

UNC Workgroup 0394 Agenda

Legal Text for UNC Modification Proposals

Thursday 15 September 2011

ENA, Dean Bradley House, 52 Horseferry Road, London SW1P 2AF

Attendees

Tim Davis (Chair)	BF	Joint Office
Bob Fletcher (Secretary)	LD	Joint Office
Alan Raper	AR	National Grid Distribution
Chris Wright	CWr	British Gas
Dora Ianora	DI	Ofgem
Joanna Ferguson	JF	Northern Gas Networks
Joel Martin	JM	Scotia Gas Networks
Richard Fairholme	RF	E.ON UK
Ritchard Hewitt	RHe	National Grid NTS
Simon Trivella	ST	Wales & West Utilities
Stefan Leedham	SL	EDF Energy

1.0 Outline of Modification

RF introduced the modification and its aims. This is to ensure text is available for all modifications prior to consultation, and remove potentially confusing descriptions such as “suggested” and “draft” text. In addition, governance is proposed around changes to the text after consultation has started.

2.0 Consider Terms of Reference

No further comments were provided.

3.0 Initial Discussion

SL asked if this modification would remove the option for voting for not wanting formal text for inclusion in a DMR. RF agreed that this would be the case, as the consultation would always go forward with final text.

RHe questioned those times when, due to urgent modifications or short timescales, Panel may want to move the process forward without having formal text produced. RF did not want to include an opportunity without good reason – there should be a control that text must be provided unless Panel decides not to by unanimous vote. He was unsure why anyone would want to be in a position where text is not available.

CWr asked if the modification addresses the situation where text is included in an FMR and issued to Ofgem and then amended again – would Panel get to review the text or would it be issued for further consultation? This was confirmed as both – the Panel would review changes to text and could determine that further consultation is justified. Hence the Panel would have three options: the change is accepted/rejected, issue to further consultation, or issue to a Workgroup for assessment. RHe challenged whether the Panel has the necessary skills/knowledge to approve text – this has not been part of the process in the past and may require legal skills.

RF agreed to review the comments received and consider amending the modification.

JM agreed to provide legal text, or to identify any issues which needed to be clarified to support text being produced.

4.0 Diary Planning for Workgroup

The next meeting is scheduled for Thursday 20 October 2011, at ENA, following the UNC Committee meeting.