















UNC Final Modification Report		At what stage is this document in the process?
<h1>UNC 0683S:</h1> <h2>Offtake Arrangements Document (OAD) Review Updates – Phase 1</h2>		<div>01 Modification</div> <div>02 Workgroup Report</div> <div>03 Draft Modification Report</div> <div>04 Final Modification Report</div>
<p>Purpose of Modification:</p> <p>This Modification seeks to update the OAD in order to bring it in line with industry changes made since 2005. The Request 0646R Workgroup has since identified a number of areas in OAD that can be updated now (Phase 1), with this being the first in a number of Modifications.</p>		
	Panel consideration is due on 21 May 2020	
	High Impact: None	
	Medium Impact: National Grid Transmission and all GDNs.	
	Low Impact: None	

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Timetable		
Modification timetable:		Contact: Joint Office of Gas Transporters
Modification presented to Panel		 enquiries@gasgovernance.co.uk
Amended Modification considered by Workgroup		 0121 288 2107
Workgroup Report available for Panel		Proposer: Shiv Singh
Draft Modification Report issued for consultation		 shiv.singh1@cadentgas.com
Consultation Close-out for representations		 07580 999 287
Final Modification Report available for Panel		Transporter: Cadent
Modification Panel decision		 shiv.singh1@cadentgas.com
		 07580 999 287
		Other: Darren Dunkley
		 Darren.dunkley@cadentgas.com
		 07768 102 196

1 Summary

What

Since the implementation of the OAD in 2005, a number of issues have been identified that need to be addressed. A series of amendments were identified during the development of Request 0646R, a number of which it has been identified can be addressed at an early stage. This Modification Proposal is described as Phase 1 and addresses:

- Tripartite arrangements;
- Shared Sites (including the definitions: for bi-directional/reverse flow; and Closed Sites NTS/LDZ);
- Supplemental Agreement Template;
- Critical National Infrastructure (CNI); and
- An 'Affected Party'

Why

In its current form, certain sections of OAD are unclear and ambiguous. As a result, it is open to interpretation which has at times resulted in an inefficient use of both time and resource of the parties concerned. The proposed changes would enable all parties to interpret a Code that is clear, concise, practical and consistent.

- Tripartite Arrangements OAD currently makes an assumption that there can be multiple offtakes at an offtake site. OAD also confirms that the Site Owner is normally the Site Services Party. However, for Tripartite sites, there are normally three parties on site i.e. multiple site Users. The Supplemental Agreement is agreed between the upstream and downstream parties and for tri-partite sites two agreements will be in place. One of these agreements will be between the two site users and therefore the site owner, acting as Site Services Party, may be unaware of site services or updates being confirmed or been made available at the offtake in their name;
- Shared Sites: the current definition of an Offtake needs to be updated to allow for: Closed NTS to LDZ offtakes with the potential to flow gas; Bi-directional flows between NTS to LDZ offtakes in exceptional circumstances; and Shared sites with no physical connection via Individual Offtake Points. As it stands, Offtakes exist that meet these criteria, but are not covered by OAD;
- Supplemental Agreement Template: the Supplemental Agreement does not specify all of the Connections Facilities in Appendices C, D and E of the current Supplemental Agreement (SA). The template has been redesigned to ensure that the typical types of asset found at offtake sites can be documented and confirmation provided on ownership so that this can more robustly demonstrate compliance with the arrangements currently outlined in OAD;
- CNI is a new area not currently covered by OAD. As it stands, it is the Site Owner that is responsible for Site Security. There is though, the potential for the scenario where it is the Site User who will be responsible for security arrangements, such as installing a Site Security Fence and providing the operation and maintenance thereafter. OAD requires updating to allow for such eventualities;
- The material impact on an Affected Party is not currently defined in OAD. This can lead to a difference in the interpretation of what defines 'material impact', and has resulted in an adverse impact upon operational matters due to the lack of communication between Parties.

How

The relevant sections of OAD are proposed to be modified, with new additions included as necessary, so that the resultant legal text satisfies the objectives of the Proposal.

The sections of OAD to be modified include:

- Section A – Scope and Classification
- Section B – Connection Facilities, and
- Appendix Supplemental Agreements

The remainder of OAD will be reviewed to ensure there is no further impact.

