

APPLICATION FOR CONSENT TO MODIFY THE CODE

“Revision to the legal text associated with the implementation of UNC Modification
0376S Increased Choice when Applying for NTS Exit Capacity”
Version 1.0

Reference: C052

Transporter Proposal

The Joint Office of Gas Transporters would like to request that the Authority grant permission to amend the legal text as contained within the 0376S Final Modification Report to:

1. Enable the insertion of legal text into the UNC in accordance with the original intent of the modification and reinstate those parts of UNC TPD B3.2 that were incorrectly overwritten by 0376S.
2. Correct an error in the original legal text that has been identified by National Grid NTS which conflicts with the intention of 0376S as agreed by both Users and National Grid NTS.

Nature of Modification

1. In order to ensure that the legal text contained within the Final Modification Report remains commensurate with the intention of the modification and aligns with earlier changes to TPD Section B3.2, particularly the insertion of legal text for Modifications 0381 ‘Removal of the NTS Exit (Flat) Capacity “deemed application” process’ and 0413S ‘DN Adjustment of notices for the reduction of Enduring Annual NTS Exit (Flat) Capacity’. The following changes to the existing legal text in Section B3.2 are required:

Uniform Network Code – Transportation Principal Document Section B3.2

UNC TPD B3.2 after the implementation of 0376S:

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;

3.2.4 A User:

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

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- (ii)
- (iii)
- (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;

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;
 - (i) submit a revised application for Enduring Annual NTS Exit (Flat) Capacity for Gas Year Y+4, Y+5 and Y+6; and/or
 - (ii) submit a revised notice of reduction for Gas Years Y+1 to Y+6 (inclusive);

Amendments required to UNC TPD Section B3.2 to correct the misalignments introduced by the implementation of 0376S:

Amend TPD Section B3.2 as follows:

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;~~

3.2.4 A User:

- (a)
- (i)
- (ii)
- (iii)

- (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;~~

3.2.8 In respect of an application made under paragraph 3.2.3(a) and (as the case may be) a notice of reduction given by a DNO User under paragraph 3.2.15 to which paragraph (a) applies:

- (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~~ ten (5 10) Business Days following ~~the provision of the indicative statement in accordance with paragraph 3.7.9(b)~~ 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;~~
 - (i) submit a revised application for Enduring Annual NTS Exit (Flat) Capacity ~~for~~ with effect from the first Day of any month within Gas Years Y+4, Y+5 and Y+6; and/or
 - (ii) submit a revised notice of reduction for Gas Years Y+1 to Y+6 (inclusive);

2. In addition, National Grid NTS has identified an error that it has made in the original legal text contained within the Final Modification Report of 0376S. The legal text contained an amendment in TPD Section B3.2.10(c) which conflicts with the intention of 0376S, as agreed by both Users and National Grid NTS, which enables National Grid NTS to default a Users Enduring Annual NTS Exit (Flat) Capacity application made under TPD Section B3.2.3(b), to Gas Year Y+6 (it was Gas Year Y+4). As this was not the intention of 0376S National Grid NTS proposes that the 0376S legal text be amended as follows:

Current version of UNC TPD Section B3.2.10(c):

- (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 date(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

Amendment required to UNC TPD Section B3.2.10(c):

Amend TPD Section B3.2.10(c) as follows:

- (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 date(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~~4; and

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Transporter Application

This application contains the Transporters' proposal to modify the Uniform Network Code for which they now seek the consent of the Authority

Signed for and on behalf of Transporter.

Signature:

Tim Davis
Chief Executive Joint Office of Gas Transporters

Date:

as and Electricity Markets Authority Response:

In accordance with Standard Special Condition A11 'Network Code and the Uniform Network Code' of the Gas Transporters License, I hereby consent to the above modification to the Code.

Signed for and on Behalf of the Gas and Electricity Markets Authority.

Signature:

Date:

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