UNC Workgroup 0565 Minutes Central Data Service Provider: General framework and obligations Wednesday 13 July 2016

Consort House, 6 Homer Road, Solihull, B91 3QQ

Attendees

Bob Fletcher (Chair)	(BF)	Joint Office
Helen Cuin (Secretary)	(HC)	Joint Office
Andrew Margan	(AMa)	Centrica
Andy Millar	(Ami)	Xoserve
Angela Love*	(AL)	ScottishPower
Azeem Khan	(AK)	RWE npower
Chris Warner	(CWa)	National Grid Distribution
Colette Baldwin	(CB)	E.ON
David Tennant	(DT)	Dentons
Gethyn Howard	(GH)	Brookfield Utilities
Mark Cockayne	(MC)	Xoserve
Raymond Elliott*	(RE)	Ofgem
Rebecca Andersen*	(RA)	Dentons
Sarah Gull	(SGu)	Xoserve
Sean McGoldrick	(SMc)	National Grid NTS
Sue Hilbourne	(SH)	Scotia Gas Networks
*via teleconference		

Copies of all papers are available at: http://www.gasgovernance.co.uk/0565/130716

The Workgroup Report is due to be presented at the UNC Modification Panel by 20 October 2016.

1.0 Introduction and Status Review

1.1. Approval of Minutes (20 June 2016)

The minutes of the previous meeting were approved.

2.0 CDSP Direct Service Code Lines

AMi reported that a number of DSC developmental documents had been published for consideration by the Workgroup.

AMi provided a spreadsheet of the CDSP Direct Code Service Lines, which outlined the functions under the UNC where the performance of these would change from the 'Transporter' to the 'CDSP'. AMi confirmed the service lines have been copied across from the existing ASA, with some additions required under Modification 0432 (Project Nexus - Gas Demand Estimation, Allocation, Settlement and Reconciliation reform) and some removals.

AMi confirmed that Xoserve are currently working through Section U, which will undergo the greatest change and clarified that under Modification 0565 the liability provisions will fall away for the direct services. AMi also confirmed that the non-code services will be extracted from a different contract and will need to be refined to fit into the service line structure.

AMi recognised that Modification 0565 text was predicated on the Modification 0432 text and a tidy up exercise will be required to capture and include subsequent modifications that have gone live and involve additional services not captured in the original text for Modification 0432.

AMi invited parties to review the provided spreadsheet and provide Xoserve with any feeback/concerns. It was suggested that Shippers might wish to review the sections for completeness and divide the work between them rather than each undertake a whole document review.

Action 0565/0701: Shippers to consider the CDSP Direct Service Code Lines and provide Xoserve with any feedback/concerns by 29 July.

AMa enquired when the service line definition exercise would be completed. AMi assured the Workgroup that current services would continue and would not be reliant on being captured in this document. If a service is inadvertently missed within the service line description, the service would continue and the service lines description would updated to capture anything missing should it be noticed at a later date.

AMa asked if the spreadsheet could have an extra column to not only align the references within the UNC, but where the service will be outlined within the DSC. SGu explained the service lines document would form a schedule of the DSC and therefore an individual description would not be required -, each line will have a service number, every CDSP service outlined in Code will have a corresponding line within the DSC.

AMi confirmed that Sections G&M are currently being prepared and Section U is being worked on. He anticipated by mid August that complete version should be ready. He explained that the Direct Code services have been established first, due to their size and importance and work will commence on the agency and non-code services after.

GH enquired about the detail of service lines being ready for consideration at the 29 July FGO Charging Workgroup to assist the Workgroup. AMi believed the work undertaken by the Charging Group could be undertaken independently. However, CB confirmed there had been a request for the breakdown of service lines to enable the Workgroup to consider the detail and costs at the 29 July meeting. AMi confirmed that the Direct Code Services and service tab should be complete for 29 July 2016.

Action 0565/0702: Xoserve (AMi) to complete and provide the CDSP Direct Service Code Line Descriptions and Service Tab for the 29 July 2016 FGO Charging Workgroup Meeting.

AMi reminded parties to review the Direct Code Services document provided to date to allow the document to be ready for completion by the end of July. He confirmed a further review will be undertaken to capture modifications implemented since Modification 0432 and that a further version should be expected around the end of August with a view to capturing comments by mid September.

