

**CODE MODIFICATION PROPOSAL No XXX**  
**“Capacity Transfers to Sold Out ASEPs”**  
**Draft v1.0**

**Deleted:** 0133  
**Deleted:** “Introduction of the  
AMTSEC Auction”¶  
Version 1.0¶  
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**Date:** 07/02/2007¶

**Date:** 20/02/2007

**Proposed Implementation Date:** 01/06/2007

**Urgency:** Non Urgent

**1 The Modification Proposal**

**(a) Nature and Purpose of this Proposal**

Under the current price control (2002-2007), National Grid NTS is obliged under its Gas Transporter Licence to use all reasonable endeavours to offer for sale a baseline level of capacity at each Aggregate System Entry Point (ASEP) in at least one clearing allocation. This provides certainty to Users of the available capacity amounts, but does not allow the flexibility for either:

- sold capacity held by a User at one ASEP to be transferred to another ASEP where the User (or another User) has a greater need for such capacity; or
- unsold capacity (i.e. amounts of obligated baseline capacity that have not been sold) to be reallocated to where Users value it most once the baselines have been set at the start of a price control.

A simple example of this issue is where there are two ASEPs using the same part of the system with potentially a high degree of substitutability, and the baseline capacity at one of the ASEPs has completely sold out. Where this occurs within the constrained period, Users that desire capacity above the baseline level have to rely upon National Grid NTS releasing non-obligated capacity, which is typically not possible without creating significant buy back risk.

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Users at one ASEP may not wish to purchase  
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Ofgem have therefore proposed as part of their Final Proposals for the Transmission Price Control Review (TPCR) that an obligation is placed on National Grid NTS to facilitate the transfer of sold and unsold capacity between ASEPs during the constrained period. (For clarity, Ofgem have also proposed that an obligation is placed on National Grid NTS to facilitate the transfer of unsold capacity between ASEPs during the unconstrained period to seek to minimise investments). National Grid NTS has accepted, in principle, Ofgem’s Final Proposals.

In anticipation of such a licence change, National Grid NTS proposed that an amendment is introduced within the UNC which would allow the transfer of unsold capacity between ASEPs through an Annual Monthly Transfer Auction (Modification Proposal 0133). This, however, only addresses the Licence obligation to transfer unsold capacity, not the Licence obligation to also facilitate the transfer of sold capacity.

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The Proposer recognises that the process of transferring sold capacity could, in the extreme, be complicated (eg transferring capacity in operational timescales) and therefore proposes a more focused mechanism which could be implemented quickly to allow the transfer of sold capacity to ASEPs that have sold out.

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The main advantages of transferring sold capacity ahead of unsold capacity through the AMTSEC are:

- Allows Users to optimise their own portfolio before entering the market for unsold capacity.
- The Sold Capacity Transfer Process will allow the transfer of capacity from any other ASEP, not just those that have unsold baseline, and thus the AMTSEC, if initiated before the Sold Capacity Transfer Process, may miss the most efficient ASEP (i.e. with highest Transfer Rate).
- Avoids reducing the available unsold capacity at the Donor ASEPs available for purchase in the within-year auctions – the AMTSEC will likely just result in further ASEPs becoming sold out.

Overall this will ensure a more efficient allocation of capacity by allowing more scope for market participants to determine at what ASEPs they most want to hold capacity.

It is therefore proposed that an amendment is introduced within the UNC that allows the transfer of capacity between ASEPs, as described below.

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#### Transfer Initiation Process

1. In the event that any ASEP sells out for any month as part of the Annual Monthly System Entry Capacity (AMSEC) auction in Capacity Year Y (i.e. in the following two Capacity Years (Apr Y+1 ~~to~~ Mar Y+2), National Grid NTS shall:
  - a. Firstly, invite applications from Users to transfer capacity they hold at other ASEPs to the sold out ASEPs.
  - b. Secondly, hold another pay as bid auction (the Annual Monthly Transfer System Entry Capacity “AMTSEC” auction) to facilitate the transfer of unsold entry capacity. The AMSEC auction will therefore be the last opportunity for shippers to seek to purchase any *unsold* baseline capacity at an ASEP before it is made available to shippers for purchase at other sold out ASEPs.
2. It is proposed that the AMSEC auction is held in January as opposed to February to allow additional time for the Sold Capacity Transfer Process and AMTSEC auctions ahead of the following Capacity Year.
3. [It is also proposed that a further Sold Capacity Transfer Process is held in August, annually, to allow Users to transfer further capacity to sold out ASEPs ahead of the winter period.]

