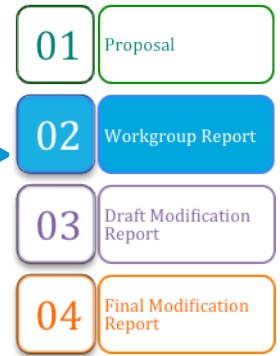


0376/0376A:

Increased Choice when Applying for NTS Exit Capacity



0376: To increase the level of choice available to Users when applying for Enduring Annual NTS Exit (flat) Capacity. The proposal seeks to allow for ad hoc applications beyond Y+4 up to Y+6, which is allowed for in ARCA applications and applications in the July window. Also to allow for applications in the July window to be from a non-October start date whilst remaining consistent with the 38 month lead-time and User commitment principles.

0376A: To increase the level of choice available to Users when applying for Enduring annual NTS Exit (Flat) capacity by enabling an adhoc application to request a Capacity start date beyond Y+4 up to Y+6 and an application within the July Application Window to request a non October start date.



The Workgroup recommends that these self-governance modifications should now proceed to Consultation.



High Impact:

NTS Exit Users, Shipper Users, DN Users and National Grid NTS

Contents

- 1 Summary
- 2 Why Change?
- 3 Solution
- 4 Relevant Objectives
- 5 Impacts and Costs
- 6 Implementation
- 7 The Case for Change
- 8 Legal Text
- 9 Recommendation

About this document:

The purpose of this report is make a recommendation to the Panel, to be held on 20 October 2011, on whether Modifications 0376 and 0376A are sufficiently developed to proceed to consultation and to submit any further recommendations in respect of the assessment of these self-governance modifications.



3 Any questions?

6 Contact:

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0376/0376A

Workgroup Report

06 October 2011

Version 1.0

Page 2 of 27

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1 Summary

Are these Self-Governance Modifications?

The Modification Panel has determined that these are self-governance modifications.

Why Change?

To increase the level of choice available to Users when applying for enduring annual NTS exit (flat) capacity. Currently, enduring annual NTS exit (flat) capacity can be applied for during the annual application window in July for an October year+4, +5 or +6 start date. If this does not meet the User's desired application date or first capacity date requirements, an ad-hoc application process can be used. However, the ad-hoc process is restricted to Y+4, which may not provide sufficient time or certainty to the User. In addition, the minimum threshold for an application is 10GWh/day, which may prevent Users booking the capacity level they require. These represent significant risks when investing in a Power Station or Storage development and may lead to inefficient investment in the NTS to meet overstated capacity requirements.

Solution

0376

To provide more choice for Users the following changes to the UNC are proposed:

Ad hoc application Process:

- Extend the time for applications from Y+4 to Y+6;
- Reduce the minimum threshold application from 10 GWh/day to 1 GWh/day.

Annual Application Window:

- Allow applications during the July Annual Application Window for start dates of the 1st of any month between October Y+4 and September Y+6 rather than just 1st October.

0376A

Users have indicated via UNC Workgroup 0376 they wish to see additional choice introduced to the Ad hoc Application Process and the Annual Application Window process with respect to Enduring annual NTS Exit (Flat) Capacity. This can be achieved through introducing the following changes into the UNC:

Ad hoc Application Process:

- Extend the time for applications from Y+4 to Y+6



Background

Q: What is "The Annual Application Window"

A: In a Gas Year (Y) it is the period commencing at 08:00 hours and ending on 17:00 hours on each Business Day in July.

Q: What is "The Ad-Hoc Process"

A: An application for Enduring Annual Exit (flat) capacity may be made at any time between 1 October and 30 June in Gas Year (Y) where the application is new or exceeds 10 Gwh/day or is greater than 125 % of existing baseline.

0376/0376A

Workgroup Report

06 October 2011

Version 1.0

Page 3 of 27

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Annual Application Window:

- Allow applications during the July Annual Application Window for start dates of the 1st of any month between October Y+4 and September Y+6 rather than the 1st October only.

Impacts & Costs

National Grid NTS reported at the August Workgroup meeting that a Rough Order Magnitude cost estimate had been received from Xoserve, but this has not been made available to the industry. The Workgroup therefore recommended that a formal cost estimate be provided prior to the modifications being issued to consultation.