SGu confirmed the intention for the 23 August meeting would be to ensure everything hangs together. She acknowledged that the timescales were tight and suggested that Shippers commence reviews as early as possible and provide any initial comments on the first drafts rather than waiting until final drafts were provided.

AMa enquired where the Charging Methodology would reside, he understood there was a requirement that the methodology should sit within the UNC. SGu explained that high level principles would sit within UNC GTB7 ie. the charging basis, such as the over and under recovery, but the Charging Service Lines would sit within the DSC. CWa confirmed the GTB7 would be considered on 25 July 2016.

3.0 DSC Terms and Conditions

RA explained the changes to the DSC Terms and Conditions since 29 April 2016, she highlighted the suggested changes, with supporting explanatory notes.

SGu highlighted that there were still a number of points that need to be discussed such as the role of the Credit Committee and feedback was needed from Shippers. She suggested the Workgroup consider all of the explanatory notes/comments and outstanding question points.

RA highlighted the areas, which needed further consideration surrounding Invoicing and Payment, and the role of the Credit Committee, the mechanics of non-payment and how this fits with the credit policy.

AMa believed various steps need to be taken to protect the industry and the UNC/DSC Credit Committee needs to monitor and assess that appropriate steps are being taken (a check and balance). He was keen to understand the powers of the Credit Committee and the similarities with the current EBCC.

CB expressed concern about the Credit Committee making certain decisions about stopping services/processes, she wanted reassurance that the correct protocol was to be followed to manage exposure and the correct management of terminations i.e. they should not be out of step with the EBCC.

The Workgroup considered the operation of the EBCC and Credit Committee and the roles of members. AMa asked about the difference between the two Committees and the likely crossover of membership/representation. It was anticipated there would be a set of rules for the Credit Committee similar to that of the Energy Balancing Credit Rules (EBCR).

MC highlighted the potential conflicts between the two committees and the importance of ensuring that the correct priorities were made. MC suggested the committees should run separately and perhaps have different memberships to avoid conflicts of interest. CB asked about the rationale behind restricting the membership of the two committees by not having the same membership when it was noted that it was difficult to maintain membership of the EBCC currently. MC noted the commercial risk is on the industry, they need to have an influence on the management of this risk, as it's the industry and not the CDSP that would be exposed.

AMa enquired about the model and how Shipper defaults would be managed, for example would Shipper defaults be smeared to all Users or Shipper Users only. It was understood defaults of non-payment could be added to the cost base, as a bad debt and smeared to all Users or should this be targeted by constituency? SGu explained that the Charging Methodology has not yet concluded on the process for the smearing of costs and if Shipper defaults were to be smeared to all Users or just Shippers.

It was anticipated there would be a set or rules for the Credit Committee similar to that of the EBCR. SGu explained that the Workgroup needed to provide thoughts/comments to guide Xoserve on their expectations for the Credit Policy to ensure the first draft avoids too many options that require bottoming out.

The Workgroup considered the interdependencies with the Charging Methodology, where the risks would reside in the Credit Policy and how these would be controlled. It was assumed some work would be required by the Shippers offline to ensure any feedback/concerns are captured/considered. SGu suggested there might be the need for additional break-out sessions for Shippers to reach informed decisions, and to progress certain aspects of the project and if there was difficultly convening Workgroup meetings to ensure all appropriate debates are considered. However, CWa was reluctant to convene off-line meetings for additional considerations outside the support of the Joint Office.

The Workgroup considered the risk of not meeting the October deadline and if this was not met the April implementation could be put at risk.

SGu suggested there were a number of options, either be pragmatic and schedule extra meetings to manage the ability to achieve the original date, or consider with the deferral of Project Nexus Implementation and commitment of resources to other projects that the Licence Condition Implementation for April 2017 may have to be reconsidered.

The Workgroup briefly considered if other modifications/developments/review groups could be potentially put on hold to allow resources to concentrate on the required commitment to achieve the current Workplan.

