### UNC Workgroup 0565 Minutes Central Data Service Provider: General framework and obligations Tuesday 23 August 2016

#### Attendees

Angela Love	(AL)	ScottishPower
Azeem Khan*	(AK)	RWE npower
Bob Fletcher (Chair)	(BF)	Joint Office
Charles Ruffell	(CR)	RWE
Charles Wood	(CWo)	Dentons
Chris Warner	(CWa)	National Grid Distribution
Colette Baldwin	(CB)	E.ON
Gethyn Howard	(GH)	Brookfield Utilities
Jawwad Irshad	(JI)	Scotia Gas Networks
Karen Visgarda (Secretary)	(KV)	Joint Office
Michael Walls	(MW)	ES Pipelines
Mike Leonard*	(ML)	Ofgem
Sandra Dworkin*	(SD)	Xoserve
Sarah Gull	(SG)	Xoserve
Sean McGoldrick	(SMc)	National Grid NTS
Sue Hilbourne	(SH)	Scotia Gas Networks
Zar Suleman*	(ZS)	Xoserve
*via teleconference		

Copies of all papers are available at: <u>http://www.gasgovernance.co.uk/0565/230816</u> The Workgroup Report is due to be presented at the UNC Modification Panel by 17 November 2016.

#### 1.0 Introduction and Status Review

#### 1.1. Approval of Minutes (03 August and 12 August 2016)

The minutes of the previous meetings were approved.

#### Meeting Overview

CWa overviewed the current status of the FGO programme explaining that despite the workgroup reporting date extension granted by the Panel to November, there were still various challenging pieces of work that needed to be completed within the specified timeframe. He appreciated the further complexity with regards to Nexus implementation that this has caused, however, he explained that a confirmed date for Nexus was unlikely to be available until mid/end of September. He said obviously many discussions were taking place and that these would be aired at the POB meeting on Friday 26 August 2016.

#### 2.0 DSC Terms and Conditions

Deferred until the 07 September 2016 meeting.

#### 3.0 Change Management Procedures

CWo then moved on to provide an overview of the 'DSC Service Document – Change Management Procedures' document. He explained that he still needed the comments to be provided by the Shippers and Transporters lawyers, as soon as possible.

CWo said he would high-level the main sections in the document and commenced with section 1.4 Interpretation – Specific and 1.5 Scope and Purpose, explaining these areas addressed the amending of the DSC documents and that there was a suite of documents that covered the new modification process, together with 4 different kinds of rules as detailed below:

#### 1.5 Scope and purpose

- 1.5.1. The purpose of this Document is to set out:
- (a) the basis on and procedures by which:
- *(i) the DSC Service Documents may be amended; and*
- (ii) modifications of UK Link may be made;

(b) the functions and procedures of the CDSP and the Change Management Committee in connection with such amendments and modifications.

- 1.5.2. Under this Document different arrangements apply in relation to:
  - (a) changes to Services and related amendments of the Services Description [and certain amendments of the Budget and Charging Methodology];
  - (b) modification of UK Link;
  - (c) amendment of the UK Link Manual; and
  - (d) amendment of Other DSC Service Documents.
- 1.5.3 Amendment of the DSC Terms and Conditions is not within the scope of this Document.

CWo then overviewed other areas in brief in the document, moving on the section Amendment of DSC Service.

#### 3 Amendment of DSC Service Documents - General

#### 3.1 Amendment by Code Modification

#### 3.2 Making amendments to DSC Service Documents

CWo explained the amendment process needed more discussion and he said that this was being addressed presently, specifically regarding the point 3.1.2 as below.

### 3.1.2 [Limit on self-governance modifications where an amendment of a DSC Service Document would materially and adversely affect the rights and obligations of the CDSP under.

There was a general discussion regarding the CDSP being able to challenge the selfgovernance status of a modification, particularly when the recent Code Governance Review (CGR) requires a change to the Modification Rules requiring modifications to be considered self-governance unless Panel demonstrated they had a material impact.

SG was keen that this aspect is managed in the Modification Rules and was seeking a way to address this issue. BF was concerned how the CDSP would make representations to Panel and the process to be adopted e.g. who would have the right to make this choice on behalf of the CDSP? He suggested that the CDSP nominate a non voting Member of Panel who would be able make a representation to Panel and formally provide CDSP views.

CWo and SG agreed this would be a way forward and would considered amending the Modification Rules.