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Sold Capacity Transfer Process:

4. For each month where one or more ASEP is sold out (“Available Month”), each ASEP is classified as one of the following:
  - a. Recipient ASEP – no unsold capacity available; i.e. all capacity made available in the AMSEC auction has been sold (“sold out”)
  - b. Donor ASEP – another ASEP from which sold capacity could be transferred.
5. National Grid NTS will:
  - a. within 2 business days of publication of the results of the AMSEC auction; and
  - b. [in August of each year;]

invite Users to register to be able to participate in the Sold Capacity Transfer Process.
6. If a User desires to participate in the Sold Capacity Transfer Process they must within 2 business days of the invitation to register:
  - a. commit to pay the application fee to National Grid NTS (as stated in National Grid NTS’ Transportation Charging Statement to cover costs of determining Transfer Rates and undertaking the transfer process, and hence will not be refundable)<sup>1</sup>; and
  - b. state the Recipient ASEP(s) and the months, which must be Available Months, in respect of which the User desires to transfer capacity.
7. For those Users that have successfully registered to participate in the Sold Capacity Transfer Process (“SCTP Users”), National Grid NTS will publish within a further 14 days and with at least 7 days notice prior to the transfer window, an invitation containing:
  - a. the date on which applications to transfer shall be made (the “transfer window”);
  - b. for each Recipient ASEP and each Available Month
    - i. the Transfer Rate for each Donor ASEP (where a “Transfer Rate” between a Recipient and Donor ASEP of e.g. 10:1 or 0.1 means that 10 units at the Donor ASEP is equivalent to 1 unit at the Recipient ASEP);

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<sup>1</sup> We would envisage that the application fee would be fixed prior to the invitation to participate in the Sold Capacity Transfer Process.

- ii. the maximum amount of Monthly NTS Entry Capacity that can be accommodated at that Recipient ASEP (the “Nodal Maximum”);
8. National Grid NTS will determine the Transfer Rates and Nodal Maxima in accordance with the Entry Capacity Transfer Methodology Statement<sup>2</sup>. National Grid NTS will be obligated to produce this statement under its GT Licence as a result of acceptance of Ofgem’s Final Proposals for the TPCR. We anticipate that it is National Grid NTS’s intention to commence consultation on this new statement after Ofgem have issued its consultation on the relevant GT Licence conditions.
9. SCTP Users may apply for Monthly NTS Entry Capacity at a Recipient ASEP for any Available Month, which may be met by the transfer of capacity held by such SCTP User from one or more Donor ASEPs in accordance with the allocation methodology described below.
10. An application in respect of an Available Month must state:
  - a. the identity of the User (must have participated in the Transfer Initiation Process);
  - b. the Recipient ASEP;
  - c. the Donor ASEP
  - d. the Available Month;
  - e. the amount (not less than the minimum eligible amount) of Monthly NTS Entry Capacity applied for at the Recipient ASEP (in kWh/Day); and
  - f. the minimum amount (not less than the minimum eligible amount) of Monthly NTS Entry Capacity which the User is willing to be allocated.
11. It is important to note that this is a process for Users to transfer capacity holdings between ASEPs within one User account. The mechanism to transfer capacity between different User accounts at an individual ASEP already exists. For simplicity, it is important to keep these two processes separate as a Sold Capacity Transfer Process that simultaneously combines the two would necessarily be more complex and costly for National Grid NTS to administer, which would necessarily be reflected in the application

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<sup>2</sup> As a matter of good governance, E.ON UK considers that either all material terms and conditions for access to the network should be set out in the Code, or the proposed Entry Capacity Transfer Methodology Statement (ECTMS) should be subject to oversight by the UNC Committee. Such an approach avoids further fragmentation of market rules and allows market participants, as well as National Grid, to propose future changes to these market arrangements. When the contents of the ECTMS are known, we anticipate a further Modification Proposal will be required to formalise its governance under the Code.

