

Representation - Modification UNC 0724 (Urgent)

Amendment to Ratchet charges during COVID-19 period

Responses invited by: **1pm on 27 April 2020**

To: enquiries@gasgovernance.co.uk

Please note submission of your representation confirms your consent for publication/circulation.

Representative:	Kirsty Dudley
Organisation:	E.ON
Date of Representation:	27/04/2020
Support or oppose implementation?	Support
Relevant Objective:	a) Positive

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

We are in support of this principle proposed and the recognition there might be a legitimate cause to the ratchet due to the current pandemic.

There are a couple of points in the legal text which required clarity, and these are outlined in the legal text section but in summary:

- 30 days, is it calendar or business?
- Is the definition for Relevant Period from mod 0721, if yes, should it be added into this mod drafting also?
- The production of evidence, how will it be ensured that reviews are consistent with the DNs as well as with the CDSP?
- There is no appeal route for the outcome or the opportunity to provide further evidence – it is our belief this is a sensible addition to allow further information to be provided and if it cannot then the charges stand.

We would recommend that reporting to identify the COVID-19 instances is put in place should this modification be approved.

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

If approved, implementation could be immediately after approval.

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

We do not anticipate system changes to deliver this but more delivered via changes in operational processes. It would include checks related to evidence gathering so there would be costs associated to this, but it would not be project level delivery.

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

Unsure if the definition of 'relevant period' is meant to be also introduced into 0724 as well as part of 0721, if 0721 is not approved does the drafting still link to the period of lockdown?

5.4(b) and 6.1(b) references 30 days, is this calendar days or business?

5.4(b) and 5.5 references the provision of evidence, how will it be ensured that all DNs and the CDSP view the evidence of the 'legitimate cause' consistently?

The text doesn't allow for appeal or the provision of additional evidence, as this hasn't been necessarily done in these circumstances should there be the ability to provide further evidence in [x] number of days and if not provided the charges remain?

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

The solution is likely to have an impact on IGT connected sites, so we recommend that that cross-code impacts in the IGT UNC are also considered.

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

No comment.