

Record of Determinations: Panel Meeting, 03 January 2013

Modification	Vote Outcome	Shipper Voting Members					Transporter Voting Members					Consumer Representative	Determination Sought
		AG	CH	CWr	PB	RF	CWa	EM	JF	RH	RCH	ER	
0442 - Amendment to the implementation date of the Allocation of Unidentified Gas Statement (AUGS) for the 2013/14 AUG Year	The Panel did not recommend that the modification should follow Urgent procedures with 3 votes in favour, 7 votes against and 1 abstention	X	X	✓	X	✓	X	X	X	✓	X	NV	Recommend to the Authority that the modification should follow Urgent procedures

KEY	In favour	Not in Favour	No Vote Cast	Not Present
		✓	X	NV

UNC Modification Panel

Minutes of the 133rd Meeting held on Thursday 03 January 2013 via teleconference

Attendees

Voting Members:

Shipper Representatives	Transporter Representatives	Consumer Representative
A Green (AG), Total C Hill (CH), First Utility C Wright (CWr), British Gas P Broom (PB), GDF Suez R Fairholme (RF), EON UK	C Warner (CWa), National Grid Distribution E Melen (EM), Scotia Gas Networks J Ferguson (JF), Northern Gas Networks R Cameron-Higgs (RCH), Wales & West Utilities R Hewitt (RH), National Grid NTS	E Reed (ER), Consumer Focus

Non-Voting Members:

Ofgem Representative	Terminal Operators' Representative	Chairman
		T Davis (TD), Joint Office

Also in Attendance:

A Miller (AM), Xoserve; A Wallace (AW), Ofgem; C Whitehand (CWh), GL Noble Denton; D Ianora (DI), Ofgem, F Cottam (FC), Xoserve; J Cox (JC), Energy UK; M Bagnall (MB), British Gas; and R Fletcher (RF).

Record of Discussions

133.1 Note of any alternates attending meeting

E Melen for A Musgrave (Scotia Gas Networks)

R Cameron-Higgs for S Edwards (Wales & West Utilities)

133.2 Record of Apologies for absence

A Musgrave and S Edwards.

133.3 Consider New, Urgent Modifications

- a) Modification 0442 – Amendment to the implementation date of the Allocation of Unidentified Gas Statement (AUGS) for the 2013/14 AUG year

TD explained the Urgent Modification procedures and the qualifying criteria. CWr advised that British Gas has raised Modification 0442 - Amendment to the implementation date of the Allocation of Unidentified Gas Statement (AUGS) for the 2013/14 AUG Year - proposing that it is not subject to self-governance, and should be granted Urgent status.

CWr explained that he did not think normal processes would be quick enough for a decision by 15 February, therefore urgency is required. TD asked when implementation would be required as this suggested date is not in line with the modification as stated, which gives 1 April as the key date. CWr advised that an Ofgem decision around 15 February would give sufficient notice to all parties that the AUG year is to be delayed to 01 June, and it is the requirement to provide adequate notice that is the imminent event justifying urgency.

TD asked if there would be sufficient time if a decision were a week later. CWr challenged that it is not just time dependent but the modification relates to a significant event due to the values involved, with the potential adjustment meriting delaying the commencement of the AUG year.

AW asked for clarification on the use of standard modification procedures. TD explained that if the modification was issued to consultation at the standard January Panel meeting, the Final Modification Report could be considered at the February Panel and a recommendation sent to Ofgem. It would then be up to Ofgem to decide how much time they would require to make a decision.

CWr was concerned that the necessary timetable is not achievable within the normal process timescales, and noted that progress would be delayed if the modification were issued to a Workgroup or alternatives were raised. TD clarified that there is no restriction on the raising of alternatives should the modification be granted Urgency.

AW invited views on the implications of using the standard approach. CWa asked if the AUGS guidelines or reports would need to be amended

should the modification be implemented. CWh advised that the amended implementation dates may impact the start of the following year's AUG process – he would prefer if the issue was resolved prior to March to give some certainty on what is required of the AUG.

CH felt that if the normal procedures could be followed, then the industry would find it desirable to follow the standard process rather than recommend Urgency.

ER asked for clarification on what Urgency means – is the general view that it is an imminent event based on days or a few weeks, which would mean that this modification does not appear to meet the criteria? CH confirmed that this was the case in his experience, and TD suggested that this was the position that had been reached in recent years.

RF asked if, as part of their Urgency considerations, Ofgem were considering the impacts of the modification should it be implemented. AW confirmed that its views were based on the Urgency criteria and Ofgem would only consider the merits once the modification had been sent to them for decision.

There was a general discussion on whether the modification meets the criteria for urgency, bearing in mind the current AUG guidelines and publication dates.

AW asked for views on the potential timetable. There were no additional views presented, although most present felt the modification should follow normal procedures.

Members then determined by majority vote to recommend that:

- Modification 0422 should not follow urgent procedures.

133.4 Any Other Business

None raised

133.5 Conclude Meeting and Agree Date of Next Meeting

10:30 17 January 2013, at the ENA.