

# 0521:

## Revision of User Admission Criteria to include Transporter verification of its ability to transact with the Applicant User

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This modification seeks to amend the User admission criteria to ensure that prior to User Accession, the Transporter verifies that the Transporter's Account Bank it is able to transact with the Applicant User.



The Panel recommends implementation.











High Impact: None



Medium Impact: Shippers, Transporters



Low Impact: None

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<b>About this document:</b>		 <a href="mailto:commercial.enquiries@xoserve.com">commercial.enquiries@xoserve.com</a>
This Final Modification Report was presented to the Panel on 23 January 2015.		Additional contacts: <b>Mike Thorne</b>
The Authority will consider the Panel's recommendation and decide whether or not this change should be made.		 <a href="mailto:mike.thorne@nationalgrid.com">mike.thorne@nationalgrid.com</a>
		 <b>01926 656382</b>

# 1 Summary

## Is this a Self-Governance Modification?

The Modification Panel determined that this is not a self-governance modification because it is likely to have a material effect on commercial activities connected with the transportation of gas conveyed via the National Transmission System and the operation of this pipeline system<sup>1</sup>.

## Is this a Fast Track Self-Governance Modification?

Fast Track Self-Governance procedures are not proposed because the proposer does not believe that this modification meets the self-governance criteria for the reasons stated above and therefore does not qualify.

## Why Change?

A new Applicant User (trader) expects to satisfy the last of the User admission requirements imminently. However, the Transporter has been unable to verify that it is able to transact with the Applicant User in respect of any amounts that subsequently become payable under the UNC and invoiced in accordance with TPD Section S.

There is a lack of clarity as to the consequences of this omission (which post User Accession Date is potentially a failure to provide valid payment details in accordance with TPD Section S3.2.2) and the Energy Balancing Credit Committee (EBCC) has expressed concern that should this Applicant User become a User and commence trading activities, it will have no practical capability to make payments (in accordance with TPD Section S3.2.1) in respect of consequential Energy Balancing charges. The EBCC has highlighted a risk that other Users may be exposed to additional financial risk in these circumstances due to potential smearing of any unrecovered Energy Balancing costs.

## Solution

It is proposed that additional criteria are included as a new admission requirement under TPD Section V2.1.2.

## Relevant Objectives

Implementation of this modification would better facilitate effective competition between relevant shippers (Relevant Objective (d)) by requiring verification from the Transporter's account bank that the Applicant User will be able to transact with the Transporter's account bank for amounts payable under the UNC and therefore minimising the risk of socialised bad debt costs being recovered from other Users.

## Implementation

No implementation timescales are proposed.

## Does this modification impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?

No.

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<sup>1</sup> The relevant self-governance criteria as specified in SSC A11 24(a).

## 2 Why Change?

The Proposer requests that this modification is issued to consultation, as no further development is required. It is also requested although not subject to Urgent Procedures as per Section 10 of the UNC Modification Rules, a shortened consultation period is appropriate on the basis that the issues highlighted in section 2 comprise an imminent issue which if not urgently addressed may have a significant commercial impact upon Shippers and potentially Transporters.

### Driver for Change

The current criteria for a party (the '*Applicant User*') to become a User under the UNC is specified in Transportation Principal Document (TPD) Section V2. The Applicant User becomes a User on the third Business Day following the point at which the Applicant User satisfies the last of the admission requirements specified in TPD Section V2.1.1 and V2.1.2. This date is the User Accession Date<sup>2</sup>.

Whilst in all cases it is necessary for the Applicant User to be assigned an initial Secured Credit Limit<sup>3</sup> for Energy Balancing (and for a Shipper User, an initial Code Credit Limit<sup>4</sup> for transportation services), there is no requirement for confirmation prior to the User Accession Date that the Applicant User is able to transact with the Transporter in accordance with TPD Section S3.2.1 for amounts payable under the UNC.

A new Applicant User under the UNC expects to satisfy the last of the User admission requirements imminently. However, this Applicant User has not been able to provide assurance that the bank payments facilitated under TPD Section S3.2.2 can be made to the account bank of the Transporter and vice versa. This is due to the unwillingness of financial institutions to participate in transactions with the particular Applicant User. One party has stated that it is unwilling as to do so may damage their reputation. Despite the Transporter having employed reasonable efforts to make arrangements with an alternative financial institution, which is willing to deal with the particular Applicant User and the Applicant User's bank, it has been unable to do so without incurring increased cost.