2 Governance

Justification for Self-Governance

The Modification Panel determined that this Modification should be subject to self-governance procedures on the basis that the necessary changes would have no material impact on the commercial activities of Shipper Users, Gas Transporters or Gas Consumers. This is because the proposed changes are to either bring the Code in line with industry changes since 2005, or to address process gaps that have come about as a result of new industry practice

Requested Next Steps

This Modification should be:

- subject to self-governance procedures; and
- issued to consultation.

The Workgroup agreed with the Panels determination on self-governance as this Modification is clarifying the requirements for larger Transporter networks set out in OAD and should not have a material impact on UNC parties.

The Workgroup agreed that this Modification is sufficiently developed to be issued to consultation.

3 Why Change?

Background

Since the implementation of the OAD in 2005, a number of issues have been identified which need to be addressed and resolved. It has been identified that specific sections of OAD are unclear and ambiguous and require clarity to ensure all parties are able to interpret them in a consistent manner. Addressing these issues should lead to greater efficiency. The 0646R Workgroup has agreed that a number of changes to OAD should be made as part of Phase 1. These cover:

- Tripartite arrangements;
- Shared Sites (including the definitions: for bi-directional/reverse flow; and Closed Sites NTS/LDZ);
- Supplemental Agreement Template;
- Critical National Infrastructure (quick win); and

- An 'Affected Party'.

Further Phase 2 Modifications are anticipated in a separate Modification expected to be raised in 2019~~20~~²⁰ to cover:

- Maintenance (and clarity on impact assessments/threshold for OAD notices 'significant impact' Section G);
- Further requirements for Critical National Infrastructure (Integrated Security System (ISS)/Physical Security Upgrade Programme (PSUP));
- Site Drawings;
- OAD Notices;
- Point of Offtake.

The 0646R Workgroup also recognised that additional areas for related Offtake Arrangements work in 2019 is expected to include:

- Section D; and
- Safe Control of Operations (SCO) interface documents.

It is still to be determined whether these items will be addressed by the existing 0646R Workgroup or by the Offtake Arrangements Workgroup, and whether they will be addressed in Phase 2, or at a later stage.

The Detail

Tripartite Arrangements

Section A2.1.2 & A2.3.1

Cadent has two tri-party sites where there is one Site Owner and two Site Users located at an offtake site. OAD is currently written in a way that assumes there is only one Site Owner and one Site User and that gas flows from the NTS into one LDZ. In reality, this is not the case and the definitions need to be updated to cover both approaches.

The current Offtake definition i.e. "one or more Individual Offtakes Points, located at each site, at each of which gas can flow into the same LDZ." does not cater for tri-party sites.

Section B2.6.1

Site Services need to be revised to take into account tri-party sites. Normally, there are two Supplemental Agreements in place between the upstream and downstream Operators. However, as the Gas Distribution Networks (GDN) are normally the Site Owners, one SA will be between the Site Owner and Site User, and the other SA will be between the Site User and Site User. Where a SA is between two Site Users, the Site Services are not confirmed by the Site Owner as they are not a party to the agreement. Therefore, the two Site Users are unable to agree these services without the Site Owner.

The "Services Party" can be a third operator who is the Site Owner but not a party to the Supplemental Agreement because this is between the upstream and downstream party only - as in the case at Ross-on-Wye and Winkfield (i.e. tri-partite sites).

New Addition

There have been occasions for tri-party sites where one SA has been updated between the Site Owner and Site User, but the changes have not been mirrored across to the other SA in place between the Site User and Site User. This is critical for issues where for example there are data items that are common between the two

SA's in place, such as Access, Security, Cathodic Protection, Utilities Supply and Site Drawings, resulting in a mismatch of data between the two SA's.

Shared Sites

Section A2.1.4

Cadent has a specific site where the systems are connected by closed valves and if opened gas could flow. There are two Networks, physically connected by closed valves. This scenario currently exists between LDZ to LDZ, but not NTS to LDZ. This type of site is not covered by a Supplemental Agreement.

New Addition

Offtake sites are governed by OAD but, due to the current offtake definition in Clause A2.1.4, it only covers where gas flows from the NTS into an LDZ. Cadent have a number of offtake sites where a connection back onto the NTS is required to facilitate pipeline inspections that only occur once every 10-15 years.

Supplemental Agreement Template

Section B2.1.2

The existing version of the SA does not specify all the Connection Facilities in Appendices C and D of the current SA. These are also contained within Appendix E.

New Addition

The SAs should have version control so that you are able to see what changes were implemented when, and arising from what work.