#### 3.2 Making amendments to DSC Service Documents

CWo then gave an overview of the amendment process in relation to the four different kinds of service procedures and explained the associated points.

#### 4 Service Charges

#### 4.1 Interpretation and background

CWo gave an explanation regarding the service charges and a general discussion took place regarding the points below:-

(i) a Customer Class is a **Relevant Customer Class** in relation to a Service or a Service Change where (pursuant to the Charging Methodology) Charges made or to be made in respect of such Service, or the Service subject to such Service Change, are or will be payable by Customers of that Customer Class;

(*j*) where, in relation to a Service Change, not all Customer Classes are Relevant Customer Classes, the Service Change is a **Restricted Class Change**;

(k) references to a Code Modification include a modification to the IGT Code;

Both CB and GH said in relation to points (i) and (k) as above, that these were not aligned from an iGT and UNC timeline perspective and that this could create an issue from an overall time frame period. CWo said he would investigate this area further to consider how these changes would be managed. However, he felt it would be down to the iGTs to manage the alignment of iGT UNC to UNC/DSC.

Regarding point 4.1.3 as below AL, said that it read as though Xoserve/CDSP have full authority to sanction and change and CWo said he would re-look at the specific wording to provide further clarity. BF also said this should be the agreement of the UNCC where this related to an implementation question, and not the CDSP and CWo said he would re sense check these areas.

4.1.3 The Committee may, by a Unanimous Decision in a Full Vote[1], vary in relation to a particular Change Proposal any of the Change Procedures in this paragraph [2], at the request of or with the agreement of the CDSP, but in relation to a Modification Service Change with the approval of the Modification Panel.

#### 4.2 Decision-making

Regarding point 4.2.2. below, SMc said he had concerns that decisions made outside of the Modifications process e.g. by Europe Law or Code Change and other industry areas, could have an impact, and would not be covered in this section. SC said that this was addressed within the definition of Priority Service Provision section of the document.

4.2.2.[Where a Proposed Non-Modification Service Change would have an Adverse Impact within paragraph [2.4.1] (a) or (b) on Customers of any Customer Class, then decisions of the Committee under this paragraph [2] in respect of the Proposed Service Change shall only be made by the Unanimous Decision in a Full Vote of the Committee.[2]]

#### 4.3 Classification of Proposed Service Changes

CWo overviewed the voting process in relation to a Service Change and Modification Change. A lengthy and general discussion took place surrounding this process, especially surrounding the rights to make representations. BF also said that it was the same approach with the issue of change packs and seeking representations as was currently undertaken by the UK Link Committee and that this needed to be included in this section. CWo said he would amend this process accordingly.

#### 4.5 Priority Principles

CWo overviewed point 4.5.2 as below, and BF provided an overview of the present modification process, and a lengthy discussion took place regarding this point. CWo said that he, BF, CWa and SMc would take this area 'off line' and work on it in more depth, to provide clarification and provide feedback to the Workgroup. SMc also stated that the EQR area needed more discussion and should be included also.

4.5.2. A **Priority Question** is any question as to sequencing and resolving conflicts in the operation of the Change Procedures in relation to different Proposed Service Changes, including conflicts between plans and programmes for Business Evaluation and Implementation of different Proposed Service Changes, and including setting Target Commencement Dates.

## Action 0565/0805: National Grid Distribution (CWa) and National Grid NTS (SMc) to provide clarity on the cost estimate process to be used with the modification process, including the EQR process.

CWo continued to 'step through' the document providing clarity when and where requested. He then moved on to point 4.7 explaining the process of the CDSP, Panel, UNCC and the various Committees in the Modification process, moving on to point 4.8 as, as detailed below:-

#### 4.8 Procedure for Modification Service Changes[3]

CWo overviewed all points from 4.8.1 - 4.8.10 in relation to the Service Changes procedure and a lengthy discussion then ensued in respect of the Proposer of the Modification, would still need to be included in this overall process. BF explained that the Code Administration Code of Practice (CACoP) requires the solution of a modification to be owned by the proposer and this process should flow through the process. CWo said he would amend this section on light of these discussions.

