

Representation - Draft Modification Report UNC 0735S

UNC Changes as a consequence of the absence of trade agreement/s between the United Kingdom and the European Union ('no deal')

Responses invited by: **5pm on 10 December 2020**

To: enquiries@gasgovernance.co.uk

Please note submission of your representation confirms your consent for publication/circulation.

Representative:	Phil Lucas
Organisation:	National Grid NTS
Date of Representation:	08 December 2020
Support or oppose implementation?	Support
Relevant Objective:	f) Positive

Reason for support/opposition: Please summarise (in one paragraph) the key reason(s)

As the proposer, National Grid NTS supports the implementation of this Modification Proposal. The conclusion of the Implementation Period (IP) for the United Kingdom's exit from the European Union (EU) in absence of agreements concerning the UK's future trade and political relationship with the EU necessitates a quantity of minor amendments to the Uniform Network Code (UNC) as described in the Proposal. In summary, the changes ensure the UNC remains consistent with the revised legislative and operational regime that will exist following the end of the IP. This will eliminate any ambiguity which would prevail if these changes were not made and thereby promote efficiency in the implementation of the Code consistent with relevant objective (f).

Self-Governance Statement:

We remain of the opinion that given the scale and materiality of the changes proposed to the UNC that application of self-governance procedures to this Proposal is entirely appropriate.

We note that, as recorded in the Workgroup Report and Draft Modification Report, the Workgroup concurred with our views on the appropriateness of Self-Governance procedures being applied in respect of this Proposal. This was endorsed by the UNC Modification Panel in November 2020.

Implementation:

Implementation is sought as soon as practicable following the decision to implement the Proposal. In this respect, we note that:

- the decision to whether implement this Proposal is not able to be made by the UNC Modification Panel until there is certainty that at the end of the Implementation Period (IP) for the United Kingdom's exit from the European Union (EU) there will be no agreement/s concerning the UK's future trade and political relationship; and
- as a self-governance Proposal, the earliest implementation date is the sixteenth (16th) business day following the decision to direct implementation.

Impacts and Costs:

National Grid will not incur any specific additional costs as a consequence of the implementation of this Proposal.

Legal Text:

We are satisfied that the legal text delivers the intent of the solution identified in this Proposal.

Are there any errors or omissions in this Modification Report that you think should be taken into account?

We have not identified any such error or omissions.

Please provide below any additional analysis or information to support your representation

This Proposal sets out changes to the UNC that are required in the event that no agreement/s concerning the UK's future trade and political relationship are in place at the end of the IP.

If such agreements *are* put in place following the end of the IP (and therefore this Proposal effectively lapses) changes may still be required to the UNC as a consequence however, the exact nature and scope of such changes are not apparent as yet and are unlikely to be so until the terms of any such arrangements are known.

In essence, this Proposal addresses what is known at this point i.e. that if there if there are no agreement/s in place at the end of the IP then the UNC provisions addressed by this Proposal need to be amended.