The 'SA Appendix Template v1.0 – Blank' is included alongside this Modification.

Appendix

Current Supplemental Agreements do not document all of the Connection Facilities on site, as per Section B of OAD. Specifically, whilst the mechanical drawing is included with the SA, there is no mention of the electrical or instrumentation assets on site which often can be shared and therefore lead to confusion as to who owns them and thus, maintains them. This is to be addressed by the new SA Template.

Critical National Infrastructure

CNI was introduced to the industry after the OAD was written in 2005. This area deals predominantly with security arrangements, which is covered in OAD Section B3.8.1. This states that it is the Site Owner who is responsible for Site Security. This will not always be the case, as we are aware of scenarios where it will be the Site User who will be installing security arrangements such as a site fence.

An 'Affected Party'

Although this term is defined in OAD (B2.2.3(b)), there can be a difference in the interpretation of the term 'material impact' on an affected Party. This has had an adverse impact on operational matters (such as Routine and Non-Routine Operations) due to a lack of communication between Parties.

It should be noted that any change that a Site User wants to undertake on site must always have Site Owner support via the OAD, and the criteria set out in the solution are more for the Site Owner to consider when determining the need to notify the Site User. The issue being that when OAD notices are raised, some of the impacts on the other Parties are not included.

4 Code Specific Matters

Reference Documents

Offtake Arrangements Document (found here: <https://www.gasgovernance.co.uk/OAD>)

Knowledge/Skills

An understanding of physical assets, access arrangements, etc would be advantageous.

5 Solution

Tripartite Arrangements

To be amended to cater for tri-party sites as follows:

- Where the Site Services Party is neither the upstream nor downstream Party, the Site Services Party will be a party to the SA and must be clearly documented in the SA (limited to Site Services for tripartite sites only)

Shared Sites

NTS and LDZ Shared Sites

- NTS/LDZ Offtake definition – For the avoidance of doubt, this definition is to be retained
- Closed offtakes – Modify existing clause to include NTS/LDZ Closed Offtakes
- Non-offtake NTS/LDZ shared site – New

All of the above categories to be bi-directional in exceptional circumstances only: can flow gas from the NTS to the LDZ and can flow gas from the LDZ to the NTS (subject to appropriate caveats).

Modify Closed offtakes to include NTS/LDZ Closed Offtake

- Supplemental Agreement required
- NTS and LDZ connection facilities on a site
- Physical connection to flow gas but valve is closed
- In exceptional circumstances flow gas from NTS/LDZ e.g. Inline Inspection (ILI) run
 - Subject to agreement by all Parties
 - Subject to liabilities being appropriate
- On-going maintenance required
- Measurement equipment may be on site – Calculation for unmetered gas

Add non-offtake NTS/LDZ shared site

- Must have a Supplemental Agreement in place
- NTS and LDZ assets/facilities on a site (either within site fence or site boundary)
- No physical connection to flow gas
- In exceptional circumstances (temporary connection) flow gas from NTS/LDZ e.g. ILI run

- Subject to agreement by all Parties
- Subject to liabilities being appropriate
- No measurement equipment on site – calculation for unmetered gas

Bi-Directional flows

- Bi-directional flow applies to:
 - NTS/LDZ offtakes,
 - NTS/LDZ closed offtakes,
 - Non-offtake NTS/LDZ Offtake
- Can flow gas from the NTS into an LDZ
 - In exceptional circumstances for closed sites and non-offtakes
- In exceptional circumstances, can flow gas from the LDZ to NTS e.g. ILI runs
 - Subject to agreement by all Parties
 - Subject to liabilities being appropriate
 - Any unmetered gas accounted for

Appropriate Liabilities

Agreement to reverse flow and/or opening of closed sites will be subject to liabilities being appropriate:

- Third Party claims
- NTS direct connections – NG customers
- DN Offtake claims
- DN Gas Quality claims
- GSMR compliance not being demonstrated on entry.