SMc also said he had concerns regarding commercial confidentiality and Third Party Services and also said there did not seem to be any flexibility to 'step out of' the defined process if change was needed to meet European or regulatory timelines. SG said this would be dealt with as a 'Non UNC Modification Service Change' where appropriate and CWo said he would add this point into the section of the document to make the process clearer. SMc again reiterated the importance of the EQR process and that this needed to be included into the document but should not be confused with the current ROM, User Pays or cost estimates set out in the current Modification Rules as these are different process and used for different reasons. BF said that consideration was also needed in respect of the terminology in relation to the Modification Rules and how these would need to be amended going forward.

#### 4.9 Implementation

CWo overviewed the implementation section and discussion took place regarding the areas of Change Management and Budgets, and CWo said he would re investigate this area and amend this section accordingly.

CWo then continued to 'step through' the remaining sections of the document and reiterated that the amendments would be made in readiness for the meeting on 07 September. Both

CWa and SG stated that it was crucial that the legal representatives had reviewed this document prior to that meeting, so that it could be confirmed and signed off on 07 September 2016. BF advised that the aim of the next document review would be to consider the changes made to this iteration and not to undertake a line-by-line review.

#### 2. <u>Contract Management</u>

Deferred until 07 September 2016 meeting.

#### 3. Credit Policy

SG introduced the Credit Policy Document and explained that further detail would be added following discussions that would have taken place within the Charging Methodology meeting. She explained that a new Credit Committee under the DSC was required in order to keep the UNC and DSC separate agreements with different risks, and that they would need different credit processes to manage the risks.

SG overviewed the document and a lengthy discussion took place regarding if it was applicable for individuals to sit on both committees, together with who would be bare any bad debt and who would be responsible for operating costs. CB suggested that members for both committees could be EBCC members as they had credit management backgrounds. SD suggested that the membership profile for each was different as was the level of risk, membership for these reasons should be different. AL felt that as it was difficult to maintain membership levels in EBCC, the DSC Credit Committee would be harder as the level of risk was lower. It was agreed that greater discussion was required and that user profiles needed to be investigated, as to the stability of each, and that the iGT's needed to look at risk and bad debt.

Action 0565/0806: National Grid Distribution (CWa), iGT's and Transporters to look at credit risks and bad debt profiles.

Action 0565/0807: All Shippers to look at the risks as per the Credit Policy Document and provide feedback as to the suitability of membership profiles and whether individuals could be members of both EBCC and DSC Credit Committee.

#### 4. Transition Document

Deferred until 07 September 2016 meeting.

#### 5. <u>UNC Modification 0565 – Proposed DSC Contract and Change Management Sub-</u> <u>Committees – proposed voting arrangements</u>

CWa provided an overview to the 'UNC Modification 0565 – Proposed DSC Contract and Change Management Sub-Committees' proposed voting arrangements' presentation, explaining that several papers and options had been previously discussed and that the voting framework was set out in the General Terms Section D 4 document. He also said that in his view, the Committee structure was the correct approach as it was a proven and that this document was in-line with the defined terms and interacted with the general terms of the DSC.

CWa explained the rationale of the presentation and his thinking behind the voting procedure. A lengthy general discussion ensued regarding the independence of potential committee chairs and whether they should have a casting vote and the appeal proces areas. CWa said he would investigate these areas in further depth and amend the presentation accordingly.

# Action 0565/0808: National Grid Distribution (CWa) to investigate whether a chair provided by the Joint Office should have a casting vote, or should an independent chairperson be established in such circumstances.

Further discussion took place surrounding the overall election and voting process of the Shipper Class and the number of allocated votes to be cast in each of the proposed categories of Shipper representatives. It was felt by CB the current model was not 'fit for purpose' and needed amending and that she was considering raising an alternative modification to set out a different option for representation and voting. GH said presently there was a defined category for iGT and GDN's, however he was concerned that iGTs have one representative whereas each individual GT would be represented which was not representative of the industry..

CWa said all the comments and suggestions were very useful and he wanted everyone to list where they thought the current 'flaws' were in the process, to then enable a confirmed model to be discussed and signed off at the meeting on 07 September 2016.

CB was concerned that both Shippers and iGTs under represented when compared to GDNs and NTS, this should be addressed, as it was not representative of the risks for each group.

BF suggested that members should not be able to nominate other members as alternates for meetings as this would encourage attendance of other industry participants in the role and widen industry experience of such committees.