There is a lack of clarity as to the consequences of not having assurance that bank payments can be facilitated and the EBCC has expressed concern that should this Applicant User complete the User Accession process and commence trading activities, it will have no capability to make payments in respect of consequential Energy Balancing charges. The EBCC has highlighted a risk that other Users may be exposed to additional financial risk in these circumstances due to potential smearing of any unrecovered costs.

This modification has been raised to remove the uncertainty of the consequences of failure of a User to be able to transact with the Transporter, following the Accession process.

Further consideration of the enduring capability of existing Users to transact with the Transporter will be considered separately and if appropriate a further UNC modification may be raised.

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<sup>2</sup> TPD V2.2.1

<sup>3</sup> TPD V2.1.2(h)

<sup>4</sup> TPD V2.1.2(g)

### 3 Solution

It is proposed that additional criteria are included as a new admission requirement under TPD Section V2.1.2. These criteria are that the following does not apply:

- the Transporter's account bank has notified the Transporter that it will not deal with the Applicant User; and
- where the above does apply, the Transporter has been informed by at least one other bank or financial institution which in the Transporter's reasonable opinion is a major and reputable bank in the United Kingdom, that such bank or financial institution would not deal with the Applicant User; and
- the Transporter has provided to the Applicant User details of the Transporter's account bank to enable the Applicant User to discuss the matter directly with the Transporter's account bank.

As additional User Admission criteria, these provisions must be satisfied *before* a User Accession Date can be determined for an Applicant User.

User Pays	
Classification of the modification as User Pays, or not, and the justification for such classification.	No User Pays service would be created or amended by implementation of this modification and it is not, therefore, classified as a User Pays Modification.
Identification of Users of the service, the proposed split of the recovery between Gas Transporters and Users for User Pays costs and the justification for such view.	N/A
Proposed charge(s) for application of User Pays charges to Shippers.	N/A
Proposed charge for inclusion in the Agency Charging Statement (ACS) – to be completed upon receipt of a cost estimate from Xoserve.	N/A

## 4 Relevant Objectives

Impact of the modification on the Relevant Objectives:	
Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	None
b) Coordinated, efficient and economic operation of (i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters.	None
c) Efficient discharge of the licensee's obligations.	None
d) Securing of effective competition: (i) between relevant shippers; (ii) between relevant suppliers; and/or (iii) between DN operators (who have entered into transportation arrangements with other relevant gas transporters) and relevant shippers.	Positive
e) Provision of reasonable economic incentives for relevant suppliers to secure that the domestic customer supply security standards... are satisfied as respects the availability of gas to their domestic customers.	None
f) Promotion of efficiency in the implementation and administration of the Code.	None
g) Compliance with the Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	None

Relevant Objective d): Securing of effective competition: (i) between relevant shippers; (ii) between relevant suppliers; and/or (iii) between DN operators (who have entered into transportation arrangements with other relevant gas transporters) and relevant shippers.

Implementation of this modification would better facilitate effective competition between relevant shippers by requiring verification from the Transporters account bank that that an Applicant User will be able to transact with the Transporter's account bank for amounts payable under the UNC and therefore minimising the risk of socialised bad debt costs being recovered from other Users.

## 5 Implementation

No timescales are proposed.

## 6 Impacts

**Does this modification impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?**

No.

## 7 Legal Text

### Text Commentary

Prior to User Accession to the Code the Applicant User must satisfy a number of admission criteria. The User admission criteria under TPD Section V2.1.2 are supplemented by a new individual admission requirement in respect of its ability to transact with the Applicant User.