CB expressed concern about the ability of the Joint Office to resource additional meetings with their limited resources, and challenged why there appears to be a constraint within the Joint

Office on additional resources if these are required to support industry developments. SH suggested the ability for the Joint Office to support additional meetings was not the sole issue here, she outlined with the workplan, the key milestones, decisions and considerations that are required and it is not solely hinged on the ability to schedule additional meetings. There needs to be time in-between meetings to have the appropriate documentation and time for these to be considered.

The Workgroup considered the DSC Terms and Conditions drafting and whether this ought to be run past legal representatives. SGu stressed that there may not be time to consider minor drafting clause changes, and asked parties to bear in mind the significance and importance of the changes to be able to achieve the workplan.

SGu highlighted that there will be additional DSC documents and arrangements to be entered into, such as a contract to provide 3rd Party Services and this needs to be worked through. It was explained that the provision of 3rd Party services would have to meet certain criteria and that it does not determent core services. The Workgroup also considered the potential provision of data for example to price comparison websites, AMi confirmed such changes to services would require a modification to be considered by the industry. SGu explained that the 3rd Party Service Policy, and Bespoke Service Policy needs to be considered and parties should have an ability to feed into these.

There were a number of fundamental considerations within the Terms and Conditions (marked with comment bubbles) that Shippers were asked to consider and set out any concerns, it was anticipated some areas would want to be reviewed by Shippers and their Lawyers. Shippers were asked to consider practical issues and provide feedback to Xoserve.

CB believed there was still some concerns with regards to the architecture of the liabilities, and agreed to set these out for consideration. AM enquired about the transition of liabilities, what would be enduring and what would remain with Xoserve and its shareholders. SGu reassured there are a number of transitional issues to be considered and these would initially be tabled at the 03 August meeting.

Action 0565/0703: Shippers to consider the DSC Terms and Conditions and set out any concerns prior to the 03 August 2016.

4.0 General Terms Section B7 (1st consolidated)

SGu explained a number of elements have been cut out of Section U and lifted and shifted into Section B7. RA confirmed that the legal elements of the UK Link Manual Part B have been lifted and shifted for the relevant sections, and these have all ben tracked to show the changes.

The Workgroup considered the changes and noted that some further updates would be required to bring the document up to date with recent modification changes made after the implementation of Modification 0432 but not yet captured.

CB asked when the work to bring the UK Link Manual up to date would be completed. AMi confirmed at present it was not possible to give a definitive date as the resources required to do this would first be completing the Code Service Lines for the Charging Workgroup 29 July.

5.0 Data Services Credit Principles

MC provided a set of ten Data Services Credit Principles. The document also included a number of elements, which could be considered for the Credit Policy.

SGu enquired how Shippers would want to manage the risks and how averse would they be and what controls would be considered appropriate. She reiterated that Xoserve looked for feedback from Shippers on the Credit Policy, otherwise there may be too many options to consider. It was anticipated a draft Credit Policy would be available for review on 03 August.

Action 0565/0704: Shippers to consider and provide Xoserve their requirements for the DSC Credit Policy by 29 July.

It was recognised that there would be a different level of security for DSC services which would need to be separate to the current credit arrangements.

MC expected, based on his experience of the how the EBCC has evolved, that the DSC Credit Committee may need to meet monthly to review and monitor credit arrangements. It was recognised the Credit Committee may be more involved than the EBCC as it may have a wider scope that than EBCC which is restricted to energy balancing. In particular when considering changes or developments in services which may require increased levels of security.

SGu recognised there were some overlaps with Clause 5 of the Terms and Conditions and that some elements still required consideration, ie. the concept that the Credit Policy will be a service document and the level of risks to be managed. SGu believed that the party bearing the risk needs to have an input into the policy and that the policy should reviewed by those bearing the risk. She suggested that the Credit Policy could be drafted with some optionality, but stressed the importance of Shippers feeding in their requirements. CB also suggested that the Transporters need to consider their levels of risk, and the smearing of some costs. It was anticipated a draft Credit Policy would be need for review on 03 August.

DT challenged if the there was a need for two credit policies when the treatment of debt is to be treated by and large the same. BF suggested that there needed to be a materiality threshold to justify Credit Committee involvement.

The Workgroup considered the ability to use the EBCR model as much as possible and if it were possible to replicate this as the Policy Document. It was agreed the First draft should be reviewed on 03 August.

