

Record of Determinations: Panel Meeting 18 October 2018

Modification	Vote Outcome	Shipper Voting Members						Transporter Voting Members						IGT Voting Member	Consumer Voting Member	Consumer Voting Member	Determination Sought
		AG	DF	GW	MB	RF	SM	CW	PH (DL)	HC	JF	RP	JCo	SH (JA)	EP		
0670R - Review of the charging methodology to avoid the inefficient bypass of the NTS	Issued to Workgroup 0670R with a report presented by the 16 May 2019 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Request be issued to Workgroup with a report by the 16 May 2019 Panel?
0671 - Relief from User Commitment obligations when NTS exit capacity substitution is permitted	Not related to the Significant Code Review - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Is Modification related to Significant Code Review?
	Not a Self-Governance Modification - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Does Modification satisfy Self-Governance criteria?
	Issued to Workgroup 0671 with a report presented by the 21 February 2019 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Modification be issued to Workgroup with a report by the 21 February 2019 Panel?
0672 - Incentivise Product Class 4 Read Performance	Not related to the Significant Code Review - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Is Modification related to Significant Code Review?
	Not a Self-Governance Modification - <i>majority vote against (11 out of 14)</i>	X	X	X	X	X	X	X	✓	X	✓	✓	X	X	X	Does Modification satisfy Self-Governance criteria?	
	Issued to Workgroup 0672 with a report presented by the 17 January 2019 Panel - <i>majority vote against (11 out of 14)</i>	X	X	X	✓	X	X	X	X	X	X	X	X	✓	✓	Should Modification be issued to Workgroup with a report by the 17 January 2019 Panel?	
	Not issued to Workgroup 0672 with a report presented by the 21 Feb 2019 Panel - <i>majority vote against (6 out of 14)</i>	✓	✓	✓	✓	X	X	X	X	X	X	X	X	✓	✓	Should Modification be issued to Workgroup with a report by the 21 Feb 2019 Panel?	
	Issued to Workgroup 0672 with a report presented by the 21 March 2019 Panel - <i>majority vote in favour (8 out of 14)</i>	✓	✓	✓	✓	✓	X	X	X	X	X	✓	X	✓	✓	Should Modification be issued to Workgroup with a report by the 21 March 2019 Panel?	
	Not related to the Significant Code Review - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Is Modification related to Significant Code Review?

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0667 - Inclusion and Amendment of Entry Incremental Capacity Release NPV test in UNC	Not a Self-Governance Modification - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Does Modification satisfy Self-Governance criteria?
	Issued to Workgroup 0667 with a report presented by the 17 January 2019 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Modification be issued to Workgroup with a report by the 17 January 2019 Panel?
0630R - Review of the consequential changes required in UNC as a result of the Ofgem Switching Programme	Returned to Workgroup 0630R with a report to be presented by the 21 March 2019 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Request 0630R be sent back to Workgroup for further consideration, with a report back to March 2019 Panel?
0652 – Introduction of winter read/consumption reports and associated obligations	Returned to Workgroup 0652 with a report to be presented by the 15 November 2018 Panel - <i>unanimous vote in favour</i>	NP	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Should Modification 0652 be sent back to Workgroup for further consideration, with a report back to November 2018 Panel?
0660S - Amendment to PARR permissions to allow PAC to update with UNCC approval	Proceed to Consultation, with consultation closing out on 08 November 2018 - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NP	Should Modification 0660S be issued to Consultation, closing on 08 November and be considered at short notice at the November 2018 Panel?
0663S - Extending the data comprised under the definition of Supply Point Premises Data (TPD V5.18.1)	Returned to Workgroup 0663S with a report to be presented by the 20 December 2018 Panel - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NP	Should Modification 0663S be sent back to Workgroup for further consideration, with a report back to December 2018 Panel?
0652 – Introduction of winter read/consumption reports and associated obligations	Legal Text requested for 0652 - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NP	To request Legl Text?
0659S - Improvements to the Composite Weather Variable	Legal Text requested for 0659S - <i>unanimous vote in favour</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NP	To request Legl Text?
0649S - Update to UNC to formalise the Data	No new issues were identified during Consultation - <i>unanimous vote against</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	NP	Were new issues identified during Consultation?

