noted the concerns and confirmed that the reasons why Ofgem do not consider the Modification suitable for Self-Governance is that the decision on implementation needs to be coordinated and made effective at the same time, to ensure there is no misalignment between impacted Codes.

For reference the SPAA Change Proposal is SCP 467 - Market Participant MDD Migration to UNC Governance.

[SPAA Change Proposal SCP467](#)

For Modification 0682 Members determined:

- It is not related to the Significant Code Review, by unanimous vote;
- The criteria for Self-Governance are met as this Modification is not likely to impact competition or consumers, by majority vote. It was noted that the Authority have determined to reject Self-Governance status and that this Modification should be subject to Authority Direction in order to ensure cross-code alignment;
- That Modification 0682 is issued to Workgroup 0682 with a Report presented to the 16 May Panel, by unanimous vote.

c) Modification 0683 - Updating the Offtake Arrangements Document (OAD) with recommendations resulting from UNC Request Workgroup 0646R - Review of the Offtake Arrangements Document - Phase 1

SS introduced Modification 0683 and outlined its aims.

For Modification 0683 Members determined:

- It is not related to the Significant Code Review by unanimous vote;
- The criteria for Self-Governance are met as this Modification is unlikely to impact contractual arrangements for transportation of gas, competition or consumers, by unanimous vote;
- That Modification 0683S is issued to Workgroup 0683S with a Report presented to the 18 July Panel, by unanimous vote.

d) Modification 0684 - Amendment of the Data Permission Matrix to add Meter Asset Provider as a new User type

ER introduced Modification 0684 and its aims.

RP asked if Suggested Text is available for this Modification. ER advised that that an amended matrix adding MAP ID is to be provided in time for the Workgroup meeting.

RP suggested the Modification could be issued straight to consultation. CW felt it is good practice to issue the Modification to Workgroup.

SM noted that the change is being raised as a consequence of the CSS programme and therefore is impacting the Significant Code Review (SCR) and should be considered in this vote.

RP challenged that if the Modification is subject to the SCR how could Panel assess it or issue it to Workgroup.

JD noted that this Modification would be exempt from the SCR as it is preparation for delivery of the SCR.

For Modification 0684 Members determined:

- Should be considered at Short Notice, by unanimous vote;
- It is not related to the Significant Code Review by majority vote;
- The criteria for Self-Governance are met as this Modification is not likely to impact competition or consumers, by unanimous vote;
- That Modification 0684S is issued to Workgroup 0684S with a Report presented to the 18 April Panel, by unanimous vote;
- To request Legal Text, by unanimous vote.

e) Modification 0678J - Amendments to Gas Transmission Charging Regime

MS noted that this was an additional proposed alternative to Modification 0678 and that there may be others due to the extended timeline. He noted that the provision of data by National Grid might prompt other parties to raise alternatives during the extended assessment window. He also noted that while concerns about the submission of late alternatives had been raised with Ofgem, they had stopped short of taking any action other than requesting that parties take notice of the deadline proposed by the Joint Office, albeit noting that this was non-binding. MS requested that JD note his ongoing concerns on this matter.

RF was concerned how Panel were to manage the process should alternatives be raised late in the process, this creates a risk to good governance. RP agreed although parties will still attempt to protect their commercial position should there be significant impacts identified once the data is analysed.

JD confirmed that Ofgem might considered applying a deadline for final submission of alternatives if it was felt that the process was becoming

untenable.

SM wanted to understand how other Modifications (not raised as alternatives) were to be considered if they obviously fall into the scope of Modification 0678. The Ofgem decision letter implies they should be considered as alternatives. It was felt this would need to be part of the Panel assessment of the Modification and it would be their choice to issue it as an alternative to Modification 0678.

JD noted there is a risk that late alternatives will need to be disregarded as the Ofgem directed timeline is there for a reason.

RH asked Members to note that the timetable for Modification 0678 does not include Panel review of the Workgroup Report as it will be issued straight to consultation. JD felt that Ofgem would not prevent Panel meeting to discuss the Workgroup Report providing this does not impact the overall timeline.

RF wondered whether Panel should consider refusing to hold extraordinary Panel meetings between now and the April Panel as a way of reducing late alternatives. However, this was not agreed as Panel could be accused of not following due process.

KR introduced Modification 0678J and its aims.

For Modification 0678J Members determined:

- Should be considered at Short Notice, by unanimous vote;
- It is not related to the Significant Code Review by unanimous vote;
- The criteria for Self-Governance are not met as this Modification is likely to impact competition or consumers, by unanimous vote;
- That Modification 0678J is issued to Workgroup 0678 and follow the same timeline where practicable, by unanimous vote.

240.6 Existing Modifications for Reconsideration

a) Modification 0674 - Performance Assurance Techniques and Controls

MB asked Members to note that Modification 0674 was deferred previously to allow it to be developed to a point so that it could be assessed by the Workgroup. This activity had been completed and he wished to present the amended Modification to Panel. He asked Members to note that as the rewrite had been extensive, it did not seem appropriate to provide a change marked version.