### Text

TPD Section V

*Amend Section V paragraph 2.1.2 as follows (new paragraph (j) has been added):*

2.1.2 The requirements referred to in paragraph 2.1.1(a) are as follows:

- (a) the Applicant User shall have applied to the Transporter, in such form as the Transporters may from time to time prescribe, giving the following details:
  - (i) the name of the Applicant User;
  - (ii) the legal nature of the Applicant User, and where the Applicant User is not a company incorporated under the Companies Act 1985 (as amended), such further information concerning the constitution of the Applicant User as the Transporter may reasonably require;
  - (iii) the address and telephone and facsimile numbers of the Applicant User, and the individual for whose attention notice is to be marked, for the purposes of notice under GT Section B5.2.3 and B5.3.1;
  - (iv) where the Applicant User is not a company incorporated under the Companies Act 1985 (as amended), an address for service in accordance with paragraph GT Section B6.6.3;
- (b) where the Applicant User wishes to become a Shipper User, either:
  - (i) a Shipper's Licence shall have been granted to the Applicant User which is in force and in respect of which no notice of revocation has been given, and the Applicant User shall have provided a copy of such licence to the Transporter; or
  - (ii) a Shipper's Licence shall be treated as having been granted to the Applicant User pursuant to a scheme made under paragraph 15 or 16 of Schedule 5 to the Gas Act 1995;

- (c) where the Applicant User wishes to become a Shipper User in relation to an LDZ of which National Grid NTS is not the owner or operator, the Applicant User is, or will be, a Shipper User under National Grid's Network Code at the User Accession Date;
- (d) the Applicant User shall have secured compliance with those requirements of Section U which are required to be complied with before a User is able to send and receive UK Link Communications, including without limitation:
  - (i) the installation and connection of the UK Link User Equipment and the UK Link User Software either at:
    - (1) the Applicant User's premises; or
    - (2) where the Applicant User secures the services of a User Agent for the installation and connection of the UK Link User Equipment and Software, at the User Agent's premises, provided that where the User Agent ceases or is unable (for any reason) to provide such services, then the Applicant User shall, as soon as is reasonably practicable after such cessation, secure the installation and connection of the UK Link User Equipment and the UK Link User Software at the Applicant User's premises;
  - (ii) the appointment of one or more Authorised Representatives;
- (e) the Applicant User shall have provided the emergency contact details required under Section Q2.2;
- (f) the Applicant User shall have obtained from the Transporters one or more copies of the Code and such other documents referred to in the Code or the Shipper Framework Agreement as the Transporters shall from time to time prescribe for the purposes of this paragraph (f);
- (g) where the Applicant User wishes to become a Shipper User, the Applicant User shall have been assigned an initial Code Credit Limit in accordance with paragraph 3;
- (h) in relation to the NTS, the Applicant User shall have been assigned an initial Secured Credit Limit in accordance with Section X;
- (i) where the Applicant User wishes to become a Shipper User, the Applicant User shall have provided the Transportation Charges contact detail as required under Section 3.4.7; and
- (j) the following does not apply:
  - (i) the Transporter's account bank has notified the Transporter that it will not deal (as would be required by the Code) with the Applicant User; and
  - (ii) where (i) does apply, the Transporter has been informed by at least one other bank or financial institution which in the Transporter's reasonable opinion is a major and reputable bank in the United Kingdom, that such bank or financial institution would not so deal with the Applicant User; and
  - (iii) the Transporter has provided to the Applicant User details of the Transporter's account bank sufficient to enable the Applicant User to discuss the matter directly with the Transporter's account bank.



## 8 Consultation Responses

Of the 8 representations received, 7 supported implementation and 1 was not in support.

Representations were received from the following parties:

Organisation	Response	Relevant Objectives	Key Points
British Gas Trading Ltd	Support	(d) - positive	<ul style="list-style-type: none"> <li>• Agrees with the EBCC's concern that the lack of a mechanism to enable a (new) User to make payments to the Transporter will place risk on other Users of the pipeline network with respect to Energy Balancing payments. This modification will help to mitigate such risk.</li> <li>• Satisfied with the legal text.</li> <li>• Immediate implementation suggested.</li> </ul>
EDF Energy	Support	(d) - positive	<ul style="list-style-type: none"> <li>• Will close out an identified risk in the arrangements where new Users could become signatories to the UNC code and trade without testing whether the Gas Transporter's bank could accept payments from their account. This is particularly the case where there are financial sanctions on certain companies and could lead to additional financial exposure for the Shipper community. Bringing this bank check forward in the process so that it is done as part of the accession criteria will close out this risk as it would mean the User could be stopped from acceding to the Code before commencing trading activity.</li> <li>• Minimises the risk of bad debt being incurred and recovered from other Users.</li> <li>• Satisfied with the legal text.</li> <li>• Immediate implementation suggested.</li> </ul>
National Grid Distribution	Support	(d) - positive	<ul style="list-style-type: none"> <li>• Believes this identifies an additional and prudent User admission 'test' concerned with the ability for a new 'Applicant' User to be able to transact with the relevant Transporter's bank.</li> <li>• Agrees that the measures identified minimise the risk of socialised bad debt costs being recovered from other Users.</li> <li>• NGD agrees that self-governance does not apply on the grounds that it is expected to have a material effect that ultimately impacts on consumers.</li> <li>• NGD concurs with the funding statement within the DMR and is also satisfied with the legal text commentary and drafting.</li> <li>• Immediate implementation suggested.</li> </ul>
National Grid NTS	Support	(d) - positive	<ul style="list-style-type: none"> <li>• In the event that a User enters the market under the prevailing rules and is unable to so transact, there is a risk that any consequential bad debt costs may be incurred by other Users or Transporters under the</li> </ul>

