

UNC Workgroup 0394 Minutes
Legal Text for UNC Modification Proposals

Thursday 16 February 2012

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

Attendees

Tim Davis (Chair)	(TD)	Joint Office
Bob Fletcher (Secretary)	(BF)	Joint Office
Andrew Green	(AG)	Total
Alan Raper	(AR)	National Grid Distribution
Chris Warner	(CWA)	National Grid Distribution
Chris Wright	(CWR)	British Gas
David Mitchell	(DM)	Scotia Gas Networks
Joanna Ferguson	(JF)	Northern Gas Networks
Jacopo Vignola	(JV)	Centrica Storage
Joel Martin	(JM)	Scotia Gas Networks
Jon Dixon	(JD)	Ofgem
Richard Fairholme	(RF)	E.ON UK
Ritchard Hewitt	(RH)	National Grid NTS
Robert Cameron-Higgs	(RCH)	Wales & West Utilities
Simon Trivella	(ST)	Wales & West Utilities

1. Review of Minutes and Actions from previous meeting

1.1 Minutes

The minutes from the previous meeting were approved. No actions were outstanding.

2. Workgroup Discussion

RF expressed concern at the delay in the provision of text for this modification, which had not been published in time to allow full consideration ahead of the meeting. JM then provided an explanation the text, emphasising that it had proved complex to produce. He advised that SGN's lawyers had raised a number of questions on the business rules in the modification – these were highlighted in the text and he asked for clarification from the Workgroup.

There was a discussion about issuing modifications to consultation without text, such as in circumstances where time is pressing. RHe asked if text could be developed in parallel so that it accurately reflects the modification? RF was against text being provided without scrutiny by either the Workgroup or Panel. CWA asked if the proposal is that, if there is an issue with text, any amendment is reviewed by Panel? RF confirmed this is the case, in order to ensure visibility of all changes to text.

The Workgroup discussed the difference between a query on text and a proposed variation to text. A proposed variation should include amended text whereas a query is asking for clarification on the meaning, which may or may not require an amendment.

CWA questioned whether the Panel is suitably qualified to decide that a proposed amendment to the text reflects the intention or requirements of the modification – he argued that this should be the remit of the Transporters as it is their code that is being amended.

RF agreed to consider amending the business rules in light of the questions on the legal text and the Workgroup discussion. He recognised that the modification was becoming increasingly complex, reflecting the request to provide detailed business rules and to be specific about a wide of circumstances. It was therefore felt here could be merit in stepping back and looking for a simpler approach, potentially mirroring the proposed amendments to Modification 0384.

3. AOB

None.

4. Diary Planning for Workgroup

The next meeting is scheduled for Thursday 15 March 2012, at ENA, following the UNC Committee meeting, when a Workgroup Report is due to be completed.