0376

System testing & report changes are estimated at up to £190k.

0376A

A Rough Order Magnitude (ROM) was requested to assess the system development costs of the above changes. The ROM costs and timeframes are as follows:

Stage 1. Analysis and Testing only of current system for most complex scenarios

Estimated costs:

The Analysis and Testing will cost at least **£56k**, but probably not more than **£96k**

Estimated duration:

Provision of an Evaluation Quotation Report (EQR) will take at least **2 weeks**, but probably not more than **3 weeks**, from the time that Xoserve receives a Change Order.

Provision of a Business Evaluation Report (BER), produced during an Analysis Phase, will take at least **6 weeks**, but probably not more than **8 weeks**, from the time that Xoserve receives a Business Evaluation Order (BEO).

To carry out the Testing will take at least **6 weeks**, but probably not more than **8 weeks** from the time that Xoserve receives a Change Authorisation.

Stage 2. System enhancement of Gemini screens (reports)

Estimated costs:

The solution will cost at least **£72k**, but probably not more than **£94k**, to implement known report enhancements.

0376/0376A

Workgroup Report

06 October 2011

Version 1.0

Page 4 of 27

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Estimated duration:

Provision of an Evaluation Quotation Report (EQR) will take at least **2 weeks**, but probably not more than **3 weeks**, from the time that Xoserve receives a Change Order.

Provision of a Business Evaluation Report (BER) will take at least **6 weeks**, but probably not more than **8 weeks**, from the time that Xoserve receives a Business Evaluation Order (BEO).

Delivery; including detailed analysis (including BUCs and SUCs), build, test, implementation and post implementation support; will take at least **15 weeks**, but probably not more than **18 weeks** from the time that Xoserve receives a Change Authorisation.

NB: The costs/timescales will increase if the need for further system enhancements are identified during Stage 1.

Implementation

As these are self-governance modifications, implementation can be 16 business days after a Modification Panel decision to implement.

The Case for Change

The UNC does not provide the flexibility or certainty that some Users may require when applying for NTS Exit Capacity. Increasing flexibility would offer the potential for reducing User costs and project uncertainty. In addition, implementation would reduce the risk of overstated bookings and, potentially, inefficient investment by National Grid NTS. Implementation would enable Users to make well-founded investment decisions and offers the flexibility for Users to tailor their capacity bookings more closely to their true requirements. Implementation would therefore better facilitate the Relevant Objectives.

Recommendations

The Workgroup considers that these self-governance modifications should be issued for consultation.

2 Why Change?

Currently, Enduring Annual NTS Exit (flat) Capacity can be applied for during the July Annual Application Window for capacity to be registered as held from 1 October Gas year Y+4, Y+5 and Y+6. However, this October start date might not suit the User's development time lines both for the application date or the registered start date of holding capacity. This lack of flexibility in choice for any start date other than October may result in inefficient system investment and increased cost to customers because Users are constrained to timelines that might not be suitable. For example, a User may prefer to commission a power station during the lower priced summer months when gas and power prices are less volatile than at the start of winter.

Changing the Enduring Annual NTS Exit (flat) Capacity registered holding date to the first of any calendar month may result in more efficient network investment because capacity can be delivered on the date it is required, thus capacity does not have to be paid for when it is not required and this will result in lower cost to customers.

Developers and Users can also apply for Enduring Annual NTS Exit (flat) Capacity using an ad-hoc process. However, the ad-hoc process is restricted that a User cannot signal a Capacity start date that is later than the 1 October Y+4. This limitation does not provide sufficient time where the User wishes to provide National Grid NTS with a longer signal for their Capacity requirement and give National Grid NTS sufficient time to reinforce the network, and hence may not provide sufficient time nor certainty to the User. This presents an unnecessary obstacle and risk when investing in a Power Station or Storage development.

Looking to the future, CCGTs will be replaced as they approach the end of their economic asset life. In this case the same site will be used and the plant might be replaced with plant that has increased electrical power output. This may require more gas throughput and exit capacity than the existing booking. The current limits of 10 GWh/day or 125 % of existing capacity that exist for eligibility of using the ad-hoc application approach are too high and unnecessarily restrict the choices available to support efficient development.