6.0 Review of outstanding actions

CWa suggested no Actions should not be directly assigned to Dentons, therefore these actions have been re-assigned to National Grid Distribution (CWa).

0565/0601: National Grid Distribution (CWa) to produce a document, explaining the approach to historic liabilities, including the transition process from the existing process to the new process.

Update: Deferred to 03 August 2016. **Carried forward.**

0565/0602: National Grid NTS (SMc) to provide a paper to present a view on the management of Gemini liabilities prior to the meeting on 13 July 2016, new date: 03 August. **Update:** SMc suggested that there would be no system liability; he explained that National Grid NTS pay Xoserve to house and operate Gemini, if there was a failure NTS would pick up the tab. He further explained that User will pay for operation of the system as this is passed-through as part of Transportation charges. It was asked, what is happening to Gemini

liabilities, if the system is owned by NTS, why are the liabilities for failure not sitting with NTS?

CB challenged that if NTS consider Gemini to be a central system managed by Xoserve and therefore liabilities should be removed under the mutual model, why has it not been reclassified as a central system. SMc explained that going forward it will stay as an agency CDSP service, the contract to provide the service is captured by the current ASA. The operation of Gemini is managed by Xoserve, but the system (which has a significant asset value) is owned by National Grid NTS.

SMc explained that the Gemini liabilities should be treated the same as other liabilities. It was suggested that NTS outlines the management of Gemini such as controlling, changing Gemini, and the treatment of liabilities and present this to the workgroup at the next meeting.

CB suggested that if the Gemini system is to be ring-fenced, being owned by National Grid NTS and operated by Xoserve, then the Shippers should not be expected to neutralise any risks through liabilities. SMc explained that the only liability is when the system is

unavailable., However, CB challenged that if the failure of the system prevents Shippers having access to Gemini Services then National Grid NTS should clearly set out the management of Gemini and the liabilities as asset owner. It was agreed this would be provided for 03 August. **Carried forward.**

0565/0603: National Grid NTS (SMc) to provide an update on the management of Gemini and why it cant follow a similar model to UK Link.

Update: It was agreed to close this action based on the conversation above. Closed.

0565/0604: All Transporters to provide views on whether the Transporters constituency should be sub divided by 13 July meeting.

Update: GH confirmed feedback had been provided, CWa confirmed a piece of work is being undertaken on change, and he hoped to have a clear proposal on 03 August. **Closed.**

0565/0605: All Shippers to provide views on whether the Shippers constituencies should be sub divided by the services then used by 13 July meeting.

Update: The proposals for change will be reviewed on 03 August. **Closed.**

0565/0606: National Grid Distribution (CWa) to provide further clarity for point 2.4.3 in the Cost of Change section, as to who is responsible for paying the additional costs for a cost estimate if a ROM is not sufficient.

Update: Deferred to 03 August 2016. Carried forward.

0565/0607: Xoserve (AMi) to:-

- a) provide further clarity on the Change Order process for a cost estimate or a ROM is required, what is the trigger;
- b) At what point does a Change Order trigger an external cost estimate.

Update: (a) Deferred to 03 August 2016. Carried forward.

Update: (b) Deferred to 03 August 2016. Carried forward.

0565/0608: Xoserve (AMi) to provide clarity in relation to internal and external financial spend regarding the proposed Change Order process.

Update: Deferred to 03 August 2016. Carried forward

0565/0609: National Grid Distribution (CWa) to provide more detail/information regarding the appeal process with a perception of circumstances where this might be appropriate.

Update: Change/Governance process to be considered. Deferred to 03 August 2016. **Carried forward.**

0565/0610: Xoserve (AMi) to provide greater clarity and information concerning the costs in the Modification process.

Update: Deferred to 03 August 2016. Carried forward.

0565/0611: National Grid Distribution (CWa) to provide more information on the Code and Non-Code Changes for the committee to evaluate.

Update: Change/Governance process to be considered. Deferred to 03 August 2016. **Carried forward.**

0565/0612: National Grid Distribution (CWa) to produce Terms of Reference (TOR) for both the Change and Contract Committees.