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Permissions Matrix	Modification 0649S implemented - unanimous vote in favour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NP	Should Modification 0649S be implemented? (Yes votes only)	
0656 - Changes to Modification Panel arrangements	No new issues were identified during Consultation - majority vote against (12 out of 13)	X	X	X	✓	X	X	X	X	X	X	X	X	X	NP	Were new issues identified during Consultation?	
	Modification 0656 is recommended to be implemented - majority vote in favour (12 out of 13)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	NP	Should Modification 0656 be implemented? (Yes votes only)	

In favour	Not in Favour	No Vote Cast	Not Present
✓	X	NV	NP

UNC Modification Panel
Minutes of the 232 Meeting held on Thursday 18 October 2018
at

Elxon, 4th Floor, 350 Euston Road, London NW1 3AW

Attendees

Voting Members:

Shipper Representatives	Transporter Representatives	Consumer Representatives
A Green* (AG), Total D Fittock (DF), Corona Energy G Wood* (GWO), British Gas M Bellman* (MB), Scottish Power R Fairholme (RF), Uniper S Mulinganie* (SM), Gazprom	P Hobbins (PH), National Grid NTS C Warner (CW), Cadent H Chapman* (HC), SGN J Ferguson (JF), Northern Gas Networks R Pomroy (RP), Wales & West Utilities J Cooper* (JCo), BUUK Infrastructure	E Proffitt (EP), MEUC S Horne (JA), Citizen's Advice

Non-Voting Members:

Chairperson	Ofgem Representative	Independent Supplier Representative
M Shurmer (MS), Chair	R Elliott	

Also in Attendance:

B Winter* (BW) WWU; D Addison* (DA), Xoserve; E Rogers (ER), Xoserve; J Gudge (JG), National Grid; K Riley (KR) South Hook Gas Company; N Wye* (NW), WatersWye; R Fletcher (RFI), Secretary; R Hailes (RH), Joint Office; S Britton (SBr), Cornwall Insight; T Saunders (TS) Northern Gas Networks

**by teleconference*

Record of Discussions

Introduction

MS welcomed all attendees to the meeting and introduced Mark Bellman as a new User Representative for 2018/19 and Tracy Saunders as a new Transporter Representative from November onwards. He also asked attendees to note that this would be Joanna Ferguson's last Panel meeting and thanked her on behalf of Members for her commitment and contributions to Panel. He also congratulated

Eddie Proffitt on his re-appointment as a Consumer Representative.

MS then set out the order of business for the meeting.

232.1 Note of any alternates attending meeting

P Hobbins for D Lond, National Grid

232.2 Record of Apologies for absence

D Lond

232.3 Minutes and Actions of the Last Meeting(s)

Members approved the minutes from the previous meetings on 10th and 20th September 2018.

232.4 Consider Urgent Modifications

None to be considered.

232.5 Consider New Non-Urgent Modifications

a) **Request 0670R - Review of the charging methodology to avoid the inefficient bypass of the NTS**

JG introduced the Request and the reasons for the proposed review of the short haul charging methodology. He advised that it had been recognised by Workgroup 0621 that there should be a review of short haul and its longer-term application.

RP asked if the review was to include obligations under the Gas Act and Licence and short haul compliance with these obligations. JG advised that it was recognised that a review was needed and would include a review of current obligations as they became applicable.

JF asked what the realistic objectives and solution delivery were? JG noted that NTSCMF suggested that more than monthly meetings might be required to meet the target of May 2019.

RP asked if the allocation of revenue was to be included particularly between System Operator (SO) and Transmission Operator (TO). JG advised that revenue is currently allocated by licence to SO and it is unlikely the review would change this position as it would not be in the gift of a modification.

SM wanted to understand any associated impacts on the charging regime or should one of the Modification 0621 and its alternatives be implemented how would this be considered. JG advised that any proposed changes would need to be analysed and included in the report with any other impacts associated with one of the Modification 0621 options.

MB asked how the review would consider options where it is not efficient to use short haul and by pass is the most efficient way forward. JG suggested that this would be down to the methodology.

Workgroup Questions:

- Consider the current revenue allocation to SO, should such a charge exist in the future is this still appropriate? (Note this is a licence condition)
- Consider interactions with Modification 0621 and update Panel once an Ofgem decision on Modification 0621 is received
- Impact of the proposal on the charging regime
- Consider the definition of inefficient bypass

For Request 0670R Members determined:

- That Request 0670R be issued to Workgroup 0670R for assessment, with a report to be presented no later than the 16 May 2019 Panel, by unanimous vote.

b) **Modification 0671 - Relief from User Commitment obligations when NTS exit capacity substitution is permitted**

RP/BW introduced the Modification and its aims. RP asked Members to note that in their view it would be preferable if the implementation could be achieved by July 2019, subject to no central system impacts.