3 Solution

Solution

0376

To provide more choice for Users the following changes to the UNC are proposed.

Ad hoc application Process:

- Extend the time for applications from Y+4 to Y+6,
- Reduce the minimum threshold application from 10 GWh/day to 1 GWh/day.

The minimum threshold application has been proposed at 1 GWh/day in light of the data produced by National Grid NTS from action 0503, (<http://www.gasgovernance.co.uk/0376/020611>) which shows only 10 applications in 2010 for incremental capacity in excess of 1 GWh/day. In addition when replacing existing CCGT power stations with new plant in the coming decade the combination of increased efficiency and increased electrical output will typically result in incremental capacity volumes of just over 1GWh/day.

	MWe	Efficiency	Gas Capacity kWh/day
Existing	795	0.5	38,160,000
Repowered Site	900	0.55	39,272,727
Incremental capacity			1,112,727

Annual Application Window:

- Allow applications made during the July Annual Application Window for Enduring Annual NTS Exit (flat) Capacity to have a registered holding date of the 1st of any month between October Y+4 and September Y+6 rather than just 1st October.

0376A

To provide more choice for Users when applying for Enduring annual NTS Exit (Flat) Capacity, the following changes to the UNC are proposed.

Ad hoc Application Process:

- Extend the time for applications from Y+4 to Y+6

Annual Application Window:

- Allow applications made during the July Annual Application Window for Enduring Annual NTS Exit (Flat) Capacity to be registered with effect from the 1st of any month in Gas Year Y+4, Y+5 and Y+6 rather than just the 1st October within each Gas Year.

4 Relevant Objectives

0376: Implementation will better facilitate the achievement of Relevant Objectives b and c.

0376A: Implementation will better facilitate the achievement of Relevant Objectives a, b, c, d, e and f.

Benefits against the Code Relevant Objectives

Description of Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	No (0376) Yes (0376A)
b) Coordinated, efficient and economic operation of (i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters.	Yes (0376) Yes (0376A)
c) Efficient discharge of the licensee's obligations.	Yes (0376) Yes (0376A)
d) Securing of effective competition: (i) between relevant shippers; (ii) between relevant suppliers; and/or (iii) between DN operators (who have entered into transportation arrangements with other relevant gas transporters) and relevant shippers.	No (0376) No (0376A)

e) Provision of reasonable economic incentives for relevant suppliers to secure that the domestic customer supply security standards... are satisfied as respects the availability of gas to their domestic customers.	No (0376) No (0376A)
f) Promotion of efficiency in the implementation and administration of the Code.	No (0376) No (0376A)

Standard Special Condition A11 a). Efficient and economic operation of the pipe-line system.

0376A: Implementation of this Proposal would facilitate the provision of more accurate capacity requirements by Users. This would aid National Grid NTS to effectively plan the development of the Transmission system on a more economic and efficient basis.

Standard Special Condition A11 b). Co-ordinated, efficient and economic operation of (i) the combined pipeline system, and/or (ii) the pipeline system of one or more other relevant gas transporters

0376 and 0376A: Enabling applications during the Annual Application Window for specified dates other than 01 October is expected to result in more efficient investment by National Grid NTS and lower costs to customers. If Users can specify a non 01 October start date because this suits their development time frame then investment by National Grid NTS can be made on a timelier basis to meet the needs of the customer. This means that National Grid NTS can invest "Just in Time" and costs can be minimised for customers because they do not have to pay for capacity during periods when they cannot make use of it.

For example, a User wants to commission a CCGT starting in April. Currently a User would need to apply for Enduring Annual NTS Exit (Flat) Capacity to be registered with effect from 01 October six months earlier than the date that is required. The User then has to pay exit capacity charges for those months even though they cannot use the Capacity. Thus, the proposed change would enable better facilitation of Relevant Objective (b).