MS asked whether in light of the extensive revisions this Modification should be resubmitted under a new number. After some discussion, Panel concluded that this was not necessary as it would cause further delay to consideration of this Modification.

The key elements should be based on supporting the industry by providing education and guidance and not just about incentives mechanisms.

SM wanted to ensure the development of the Modification is managed effectively and that the correct audience attends the meetings. This is to ensure focus on achieving the Modification aims.

Panel Members discussed at length the best Workgroup for this Modification and concluded that it would benefit from the audience at Governance Workgroup MB suggested that the Modification should be discussed at Governance Workgroup or a similar and that it could then be moved based on the topics to be discussed. There was no discussion of when that Workgroup could be scheduled.

TS would prefer if the Modification was renumbered as it currently skews the KPIs and is misleading. MB disagreed as the Modification has been discussed widely in the industry and any impacts on KPIs can be caveated.

RF noted that establishing a Review Group might have been a more appropriate action earlier in the process.

MS suggested the previous votes on this Modification were retaken to ensure the Panel were confident their determinations were suitable.

For Modification 0674 Members determined:

- It is not related to the Significant Code Review, by unanimous vote;
- The criteria for Self-Governance are not met as this Modification is likely to have a material impact on contractual arrangements between Shippers and Transporters and competition, by unanimous vote;
- That Modification 0674 is issued to Workgroup 0674 with a Report presented to the 19 September Panel, by unanimous vote.

240.7 Consider Workgroup Issues

a) Modification 0667 - Inclusion and Amendment of Entry Incremental Capacity Release NPV test in UNC

BF advised that the Workgroup had identified that the Modification if implemented could impact the Transporters licence and a view was being requested from Panel on how to proceed with the Modification. It was noted that a Modification could not direct a change to Licence.

TT advised that National Grid is considering this issue with the proposer and Ofgem and that an update is to be provided at the next meeting.

BF advised that the Workgroup view was to ask Panel if they had any concerns but also to allow the Workgroup to conclude its assessment and submit the Workgroup Report to the April Panel meeting.

AG supported the view that the Workgroup should continue unless there was an issue identified in the discussions between the Proposer, National Grid and Ofgem.

JD noted that Ofgem were not certain at this time that a change to licence is required, therefore they felt it would be beneficial if the Modification progressed and this should be considered when the decision point is reached.

Panel determined that the Workgroup should conclude the report for

submission to the 18 April Panel meeting.

240.8 Workgroup Reports for Consideration

a) Modification 0675S - Enabling changes to the BBL Interconnection Agreement to facilitate physical reverse flow

BF advised the Workgroup were requesting an extension to the April Panel.

For Modification 0675S, Members determined:

- It should be referred to Workgroup 0675S for further assessment, with a report by the 18 April 2019 Panel and that the Workgroup Report is to be considered at Short Notice, by unanimous vote.

b) Request 0676R – Review of Gas Transporter Joint Office Arrangements

SM noted the Workgroup input and requested that the reporting date is extended to August to allow a number of suggested ideas to be explored.

The scope was considered and it was noted that an independent Chair for the Workgroup was not being requested at this time as it was felt the issues identified could be managed using existing procedures.

For Request 0676R, Members determined:

- It should be referred to Workgroup 0676R for further assessment, with a report by the 15 August 2019 Panel, by unanimous vote.

c) Modification 0680S - UNC Changes as a Consequence of 'no deal' United Kingdom Exit from the European Union

RF questioned if the Modification should be issued to consultation as the date proposed might change soon. It was noted, however, that the dates referred to the date of the UK's potential exit from Europe and not to the date of implementation of the Modification.

TT would prefer to see the Modification issued to consultation so as not to delay its progress. MB agreed with TT as this Modification is preparing for a no deal scenarios and is to mitigate risks.

RP was concerned that a Modification is being issued for consultation without the necessary Statutory Instruments in place to allow its implementation. BF noted that PL had advised at the last Workgroup meeting that progress had been made on the approval of Statutory Instruments.

For Modification 0680S, Members determined:

- It should be issued to consultation with a close out date of 11 April 2019 and considered at Short Notice at 18 April 2019 Panel, by unanimous vote.

240.9 Consideration of Workgroup Reporting Dates and Legal Text Requests

Members noted that a number of Workgroup meetings has been rearranged at the end of March and early April due to meeting congestions caused by Modification 0678 additional meetings.

Members agreed that Workgroup Reports completed at April Transmission Workgroup would be considered at Short Notice at the April Panel for these reasons.

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

| Workgroup | New Reporting Date |
|---|--------------------|
| 0671 - New Capacity Exchange process at NTS exit points for capacity below baseline | 20 June 2019 |

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

| Modification |
|--|
| 0667 - Inclusion and Amendment of Entry Incremental Capacity Release NPV test in UNC |

240.10 Consider Variation Requests

None discussed.