- fee. Also, the changes required to Gemini are understood to be minimal if the two processes are separated.
12. A User may have, at any one time, only one application in respect of each Donor-Recipient ASEP combination for each Available Month.
  13. A User may submit applications, and thereafter withdraw or amend as required during the period 08:00 hours to 17:00 hours on the day of the transfer window.
  14. National Grid NTS will reject a bid (and it will therefore not be part of the allocation process described below) where:
    - a. any of the above requirements are not met;
    - b. the User does not have sufficient capacity at the Donor ASEP to meet capacity requested at the Recipient ASEP, based on the Transfer Rate.
  15. User's applications will be allocated as follows:
    - a. Where the aggregate of the capacity requested in respect of a Recipient ASEP is less than or equal to the Nodal Maximum at that Recipient ASEP, the transfers requested by all Users will be met in full;
    - b. Where the aggregate of the capacity applied for in respect of a Recipient ASEP is greater than the Nodal Maximum at that Recipient ASEP, the transfers requested by all Users will be reduced pro rata based on the capacity applied for at the Recipient ASEP such that the total transferred to the Recipient ASEP is equal to the Nodal Maximum.
    - c. Where the amount to be allocated in respect of a bid pursuant to the above is less than the minimum amount specified in the capacity application, the application will be disregarded and a revised allocation will be made between remaining applications.
  16. National Grid NTS will provide to Users their allocations within 2 Business Days after the day applications were made and within a further 1 Business Day the following information to all Users:
    - a. in respect of each Recipient ASEP for each Available Month, the aggregate amount of Monthly NTS Entry Capacity allocated;
    - b. in respect of each Donor ASEP for each Available Month, the amount by which the NTS Entry Capacity was reduced.

AMTSEC Auction

17. For each month where one or more ASEP is sold out (“Available Month”), each ASEP is classified as one of the following
- Recipient ASEP – no unsold capacity available i.e all capacity made available in the AMSEC auction has been sold (“sold out”)
  - Donor ASEP – unsold capacity still available i.e not all capacity made available within the AMSEC auction has been sold (“not sold out”)
18. National Grid NTS will publish within 2 business days of publication of the results of the Sold Capacity Transfer Process the Recipient and Donor ASEPs for each Available Month and invite Users to register to be able to participate in the AMTSEC auction. If a User desires to participate in the AMTSEC auction they must within 12 business days of the publication of the Recipient and Donor ASEPs:
- commit to pay the application fee to National Grid NTS (as stated in National Grid NTS’ Transportation Charging Statement to cover costs of determining Transfer Rates and undertaking the AMTSEC process, and hence will not be refundable)<sup>3</sup> – this will entitle such Users to see the auction invitation information, as described below, and place bids, as desired, in any round of the AMTSEC auction;
  - state the Recipient ASEP(s) and the months, which must be Available Months, in respect of which the User desires to bid for capacity.

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#### AMTSEC invitation

19. For those Users that have successfully registered (as part of the Transfer Initiation Process) to participate in the AMTSEC auction (“AMTSEC Users”), National Grid NTS will publish within a further 14 days (i.e. within 28 days of the publication of the Sold Capacity Transfer Process results) and with at least 14 days notice prior to the AMTSEC auction, an invitation for the first auction round containing:
- the date on which the first round of the AMTSEC auction will be undertaken;
  - for each Recipient ASEP and each Available Month
    - the Transfer Rate for each Donor ASEP (where a “Transfer Rate” between a Recipient and Donor ASEP of e.g. 10:1 or 0.1 means that 10 units at the Donor ASEP is equivalent to 1 unit at the Recipient ASEP);
    - the maximum amount of Monthly NTS Entry Capacity that can be accommodated at that Recipient ASEP (the “Nodal Maximum”);

<sup>3</sup> We would envisage that the application fee would be fixed prior to the invitation to participate in the Sold Capacity Transfer Process.