Standard Special Condition A11 c). Efficient discharge of the Licensee's obligations

0376 and 0376A: By extending ad hoc applications from Y+4 to Y+6, Users may give more advance notice to National Grid NTS of their capacity requirements. This increased notice should allow National Grid NTS to plan and invest in the network in a more efficient manner, undertaking activities at the most cost effective time and in the most efficient manner. This would therefore facilitate achievement of GT Licence obligations, enabling better facilitation of Relevant Objective (c).

0376/0376A
Workgroup Report

06 October 2011

Version 1.0

Page 11 of 27

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5 Impacts and Costs

Consideration of Wider Industry Impacts

No adverse impact on wider industry developments is anticipated.

Costs

Indicative industry costs – User Pays

Classification of the Proposal as User Pays or not and justification for classification:

0376 has been classified as User Pays as Xoserve costs of up to £190k have been identified through a ROM.

0376A has been classified as User Pays as changes to Xoserve's systems and costs of up to £190k have been identified.

Identification of Users, proposed split of the recovery between Gas Transporters and Users for User Pays costs and justification:

0376 - The modification potentially benefits all NTS Exit (Flat) Capacity holders, ie Shippers and DNOs, by enhancing the flexibility of both the Ad Hoc Application Process and the Annual Application Process.

The modification also potentially benefits National Grid NTS through more efficient investment decisions.

With DNOs treated as Users, then it is proposed to apportion costs as follows:

- 33% Shippers
- 67% Transporters.

The cost apportionment is based on the potential benefits accrued by different parties under the Relevant Objectives under Standard Special Condition A11 b and c.

0376A – The modification potentially benefits all parties; both Shippers and DNOs will benefit from the additional flexibility that the changes to the Ad hoc Application and Annual Application Processes will introduce and National Grid NTS may benefit through the receipt of more efficient investment signals.

The following split of the recovery between Gas Transporters and Users is proposed:

- Gas Transporters 67%
- Users 33%.

For information, the cost apportionment was based upon the following:

National Grid NTS receiving 25% of the total costs.

The remaining costs are split between Shipper and DNO Users based upon the level of Enduring Annual NTS Exit (Flat) Capacity each party currently holds for the 1st October 2012. This results in:

- DNO Users receiving 42% of the total costs
- Shipper Users receiving 33% of the total costs.

The overall Transporters split is derived by combining together the National Grid NTS and DNO User percentages.

Proposed charge(s) for application of Users Pays charges to Shippers:

0376 - The proposed apportionment is one based on each User's (Shipper and DNO) NTS Exit Capacity holdings as at 01 October 2012. The apportionment of costs would be based on:

- the ratio of aggregate DNO Users' NTS Exit (Flat) Capacity holdings to aggregate Shipper Users' NTS Exit (Flat) Capacity holdings
- the resulting DNO User proportion then added to the 25% NTS allocation to form the total "Transporter" User Pays allocation of costs.

Based on data provided by National Grid NTS at the September Workgroup 0376 meeting, costs of £190k, apportioned by the methodology described above, would result in costs of £47k for National Grid NTS, £80k for DNOs, and £33k for Shippers.

0376A – The above costs would be pro rated between Shipper Users based on their Enduring Annual NTS Exit (Flat) Capacity holdings as a proportion of the total Enduring Annual NTS Exit (Flat) Capacity holdings held by all Shipper Users as of 01 October 2012.

These charges will be one-off charges invoiced as soon as possible following the implementation of the system functionality.

Proposed charge for inclusion in ACS – to be completed upon receipt of cost estimate from Xoserve:

0376 – Unknown at this time.

0376A – to be confirmed.

Impacts

Impact on Transporters' Systems and Process	
Transporters' System/Process	Potential impact
UK Link	<ul style="list-style-type: none"> • 0376 – System changes of up to £190k identified. • 0376A – Potential costs.
Operational Processes	<ul style="list-style-type: none"> • National Grid may be required to amend its operational and planning processes. •
User Pays implications	<ul style="list-style-type: none"> • 0376 – As above. • 0376A – Potential costs.

Impact on Users	
Area of Users' business	Potential impact
Administrative and operational	<ul style="list-style-type: none"> • No material impact.
Development, capital and operating costs	<ul style="list-style-type: none"> • Reduced costs due to capacity being booked on a more efficient basis.
Contractual risks	<ul style="list-style-type: none"> • Reduced due to Users being able to request variable start months via the annual application process.
Legislative, regulatory and contractual obligations and relationships	<ul style="list-style-type: none"> • None.

