

**ENERGY BALANCING CREDIT COMMITTEE MEETING  
17 March 2006**

**Participants**

**Joint Office (Non voting)**

Julian Majdanski (Chair)

**xoserve (Non voting)**

Nick Salter  
Mark Cockayne  
Jayne Deasley

**Ofgem**

Bryony Sheldon

**Shippers**

Gavin Ferguson                      Accord  
Julie McNay                              SSE  
Johanna Fitzgerald                      RWE  
Stacey Elliot-Smith                      Statoil  
Gary Russell                              Corona

**Apologies**

Lee Selway                              EdF Energy  
Christiane Sykes                        EON UK  
Dave Roberts                              BGT

**Introduction**

Julian Majdanski welcomed members to the meeting, which was quorate.

**Minutes and Actions from the Previous Meetings**

The minutes and actions from the previous meeting were reviewed.

**The following represents February's Operational update:**

Mark Cockayne provided the following Operational update:

EBCC Pack issued 14/03/2006.

**Cash Call Notices:**

During February 2006, 4 Cash Call Notices (CCN) were issued of which 2 have been appealed and withdrawn, 2 have been paid following the issue of a Failure to Pay Cash Call Notice. (NB: Both Failure Notices were issued to the same company.)

**Further Security Requests:**

3 Further Security Requests were issued during February 2006.

**Settlement:**

The following performance was reported:

Month	Payment Due Date	Payment Due Date +6
January	98.17%	100%
February	99.2%	100%
Year to date	98.7%	100%

## **Review of this winter's Terminations**

### **Reepham Limited**

xoserve attended the Creditor's meeting on 23 February 2006 where it was stated that Accounts and a statement of affairs would be available by May 2006. A letter has been issued to the Administrator this week requesting an update.

### **Utilita Gas Shipping Limited**

There are still 7 supply points and 24 CSEPs on the Utilita Gas Shipping portfolio. 1 of the supply points has been confirmed to leave the portfolio on 23/03/06. There is nothing further that xoserve can do to facilitate the withdrawal of the CSEPs. Utilita Gas Shipping Limited still hold a Shippers Licence.

2 Energy invoices have been issued to Utilita Gas Limited (supplier). To date there have not been any payments made on either of these invoices. Details of the invoices have been passed to Bryony Sheldon.

A Statutory Demand was issued to Utilita Gas Limited on 20 March 2006 with a value of £2,977.86.

A unanimous decision was made by the EBCC to instruct NG to proceed with winding up Utilita Gas Shipping Limited.

### **Enron**

Enron's lawyers have proposed to scale back the claim in the US by 40% and make a payment of 17.6% on the remaining 60%, this would equate to a cash value of approximately £700k. It is important to note that this does not prejudice the action in the UK.

In the UK there is a Creditors meeting, proposing CVA, to be held at the end of March 2006. An update will be provided to members.

Xoserve are awaiting a briefing note from NG Legal on the above – once received a further update will be provided to the EBCC.

### **Presentation**

Mark Cockayne led members through a slide presentation covering lessons learned and issues identified from the series of emergency meetings held over the winter. Actions that arose from this presentation will be documented and issued separately at a later date.

### **A.O.B.**

Julian Majdanski informed members that two new credit related Modification Proposals had been considered by the Modification Panel, Proposal 0076 "Right of Set Off under UNC" and Proposal 0077 "Notice Period for Code Credit Limit Revision (as a consequence of Credit Rating downgrade) and remedies for non-compliance with a request for provision of additional security"

Mark Cockayne confirmed they would have no impact on energy balancing credit.

**Next Meeting:** 10:30 hours on 21 April by teleconference, with a future face to face meeting to be arranged for 16 June.