

**UNIFORM NETWORK CODE – TRANSPORTATION PRINCIPAL DOCUMENT**

**SECTION V – GENERAL**

**14 THEFT OF GAS**

**14.1 Reporting**

14.1.1 For the purposes of the Code:

- (a) “Confirmed Energy Theft” shall have the meaning given to that term in the Retail Energy Code;
- (b) “Confirmed Energy Theft Claim” means a communication relating to an individual Supply Meter Point issued to the CDSP by RECCo under which a claim that a Confirmed Energy Theft has taken place is made, which shall include such information as set out in the Retail Energy Code *Unbilled Energy Code of Practice* section 15;
- (c) “Confirmed Energy Theft Notification” means either a Confirmed Energy Theft Claim or a Confirmed Energy Theft Withdrawal, as may be issued by RECCo in either case;
- (d) “Confirmed Energy Theft Objection” shall have the meaning given to that term in paragraph 14.1.6 and relate to an individual Supply Meter Point;
- (e) “Confirmed Energy Theft Withdrawal” means a communication relating to an individual Supply Meter Point issued to the CDSP by RECCo which, unless a valid Confirmed Energy Theft Objection is raised in relation to it, shall have the effect of withdrawing the Confirmed Energy Theft Claim it relates to in its entirety and requiring the CDSP to reverse any Offtake Reconciliations or other similar or associated activities previously undertaken by it in the discharge of paragraphs 14.1.5 to 14.1.12, (including those discharged pursuant to Section E). The Users envisage that in cases where a Confirmed Energy Theft Withdrawal is not the subject of a valid Confirmed Energy Theft Objection, the entity initiating it under the REC will, if appropriate, initiate a new Confirmed Energy Theft Claim to ensure that accurate information in relation to the underlying Confirmed Energy Theft is reflected within the Code;
- (f) “CET Registered User” means in respect of a Confirmed Energy Theft Claim a Shipper User that is or has been during the period covered by the Confirmed Energy Theft Claim a Registered User in respect of the Supply Meter Point referred to therein
- (g) “RECCo” means the Retail Energy Code Company Ltd, being the legal entity responsible for the administration of the Retail Energy Code, or such other entity as may discharge that function from time to time; and
- (h) “Theft Energy Value” means the energy volume associated with a Confirmed Energy Theft Claim which, for the avoidance of doubt, may have a zero value.

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14.1.2 The DNOs shall publish a report (at the end of each reporting month) on theft of gas detection performance for Shippers containing the information referred to in Annex V-5 in respect of each Shipper (on an attributable basis) (“**Shipper TOG Report**”).

14.1.3 The DNOs shall publish a report (at the end of each reporting month) on theft of gas detection performance for DNOs containing the information in Annex V-6 in respect of each DNO (on an attributable basis) (“**DNO TOG Report**”).

14.1.4 For the purposes of this paragraph 14, “**reporting month**” shall mean each calendar month for which a report pursuant to paragraph [14.1.2](#) and [14.1.3](#) shall be published.

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14.1.5 [The CDSP shall receive Confirmed Energy Theft Notifications and pass the relevant information to the relevant CET Registered User\(s\) for consideration.](#)

14.1.6 [Within fifteen \(15\) Supply Point Systems Business Days of receiving a Confirmed Energy Theft Notification from the CDSP a relevant CET Registered User may object, in respect of the Supply Meter Point referred to therein, where that CET Registered User wishes to claim a Confirmed Energy Theft Claim contains a manifest error or that it would be inappropriate to permit a Confirmed Energy Theft Withdrawal to progress \(a “Confirmed Energy Theft Objection”\). Notification of such Confirmed Energy Theft Objections, together with reasons for the same, shall be made to the CDSP.](#)

14.1.7 [When the CDSP receives a notification of Confirmed Energy Theft Objection compliant with the requirements of paragraph 14.1.6 the CDSP shall:](#)

- (a) [make reference to the Confirmed Energy Theft Notification having been rejected by the CET Registered User\(s\), along with the reason\(s\) for such rejection, in the CDSP’s reporting on the same to each of RECCo and PAC;](#)
- (b) [retain such information relating to the rejected Confirmed Energy Theft Notification as necessary to properly prepare its report to PAC; and](#)
- (c) [take no further action with respect to the Confirmed Energy Theft Notification subject to the Confirmed Energy Theft Objection.](#)

