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**UNC Workgroup 0440 Minutes**  
**Project Nexus – iGT Single Service Provision**  
**Tuesday 28 January 2014**  
**at Consort House, 6 Homer Road, Solihull, B91 3QQ**

**Attendees**

Bob Fletcher (Chair)	(BF)	Joint Office
Mike Berrisford (Secretary)	(MB)	Joint Office
Adam Pearce*	(AP)	ES Pipelines
Alex Ross-Shaw	(ARS)	Northern Gas Networks
Andy Miller	(AM)	Xoserve
Anne Jackson	(AJ)	SSE
Chris Warner	(CW)	National Grid Distribution
Colette Baldwin	(CB)	E.ON UK
Dave Mitchell	(DM)	Scotia Gas Networks
Elaine Carr*	(EC)	ScottishPower
James Hill	(JH)	EDF Energy
Jonathan Kiddle	(JK)	EDF Energy
Kristian Pilling	(KP)	SSE
Stephanie Shepherd	(SS)	RWE npower

\* via teleconference

A copy of all presentation materials can be found at: <http://www.gasgovernance.co.uk/0440/280114>

The Workgroup's report is due to be submitted to the UNC Modification Panel on 20 February 2014.

**1. Introduction**

BF welcomed all to the meeting.

**1.1 Review of Minutes**

The minutes of the previous meeting were accepted.

**1.2 Review of Actions**

**0440 12/03:** All parties to review the (final) legal text and provide any comments/thoughts by close of play on 17 January for consideration at the meeting on 28 January 2014.

**Update:** CW explained that he had received some meaningful feedback, which has resulted in the preparation of some amended legal text, which he apologised for providing the day before the meeting. **Closed**

**2. Review & Sign Off Legal Text**

Opening, CW advised that he had received some useful feedback from G Howard on behalf of the iGTs, supported by a helpful teleconference meeting between himself, GH and Denton's legal team. He went on to advise that the amended legal text had been provided to the Joint Office the day before the meeting and asked parties to take an opportunity to review the text and provide comments as soon as practicable.

The Workgroup then undertook a quick onscreen review of the latest legal text, focusing only on those sections of legal text that had been amended since the previous meeting, as follows:

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IGTAD Section A1.7.1 – CW pointed out that this had previously been an area of concern for the iGTs over what activities the Agency would actually do. The intention is to now develop an **Agency Services Agreement (ASA)** that will include a list of the various activities. AM supported this statement by also indicating that the list would also be included within the business case document for the IGT ASA – similar to current ASA, this will be a public document.

CW advised that C Wood (Dentons) view is that the text as drafted is sufficient for Code purposes;

IGTAD Section B1.2.3(c) – in response to an iGT request, the text has been amended to clearly identify the iGT for the avoidance of doubt.

During a brief debate, AM explained that the statement relates to the establishment of the max AQ, whilst AP agreed to take a new action to investigate whether or not it is also 'covered off' in the IGT UNC. The general feeling was that this could be more of an iGT UNC issue, rather than an IGTAD one;

IGTAD Section D2.1.2 – apologising for a typographical error, CW explained that the text had been changed following a challenge from the iGTs, as they believe that they do things subtly different.<sup>1</sup>

In debating the relationship between this paragraph and the preceding one (2.1.1), AP suggested that the iGTs goal was to seek to separate out maintaining the register from the supply meter point information elements. He also suggested that further work around the iGTs use of RGMA going forward might be required.

AJ enquired as to what would happen in the event that the work being undertaken towards development of iGT 039 identifies that this statement is incorrect – AP suggested that should this happen, he would anticipate that the iGTs would look to raise a Code Modification to address the issue.

CB remained concerned that the text as drafted look as though the obligations under the iGT UNC would take precedent over those of the UNC under certain (iGT) metering arrangements. The main issues being related to dual governance and 'carve out' aspects and further clarity from GH (on behalf of the iGTs) would be beneficial. AP agreed to undertake a new action to approach GH for an explanation of why paragraph 2.1.2 is important to the iGTs;

IGTAD Section D2.1.3 – now expanded to include UNCC determination and appeal mechanism aspects for potential dispute resolution purposes – similar to some current Code provisions. AP enquired whether or not there would be any potential issues creating more work for Ofgem around potential disputes/appeals. BF explained that this statement actually focuses on providing clarity around aspects of appeal mechanism commonality requirements between the UNC/iGT UNC going forward;

TPD All Sections other than J – in response to a request to consider providing the legal text in context of the (full) UNC sections (rather than simply isolated marked up text), CW agreed to undertake a new action to discuss with C Wood (Dentons) how best to present the text and to even consider super imposing against the 0432/0434 legal text to make tracking the changes easier for all parties.

TPD Section M8.2.1(f) – following a brief discussion, and comparison to the 0432 legal text, it was agreed that this is still required;

TPD Section J1.1.2 – a clarification change;

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<sup>1</sup> Post meeting note: An amended IGTAD Section D has been published to remove the typographical errors mentioned above.

TPD Section J1.4.7 – DM confirmed that SGN’s previous concerns relating to this matter have now been addressed by the proposed amendments.