- iii. the Reserve Price applicable to such Recipient ASEP (as published in National Grid NTS' Transportation Charging Statement)
- c. for each Donor ASEP and each Available Month
  - i. the quantity of Unsold NTS Entry Capacity
  - ii. the quantity of Unsold NTS Entry Capacity to be made available in the auction round.

**Table 1. Example Invitation Information for a round of the AMTSEC auction for an Available Month with two Recipient ASEPs**

	Total Unsold (GWh)	Unsold available in auction round (GWh)	Transfer Rates	
			Recipient ASEP 1	Recipient ASEP 2
<b>Donor ASEP 1</b>	<b>20</b>	<b>10</b>	<b>1</b>	<b>0.5</b>
<b>Donor ASEP 2</b>	<b>16</b>	<b>8</b>	<b>0.3</b>	<b>0.2</b>
<b>Donor ASEP 3</b>	<b>30</b>	<b>15</b>	<b>0.001</b>	<b>0.05</b>
<b>Donor ASEP 4</b>	<b>10</b>	<b>5</b>	<b>0</b>	<b>0.001</b>
<b>;</b>	<b>;</b>	<b>;</b>	<b>;</b>	<b>;</b>
<b>Donor ASEP 20</b>	<b>40</b>	<b>20</b>	<b>0</b>	<b>0</b>
<b>Nodal Maxima (GWh)</b>			<b>10</b>	<b>10</b>

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- 20. National Grid NTS will determine the Transfer Rates, Nodal Maxima and the amount of unsold capacity to be made available in each auction round in accordance with the Entry Capacity Transfer Methodology Statement<sup>4</sup>. National Grid NTS will be obligated to produce this statement under its GT Licence as a result of acceptance of Ofgem's Final Proposals for the TPCR. It is National Grid NTS's intention to commence consultation on this new statement after Ofgem have issued its consultation on the relevant GT Licence conditions.
- 21. It is expected that such Licence conditions will oblige National Grid NTS to determine Transfer Rates in accordance with the Entry Capacity Transfer Methodology Statement to facilitate the economic and efficient operation of the National Transmission System, ensuring that there is minimal change in

<sup>4</sup> See earlier footnote on governance.

the expected risk of entry capacity buy backs. In order to achieve this and set single (as opposed to a range of) Transfer Rates, this Proposal contains the following features:

- a. the amount of Monthly NTS Entry Capacity that can be allocated in aggregate at a Recipient ASEP as a result of the AMTSEC auction is limited to the "Nodal Maximum" (see step 19.b); and
- b. the total amount of unsold capacity is made available for transfer in various proportions in a number of AMTSEC auction rounds (see step 19.c).

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**Deleted:** 5c); and¶ for each auction round, more than 90% of the proportion of the total unsold capacity made available in the auction round must transferred from a Donor ASEP for allocations to be undertaken in respect of transfer from that Donor ASEP (see step 13b viii

#### AMTSEC auction bids

22. AMTSEC Users may bid for Monthly NTS Entry Capacity at a Recipient ASEP for any Available Month, which may be met by the transfer of capacity from one or more Donor ASEPs in accordance with the allocation methodology described in the next section.
23. A bid in respect of an Available Month must state:
  - a. the identity of the User (must have participated in the Transfer Initiation Process);
  - b. the Recipient ASEP;
  - c. the Available Month;
  - d. the amount (not less than the minimum eligible amount) of Monthly NTS Entry Capacity applied for (in kWh/Day);
  - e. the minimum amount (not less than the minimum eligible amount) of Monthly NTS Entry Capacity which the User is willing to be allocated; and
  - f. the bid price, which must not be less than the Reserve Price at the Recipient ASEP in p/kWh.
24. A User may have, at any one time, in aggregate up to but not more than 5 monthly capacity bids in respect of each Recipient ASEP for each Available Month.
25. A User may submit bids, and thereafter withdraw or amend as required during the period 08:00 hours to 17:00 hours for an auction round.
26. National Grid NTS will reject a bid (and it will therefore not be part of the allocation process described below) where
  - a. any of the above requirements are not met; or
  - b. where a credit sanction is in place against a User.