14.1.8 [Providing the CDSP does not receive a Confirmed Energy Theft Objection that is compliant with the requirements of paragraph 14.1.6, and subject to no Confirmed Energy Theft Withdrawal existing in relation to a Confirmed Energy Theft Claim, the CDSP shall utilize the Theft Energy Value contained within the Confirmed Energy Theft Claim to perform an Offtake Reconciliation. The CDSP may, as it determines necessary, apply the Theft Energy Value to an existing Offtake Reconciliation in accordance with Section E1.3.1 \(c\)\(iv\) or insert a nil incrementing Meter Reading in order to generate an initial Offtake Reconciliation.](#)

14.1.9 For the avoidance of doubt with respect to paragraphs [14.1.6](#) to [14.1.8](#):

- (a) [any reference in the Code to whether the CDSP has received a Confirmed Energy Theft Objection that is compliant with the requirements of paragraph 14.1.6 shall be determined by the CDSP solely by reference to whether the CDSP received the relevant Confirmed Energy Theft Objection not later than](#)

the fifteenth (15<sup>th</sup>) Supply Point Systems Business Day of receipt by the relevant CET Registered User of the Confirmed Energy Theft Notification to which it relates;

- (b) the CDSP shall have no power or responsibility to
- (i) verify whether a CET Registered User's claim that a Confirmed Energy Theft Claim contains a manifest error is correct; or
  - (ii) review a CET Registered User's claim that it would be inappropriate to permit a Confirmed Energy Theft Withdrawal to progress,

and shall, in all cases, accept the CET Registered User's claim; and

- (c) in cases where a Confirmed Energy Theft Objection is raised but it is not compliant with the requirements of paragraph 14.1.6 the CDSP shall inform the relevant CET Registered User that its Confirmed Energy Theft Objection has been rejected, together with reasoning, and thereafter take no further steps with regard to it.

14.1.10 When the CDSP receives a Confirmed Energy Theft Withdrawal then, subject to a Confirmed Energy Theft Objection being raised in relation to it, the CDSP shall take no further action with respect to the relevant Confirmed Energy Theft Claim other than to implement the withdrawal of that Confirmed Energy Theft Claim as foreseen by this paragraph 14.

14.1.11 If a Confirmed Energy Theft Claim covers a period during which more than one Shipper User was a CET Registered User in respect of the Supply Meter Point to which it relates:

- (a) the Offtake Reconciliation activities undertaken by the CDSP pursuant to paragraph 14.1.8 shall apportion the Theft Energy Value between such CET Registered Users in proportion to the period covered by the Confirmed Energy Theft Claim in respect of which each was the Registered User of such Supply Point; and
- (b) where the CDSP receives either a valid Confirmed Energy Theft Objection, or a Confirmed Energy Theft Withdrawal (which itself is not the subject of a valid Confirmed Energy Theft Objection), relating to such Confirmed Energy Theft Claim:
  - (i) such Confirmed Energy Theft Objection or Confirmed Energy Theft Withdrawal shall apply to the Confirmed Energy Theft Claim in its entirety; and
  - (ii) the CDSP shall inform the CET Registered Users of the Confirmed Energy Theft Objection or Confirmed Energy Theft Withdrawal having been made; and
  - (iii) in the case of a Confirmed Energy Theft Objection, paragraph 14.1.7 shall apply; or
  - (iv) in the case of a Confirmed Energy Theft Withdrawal, paragraph

14.1.10 shall apply.

- 14.1.12 Shipper Users shall use reasonable endeavours to ensure entities holding a licence to supply gas issued pursuant to section 7A of the Act and to which they provide or have provided services as a Shipper User are made aware of any suspected thefts of gas the Shipper User is informed of by an entity other than the licensed gas supply entity, and which relate Supply Meter Point associated with such licensed supply entity. Shipper Users shall retain evidence of such notification and acknowledge they may be asked to provide such evidence upon request.