Where can I find details of the UNC Standards of Service?

In the Revised FMR for Transco's Network Code Modification **0565 Transco Proposal for Revision of Network Code Standards of Service** at the following location: <http://www.gasgovernance.co.uk/sites/default/files/0565.zip>

Impact on Transporters	
Area of Transporters' business	Potential impact
System operation	<ul style="list-style-type: none"> None.
Development, capital and operating costs	<ul style="list-style-type: none"> More efficient development of the network due to capacity being signalled further in advance.
Recovery of costs	<ul style="list-style-type: none">
Price regulation	<ul style="list-style-type: none"> None.
Contractual risks	<ul style="list-style-type: none"> Increased by obligation to use best rather than reasonable endeavours to make capacity available.
Legislative, regulatory and contractual obligations and relationships	<ul style="list-style-type: none"> None.
Standards of service	<ul style="list-style-type: none"> None

Impact on Code Administration	
Area of Code Administration	Potential impact
Modification Rules	<ul style="list-style-type: none"> Change to rules required.
UNC Committees	<ul style="list-style-type: none"> None
General administration	<ul style="list-style-type: none"> None.

Impact on Code	
Code section	Potential impact
For 0376 TPD section B section 3.	

Impact on Code	
<ul style="list-style-type: none"> • 3.2.1 • 3.2.3 (b) (ii) (2) • 3.2.4 (b) (ii) • 3.2.10 (c) 	<ul style="list-style-type: none"> • Add: Gas Year or the 1st of any specified month • 10 GWh to 1GWh (0376 only) • Change from Y+4 to Y+6 • Change from Y+4 to Y+6
For 0376A	
UNC TPD B3.2.1	<ul style="list-style-type: none"> • Amend to reflect that a User may apply for Enduring Annual NTS Exit (Flat) Capacity from the 1st of any month within Gas Years Y+4, Y+5 & Y+6
UNC TPD B3.2.4(a) (ii)	<ul style="list-style-type: none"> • Amend to reflect that a User may apply for Enduring Annual NTS Exit (Flat) Capacity from the 1st of any month within Gas Years Y+4, Y+5 & Y+6
UNC TPD B3.2.4(b) (ii)	<ul style="list-style-type: none"> • Amend from Y+4 to Y+6
UNC TPD B3.2.10(c)	<ul style="list-style-type: none"> • Amend from Y+4 to Y+6

Impact on UNC Related Documents and Other Referenced Documents	
Related Document	Potential impact
ExCR	Changes may need to be reflected in document.
Network Entry Agreement (TPD I1.3)	None
Network Exit Agreement (Including Connected System Exit Points) (TPD J1.5.4)	None
Storage Connection Agreement (TPD R1.3.1)	None

Impact on UNC Related Documents and Other Referenced Documents	
UK Link Manual (TPD U1.4)	0376 - None 0376A - Potential
Network Code Operations Reporting Manual (TPD V12)	None
Network Code Validation Rules (TPD V12)	None
ECQ Methodology (TPD V12)	None
Measurement Error Notification Guidelines (TPD V12)	None
Energy Balancing Credit Rules (TPD X2.1)	None
Uniform Network Code Standards of Service (Various)	None

Impact on Core Industry Documents and other documents	
Document	Potential impact
Safety Case or other document under Gas Safety (Management) Regulations	None
Gas Transporter Licence	None

Other Impacts	
Item impacted	Potential impact
Security of Supply	Improved due to better facilitation of competition by better meeting customer needs.
Operation of the Total System	None
Industry fragmentation	None
Terminal operators, consumers, connected system operators, suppliers, producers and other non code parties	Increased certainty and better matching of requirements for developers of NTS exit capacity.

6 Implementation

As self-governance procedures are proposed, implementation could be 16 business days after a Modification Panel decision to implement.

7 The Case for Change

In addition to the issues identified above, these modifications would better align Entry and Exit processes.