He said he wanted thoughts in the following areas:-

- 1. Independent Chair person and Casting vote
- 2. The Appeals process inline with the present UNCC process
- 3. Supply Point Testing the defined and specific category
- 4. How categories 1, 2 and 3 are defined
- 5. The defined PAC members sign up process
- 6. The process for an election mid year
- 7. The Voting of alternates within an alternate process (if applicable)

Action 0565/0809: National Grid Distribution (CWa) to amend the categories and confirm the position of the Shipper Classes in terms of the voting process, together with investigating iGT's concerns around Committee representation and produce an Annex for D2 and GD4.

#### 6. <u>Review of outstanding actions</u>

**0565/0601:** 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.

**Update:** It was agreed this action could be closed as this matter was being discussed at the POB meetings. **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:** SG said that due to AMi being on annual leave, this action should be carried forward. **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) SG said that due to AMi being on annual leave, this action should be carried forward.

**Update:** (b) SG said that due to AMi being on annual leave, this action should be carried forward. **Carried forward**.

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

**Update:** SG said that due to AMi being on annual leave, this action should be carried forward. **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:** It was agreed this action could now be closed. **Closed.** 

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

**Update:** SG said that due to AMi being on annual leave, this action should be carried forward. **Carried forward.** 

**0565/0801:** National Grid Distribution (CWa) to arrange a Data Protection Legal Review teleconference.

**Update:** CWa said this was still to be arranged and should be carried forward. **Carried forward.** 

**0565/0802:** All to propose remedies for the CDSP. **Update:** It was agreed this action could now be closed. **Closed.** 

**0565/0803:** GDN's & iGT's to consider the funding of agency Non Code Services, in particular the relationship with SPAA.

Update: All agreed this action needed to be carried forward. Carried forward.

**0565/0804:** National Grid Distribution (CWa) said he would investigate the invoicing process to be adopted for the 'Must Reads' process once the ACS was no longer operational. **Update:** CWa said this action needed to be carried forward. **Carried forward.** 

#### 7. <u>Next steps</u>

BF said that a number of topics had still not been covered in the meeting due to time constraints and that these would be addressed in the meeting on 07 September 2016. He also said that a number of new meetings had now been proposed, in order to complete the outstanding work in time to report to the November Panel. The new meeting dates are detailed below in the meeting table.

CWa and SG reiterated the urgent need for progress and feedback from the associated documentation in order to reach a sign off position.

#### 8. <u>Any Other Business</u>

AL said she wanted to discuss the option of raising an alternative Modification with CWa. BF. said that any alternative modification would need to be raised for the September Panel (02 September cut off date), to allow time for the workgroup to consider both modifications and enable a report to be concluded in time for November. CWa strongly advised participants not to raise alternative modifications, as this would in his view materially impact the reporting timeline.

#### 9. 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 05 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul> <li>FGO Workgroup – Charging</li> <li>First review of Charging Methodology (Services) (investment) <ul> <li>Services and Users</li> <li>Cost Drivers and Cost Allocation</li> <li>Charging Methodology, including funding of Liabilities</li> </ul> </li> <li>Invoicing - define Process</li> <li>Transition Matters</li> <li>Margin, Surplus and Deficit - review of updated proposals</li> <li>Budget Setting – define process</li> </ul>
10:00 Wednesday 07 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul> <li>FGO Workgroup and Workgroup 0565</li> <li>DSC Review <ul> <li>DSC Contract Management</li> <li>DSC Term and Conditions</li> <li>DSC Change Control Procedures</li> <li>Third Party Services Policy</li> <li>Transition Document</li> <li>Miscellaneous including MR</li> </ul> </li> <li>DSC Contract Update</li> <li>Development of Workgroup Report 0565</li> </ul>
10.00 Tuesday 13 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	FGO Workgroup and Workgroup 0565 • BC
10.00 Tuesday 20 September 2016	Dentons, One Fleet Place, London, EC4M 7RA	FGO Workgroup and Workgroup 0565 • BC
10:00 Wednesday 21 September 2016	Elexon, 4 <sup>th</sup> Floor, 350 Euston Road, London NW1 3AW	<ul><li>FGO Workgroup and Workgroup 0565</li><li>Development of Workgroup Report</li></ul>
10.00 Friday 23 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul> <li>FGO Workgroup – Charging</li> <li>Second review of Charging Methodology (Services) (investment)</li> </ul>