In considering whether the various Connected Systems, CSEPs and ISEPs diagrams (ref: the presentation(s) provided at the 18 & 19 November 2013 meetings at: <http://www.gasgovernance.co.uk/0440/191113>) could be included in the proposed Code section changes, the consensus was that these would be better placed being included within the BRDs and/or CSEP Agreement documents rather than within the UNC itself;

TPD Section J1.5.4(c) – a clarification change relating to metered/unmetered CSEPs (i.e. which applies and where);

TPD Section J1.5.9(c) – a clarification change which is related to unmetered CSEPs due to the NExA / IGTAD relationship;

TPD Section J1.11 – simply a clarification related change;

TPD Section J2.0 – cross reference updates only;

TPD Section J3.1.4 – a clarification change relating to downstream (nested) CSEPs (i.e. what is, or is not included);

TPD Section J3.3.5 – a clarification change relating to non compliant gas notification mechanisms and processes – please note that CW has sought a view from Dentons on the UNC/iGT UNC requirements to cover the scope of failure to supply gas;

TPD Section J3.8.6 – simple tweaks/improvements to the text by Dentons;

TPD Section J5.1.2 – a clarification change relating to ramp rates etc., and

TPD Section J6.4.4 – an avoidance of doubt statement relating to CSEP NExA governance aspects.

When asked, CW indicated that he would be discussing provision of a ‘legal text commentary table(s)’ (similar to the approach followed for UNC modifications 0432/0434) with Dentons in due course as it is believed that Ofgem would not approve the legal text without it. Additionally, he also confirmed that GH’s comments around TPD Sections A, B and V had now been passed on to Dentons for consideration (it is thought that these are related to relatively minor insignificant changes to the text) and that the legal text as provided also reflects the comments provided previously by L Lewin from DONG Energy.

**Action 0440 01/01: National Grid Distribution (CW) to discuss with C Wood (Dentons) how best to present the legal text and to even consider super imposing against the 0432/0434 legal text to make tracking the changes easier for all parties to understand.**

**Action 0440 01/02: ESP (AP) to investigate whether or not the initial determination of the AQ by the iGT for premises not already contained within the AQ calculation table for the purposes of determining the AIGTS AQ is also ‘covered off’ in the IGT UNC and also to approach GH for an explanation of why paragraph IGTAD Section D2.1.2 is important to the iGTs.**

### 3. Completion of Workgroup Report

Before undertaking an onscreen review of the draft Workgroup Report (v0.5, dated 09 December 2013), BF pointed out that should the legal text be amended after formal sign off of the Workgroup Report (WGR) at today’s meeting, it is possible that the February Panel would send the WGR back for further consideration, due to the fact that some elements of the legal text would not have been reviewed by the Workgroup. When asked whether or not the iGTs would be happy to formally sign off the WGR today, even though there might be some additional ‘tweaks’ to the legal text, AP suggested they would.

BF suggested that another option could be to arrange a teleconference meeting on 07 February 2014 to formally sign off the WGR (the last submission day for the 20 February 2014 Panel meeting) – those present indicated that they would prefer to sign off the WGR at this meeting.

During an onscreen review of the draft WGR, it was noted that the 'User Pays – Classification of the modification as User pays, or not, and the justification for such classification' statement was consistent with the Ofgem view of the equivalent 0432/0434 statements. AM pointed out that there had never been an issue with provision of a robust benefits case and the main issues highlighted during the development of other modifications related to the funding aspects.

A detailed debate was undertaken around the relevant objectives (focusing on potential wider indirect/direct industry benefits, including provision of a more inclusive process involving the iGTs etc.) concluding in several amendments to the existing statements and addition of new supporting statements.

During consideration of the implementation aspects, it was concluded that 'fast switching' does not appear to pose a risk to the implementation of the modification.

In concluding the review and sign off of the WGR, BF advised that he would 'tweak' the wording of the WGR to better reflect the discussions and that the (final) benefits case had now been published and would be appended to the WGR for submission to the 20 February Panel. Parties were asked to review the Workgroup Report (once published by the Joint Office)<sup>2</sup> and provide feedback if deemed appropriate.

#### **4. Any Other Business**

None.

#### **5. Diary Planning**

Following a brief discussion where it was agreed that resolution of any outstanding actions would be undertaken under the auspices of the Project Nexus Workgroup, no further meeting of the Workgroup were envisaged at this time.

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<sup>2</sup> Post meeting note: the (final) Workgroup Report v1.0 was published on the Joint Office web site on 29 January 2014. A copy of the document can be viewed/downloaded at: <http://www.gasgovernance.co.uk/0440>

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**Action Table**

<b>Action Ref</b>	<b>Meeting Date</b>	<b>Minute Ref</b>	<b>Action</b>	<b>Owner</b>	<b>Status Update</b>
0440 12/03	13/12/13	2.0	To review the (final) legal text and provide any comments/thoughts by close of play on 17 January for consideration at the meeting on 28 January 2014.	All	<b>Closed</b>
0440 01/01	28/01/14	2.	To discuss with C Wood (Dentons) how best to present the legal text and to even consider super imposing against the 0432/0434 legal text to make tracking the changes easier for all parties to understand.	National Grid Distribution (CW)	<b>Pending – to be transferred to Project Nexus</b>
0440 01/02	28/01/14	2.	To investigate whether or not the initial determination of the AQ by the iGT for premises not already contained within the AQ calculation table for the purposes of determining the AIGTS AQ is also 'covered off' in the IGT UNC and also to approach GH for an explanation of why paragraph IGTAD SectionD2.1.2 is important to the iGTs.	ESP (AP)	<b>Pending – to be transferred to Project Nexus</b>