Supplemental Agreement Template

Section B2.1.2

The Section of OAD entitled '01 January 2006 OAD Appendices' is to be removed and set up as a subsidiary document (referred to as the OAD Template Agreements Document) as follows:

1. Recitals (see Supplemental Agreement Template); and
2. Appendices (see SA Appendix Template v1.0 – Blank)

The OAD Template Agreements Document will comprise of Parts 1 to 4 as follows:

3. Part 1 – NTS/LDZ Offtake – Supplemental Agreement (Bilateral)
4. Part 2 – NTS/LDZ Offtake – Supplemental Agreement (Tripartite)
5. Part 3 – NTS/LDZ Offtake – Supplemental Agreement
6. Part 4 – Shared Site Agreement (No Offtake)

All references in OAD to specific sections in the Supplemental Agreements need to be reviewed and updated accordingly taking into account this important document is now a subsidiary document.

The proposed Supplemental Agreement templates have been included alongside this Modification.

Annex B2

Existing text to be modified as follows:

Part 1 – Mandatory Site Services

Site Service

- a) Cathodic protection, including:
 - i. Maintaining and testing such cathodic protection systems (and planning for such maintenance in accordance with the provisions for Relevant Maintenance in Section G); and
 - ii. Providing each Site User a report certifying compliance of the cathodic protection systems no later than 14 days after any maintenance or testing in accordance with sub-paragraph (i);
- b) Electrical Services;
- c) Standby Power;
- d) Site security; and
- e) Retention of Site records, including maintenance reports for Site Services.

Further details relating to the Site Services listed in this Part 1 shall be recorded in the relevant Supplemental Agreement.

NB. b) and c) above will move to Part 1 from Part 2.

Part 2 – Other Site Services

- a) Water Services;
- b) Telecommunication Services;
- c) Site Drainage;
- d) Welfare Facilities

It is proposed that updates to existing Supplemental Agreements can be made as and when agreed between the Transporters.

Critical National Infrastructure

Section B3.8.1

- By agreement Site security can be transferred to the Site User
- Documented in Supplemental Agreements(s) and Site Schedule of Responsibilities

An ‘Affected Party’

Section B2.2.3

Alterations, replacements, relocation, and additions which have any of the following impacts, the “Modifying Party” will need to include these in the notice defined in B2.2.4 if available at the time:

- Any impact to the electrical power arrangements i.e. outage or disruption to the site supply or any specific boards; or where standby power arrangements need to be deployed
- Any impact to the telemetry system i.e. outage or disruption concerning RTU (insert meaning), communication equipment or impact to control and signalling requirements

- Any site restrictions that will prevent the other party accessing the site in full or part i.e. for safety reasons or Construction Design Management (CDM) regulations

6 Impacts & Other Considerations

Does this modification impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?

There is no impact on any Significant Code Review.

Consumer Impacts

There is no impact on consumers on the basis that the Modification is solely associated with Transporter to Transporter obligations set out in UNC OAD.

Consumer Impact Assessment	
Criteria	Extent of Impact
Which Consumer groups are affected?	No consumer impacts identified.
What costs or benefits will pass through to them?	None anticipated.
When will these costs/benefits impact upon consumers?	Not applicable.
Are there any other Consumer Impacts?	Not applicable.

Cross Code Impacts

No other industry codes are affected as these changes only impact NTS and GDNs.

EU Code Impacts

There is no impact on any EU Code.

Central Systems Impacts

There is no impact on any central systems.

Workgroup Impact Assessment

The Workgroup agreed that that the documentation (Modification, Legal Text, Legal Text Commentary, OAD Template Agreement Document and Supplemental Agreements) is suitable for the business rules set out in the Solution section and therefore fit for purpose,

The Workgroup noted that the governance of the OAD Template Agreement Document, Supplemental Agreements and other subsidiary documents is set out in OAD Section N1.2.

It was noted that the proposals in this Modification should have no direct impact on other UNC Parties such as Shipper Users and Independent Gas Transporters as these arrangements concern the management of Offtakes between the NTS and GDNs.

The Workgroup agreed that there should be a gradual migration of sites from the existing supplemental agreements to those set-out in the Modification Proposal in the Supplemental Agreements. The migration approach is captured within the transitional Legal Text Section N1.2. It was noted that it is likely that the next time work takes place on an offtake the supplemental agreement should be updated where the parties agree

or where work is not carried for a period of time, by agreement between the parties. The intent is to migrate to the proposed Supplemental Agreements at a suitable time in future as agreed by the parties.

A consequential impact of the implementation of this Modification proposal will be that there will be a small number of sites (approximately 7), that will now be covered by OAD, that were not previously. These will require new Supplemental Agreements to be put in place. Following a review by the Workgroup, the view was that an implementation period should be agreed between the network operators, and the expectation is that this period would be approximately up to 12 months, although it is noted that the adoption of this timescale is not mandated by this proposal.