Update: Change/Governance process to be considered. Deferred to 03 August 2016. **Carried forward.**

0565/0613: National Grid Distribution (CWa) to provide further detail on the notice period and consultation timelines for the new committees in line with the current stipulations for UK Link. **Update:** Deferred to 03 August 2016. **Carried forward.**

0565/0614: National Grid Distribution (CWa) to add in a point (g) into section 2.3, regarding customers being required by law to make a change.

Update: Deferred to 03 August 2016. Carried forward.

0565/0615: National Grid Distribution (CWa) to consider point (f) in section 2.3 relating to CDSPs potentially being able to request Ofgem to make a decision on a self governance modification where they consider they are unduly impacted..

Update: The Workgroup considered the impact on CDSP being a non-code party and the impacts on operations and resources due to changes proposed through modifications. There were concerns that as the CDSP have no voting rights as they are not a party in the UNC, they may be unduly impacted by a changes imposed through a self governance modification. The Workgroup considered the management of self governance modifications imposing change on the CDSP. CB suggested if the industry is imposing a significant change onto the CDSP these, modifications should not be self governance.

BF was concerned that these suggested changes conflicted with the self governance requirements being implemented as part of the recent Code Governance Review, where a modification is considered to be self governance unless it meets the materiality criteria set out in the Transporters licence. In addition, the Modification Rules could not impose an obligation on Ofgem unless they were willing to accept it. AMa suggested that the materiality criteria could be developed to ensure material impacts on the CDSP were a factor for requesting Ofgem to make a decision on a modification. **Carried forward.**

7.0 Any Other Business

None Raised.

8.0 Diary Planning

Further details of planned meetings are available at: www.gasgovernance.co.uk/Diary

Workgroup meetings will take place as follows:

Time/Date	Venue	Workgroup Programme
10:00 Monday 25 July 2016	Dentons, One Fleet Place, London, EC4M 7RA	 FGO Workgroup and Workgroup 0565 Introduction and summary of UNC/DSC framework Overview of Workplan UNC legal text walkthrough: General Terms Section D (includes residual parts of Section U) TPD Sections H,G,M,V and miscellaneous TPD Sections iGT Arrangements Document Modification Rules Next steps (DSC Legal Text walkthrough planned for 23rd August)

10:00 Friday 29 July 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	 FGO Workgroup – Charging Cost Allocation Model Review Methodology Statement Consider Invoice Process Transition Matters – Principles and Application Surpluses and Deficits – Principles and Application Budget Setting - Interaction with Charging Methodology
10:00 Wednesday 03 August 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	 FGO Workgroup and Workgroup 0565 DSC Change Control Procedures (1st draft)
10:00 Monday 08 August 2016	CANCELLED	
10:00 Monday 22 August 2016	Elexon, 4 th Floor, 350 Euston Road, London NW1 3AW	 FGO Workgroup – Charging Cost Allocation Model Review Methodology Statement Review Invoice Process Transition Matters – Principles and Application Surpluses and Deficits – Principles and Application
10:00 Tuesday 23 August 2016	Elexon, 4 th Floor, 350 Euston Road, London NW1 3AW	 FGO Workgroup and Workgroup 0565 DSC Framework Agreement (Final draft) DSC Term & Conditions (Final draft) DSC Service Description (Final draft) Change Control Procedures (Final draft) Contract Management & Reporting Arrangements (Final draft) Third Party Services Policy (Final draft) Transition Document (1st draft) Timeline/Workplan Update Consideration of Risks/Issues Log
10:00 Monday 05 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	FGO Workgroup – Charging Agenda TBC at 29 July meeting
10:00 Wednesday	Consort House, 6	FGO Workgroup and Workgroup 0565

07 September 2016	Homer Road, Solihull B91 3QQ	UNC Consolidated Legal Review GT B7 TPD G & H TPD M TPD U Other TPD & EID iGT and iGTAD Accession / Withdrawal Transition Miscellaneous including MR DSC Contract Update Development of Workgroup Report
10:00 Wednesday 21 September 2016	Elexon, 4 th Floor, 350 Euston Road, London NW1 3AW	FGO Workgroup and Workgroup 0565 • Development of Workgroup Report
10.00 Friday 23 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	FGO Workgroup – Charging Agenda TBC at 29 July meeting
10:00 Wednesday 05 October 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	FGO Workgroup and Workgroup 0565 • Conclusion of Workgroup Report