240.11 Final Modification Reports

a) Modification 0652 - Introduction of winter read/consumption reports and associated obligations

Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0652>

Member then determined:

- that there were no new issues requiring a view from Workgroup, by unanimous vote;
- to recommend implementation of Modification 0652, by unanimous vote.

b) Modification 0665 - Changes to Ratchet Regime

Panel discussion: see the Final Modification Report published at:
<https://www.gasgovernance.co.uk/0665>

Member then determined:

- that there were no new issues requiring a view from Workgroup, by unanimous vote;
- to recommend implementation of Modification 0665, by unanimous vote.

240.12 AOB

a) Gas Transmission Tariffs

PG provided an overview of the progress made to date at Workgroup. It was noted that the letter sent by MS to Ofgem and the following conversations held with them had been constructive leading to Ofgem granting an extension to the assessment timeline for Modification 0678. PG noted that this would still be very challenging. PG confirmed that National Grid is in the process of providing analysis/data, although this was later than anticipated. There is a risk of this leading to inefficient meetings as proposers won't be able to provide supporting analyse for their specific modifications in time.

TT agreed to follow up this action with and seek a view as to when the data would be provided.

MS advised that an email had been received from an industry participant which had been circulated to Members for their views. PG advised that she would not be replying directly to the email, noting that the individual was able to attend Workgroup meetings if they wished to do so.

SM was concerned as he felt that some response was needed as these were allegations about the Panel members directly and the wider industry, noting that the email had been sent to both Ofgem and BEIS.

PG advised that she would be willing to send a letter on behalf of Panel or a Member. SM wanted to see a strong response sent to ensure the allegations were refuted otherwise this might lead to Members standing down to protect their individual integrity. MB agreed that this issue should not be ignored as there were other examples of industry committees needing take a similar approach in responding to allegations in order to protect Members.

DF agreed, noting that the email was received prior to Ofgem's decision to extend the Workgroup 0678 timetable and contained factual inaccuracies.

SM wanted a letter to refute the issues raised in the letter as by in large they were wrong.

MS noted that the letter contained a number of factual inaccuracies, including that the timeline for consideration of this Modification was a matter for Ofgem and not for Panel or industry.

CW suggested that MS prepare a non-legal response as an initial step for

Members to review. TS agreed although she did not think the email should be published on the Joint Office website if it is inaccurate. SM agreed and requesting the letter demand a retraction from the party concerned. AG felt the email should be countered as soon as possible if it remains published so that the industry is aware of the inaccuracies contained.

JD noted that some of the concerns raised were considered to be inaccurate or misunderstanding the process, although he agreed there were differing views on how this process for TAR Code compliance could have been managed.

JD noted that timings of Modifications could be raised directly with the Authority should parties have concerns. In addition, Transporter Standard Condition 9 allows the Authority to investigate complaints should a party feel that the rules of the UNC concerning Code changes are not be managed correctly. Noting that there are established industry processes to manage these issues should parties want them addressed.

MS suggest that in future it would be helpful if similar letters are brought to Panel in advance of being published for Workgroup. MS agreed to provide a response to the party concerned on behalf of Panel subject to receiving Legal support to confirm/agree the content.

b) SPAA MDD Migration Working Group

ER provide a brief overview of progress to date, noting that as Modification 0682 had been raised, this item could be removed from future agendas.

c) Panel Member Alternates

PG noted that a number of voting Panel Members had nominated their two standing alternates but there were a number outstanding.

MS noted that it is a requirement for Panel Members to designate alternates and that we would “name and shame” those who had not done so by the time of the next Panel.

A further update is to be provided at the next meeting.

d) Panel Member Profiles

PG noted that a number of Members had provided profiles and requested the remaining Members to provide the outstanding profiles in good order.

e) Code of Conduct

PG advised that the Code of Conduct is to be developed into a formal document and will be circulated to members ahead of the next meeting.

f) Guidelines for the User Representatives Appointment Process

BF advised that an amended version of the guidelines is to be provided for the next meeting so that it can be considered prior to the commencement of the 2019/20 UNC Elections process. The amendments include changes following the implementation of Modification 0656 - Changes to Modification Panel arrangements.

g) Guidelines for the Non-Domestic Consumer Representatives Nomination Process

BF advised that a draft process is to be submitted to Panel to outline the process for seeking nominations for the Non-Domestic Consumer Representative.

TS noted that the Modifications Rules define Consumer Representative but not Non-Domestic Consumer Representative and that this should be considered in the process.

h) Request 0630R - Review of the consequential changes required in UNC as a result of the Ofgem Switching Programme

CW asked Members to note that an industry meeting has been arranged to so that the draft Legal Text proposed for the SCR can be explained to parties. He expressed his concern at the current low number confirmed to attend considering the significant changes to Code proposed by the SCR.

CW agreed to provide a background email for circulation by the Joint Office to high light the significant changes proposed.

240.13 Date of Next Meeting

- 10:30, Thursday 18 April 2019, at Elexon.

Action Table (21 March 2019)

| Action Ref | Meeting Date | Minute Ref | Action | Owner | Status Update |
|------------|--------------|------------|--------|-------|---------------|
| PAN 01/03 | 21/03/19 | | | | Pending |