0376 and 0376A

Advantages

- Incremental Entry capacity applications benefit from flexible application dates and 1st of quarter start dates. This modification would better align Entry and Exit processes.

Disadvantages

- Changes to the ExCR might be required.

8 Legal Text

For 0376

Proposer's Suggested Legal Text

TPD Section B; SYSTEM USE AND CAPACITY

Amend paragraph 3.2.1, 3.2.3, 3.2.4, 3.2.8 and 3.2.10 as set out below:

- 3.2.1 In each Gas Year (Y) Users may apply for Enduring Annual NTS Exit (Flat) Capacity to be registered as held with effect from the first Day of any month within Gas Years Y+4, Y+5 or Y+6 or in accordance with the provisions of 3.2.3(b), at each NTS Exit Point, in accordance with the further provisions of this paragraph 3.2 and having regard to the Exit Capacity Release Methodology Statement.
- 3.2.3 An application for Enduring Annual NTS Exit (Flat) Capacity:
- (a) during an Annual Application Window may be for an amount of Enduring Annual NTS Exit (Flat) Capacity equal to:
 - (i) where paragraph 3.2.25 applies in relation to a User and an NTS Exit Point, the sum of the deemed application amount and any additional Enduring Annual NTS Exit (Flat) Capacity (if any) which the User wishes to apply for at the NTS Exit Point; or
 - (ii) where paragraph 3.2.25 does not apply in relation to a User and an NTS Exit Point, the Enduring Annual NTS Exit (Flat) Capacity (if any) which the User wishes to apply for at the NTS Exit Point;
 - (b) may be made by a User at any time between 1 October and 30 June in Gas Year Y where the application is:
 - (i) in respect of a New NTS Exit Point; or
 - (ii) for an amount of Enduring Annual NTS Exit (Flat) Capacity which:
 - (1) if accepted would result in Users holding in aggregate an amount of Enduring Annual NTS Exit (Flat) Capacity in excess of 125% of the Baseline NTS Exit (Flat) Capacity at the NTS Exit Point in respect of the Gas Year for which the application is made; or
 - (2) exceeds 1 GWh/Day;
 - (c) shall specify:
 - (i) the identity of the User;
 - (ii) the NTS Exit Point in respect of which the application is made;
 - (iii) the Gas Year in respect of which the application is made; and
 - (iv) the amount of Enduring Annual NTS Exit (Flat) Capacity applied for (being not less than the minimum eligible amount);

and where the User makes applications for different Gas Years (or any part thereof) the amount of Enduring Annual NTS Exit (Flat)

Capacity applied for in respect of any later Gas Year shall be expressed as the amount in excess of the amount applied for in respect of any earlier Gas Year.

3.2.4 A User:

- (a) in the case of an application made under paragraph 3.2.3(a):
 - (i) may submit an application for Enduring Annual NTS Exit (Flat) Capacity during the Annual Application Window;
 - (ii) may apply for Enduring Annual NTS Exit (Flat) Capacity to be registered with effect from the first Day of any month within Gas Years Y+4, Y+5 and Y+6;
 - (iii) may have, at any one time, no more than one (1) application for each of Gas Year Y+4, Y+5 and Y+6 for Enduring Annual NTS Exit (Flat) Capacity capable of acceptance by National Grid NTS in respect of an NTS Exit Point; and
 - (iv) may withdraw or modify an application under paragraph 3.2.3(a)(ii) at any time during the Annual Application Window, but may only modify (and not withdraw) an application under paragraph 3.2.3(a)(i) during such period by reducing the amount of Enduring Annual NTS Exit (Flat) Capacity applied for to not less than the deemed application amount;
- (b) in the case of an application made under paragraph 3.2.3(b):
 - (i) may apply for up to four (4) separate tranches of Enduring Annual NTS Exit (Flat) Capacity, specifying in each case the amount applied for in each separate tranche;
 - (ii) shall specify, in respect of each separate tranche applied for, the date with effect from which the User wishes to be registered as holding the Enduring Annual NTS Exit (Flat) Capacity, such date being not earlier than six (6) months from the date the application is made and not later than 1 October in Gas Year Y+6; and
 - (iii) in respect of a New NTS Exit Point, shall submit with its application such other documentation (as published by National Grid NTS from time to time) required by National Grid NTS for the purposes of commencing work on new connections to the NTS.