PH challenged if the modification could be developed and assessed in 6 months when considering the associated impacts on a number of methodologies, potential discrimination impacts and Modification 0621 impacts.

RP asked why PH considered the modification is discriminatory? PH suggested it differentiates between NTS customer types. RP advised in principle it applies to all offtakes and therefore all NTS customers, although in practice it is likely to be DNO offtakes that use the process.

PH challenged that there is currently a flow swap process in place would and these proposals could be a material impact on operation.

PH suggested that there are likely to be central systems impacts and this was confirmed by ER. PH suggested that these impacts are identified quickly as they would have an impact on the implementation timescales. RP agreed that central system impacts would change the implementation time-scales and this would form part of the Workgroup assessment process.

EP asked what the benefit to consumers is, as lower charges to one customer type would lead to an increase in charges to others. RP advised that DNO consumers may see a benefit and acknowledged that this might then impact NTS customers.

There was a discussion around the proposed timescales and the target for reporting to Panel. JF noted the issues raised but felt the aim of the modification is very specific and should be pushed to see if it is achievable.

PH was still concerned about the wider impacts and that these should not be ignored.

For Request 0671 Members determined:

- It is not related to the Significant Code Review by unanimous vote;
- The criteria for Self-Governance are not met as this modification is likely to impact competition, by unanimous vote;
- That Modification 0671 be issued to Workgroup 0671 for assessment, with a report to be presented no later than the 21 February 2019 Panel, by unanimous vote.

c) Modification 0672 - Incentivise Product Class 4 Read Performance

MB introduced Modification and its aims, advising that the draft modification has been considered by the UIG Workgroup and PAC.

SM questioned the proposed assessment period being shorter than would be expected when considering the nature of this modification and that it is likely to require significant assessment time? MB confirmed the issues were discussed at PAC and is being sponsored on their behalf. He said that the timeline is challenging but the Modification is well developed and that UIG is a high priority currently.

RP suggested the incentive charge needs to be identified and published quickly as this would support the development timeline. CW was concerned that the modification needs careful consideration as Legal Text will be difficult to draft as it is a complex subject.

ER advised the central systems impacts are still to be defined, although reporting changes would be straight forward. The complexity of the change is dependent on the modification and how it develops.

MB noted the concerns and the potential impacts on the invoicing process. However, this is a significant UIG issue and should be progressed quickly.

SM still wanted to see the incentive charge developed and tested to ensure it is robust and justified, it shouldn't be rushed through which then generates an urgent change soon after.

MB noted the concerns, but this modification is proposing to incentivise performance by applying liquidated damages charges based on the impact on the market. SM was concerned that in terms of UIG this modification might have a negative impact on shippers while having no material benefit on UIG.

PB challenged if this modification is a material change since if it wouldn't have a material impact on UIG, the justification appears to be Self-Governance. MB explained that the process proposed was new and potentially impacts competition as it might change behaviours and therefore allocation. RP asked how significant the liquidated damages charge would be compared to a parties capacity charges. MB agreed that the impact is likely to be a small percentage of UIG and therefore not material.

Workgroup Questions:

- Clarify how many Supply Meter Points are now in Product Class 4 and identify the impacted number of Product Class 4 Supply Meter Points.
- Clearly articulate the potential impact on shippers in order to assess materiality.

For Request 0672 Members determined:

- It is not related to the Significant Code Review by unanimous vote;
- The criteria for Self-Governance are not met as this modification is likely to impact competition between Shippers and Suppliers, by majority vote;
- That Modification 0672 be issued to Workgroup 0672 for assessment, with a report to be presented no later than the 21 March 2019 Panel, by unanimous vote.

232.6 Existing Modifications for Reconsideration

a) Modification 0667 - Inclusion and Amendment of Entry Incremental Capacity Release NPV test in UNC

KR/NW introduced the Modification and its aims. MS advised that Panel had previously considered this Modification and made a recommendation on Urgency to Ofgem. However, Urgency had been rejected and Panel were now required to determine how the Modification should progress.

JF noted that although Panel had previously supported Urgency it should be noted that this is a complex issue and would need time to consider and assess. PB had similar concerns. NW clarified that the proposals are straight forward as they propose to place a document in UNC which supersedes the current Net Present Value (NPV) test.

NW clarified the materiality of the Modification is that the price will change as the bidding in the auctions will be different to that managed through the PARCA process.

KR felt the analysis is limited as the new NPV test is established and available to be analysed. SM asked if the Modification addresses the questions raised in Ofgem's decision letter. KR advised that they had considered these and had made few amendments to the process and felt that Ofgem may not have fully understood the Modification.