			<p>relevant debt recovery rules. Believe that the proposed additional User Admission criteria is a reasonable and proportionate 'check and balance' prior to enabling an Applicant User to become a User under the UNC.</p> <ul style="list-style-type: none"> <li>• Non-payment of Transportation Charges or Energy Balancing Charges would result in any resultant bad debt costs being recovered from all other Users (subject to allowance of 'cost pass through' in the case of Transportation Charges). NG NTS believe that an existing User incurring costs that are not directly linked to its market activities is detrimental to effective competition. Both NG NTS and the EBCC believe that 'stopping the issue at source' is a preferable approach that avoids the need to socialise consequential bad debt costs (thereby better facilitating Relevant Objective d), the securing of effective competition.</li> <li>• No additional analysis, development or ongoing costs would be incurred by National Grid NTS in implementing the modification.</li> <li>• Furthermore, National Grid NTS believe that implementation of the modification could possibly reduce ongoing costs by avoiding the need to administer the determination of credit tools, and where necessary the application of the User Default processes.</li> <li>• The User Accession process is administered by Xoserve on behalf of all UNC Transporters and the additional User Accession criteria would be an additional manual check within the existing process.</li> <li>• Satisfied that the legal text delivers the intent of the modification.</li> <li>• Immediate implementation suggested.</li> </ul>
Northern Gas Networks	Support	(d) - positive	<ul style="list-style-type: none"> <li>• Better facilitates the admission criteria under UNC and reduces the risk of missed payments thereby decreasing the risk of bad debt being passed to other Users – this in turn facilitates competition.</li> <li>• No impacts on NGN if implemented.</li> <li>• Satisfied with the legal text.</li> <li>• Immediate implementation suggested.</li> </ul>
Novatek Gas & Power GmbH	Opposes in current form	(d) - negative (see comments below)	<ul style="list-style-type: none"> <li>• Believes current solution places too much emphasis on justifying a non-admission based on third party bank views, rather than on putting forward a viable solution/road map to facilitate the acceptance of an otherwise fully compliant Applicant User's admission.</li> <li>• Suggests alternative means of addressing the identified problem, requiring proactive Transporter communication with the Transport's account bank (see below).</li> <li>• Raised concerns that implementation of solution as currently proposed would have a considerable adverse impact on its business. Notes that for every week of delay in which its application remains on hold (during which it is unable to commence trading) it is incurring significant losses.</li> </ul>

			<ul style="list-style-type: none"> <li>• Believes that to implement this modification and shut out an Applicant User based on these criteria, when that Applicant User's application is otherwise complete and compliant with all requirements under the currently applicable rules, would be legally flawed on a number of grounds, including that it would be (i) procedurally unfair (involving a retrospective change of rules in respect of a pending application that complies with all the applicable rules at the time of its application); and (ii) would deny the Applicant User's legitimate expectations created by the existing applicable rules.</li> <li>• Unhappy with the legal text as written.</li> </ul>
Scotia Gas Networks	Support	(d) - positive	<ul style="list-style-type: none"> <li>• Will ensure new applicants' abilities to interact and transact with the relevant Transporter on all levels.</li> <li>• Will put additional measures in place to reduce the chances of bad debt being spread across the industry.</li> <li>• Satisfied with the legal text.</li> <li>• Immediate implementation suggested.</li> </ul>
Wales & West Utilities	Support	(d) - positive	<ul style="list-style-type: none"> <li>• Agrees that this anomaly in UNC should be addressed. Currently a User can meet all conditions required for accession to UNC but then in certain circumstances, beyond the control of the User, it may be unable to make or receive payments as required under Code.</li> <li>• In supporting relevant objective d) WWU believes that verification from the Transporter's account bank that the Applicant User will be able to transact with the Transporter's account bank for amounts payable under the UNC will therefore be minimising the risk of socialised bad debt costs being recovered from other Users.</li> <li>• Satisfied with the legal text.</li> <li>• Immediate implementation suggested.</li> </ul>

Representations are published alongside the Final Modification Report.