3.2.8 In respect of an application made under paragraph 3.2.3(a):

- (a) where National Grid NTS has rejected or accepted in part only an application made by a DNO User pursuant to paragraph 3.7.5 for NTS Exit (Flexibility) Capacity or Section J2.5 in relation to an increase in the Assured Offtake Pressure in respect of Gas Year Y+4, Y+5 or Y+6, a DNO User may submit a revised application for Enduring Annual NTS Exit (Flat) Capacity on any of the five (5) Business Days following 15 September in Gas Year Y with effect from the first Day of any month within Gas Years Y+4, Y+5 and Y+6;

3.2.10 where an application is made under paragraph 3.2.3(b) (which is not rejected pursuant to paragraph 3.2.5 National Grid NTS will make an offer (in accordance with the principles in the Exit Capacity Release Methodology Statement) to the User which specifies:

- (a) the amount of Enduring Annual NTS Exit (Flat) Capacity offered, being equal to the amount applied for under paragraph 3.2.4(b)(i);
- (b) the date(s) with effect from which the User applied to be registered

as holding the Enduring Annual NTS Exit (Flat) Capacity (or each separate tranche specified in the application);

- (c) the date(s) with effect from which National Grid NTS is able to make Enduring Annual NTS Exit (Flat) Capacity available at the NTS Exit Point, such dates(s) being not earlier than the date(s) with effect from which the User applied to be registered as holding Enduring Annual NTS Exit (Flat) Capacity and not later than 1 October in the Gas Year Y+6 ; and
- (d) where applicable, the Demonstration Date;

and National Grid NTS will use its reasonable endeavours to make available Enduring Annual NTS Exit (Flat) Capacity at the NTS Exit Point with effect from the date(s) from which the User applied to be registered as holding the Enduring Annual NTS Exit (Flat) Capacity.

For 0376A

DRAFT LEGAL TEXT provided by National Grid NTS

This should be read in conjunction with the Modification Proposal. Underlined text signifies proposed additions and strike through text signifies proposed deletions.

TPD Section B - SYSTEM USE AND CAPACITY

Amend paragraph 3.2.1, 3.2.3, 3.2.4, 3.2.8 and 3.2.10 as set out below:

3.2.1 In each Gas Year (Y) Users may apply for Enduring Annual NTS Exit (Flat) Capacity to be registered as held with effect from the first Day of any month within Gas Years Y+4, Y+5 or Y+6 or in accordance with the provisions of 3.2.3(b), at each NTS Exit Point, in accordance with the further provisions of this paragraph 3.2 and having regard to the Exit Capacity Release Methodology Statement.

3.2.3 An application for Enduring Annual NTS Exit (Flat) Capacity:

- (a) during an Annual Application Window may be for an amount of Enduring Annual NTS Exit (Flat) Capacity equal to:
 - (i) where paragraph 3.2.25 applies in relation to a User and an NTS Exit Point, the sum of the deemed application amount and any additional Enduring Annual NTS Exit (Flat) Capacity (if any) which the User wishes to apply for at the NTS Exit Point; or
 - (ii) where paragraph 3.2.25 does not apply in relation to a User and an NTS Exit Point, the Enduring Annual NTS Exit (Flat) Capacity (if any) which the User wishes to

apply for at the NTS Exit Point;

(b) may be made by a User at any time between 1 October and 30 June in Gas Year Y where the application is:

(ii) in respect of a New NTS Exit Point; or

(ii) for an amount of Enduring Annual NTS Exit (Flat) Capacity which:

(1) if accepted would result in Users holding in aggregate an amount of Enduring Annual NTS Exit (Flat) Capacity in excess of 125% of the Baseline NTS Exit (Flat) Capacity at the NTS Exit Point in respect of the Gas Year for which the application is made; or

(2) exceeds 10 GWh/Day;

(c) shall specify:

(i) the identity of the User;

(ii) the NTS Exit Point in respect of which the application is made;

(iii) the Gas Year in respect of which the application is made; and

(iv) the amount of Enduring Annual NTS Exit (Flat) Capacity applied for (being not less than the minimum eligible amount);

and where the User makes applications for different Gas Years (or any part thereof ~~in the case of an application made under paragraph 3.2.3(b)~~) the amount of Enduring Annual NTS Exit (Flat) Capacity applied for in respect of any later Gas Year shall be expressed as the amount in excess of the amount applied for in respect of any earlier Gas Year.