Rough Order of Magnitude (ROM) Assessment

No impact on any central systems therefore no ROM required

7 Relevant Objectives

Impact of the modification on the Relevant Objectives:

Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	Positive
b) Coordinated, efficient and economic operation of <ul style="list-style-type: none"> (i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters. 	Positive
c) Efficient discharge of the licensee's obligations.	None
d) Securing of effective competition: <ul style="list-style-type: none"> (i) between relevant shippers; (ii) between relevant suppliers; and/or (iii) between DN operators (who have entered into transportation arrangements with other relevant gas transporters) and relevant shippers. 	None
e) Provision of reasonable economic incentives for relevant suppliers to secure that the domestic customer supply security standards... are satisfied as respects the availability of gas to their domestic customers.	None
f) Promotion of efficiency in the implementation and administration of the Code.	Positive
g) Compliance with the Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	None

Topics within the Modification and assessment against Relevant Objectives

Shared Sites

This section of the Modification facilitates GT Licence relevant objective a) *Efficient and economic operation of the pipe-line system* and b)(i) *Coordinated, efficient and economic operation of the combined pipe-line system* as it provides additional clarity on OAD matters impacting the Gas Transporters in the management of offtakes, thus enabling more effective communication between parties, and a more efficient use of assets contained within their Systems.

Tripartite Arrangements

This section of the Modification facilitates GT Licence objective *f) Promotion of efficiency in the implementation and administration of the Code* by providing clarity in the UNC regarding management of Tripartite Arrangements which are now set out in OAD Template Agreement Document.

OAD Template Agreement Document

This section of the Modification facilitates GT Licence objective *f) Promotion of efficiency in the implementation and administration of the Code* by providing clarity in the UNC regarding information contained in OAD Template Agreement Document and the management of Transporter to Transporter Supplemental Agreements.

Critical National Infrastructure (CNI)

This section of the Modification facilitates GT Licence objective *f) Promotion of efficiency in the implementation and administration of the Code* by providing clarity in the UNC regarding the requirements of CNI, which is a new area to OAD and UNC parties requiring the establishment of rules to allow parties to meet their obligations.

An 'Affected Party'

This section of the Modification facilitates GT Licence objective *f) Promotion of efficiency in the implementation and administration of the Code* by providing clarity in the UNC regarding the criteria for a material impact on an Affected Party.

8 Implementation

As self-governance procedures are proposed, implementation could be sixteen business days after a Modification Panel decision to implement, subject to no Appeal being raised. However, the impacts of implementation are set out in the Workgroup assessment in Section 6 above.

9 Legal Text

Legal Text, the OAD Template Agreement Document and Legal Text Commentary has been provided by Cadent and is published alongside this report. The Workgroup has considered the Legal Text, OAD Template Agreement Document and Legal Text Commentary and is satisfied that it meets the intent of the Solution.

Text Commentary

Published alongside this Report.

Text

Published alongside this Report.

10 Consultation

Panel invited representations from interested parties on 16 April 2020. The summaries in the following table are provided for reference on a reasonable endeavours' basis only. It is recommended that all representations are read in full when considering this Report. Representations are published alongside this Final Modification Report.

Implementation was unanimously supported in the 5 representations received.

Representations were received from the following parties:

Organisation	Response	Relevant Objectives	Key Points
Cadent	Support	a) - positive b) - positive f) - positive	<ul style="list-style-type: none"> • Believes the Modification provides clarity and removes ambiguity within parts of OAD, which furthers the promotion of efficiency in the implementation and administration of the Code, by: <ul style="list-style-type: none"> • Allowing for Multiple Site Users (Tripartite) at an offtake site; • Updating the Supplemental Agreement (Recitals / Appendices and renaming to the OAD Template Agreements Document); • Adding a new area not currently covered by OAD - Site Security Arrangements for Critical National Infrastructure (CNI) sites; and • Adding criteria to the material impact on an Affected Party. • Believes that this Modification also addresses shortcomings in the Supplemental Agreement Template, which has been updated to only include those areas considered relevant by all the Gas Transporters and ensures that the OAD has been updated to allow for different types of Offtake that currently exist but not covered (Shared Sites), this enables more effective communication between parties, and more efficient utilisation of assets contained within their systems. • Supports the self-governance status with a transitional approach regarding Supplemental Agreements with an agreed implementation date to be agreed between the Transporters following Panel agreement. • No impacts identified on Shipper Users or central system changes. Any impacts on Transporters should be considered business as usual, therefore no additional costs are anticipated. • Is satisfied that the legal text meets the intent of the proposed solution.
National Grid NTS	Support	a) - positive b) - positive f) - positive	<ul style="list-style-type: none"> • Considers that the Modification furthers the promotion of efficiency in the implementation and administration of the Code by providing clarity in the UNC regarding the requirements for: <ul style="list-style-type: none"> • Site Security: under certain scenarios the expectation is that the Site User will be responsible for site security, OAD obligations currently prohibits this and therefore a change and clarity to the existing obligations is