## Additional Information provided for consideration

### Transportation and Energy Balancing Charges - Extent of period of exposure to risk

National Grid NTS (NG NTS) provided additional information to further clarify the extent of the period of industry's exposure to the identified risk, in relation to Transportation and Energy Balancing Charges.

Whilst the extent of the bad debt exposure risk would be entirely dependent upon the trading levels of the relevant User, NG NTS believes that the following information provides an indication of the *periods* for which other Users and Transporters could be exposed.

In respect of **Transportation** Charges, where a User has been allocated an Unsecured Credit Limit pursuant to UNC TPD Section V3.1.5 and such User subsequently fails to make payment in full of any invoice, then this will affect its Value at Risk (VAR). If VAR exceeds 100% of the User's Code Credit Limit, the Transporter will notify the User and from the third Business Day following this notification, may give a Termination Notice (in accordance with paragraph V4.3). This action exposes other Users and the Transporter(s) to bad debt risk accrued up to the point of Termination.

In respect of **Energy Balancing** Charges if the User goes live, this creates an exposure from the User Accession Date to invoice due date. Whilst this may be underwritten by a Letter of Credit, if this User is then unable to pay, this would nonetheless create an exposure. Where the EBCC elects to terminate the User there is a risk of additional exposure up to the point this can be actioned. In total, there is a potential exposure of up to 80 days from the User Accession Date to the point of termination comprised of:

- Up to a maximum of 77 days from the commencement of the relevant Billing Period to the due date of the relevant Energy Balancing Invoice;
- 1 day to issue a 'failure notice' in response to the User's failure to pay the Energy Balancing Invoice;
- 1 day for the User to make payment in response to the failure notice; and
- if the payment is not forthcoming, 1 day for a meeting of the EBCC to consider the events and if necessary, recommend termination (effective the following day) of the User.

A Letter of Credit (or indeed any other security tool) is used to provide security for the User's accrued amounts and future invoice liability and is not intended as a primary payment tool. If National Grid NTS was to make a claim on a Letter of Credit to satisfy an outstanding payment obligation, it would then have to give the User not less than 30 days' notice to address its Secured Credit Limit requirements. As a consequence National Grid NTS would hold less or no security but would have an obligation to allow the User to trade, as the User would not be in default.

### **Effects of the proposed changes from the viewpoint of a current Applicant User**

Novatek has suggested alternative means of addressing the identified problem, requiring proactive Transporter communication with the Transporter's account bank, and comments on each of the proposed additional admission requirements/criteria.

1. *"The Transporter's account bank has notified the Transporter that it will not deal with the Applicant User."*

Novatek believe it is inappropriate to allow this decision on the part of the Transporter's account bank to dictate the outcome of any Applicant User's admission. In particular, in circumstances where the internal position/policy (which forms the basis of the decision) of the Transporter's account bank is not transparent and so the precise reasoning behind any such decision is not clear. However, Novatek believes this element may be acceptable provided appropriate adjustments are made to criteria 2 and 3 as indicated in its comments below.

2. *"Where the above does apply, the Transporter has been informed by at least one other bank or financial institution which in the Transporter's reasonable opinion is a major and reputable bank in the United Kingdom, that such bank or financial institution would not deal with the Applicant User."*

Novatek believes the opinion of "one other bank or financial institution" does not represent any survey of the market. Following the logic under the proposed modification, in a scenario where one further bank/financial institution is not willing to deal with the Applicant User whilst 10 other banks/financial institutions are, the Applicant User would fail to meet the admission requirements. This is not logical or fair. Instead, Novatek would suggest that where the Applicant User is able to find at least one bank (which in the Transporter's reasonable opinion is a major and reputable bank in the United Kingdom) that is willing to deal with the Applicant User, this fulfils the admission requirement. If felt necessary by the Transporter, this may be coupled with an obligation on the part of the Applicant User to hold the

Transporter harmless against the Transporter's reasonable costs and expenses in dealing with a different bank.