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Bid Allocation Process

27. User's bids will be allocated as follows:

a. All capacity bids submitted in relation to all Recipient ASEPs in respect of each Available Month will be ranked in order of Translated Recipient-Donor Bid Price (the highest price ranking first) i.e. one bid stack is created for each Available Month:

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i. The "Translated Recipient-Donor Bid Price" is determined by multiplying the Transfer Rate for that Donor-Recipient ASEP combination by the bid price at the Recipient ASEP (e.g. if a bid of 0.50p/kWh/Day was made at Recipient ASEP A which had a Transfer Rate of 0.5 with Donor ASEP B, then the Translated Recipient-Donor Bid Price would be 0.25 p/kWh/Day). Where there is more than one Donor ASEP with a non-zero Transfer Rate, this means that a bid at a Recipient ASEP will have more than one translated bid. If one of the translated bids is fully accepted as a result of the allocation process, then the other equivalent translated bids are removed from the bid stack;

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ii. The "Translated Recipient-Donor Bid Quantity" is determined by dividing the bid quantity at the Recipient ASEP (the "Recipient Bid Quantity") by the Transfer Rate for that Donor-Recipient ASEP combination (e.g. if a Recipient Bid Quantity of 1GWh/Day was made at Recipient ASEP A which had a Transfer Rate of 0.5 with Donor ASEP B, then the Translated Recipient-Donor Bid Quantity for Donor ASEP B would be 2 GWh/Day).

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b. Monthly NTS Entry Capacity will be allocated to the highest ranked translated bid first, and then to each subsequent ranked bid in accordance with the following process;

i. Treatment of transfers greater than remaining amount at a Donor ASEP - where the Translated Recipient-Donor Bid Quantity exceeds the amount of remaining unsold capacity at the Donor ASEP (taking into consideration any previous capacity transfers), the User will (subject to following paragraphs) be allocated an amount equal to the remaining unallocated amount at the Donor Node multiplied by the Transfer Rate for that Donor-Recipient ASEP combination, and no further transfers shall be made in respect of that Donor ASEP;

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ii. Treatment of transfers greater than remaining amount at a Donor ASEP where equal priced bids - where two or more bids in respect of any Recipient ASEP translate to the same Translated Recipient-Donor Bid Price for transfer from the same Donor ASEP, and the Translated Recipient-Donor Bid

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- Quantity applied for in aggregate under such bids exceeds the remaining unallocated amount at the Donor ASEP, the remaining unallocated amount will (subject to following paragraphs) be allocated pro rata the amounts applied for in each such bid, and no further transfers shall be made in respect of that Donor ASEP;
- iii. Treatment of transfers resulting in greater than Nodal Maximum at a Recipient ASEP - where the bid quantity exceeds the amount of Monthly NTS Entry Capacity remaining unallocated within the Nodal Maximum at that Recipient Node (taking into consideration any previous capacity transfers to that Recipient Node), the User will (subject to the following paragraphs) be allocated an amount equal to the remaining unallocated amount, and no further allocation shall be made in respect of that Recipient ASEP;
- iv. Treatment of transfers resulting in greater than Nodal Maximum at a Recipient ASEP where equal priced bids - where two or more bids in respect of the same Recipient ASEP translate to the same Translated Recipient-Donor Bid Price, and the amount of Monthly NTS Entry Capacity applied for in aggregate under such bids exceeds the remaining unallocated amount within the Nodal Maximum at that Recipient Node, the remaining unallocated amount will (subject to the following paragraphs) be allocated pro rata the amounts applied for in each such bid, and no further allocation shall be made in respect of that Recipient ASEP;
- v. Allocated amounts less than User specified minimum amount - where the amount to be allocated in respect of a bid pursuant to the above is less than the minimum amount specified in the capacity bid, the bid will be disregarded and a revised allocation will be made between remaining equal price bid(s) (under paragraph ii or iv above), or (as the case may be) an allocation made in respect of the next priced bid.
- vi. Allocated amount less than minimum eligible amount - where the amount to be allocated in respect of any bid is less than the minimum eligible amount (as specified under TPD Section B), National Grid NTS will not accept that capacity bid.
- vii. Translated Recipient-Donor Bid Price less than Reserve Price at Donor ASEP – where the Translated Recipient-Donor Bid Price at any Donor ASEP is less than the Reserve Price at such Donor ASEP, no allocation shall be made in respect of that Donor – Recipient combination.
- c. In the above allocation process, capacity will be transferred from the relevant Donor ASEP in accordance with the following:

