

## **FGO – change management and control for the DSC**

### **1 Introduction**

- 1.1 This paper is intended to provide a summary of some key issues and options for DSC change control. As background, it is assumed that the DSC structure in the attached note is adopted, so that certain kinds of DSC change may (or may only) only take place by way of UNC modification. Here we are addressing changes at a level below a full UNC modification.
- 1.2 From a legal point of view the key questions are:
- (a) what kinds of decision will need to be taken in the change management process; and
  - (b) what body will take those decisions and how will they be taken (in the absence of a unanimous decision)?
- 1.3 From a legal point of view these questions must be addressed in the context that (under the DSC) the CDSP will have as customers more than 45 portfolio shippers, 5 DNOs, NTS, c. 10 iGTs (and if they are also customers, more than 100 trading-only shippers).
- 1.4 This paper focusses on changes to CDSP services, more than changes to other documentary parts of the DSC.

### **2 What decisions need to be taken?**

- 2.1 The arrangements will need to address decisions at various levels including:
- (a) a decision to change (or add or remove) a CDSP service which is not part of the UNC;
  - (b) a decision on a choice of ways for the CDSP to implement a UNC modification (ie, the 'how'; a code modification will have decided the 'what');
  - (c) a decision to make a change to systems, systems interfaces, file formats, etc, which does not actually change service definition;
  - (d) a decision on priority as between implementing different changes where there is conflict (in terms of CDSP resource, etc);
  - (e) decisions on process management, sequencing of work, setting and changing timetables, variations, and so on.
- 2.2 From a legal point of view all of these (however small or large) have to be recognised as being decisions. The CDSP needs to be able to rely on an instruction or authorisation of the relevant body, without risk of later challenge as to whether the body actually reached the required decision. What may in practice be quite informal decisions still need this legal rigour.

### **3 What body will take decisions, and how?**

- 3.1 Broadly two options have been identified, a committee approach and an 'all-party' approach.

3.2 Under the committee approach:

- (a) a committee of representatives of UNC parties (ie CDSP core customers) would be the body which takes decisions;
- (b) voting would be as per the UNCC (and subcommittees) ie one vote per committee member;
- (c) for changes to Agency services, only relevant GT representatives would vote (but subject to 'checks and balances' as to impact on other services);
- (d) for 'bespoke' services, the creation and change of a service will probably be governed by the 'bespoke services policy' rather than as part of change control – although there may be some overlap;
- (e) the shipper members of the committee could be appointed on a constituency basis (unlike the UNCC) – if that was the preferred approach;
- (f) committee meetings could be in open session, with all parties able to attend (but only the committee would vote).

3.3 Under the 'all-party' approach:

- (a) each party would appoint an individual representative to be a member of a change management group;
- (b) the body which takes decisions is the body of all of the parties' representatives;
- (c) in practice only those representatives which attended a meeting would be the decision-makers (unless a written or proxy voting mechanism existed);
- (d) voting arrangements would reflect the different constituencies of parties. Where a decision can be identified as affecting only one constituency, only those representatives would vote. If all constituencies were affected, all representatives would vote;
- (e) the basis for voting would have to be defined. One suggestion is that votes should be weighted according to the share each party bears of the CDSP's costs for the relevant service area (or areas) affected by a change.

3.4 Some variants have been identified including the following:

- (a) for code modifications, any implementation choices (ie the 'how' of xoserve delivers the required change) would be included in the modification report, so that Ofgem's decision would extend to that part of DSC change. Those decisions would then not fall within the DSC change control arrangements.
- (b) The committee approach would apply but with an 'appeal' right for major decisions. A party (or perhaps parties meeting a threshold test) who object to a committee decision could call for a full 'all-party' vote;

#### **4 Contract management**

- 4.1 Change control / management and contract management have been identified as separate areas, potentially in the charge of different bodies.
- 4.2 It is worth noting that, if a separate contract management body is created, all of the issues above will also arise for that body, to the extent that it takes any decisions on which the CDSP relies in performing the DSC (and whether those decisions are currently formal or informal).