3. *"The Transporter has provided to the Applicant User details of the Transporter's account bank to enable the Applicant User to discuss the matter directly with the Transporter's account bank."*

Novatek does not consider that this is workable, in particular noting from its own previous first-hand experience that it is the case that the Transporter's account bank, upon making its decision not to deal with the Applicant User, is then unlikely to be willing to enter into any discussions with the Applicant User. The Transporter should be obliged to do more to facilitate discussions between its account bank and the Applicant User (as noted below).

1. The Transporter should undertake to provide necessary assistance (as requested by the Applicant User) and otherwise facilitate discussion between the Applicant User and the Transporter's account bank, rather than simply providing the Transporter's account bank details and so leaving it up to the Applicant User to handle the issue with the Transporter's account bank as indicated at TPD Section V2.1.2(j)(iii). This may be included as a secondary avenue if the Transporter's account bank will not enter into discussions with the Applicant User.
2. The Transporter should be obliged to discuss with the Applicant User alternative approaches as to how to complete the User Application process in the event that TPD Sections V2.1.2(j)(i) and 2.1.2(j)(ii) apply (other than corresponding directly with the Transporter's account bank).
3. The Transporter is obliged to accept the Applicant User's reasonable alternative proposals with respect to using a bank or a financial institution which is a major and reputable bank in the UK, subject, if felt necessary by the Transporter, to the Applicant User holding the Transporter harmless against its reasonable costs and expenses occasioned thereby. Novatek believes that failure to so accommodate the Applicant User would in actual fact contradict the stated "Relevant Objectives" of this proposed modification, i.e. the securing of effective competition.

Novatek believes the impact on relevant objective (d) to be negative. Noting that the draft modification report concludes a positive effect in that implementation would better facilitate effective competition between relevant shippers (by minimising the risk of socialised bad debt costs being recovered from other issuers) in its view this is not correct.

In Novatek's view the non-admission of an otherwise fully compliant Applicant User will have a clear and direct negative impact on competition, far outweighing any level of risk or potential increased cost to the industry (or any risk of socialised bad debt having to be recovered from other issuers). It believes there are also clear risk management benefits in having diversified banking arrangements (by introducing a second bank account besides the Transporter's account bank).

Whilst Novatek does not accept the legitimacy of the concerns relating to any increased costs or complexity involved in opening a second bank account, it suggests there is a simple solution to this by requiring the Applicant User to reimburse any reasonable costs and expenses incurred in the process of opening any required second bank account.

## 9 Panel Discussions

The Panel Chair summarised that this issue had come to light because an Applicant User is close the final stages of the accession process but the Transporter has been unable to verify that it is able to transact with this new Applicant User in respect of any amounts that subsequently become payable under the UNC. Modification 0521 seeks to address the situation by inserting additional admission criteria into TPD V2.1.2.

Members considered the representations, including one received after the deadline for this Report, noting that, of the 9 representations received, 8 supported implementation and 1 did not support implementation.

Two Members, noting the comments provided by Novatek, believed that there was merit in referring the matter to a Workgroup for discussion about the issues raised.

Members then considered the additional information provided by the Proposer (and published alongside this report), which sought to address issues raised during the Consultation. Members noted that, prior to the raising of this modification, Xoserve had consulted its current bank and three others on the matter of alternative forms of payment; all had declined. In considering whether the approach could be considered discriminatory against new Applicants, Members understood that the current arrangements could lead to a position where a new User, who was unable to transact in the way described, could immediately be subject to User Termination provisions, which would be inefficient. Members concluded that the approach would not be unduly discriminatory on this basis. Finally, Members considered the potential for new Applicants to require Transporters to deal with alternative banking arrangements, noting that this would be complex and expensive (though this was not yet quantified) since it applied centrally to Xoserve for Energy and separately to each Transporter for transportation.

Members agreed with the majority view of respondents that implementation of this modification would, by requiring verification that that an Applicant User will be able to transact with the Transporter's account bank for amounts payable under the UNC, minimise the risk of bad debt costs being recovered from other Users, better facilitating Objective d.) Securing effective competition between relevant shippers.

Members voted and, with 9 votes in favour, recommended implementation of Modification 0521.

## 10 Recommendation

### Panel Recommendation

Having considered the Modification Report, the Panel recommends:

- that proposed Modification 0521 should be made