

## Representation - Modification UNC 0673 (Urgent)

### Amendment of UNC and DSC arrangements to enable Xoserve to bid for and provide CSS Services

Responses invited by: **5pm on 19 November 2018**

To: [enquiries@gasgovernance.co.uk](mailto:enquiries@gasgovernance.co.uk)

<b>Representative:</b>	Sally Hardman
<b>Organisation:</b>	Southern Gas Networks and Scotland Gas Networks
<b>Date of Representation:</b>	19 <sup>th</sup> November 2018
<b>Support or oppose implementation?</b>	Qualified Support
<b>Relevant Objectives:</b>	f) Positive impacts on other Relevant Objectives

**Reason for support/opposition: Please summarise (in one paragraph) the key reason(s)**

SGN believes this proposed modification allows Xoserve as Central Data Service Provider (CDSP) to continue to participate in the Central Switching Service (CSS) procurement process. The modification will enable the CDSP to provide the CSS if successfully appointed.

**Implementation:** *What lead-time do you wish to see prior to implementation and why?*

The implementation is understood to be urgent in nature and therefore the existing proposed timeline is supported.

**Impacts and Costs:** *What analysis, development and ongoing costs would you face?*

None identified at this time, as the CDSP activities will be funded by the Shipper community.

**Legal Text:** *Are you satisfied that the legal text will deliver the intent of the Solution?*

In our response to the previous UNC Urgent Modification (0666), we support the restricted class nature of these activities, however we do not consider that the legal text

sufficiently addresses the associated indemnity arrangements, which we consider are not limited and/or aligned to the same restricted class of CDSP customers.

We continue to be of the opinion that the DSC Terms and Conditions 12.5(a) Customer Indemnity specifying that all parties are expected to indemnify the CDSP remains un-appraised in this subsequent Urgent Modification (0673):

<https://www.gasgovernance.co.uk/sites/default/files/ggf/page/2017-07/DSC-TERMS-AND-CONDITIONS.pdf>

SGN reiterates our concern that we believe this service line activity falls outside of the current CDSP permitted services and, given it is a restricted class service in nature, the Indemnity should only refer to the restricted community to which this service line applies.

**Are there any errors or omissions in this Modification that you think should be taken into account?** *Include details of any impacts/costs to your organisation that are directly related to this.*

None identified, with the exception of the above legal text concerns.

**Please provide below any additional analysis or information to support your representation**

When we provided our representation for the previous UNC Urgent Modification (0666) we supported Xoserve in their BID to become the CSS provider and continue to do so for the current UNC Urgent Modification (0673).

However, SGN are concerned that due to the Urgent status of both this Modification (0673) and the earlier Modification (0666) there has been insufficient opportunity to fully explore and challenge the implications of these changes. Given the long lead time associated with the CSS tendering process, it is not clear why the required modifications have been delayed to then be raised as urgent and time-sensitive.

Furthermore, as a party to FGO and CDSP we believe that the inclusion of the new service line within the current CDSP function, does not represent the intention of the original FGO arrangements. In the absence of an adequate development timescale for these modifications, there has not been an opportunity for alternative arrangements to be explored.