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<#>Transferred amounts less than 90% of Unsold Capacity made available within that auction round at a Donor ASEP - where the amount to be allocated in respect of all bids in the auction round would result in less than 90% of the unsold capacity made available in that auction round at a Donor ASEP being transferred, then no bids will be allocated in respect of transfer of capacity from that Donor ASEP.¶

- i. For each allocated bid at a Recipient ASEP, the amount of unsold capacity at the relevant Donor ASEP will be reduced by the amount determined by dividing the Transfer Rate for that Donor-Recipient ASEP combination by the allocated amount. Any such transferred amounts are therefore deemed to have been sold for the purposes of National Grid NTS' obligations under its GT Licence to make available baseline amounts; and
  - ii. Where there are two or more potential Donor ASEPs that could satisfy a bid at a Recipient ASEP (i.e. they have the same Translated Recipient-Donor Bid Price), capacity will be transferred from the Donor ASEP with the largest amount of unsold capacity first. Where one or more such Donor ASEPs have the same amount of unsold capacity, such Donor ASEPs shall be ranked equally and the amount of unsold capacity reduced proportionally between them.
28. For the avoidance of doubt, Users will pay capacity charges as for the AMSEC auction i.e. allocated bid amount multiplied by the relevant bid price for each Available Month.

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#### Results Publication

29. National Grid NTS will provide to Users their allocations within two Business Days after completion of the auction and thereafter within a further one Business Day the following information to all Users:
- a. in respect of each Recipient ASEP for each Available Month:
    - i. the highest, lowest and weighted average price of all accepted capacity bids;
    - ii. the aggregate amount of Monthly NTS Entry Capacity allocated;
    - iii. the total number of Users that submitted capacity successful bids;
    - iv. the total number of Users that submitted capacity unsuccessful bids;
  - b. in respect of each Donor ASEP for each Available Month:
    - i. the amount by which the Unsold NTS Entry Capacity was reduced; and
    - ii. the remaining amount of Unsold NTS Entry Capacity. Further Auction Rounds
30. In the event that there remains any unsold capacity for any Available Month, then steps 4 onwards are repeated. National Grid NTS will issue the invitation within 2 weeks of the publication of User allocations after the

previous auction round to allow time for calculation of new Transfer Rates, Nodal Maxima and proportion of the remaining unsold capacity to be made available.

31. In the event that any further auction round would not be undertaken within 3 Business Days of the end of March of Capacity Year Y, then the transfer process would be undertaken in respect of the period M+1 to Y+2 (where M is the month in which the round of the AMTSEC auction is undertaken).
32. There will be a maximum of 4 rounds of the AMTSEC auction dependent upon the timetable of subsequent RMSEC auctions.

### Transitional Arrangements

33. For 2007, it is proposed that the following transitional arrangements are implemented:

- a. In the event that this Proposal is implemented before completion of the 2007 AMSEC auction, then step 4 onwards will apply i.e. National Grid NTS will within 2 business days of publication of the results of the AMSEC auction invite applications for the Sold Capacity Transfer Process; or

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- b. In the event that this Proposal is not implemented before completion of the 2007 AMSEC auction, then step 4 onwards will apply from the implementation date of this Proposal i.e. National Grid NTS will within 2 business days of implementation of this Proposal invite applications for the Sold Capacity Transfer Process.

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The Proposer believes that if this Proposal were not to be implemented then it could, in the extreme, lead to sterilization of sold and unsold baseline levels of entry capacity, and possibly result in gas being stranded offshore due to insufficient capacity being available at the affected ASEPs.

