

APPLICATION FOR CONSENT TO MODIFY THE CODE

“Revision to the legal text associated with the implementation of 0320V Code
Governance Review: Appointment and Voting Rights for a Consumer
Representative and Independent Panel Chair”
Version 1.0

Reference: C041

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 Uniform Network Code. As a result of a UNCC Vote in February 2011, an error has been identified within UNC General Terms Section B, paragraph 4.1.2. Currently this incorrectly states Consumer Representatives should not have the right to vote, however following the implementation of Modification Proposal 0320V this is incorrect and unfortunately was not changed following implementation.

Modification Proposal 0320V included the following statement:

“For the avoidance of doubt, following the implementation of Modification Proposal 0286A, this proposal intends that the Consumer Representative(s) as described above become full voting members including votes on matters of Self Governance (as being introduced via Modification Proposal 0323) and those matters governed by the UNC Committee. The proposer acknowledges that whilst this proposal is in contrast to Modification 286A it more accurately reflects the recommendations of the Code Governance Review Final Proposals and the Modification Proposal 0286A decision letter.”

The current text in UNC General Terms Section B, paragraph 4.1.2 is as follows:

“4.1.2 Paragraphs 3.2, 3.5 and 5 (excluding paragraphs 5.1 and 5.2) of the Modification Rules shall apply, mutatis mutandis, and disregarding references therein to other provisions of the Modification Rules, in respect of the Uniform Network Code Committee; provided a member of the Uniform Network Code Committee who is a Consumers’ Representatives shall not be entitled to vote for the purposes of determining any decision of the Uniform Network Code Committee.”

Nature of Modification

In order to ensure that the legal text contained in GTB paragraph 4.1.2 correctly reflects the intent of Modification 0320V, the following change to the UNC is proposed, as follows:

UNIFORM NETWORK CODE – GENERAL DOCUMENT

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General Terms Section B - General

Amend paragraph 4.1.2 as follows:

“4.1.2 Paragraphs 3.2, 3.5 and 5 (excluding paragraphs 5.1 and 5.2) of the Modification Rules shall apply, mutatis mutandis, and disregarding references therein to other provisions of the Modification Rules, in respect of the Uniform Network Code Committee; provided a member of the Uniform Network Code Committee who is a Consumers’ Representatives shall ~~not~~ be entitled to vote for the purposes of determining any decision of the Uniform Network Code Committee.”

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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