Workgroup 0565 Actions (as at 13 July 2016)

Action Ref	Meeting Date	Minute Ref	Action	Owner	Status Update
0565/0601	20/06/16	10.	National Grid Distribution (CWa) to produce a document, explaining the approach to historic liabilities, including the transition process from existing the process to the new process.	National Grid Distribution (CWa)	Carried Forward
0565/0602	20/06/16	10.	National Grid NTS to provide a paper to present a view on the management of Gemini liabilities prior to the meeting on 13 July 2016.	National Grid NTS (SMc)	Carried Forward
0565/0603	20/06/16	10.	National Grid NTS to provide an update on the management of Gemini and why it cannot	National Grid NTS (SMc)	Closed

			follow a similar model to UK Link.		
0565/0604	20/06/16	10.	All Transporters to provide views on whether the Transporters constituency should be sub divided by 13 July meeting.	All Transporters	Closed
0565/0605	20/06/16	10.	All Shippers to provide views on whether the Shippers constituencies should be sub divided by the services then use by 13 July meeting.	All Shippers	Closed
0565/0606	20/06/16	10.	National Grid Distribution (CWa) to provide further clarity for point 2.4.3 in the Cost of Change section, as to who is responsible for paying the additional costs for a cost estimate if a ROM is not sufficient.	National Grid Distribution (CWa)	Carried Forward
0565/0607	20/06/16	10.	Xoserve (AMi) to:- a) Provide further clarity on the Change Order process for a cost estimate or a ROM is required, what is the trigger; b) At what point does a Change Order trigger an external cost estimate.	Xoserve (AMi)	Carried Forward
0565/0608	20/06/16	10.	Xoserve (AMi) to provide clarity in relation to internal and external financial spend regarding the proposed Change Order process.	Xoserve (AMi)	Carried Forward
0565/0609	20/06/16	10.	National Grid Distribution (CWa) to provide more detail/information regarding the appeal process with a perception of circumstances where this might be appropriate.	National Grid Distribution (CWa)	Carried Forward
0565/0610	20/06/16	10.	Xoserve (AMi) to provide greater clarity and information concerning the costs in the Modification process.	Xoserve (AMi)	Carried Forward
0565/0611	20/06/16	10.	National Grid Distribution (CWa) to provide more information on the Code and	National Grid Distribution (CWa)	Carried Forward

			Non Code Changes for the committee to evaluate.				
0565/0612	20/06/16	10.	National Grid Distribution (CWa) to produce Terms of Reference (TOR) for both the Change and Contract Committees.	National Grid Distribution (CWa)	Carried Forward		
0565/0613	20/06/16	10.	National Grid Distribution (CWa) to provide further detail on the notice period and consultation timelines for the new committees in line with the current stipulations for UK Link.	National Grid Distribution (CWa)	Carried Forward		
0565/0614	20/06/16	10.	National Grid Distribution (CWa) to add in a point (g) into section 2.3, regarding customers being required by law to make a change.	National Grid Distribution (CWa)	Carried Forward		
0565/0615	20/06/16	10.	National Grid Distribution (CWa) to consider point (f) in section 2.3 relating to Xoserve's 'veto' position and whether an alternative answer may be.	National Grid Distribution (CWa)	Carried Forward		
0565/0701	13/07/16	2.1	Shippers to consider the CDSP Direct Service Code Lines and provide Xoserve with any feedback/concerns by end of July.	All Shippers	Pending		
0565/0702	13/07/16	2.1	Xsoerve (AMi) to complete and provide the CDSP Direct Service Code Line Descriptions and Service Tab for the 29 July 2016 FGO Charging Workgroup Meeting.	Xoserve (AMi)	Pending		
0565/0703	13/07/16	3.0	Shippers to consider the DSC Terms and Conditions and set out any concerns by 03 August 2016.	All Shippers	Pending		
0565/0704	13/07/16	5.0	Shippers to consider and provide Xoserve their requirements for the CDSP Credit Policy by end of July.	All Shippers	Pending		