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It should be noted that Ofgem have also proposed as part of their TPCR Final Proposals that an obligation is placed on National Grid NTS to facilitate the trade of sold capacity between ASEPs during the constrained period. National Grid NTS intends to bring forward proposals for industry discussion on such trading arrangements in due course.

**(b) Justification for Urgency and recommendation on the procedure and timetable to be followed (if applicable)**

**(c) Recommendation on whether this Proposal should proceed to the review procedures, the Development Phase, the Consultation Phase or be referred to a Workstream for discussion.**

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The Proposer seeks this Modification Proposal to proceed direct to consultation in accordance with Section 7.3 of the modification procedures in the UNC. This is to seek to implement the Proposal as soon as possible and provide the opportunity for Users to seek to obtain additional capacity levels though the proposed transfer processes well ahead of next winter.

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**2 Extent to which implementation of this Modification Proposal would better facilitate the achievement (for the purposes of each Transporter's Licence) of the Relevant Objectives**

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The Proposer considers this Proposal would, if implemented, better facilitate the following Relevant Objectives as set out in National Grid NTS's Gas Transporters Licence:

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- in respect of Standard Special Condition A11 paragraph 1(a), the Proposal would provide Users at sold out ASEPs the opportunity to seek to transfer sold and unsold capacity from other ASEPs. This will result in the avoidance of sterilization of capacity and stranding of gas offshore, and thereby better facilitate the efficient and economic operation of the NTS pipeline system;
- in respect of Standard Special Condition A11 paragraph 1(c) (the efficient discharge of the licensee's obligations under this licence), the Proposal is anticipated to meet new Licence obligations on National Grid NTS to facilitate the transfer of sold and unsold capacity between ASEPs in the constrained period;
- in respect of Standard Special Condition A11 paragraph 1(d), the Proposal would promote the securing of effective competition between relevant Shippers by making more capacity available at ASEPs that have been sold out.
- By giving greater scope to market participants to determine at which ASEPs they most value holding capacity, Users are able to make more efficient choices as to their use of the system and this will in turn help facilitate bringing the most competitively price gas to market.

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### 3 The implications of implementing this Modification Proposal on security of supply, operation of the Total System and industry fragmentation

The Proposer believes that this Proposal, if implemented, may enhance security of supply by allowing Users the opportunity to obtain additional capacity at sold out ASEPs than would otherwise be the case.

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### 4 The implications for Transporters and each Transporter of implementing this Modification Proposal, including:

#### (a) The implications for operation of the System:

The Proposer does not believe this Modification Proposal, if implemented, would adversely affect the operation of the System. By optimizing the release of entry capacity, this Proposal would provide a greater opportunity to ensure gas supplies can be delivered where demand exceeds the baseline capacity of an ASEP.

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#### (b) The development and capital cost and operating cost implications:

The Proposer believes this Modification Proposal, if implemented, would have cost implications related to the delivery of the required system changes, operation of the additional processes and auction, calculation of the Nodal Maxima, Transfer Rates and publication of information.

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In addition, the Proposal, if implemented, may avoid the potential sterilization of entry capacity and hence costs being inefficiently incurred.

- (c) **Whether it is appropriate to recover all or any of the costs and, if so, a proposal for the most appropriate way for these costs to be recovered:**

The Proposer believes that this Proposal, if implemented, would require National Grid NTS to recover the costs associated with the system development. Operating costs in respect of determination of Transfer Rates, the SCTP and undertaking AMTSEC auctions are intended to be recovered by application fees to be described in the Transportation Charging Methodology.

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- (d) **The consequence (if any) on the level of contractual risk of each Transporter under the Uniform Network Code of the Individual Network Codes proposed to be modified by this Modification Proposal**

The Proposer believes that the Proposal has no impact on the level of contractual risk of each Transporter.

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- 5 **The extent to which the implementation is required to enable each Transporter to facilitate compliance with a safety notice from the Health and Safety Executive pursuant to Standard Condition A11 (14) (Transporters Only)**

- 6 **The development implications and other implications for the UK Link System of the Transporter, related computer systems of each Transporter and related computer systems of Users**

The Proposer envisages that this will have an impact on the UK Link System if this Proposal were to be implemented.