When considering the Ofgem Decision Letter, KR also clarified that they had raised the Modification one week after they were aware this issue would impact them and therefore, they do not believe they could have raised the Modification sooner.

KR clarified that Ofgem don't appear to have challenged the content of the Modification but that they rejected the need for Urgency as they felt the topic needed detailed analysis and industry engagement. SM felt the letter highlighted the lack of detail in how the Relevant Objectives would be furthered and that this should be a priority for the Workgroup to consider.

For Modification 0667 Members determined:

- It is not related to the Significant Code Review by unanimous vote;
- The criteria for Self-Governance are not met as this modification is likely

to impact competition between Shippers and Suppliers, by unanimous vote;

- That Modification 0677 be issued to Workgroup 0677 for assessment, with a report to be presented no later than the 17 January 2019 Panel, by unanimous vote.

232.7 Consider Workgroup Issues

None

232.8 Workgroup Reports for Consideration

a) Request 0630R - Review of the consequential changes required in UNC as a result of the Ofgem Switching Programme

CW provided a presentation on the potential consequential impacts required in UNC as a result of the Ofgem Switching Programme and the proposed continuation of this Workgroup to be used as a vehicle to highlight these impacts.

It was noted that the main changes to UNC will be driven through the Significant Code Review (SCR) process and though this is an existing process in the Modification Rules, it hasn't been used previously.

RFa asked if the Retail Energy Code and UNC would both require energy balancing rules or a process that is aligned? CW confirmed that the consequence of faster switching requires the UNC energy balancing process to be reviewed due to the impacts on Shipper portfolios and balancing positions.

DA asked Members to note that SPAA would be proposing a joint workgroup to manage the interface and changes between both Codes and would be reaching out in the near future.

PG noted that there was a potential impact in terms of tracking Code changes between the SCR changes being implemented and then subsequently going live.

SM asked if a Modification what is the impact if it is not identified at an early stage due to the lack of visibility around the SCR Modifications. CW advised that the transitional and enduring Legal Text would be fixed and any subsequent Modification(s) raised by industry parties would be subject to confirmation of no impacts on the SCR Legal Text.

RP suggested that Panel ask for written confirmation from Ofgem on the SCR process to be applied. EP asked if I&C consumers would be impacted as he had been advised they were out of scope of the faster switching process. CW advised that he was not aware that I&C sites were excluded.

CW asked for views on the process to be adopted. JF highlighted the gas deficits SCR which they had found very difficult to interact with at a UNC level and that Workgroup 0630R would be a useful vehicle to manage UNC discussions.

It was noted that there will be one SCR Modification Report which will include proposals for all Codes (around 8) and that this will be consulted upon by Ofgem.

PH suggested that a view could be taken on the interactions with EU Codes were managed for this purpose.

For Request 0630R, Members determined:

- It should be referred back to Workgroup 0630R for further assessment, with a report by the 19 March 2018 Panel.

b) Modification 0652 – Introduction of winter read/consumption reports and associated obligations

For Modification 0652, Members determined:

- It should be referred back to Workgroup 0652 for further assessment, with a report by the 15 November 2018 Panel.

c) Modification 0660S - Amendment to PARR permissions to allow PAC to update with UNCC approval

Members noted the Workgroup Report and the recommendations it contained.

SM requested that Members confirm that the Workgroup view on the Relevant Objectives is consistent. MS agreed, advising that Members clarify if they were comfortable with the view provided by Workgroup, if the report should be sent back for further work or if additional questions were required to be asked as part of consultation. Indeed it was noted and Panel agreed that they should comment on the impact against the relevant objectives at each stage of a Modification's progression and that this was a key role of Panel.

Members noted the Relevant Objectives and no concerns were raised considering the Workgroup view.

For Modification 0660S, Members determined that

- Members determined Modification 0660S should be issued to consultation, with a consultation close date of 08 November 2018, by unanimous vote.

d) Modification 0663S - Extending the data comprised under the definition of Supply Point Premises Data (TPD V5.18.1)

Members notes that this Modification is likely to be withdrawn if Modification 0649S is implemented.

For Modification 0663S, Members determined:

- It should be referred back to Workgroup 0663S for further assessment, with a report by the 20 December 2018 Panel.