		<ul> <li>Services and Users</li> <li>Cost Drivers and Cost Allocation</li> <li>Charging Methodology, including funding of Liabilities</li> <li>Invoicing - review Process</li> <li>Margin, Surplus and Deficit - review of Final Proposals</li> <li>Budget Setting - review Process</li> </ul>
10.00 Thursday 29 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul><li>FGO Workgroup and Workgroup 0565</li><li><i>TBC</i></li></ul>
10.00 Friday 30 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul> <li>FGO Workgroup and Workgroup 0565</li> <li>TBC [29<sup>th</sup> or 30<sup>th</sup> ?]</li> </ul>
10.00 Monday 03 October 2016	Dentons, One Fleet Place, London EC4M 7RA	FGO Workgroup and Workgroup 0565 <ul> <li><i>TBC</i></li> </ul>
10:00 Wednesday 05 October 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul><li>FGO Workgroup and Workgroup 0565</li><li>Conclusion of Workgroup Report</li></ul>
10:00 Friday 07 October 2016	Elexon, 4 <sup>th</sup> Floor, 350 Euston Road, London NW1 3AW	<ul> <li>FGO Workgroup and Workgroup 0565</li> <li><i>TBC</i> [Provisional date, may not be possible due to other industry meetings]</li> </ul>
10.00 Tuesday 11 October 2016	Elexon, 4 <sup>th</sup> Floor, 350 Euston Road, London NW1 3AW	FGO Workgroup and Workgroup 0565 • <i>TBC</i>
10.00 Friday 14 October 2016	Elexon, 4 <sup>th</sup> Floor, 350 Euston Road, London NW1 3AW	FGO Workgroup and Workgroup 0565 • <i>TBC</i>
10.00 Tuesday 18 October 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul><li>FGO Workgroup and Workgroup 0565</li><li><i>TBC</i></li></ul>
10.00 Wednesday 26 October 2016	Elexon, 4 <sup>th</sup> Floor, 350 Euston Road, London NW1 3AW	<ul><li>FGO Workgroup and Workgroup 0565</li><li><i>TBC</i></li></ul>

10.00 Tuesday 01 November 2016 London NW1 3AW	FGO Workgroup and Workgroup 0565 <ul> <li><i>TBC</i></li> </ul>
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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)	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 (Due on 07 Sept 16)
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	Xoserve (AMi)	Carried Forward (Due on 07 Sept 16)

#### Workgroup 0565 (as of 23 August 2106)

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 (Due on 07 Sept 16)
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 (Due on 07 Sept 16)
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)	Closed
0565/0610	20/06/16	10.	Xoserve (AMi) to provide greater clarity and information	Xoserve (AMi)	Carried Forward

			concerning the costs in the Modification process.		(Due on 07 Sept 16)
0565/0801	03/08/16	2.0	National Grid Distribution (CWa) to arrange a Data Protection Legal Review teleconference.	National Grid Distribution (CWa)	Pending
0565/0802	03/08/16	3.0	All to propose remedies for the CDSP.	ALL	Closed
0565/0803	12/08/16	2.0	GDN's & iGT's to consider the funding of agency Non Code Services, in particular the relationship with SPAA.	GDN's & iGT's	Carried forward
0565/0804	12/08/16	2.0	National Grid Distribution (CWa) said he would investigate the invoicing process to be adopted for the 'Must Reads' process once the ACS was no longer operational.	National Grid Distribution (CWa)	Carried forward
0565/0805	23/08/16	3.0	National Grid Distribution (CWa) and National Grid NTS (SMc) to provide clarity on the cost estimate process to be used with the modification process, including the EQR process.	National Grid Distribution (CWa)	Pending
0565/0806	23/08/16	3.0	National Grid Distribution (CWa), iGT's and Transporters to look at credit risks and bad debt profiles.	National Grid Distribution (CWa)	Pending
0565/0807	23/08/16	3.0	All Shippers to look at the risks as per the Credit Policy Document and provide feedback as to the suitability of membership profiles and whether individuals could be members of both EBCC and DSC Credit Committee.	All Shippers	Pending
0565/0808	23/08/16	5.0	National Grid Distribution (CWa) to investigate whether a chair provided by the Joint Office should have a casting vote, or should an independent chairperson be established in such circumstances.	National Grid Distribution (CWa)	Pending

<b>0565/0810</b> 23/08/1	6 5.0	National Grid Distribution (CWa) to amend the categories and confirm the position of the Shipper Classes in terms of the voting process, together with investigating iGT's concerns around Committee representation and produce an Annex for D2 and GD4.	National Grid Distribution (CWa)	Pending
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