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- 7 **The implications for Users of implementing the Modification Proposal, including:**

- (a) **The administrative and operational implications (including impact upon manual processes and procedures)**

The Proposer is not aware of any implications but would welcome responses from Users in this area.

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- (b) **The development and capital cost and operating cost implications**

The Proposer is not aware of any implications but would welcome responses from Users in this area.

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- (c) **The consequence (if any) on the level of contractual risk of Users under the Uniform Network Code of the Individual Network Codes proposed to be modified by this Modification Proposal**

The Proposer believes that this Proposal would not increase the level of contractual risk on Users.

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- 8 **The implications of the implementation for other relevant persons (including, but without limitation, Users, Connected System Operators, Consumers, Terminal**

**Operators, Storage Operators, Suppliers and producers and, to the extent not so otherwise addressed, any Non-Code Party)**

The Proposer is not aware of any implications but would welcome responses from Users in this area.

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**9 Consequences on the legislative and regulatory obligations and contractual relationships of the Transporters**

**10 Analysis of any advantages or disadvantages of implementation of the Modification Proposal not otherwise identified in paragraphs 2 to 9 above**

**Advantages**

The Proposer considers that this Proposal:

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- would allow flexibility for sold and unsold capacity to be reallocated to where Users value it most once the baselines have been set at the start of a price control [and again before winter];
- would allow Users the opportunity to secure additional capacity, in excess of an ASEP's baseline, therefore allowing gas flows onto the system that may otherwise be prevented;
- may avoid the potential sterilization of entry capacity and hence costs being inefficiently incurred;
- by allowing a sold capacity transfer process to take place before an unsold capacity transfer process would enable Users to optimise their own portfolios before entering the market to seek additional capacity. This would enable Users to act more efficiently and removes a limit on market participant's freedom to trade capacity, which would be caused by a purely unsold capacity transfer mechanism;
- in respect of the SCTP, offers a simple, straightforward mechanism that can be implemented without major costs as it builds on existing processes within Gemini.
- could be implemented for both sold and unsold capacity ahead of next Winter.

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**Disadvantages**

The Proposer considers that this Proposal:

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- would introduce a further process and auction into entry capacity arrangements. However, the Proposer considers that the benefit in affording Users the opportunity to secure additional capacity on a competitive, non-discriminatory basis, than would otherwise be the case, justifies the creation of an additional process and auction;
- in respect of the AMTSEC auction only, may reduce the unsold level of capacity available at the Donor ASEP(s) in the within year entry capacity auctions. It is considered that this is a direct consequence of the introduction of the capacity transfer obligation on National Grid NTS rather than the details of this UNC Modification proposal;

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- in respect of the AMTSEC auction only, may encourage Users to purchase unsold capacity in the AMSEC auction to solely prevent its transfer to other ASEPs. However this is potentially unavoidable for the next AMSEC auction without further delay (post implementation of UNC Modification Proposal 0129) which would be undesirable. If trading mechanisms are also introduced, then this will allow Users to seek to obtain such purchased amounts for use at other ASEPs.

- 11 **Summary of representations received as a result of consultation by the Proposer (to the extent that the import of those representations are not reflected elsewhere in this Proposal)**
- 12 **Detail of all other representations received and considered by the Proposer**
- 13 **Any other matter the Proposer considers needs to be addressed**
- 14 **Recommendations on the time scale for the implementation of the whole or any part of this Modification Proposal**
- 15 **Comments on Suggested Text**
- 16 **Suggested Text**

#### **Code Concerned, sections and paragraphs**

Uniform Network Code

Transition Document

**Section(s)** IIC & UNC TPD Section B

#### **Proposer's Representative**

Richard Fairholme (E.ON UK)

**Deleted:** Fergus Healy (National Grid NTS)¶

#### **Proposer**

Nick George (E.ON UK)

**Deleted:** Paul Roberts (National Grid NTS)