232.9 Consideration of Workgroup Reporting Dates and Legal Text Requests

Members determined unanimously to extend the following Workgroup reporting date(s):

Workgroup	New Reporting Date

Members determined unanimously to request Legal text for the following modification(s):

Modification
0652 – Introduction of winter read/consumption reports and associated obligations
0659S - Improvements to the Composite Weather Variable

232.10 Consider Variation Requests

None.

232.11 Final Modification Reports

a) Modification 0649S - Update to UNC to formalise the Data Permissions Matrix

Panel discussion: see the Final Modification Report published at:

<https://www.gasgovernance.co.uk/0649>

- Members voted by unanimously to implement Modification 0649S.

Members noted that IGT UNC Modification 115 - Update to IGT UNC to formalise the Data Permissions Matrix is to be implemented on the same Day as Modification 0649S.

b) Modification 0656 - Changes to Modification Panel arrangements

Panel discussion: see the Final Modification Report published at:

<https://www.gasgovernance.co.uk/0656>

SH advised Members that CUSC were going through a similar process to

consider Alternates and the relevant Modification CMP285 can be found [here](#).

- Members voted by majority vote to recommend implementation of Modification 0656.

232.12 AOB

a) Urgency – Joint Office role

PG provided a view of the Joint Office role as Code Administrator for the UNC in evaluating new and Urgent Modifications.

PG confirmed that the Ofgem urgency criteria and link to the guidance is to be included in an amended Modification Template to provide guidance for proposers.

b) Critical friend procedure review

PG that the Joint Office is to undertake a review of the Critical Friend process and aim to provide feedback to a future Panel meeting.

c) UNC Consumer Representative process

PG asked Members to note that in Ofgem's letter to appoint the Consumer Representative for Gas Year 2018/19, that it established an expectation that the UNC Code Administrator should introduce a process for identifying suitable Consumer Representatives for selection as Panel Members.

PG was seeking views on the approach to be taken for Gas Year 2019/20 to ensure a process is made available.

RE advised that he had discussed the point with EP who had confirmed he was going to provide some contacts for consumer bodies, who might be interested in the role for future years.

RP was unsure who would be selected if there were more than one nomination, as he was unsure how or who in the industry would be allowed to vote to confirm the nomination.

MS felt that Ofgem were better placed to undertake the seeking of and selection of consumer representatives. DF agreed and was concerned that the Joint Office was being asked to manage this role when their links to consumer representatives was so limited.

RE advised that he would consider these comments with colleagues and provide an update at a future meeting.

New Action PAN 01/10 – RE to provide an Ofgem view on the nomination of Consumer Representatives at Panel.

d) RG004 – Review of IGT Governance and administration arrangements

PG asked Members to note that this review was still ongoing and that there might be a need for joint discussions at a later date, to investigate a number

of options to support closer coordination between the two Codes.

RP noted the issues and that some of the points made would require licence changes and that this might not be the appropriate time to undertake an in-depth review with the number of significant change projects ongoing.

e) Code Administrators Survey

SM requested a view on two items from the Code Administrators Survey as follows:

Late Papers

PG asked Members to note that the Joint Office tends to push back on late papers, particularly for meetings with voting Members such as Panel, this is to allow for views to be sought from constituencies. However, where late papers are requested and in consultation with the Panel Chair, typically the meeting is offered the opportunity to defer consideration unless they have previously agreed to take the paper at short notice.

Telecommunications

PG advised that there were some initial issues when moving into Radcliffe House and these had been resolved for the main part. However, this situation is being monitored to ensure there is a consistent performance. PG advised that the Joint Office are seeking views from participants following meetings where teleconferencing has been used.

MS observed that some meetings such as Panel appear to work more effectively if Members are in the room. PH agreed with this view as he felt the meeting is extended when a number of Members are participating by teleconference.

SM noted that the satisfaction score was low compared to other Codes and there was room for further improvement. He wanted the Joint Office to provide an improvement plan to demonstrate this was a significant issue that needed to be addressed.

PG advised that the Joint Office would keep the situation under review and monitor feedback from meeting participants.

New Action PAN 02/10 – PG to provide an update on comments received following participants attendance at meetings by teleconference.

232.13 Date of Next Meeting

- 10:30, Thursday 15 November 2018, at Elexon.

Action Table (18 October 2018)

Action Ref	Meeting Date	Minute Ref	Action	Owner	Status Update
PAN 01/10	18/10/18	232.11 (c)	Provide an Ofgem view on the nomination of Consumer Representatives at Panel	Ofgem (RE)	Pending
PAN 02/10	18/10/18	232.11 (e)	Provide an update on comments received following participants attendance at meetings by teleconference.	Joint Office (PG)	Pending