3.2.4 A User:

(a) in the case of an application made under paragraph 3.2.3(a):

(i) may submit an application for Enduring Annual NTS Exit (Flat) Capacity during the Annual Application Window;

(ii) may apply for Enduring Annual NTS Exit (Flat) Capacity to be registered with effect from the ~~1 October in~~ first day of any month within Gas Years Y+4, Y+5 and Y+6;

0376/0376A

Workgroup Report

06 October 2011

Version 1.0

Page 24 of 27

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- (iii) may have, at any one time, no more than one (1) application for each of Gas Year Y+4, Y+5 and Y+6 for Enduring Annual NTS Exit (Flat) Capacity capable of acceptance by National Grid NTS in respect of an NTS Exit Point; and
 - (iv) may withdraw or modify an application under paragraph 3.2.3(a)(ii) at any time during the Annual Application Window, but may only modify (and not withdraw) an application under paragraph 3.2.3(a)(i) during such period by reducing the amount of Enduring Annual NTS Exit (Flat) Capacity applied for to not less than the deemed application amount;
- (b) in the case of an application made under paragraph 3.2.3(b):
- (i) may apply for up to four (4) separate tranches of Enduring Annual NTS Exit (Flat) Capacity, specifying in each case the amount applied for in each separate tranche;
 - (ii) shall specify, in respect of each separate tranche applied for, the date with effect from which the User wishes to be registered as holding the Enduring Annual NTS Exit (Flat) Capacity, such date being not earlier than six (6) months from the date the application is made and not later than 1 October in Gas Year ~~Y+4~~ Y+6; and
 - (iii) in respect of a New NTS Exit Point, shall submit with its application such other documentation (as published by National Grid NTS from time to time) required by National Grid NTS for the purposes of commencing work on new connections to the NTS.

3.2.8 In respect of an application made under paragraph 3.2.3(a):

- (a) where National Grid NTS has rejected or accepted in part only an application made by a DNO User pursuant to paragraph 3.7.5 for NTS Exit (Flexibility) Capacity or Section J2.5 in relation to an increase in the Assured Offtake Pressure in respect of Gas Year Y+4, Y+5 or Y+6, a DNO User may submit a revised application for Enduring Annual NTS Exit (Flat) Capacity on any of the five (5) Business Days following 15 September in Gas Year Y ~~for~~ with effect from the first Day of any month within Gas Years Y+4, Y+5 and Y+6;

3.2.10 where an application is made under paragraph 3.2.3(b) (which is not rejected pursuant to paragraph 3.2.5) National Grid NTS will make an offer (in accordance with the principles in the Exit Capacity Release Methodology Statement) to the User which specifies:

- (a) the amount of Enduring Annual NTS Exit (Flat) Capacity offered, being equal to the amount applied for under paragraph 3.2.4(b)(i);
- (b) the date(s) with effect from which the User applied to be registered as holding the Enduring Annual NTS Exit (Flat) Capacity (or each separate tranche specified in the application);
- (c) the date(s) with effect from which National Grid NTS is able to make Enduring Annual NTS Exit (Flat) Capacity available at the NTS Exit Point, such dates(s) being not earlier than the date(s) with effect from which the User applied to be registered as holding Enduring Annual NTS Exit (Flat) Capacity and not later than 1 October in the Gas Year $Y+4$ $Y+6$; and
- (d) where applicable, the Demonstration Date;

and National Grid NTS will use its reasonable endeavours to make available Enduring Annual NTS Exit (Flat) Capacity at the NTS Exit Point with effect from the date(s) from which the User applied to be registered as holding the Enduring Annual NTS Exit (Flat) Capacity.

9 Recommendation

The Workgroup invites the Panel to:

- AGREE that Modifications 0376 and 0376A be submitted for consultation.