			<p>required.</p> <ul style="list-style-type: none"> • Closed NTS to LDZ site and Shared sites (no offtake): this provides definitions and clarity when these sites in exceptional circumstances may be required to flow gas. • Incorporation of the new OAD Template Agreement document will enable Connection Facilities and other assets to be documented in line with Workgroup discussions. • Tripartite Sites: enables the site services party to sign onto the Supplemental Agreement when there are multiple Site Users at an Offtake site. • Supports the self-governance status and implementation timeline noting that the gradual migration to the proposed OAD Template Agreement will be managed on a bi-lateral basis between National Grid and each of the Distribution Networks. • No additional costs identified. • Is satisfied that the legal text delivers the intent of the solution as proposed.
Northern Gas Networks	Support	a) - positive b) - positive f) - positive	<ul style="list-style-type: none"> • Supports the Modification as the additional clarity for, and proposed updates to, sections of the Offtake Arrangements Document (OAD) should mean it is aligned with current processes and make it easier for Transporters to manage offtakes, operational arrangements and associated obligations. • Supports the self-governance status as it should have no material impact on parties or end consumers. It is only seeking to clarify arrangements for Transporter Networks, address process gaps and bring the OAD in line with industry changes since its creation in 2005. • Supports implementation after 16 business days. • No analysis, development or ongoing costs have been identified. • Is satisfied that the legal text provided should deliver the Solution set out in the modification.
SGN	Support	a) - positive b) - positive f) - positive	<ul style="list-style-type: none"> • Supports the Modification as it will update several areas of the Offtakes Arrangement Document (OAD) that have not been amended since 2005. The changes being made will enhance the Supplemental Agreements that are in place between parties, will enhance the management of the records that are shared between parties and will help alleviate ambiguity by adding clarity to several areas of the Offtake Arrangements Document namely Tripartite Arrangements. Shared Sites while a new section of the

			<p>Offtake Arrangements Document will be added to include Critical National Infrastructure site arrangements which will allow parties to meet their obligations.</p> <ul style="list-style-type: none"> • Supports the self-governance status on the basis that the changes will have no material impact on the Shippers or Gas Consumers. The changes being proposed will bring the Code in line with industry changes that have taken place since 2005. • Agrees with the proposed self-governance implementation lead time, supporting the gradual migration of sites from the existing Supplemental Agreements to the new Supplemental Agreement templates. • Has not identified any additional costs associated with implementation. • Is satisfied that the legal text delivers the intent of the solution as proposed.
Wales & West Utilities	Support	a) - positive b) - positive f) - positive	<ul style="list-style-type: none"> • Supports this Modification, agreeing that certain sections of OAD have been unclear and ambiguous at times which have resulted in differing interpretations by the GDNs. The proposed Modification will make the sections clearer and add sections that were not included in the original OAD. The proposed Supplemental Agreement will be more comprehensive and will enable the GDNs to capture more equipment detail and at the same time aid clarity over ownership of the equipment. • Agrees that the Modification satisfies the self-governance criteria. • Supports implementation after 16 business days as there is no reason for any delays and enable the 0646R review group to move onto next Phase. If the Modification is approved, the GDNs will be tasked with updating their own portfolio of Supplemental Agreements with the agreement of NTS. • Is satisfied that the legal text delivers the intent of the solution as proposed.

Please note that late submitted representations will not be included or referred to in this Final Modification Report. However, all representations received in response to this consultation (including late submissions) are published in full alongside this Report and will be taken into account when the UNC Modification Panel makes its assessment and recommendation.

11 Panel Discussions

12 Recommendations

Panel Determination

Members agreed that Modification 0683S should [not] be implemented.