

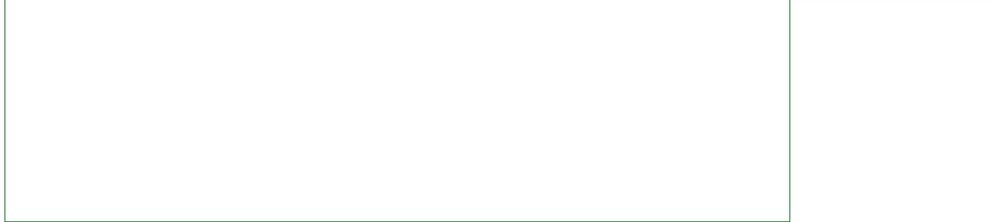
UNC Modification	At what stage is this document in the process?
<h1>UNC 0860:</h1> <h2>Clarify impact of exit capacity holdings on offtake rights</h2>	<div style="display: flex; flex-direction: column; gap: 5px;"> <div style="border: 1px solid green; background-color: #28a745; color: white; padding: 2px; display: flex; align-items: center; justify-content: center;">01 Modification</div> <div style="border: 1px solid #17a2b8; padding: 2px; display: flex; align-items: center; justify-content: center;">02 Workgroup Report</div> <div style="border: 1px solid #ffc107; padding: 2px; display: flex; align-items: center; justify-content: center;">03 Draft Modification Report</div> <div style="border: 1px solid #ffc107; padding: 2px; display: flex; align-items: center; justify-content: center;">04 Final Modification Report</div> </div>
<p>Purpose of Modification:</p> <p><u>To clarify that NTS Registered Capacity holdings are a financial instrument, and instrument and should not affect the operational NTS offtake rights of the holder. The proposal includes removing the limit linked to a User's exit capacity holdings from the Permitted Rate of Offtake in an Offtake Profile Notice. Additionally, it is proposed that a clause be added to clarify, for the avoidance of doubt, that the reduction or discontinuance of the offtake of gas at Exit Points may only be enforced in accordance with the provisions of TPD Section Q – Emergencies. To remove redundant text that implies that Users, who do not hold Exit Capacity, might have increased risk of not being able to offtake gas in the short term, and add text that clarifies the rights of Users to offtake gas from the System.</u></p>	
<p>Next Steps:</p> <p>The Proposer recommends that this Modification should be:</p> <ul style="list-style-type: none"> considered a material change and not subject to <u>Self-Governance</u> Self-Governance. assessed by a <u>Workgroup</u> Workgroup. <p>This Modification will be presented by the Proposer to the Panel on 19 October 2023. The Panel will consider the Proposer's recommendation and determine the appropriate route.</p>	
<p>Impacted Parties:</p> <p>High: Shippers,</p> <p>Low: Gas Transporters, Distribution Network Operators</p>	

Formatted: Normal, Indent: Left: 0 cm, Right: 0 cm, Tab stops: 16.5 cm, Left

Impacted Codes:

None

Contents		?	Any questions?
1	Summary	3	Contact: Joint Office of Gas Transporters
2	Governance	54	 enquiries@gasgovernance.co.uk
3	Why Change?	54	 0121 288 2107
4	Code Specific Matters	76	Proposer: Lauren Jauss RWE Supply & Trading GmbH
5	Solution	76	 lauren.jauss@rwe.com
6	Impacts & Other Considerations	86	 07825 995497
7	Relevant Objectives	97	Transporter: David Mitchell SGN
8	Implementation	108	 david.mitchell@sgn.co.uk
9	Legal Text	108	 07799 343082
10	Recommendations	108	Systems Provider: Xoserve
			 UKLink@xoserve.com
Timetable			
Modification timetable:			
Pre-Modification Discussed	July 2023		
Date Modification Raised	05 October 2023		
New Modification to be considered by Panel	19 October 2023		
First Workgroup Meeting	02 November 2023		
Workgroup Report to be presented to Panel	15 February 2024 ⁴³		
Draft Modification Report issued for consultation	15 February 2024 ⁴³		
Consultation Close-out for representations	07 March 2024 ⁴³		
Final Modification Report available for Panel	11 March 2024 ⁴³		
Modification Panel decision	18 April 2024 ⁴³		



1 Summary

What

UNC TPD Section J – Exit Requirements - includes clauses specifying that Transporters are not “obligated to make gas available” to Users at Exit Points or Supply Points if they do not hold Registered Exit Capacity, and that the rate of offtake in an Offtake Profile Notice shall not exceed or if 1/24th of that User’s Registered Exit Capacity_ does not adequately cover the User’s hourly gas offtake profile.

This text implies that Transporters might:

- -be permitted to: differentiate between Users based on their Registered Exit Capacity holdings when planning gas deliveries to Exit Points in the short term; or
- reject Offtake Profile Notices (OPNs) on the basis of a User’s Registered Exit Capacity holdings; or
- instruct _enforce or take action against any Users power generators and industrial Users_ to reduce or discontinue offtake of gas before a Stage 2 Network Gas Supply Emergency (NGSE) if they do not hold the corresponding capacity

The above points were discussed at an Exit Constraints webinar held by National Gas on 16 December 2022, and clarified in a [Q&A Document](#), subsequently written and published by National Gas.

The Q&A Document says “OPNs are not considered in relation to capacity entitlements as both may change during a Gas Day” and “We can only legally direct a CCGT to cease taking gas when a Stage 2 NGSE is in force. Other forms of disconnection would be market or contract based.”

This webinar and Q&A document largely confirms what the proposer believes is common understanding and common practice for NTS operation, but appears to be inconsistent with the rights and obligations set out in the UNC.

The proposer believes that the obligations of Transporters to “make gas available” need to be clarified in UNC TPD Section J, so it is clear to Users what rights their Exit Capacity holdings convey, and therefore inform their capacity procurement strategy.

The points above were also discussed and are recorded in the [Transmission Workgroup minutes from 01 June 2023](#), where a workgroup participant “noted that there appear to be large sections of text in the Code that are superfluous.”

Why

The National Emergency Plan for Downstream Gas and Electricity describes scaling-back release of daily firm exit capacity as a pre-Network Gas Supply Emergency (NGSE) measure. However, under the relatively new "Postage Stamp" gas transmission charging arrangements, NTS direct connect Users with variable offtake are incentivised and assumed to match their capacity requirements as accurately as possible by buying in short term day ahead or within day auctions. Therefore, if release of obligated exit capacity is restricted in the short term, and offtake is subsequently restricted to capacity holdings, then National Gas can curtail offtake of power stations and large industrial Users in pre-NGSE stages. The proposer believes that this is not the intention of the emergency arrangements, and that when drafted it was only non-essential offtake that was expected to be impacted pre-NGSE. The proposer understands that in pre-NGSE stages there is no coordination between National Gas and NESO to manage the whole energy system.

The proposer also believes that the Postage Stamp charging arrangements were developed to be an efficient cost recovery mechanism for a network with ample capacity, and were not designed for scenarios with restricted network access such as pre-NGSE. Nearly all the analysis that has been undertaken to support code modification decisions and to arrive at the most optimal solution have assumed that Users' capacity procurement perfectly matches their actual flows. However, the low-probability/high-impact risk that National Gas might scale-back release of daily firm exit capacity and restrict access to the network in pre-NGSE stages has been one of the main drivers of directly connected NTS Users' capacity procurement strategies over the last few years. As a result, many Users may be over-buying gas Exit Capacity in long term auctions because they think it might reduce their risk of not being able to offtake gas in the short term. Users will be prepared to pay for an increasing amount of capacity, with decreasing probability of their customers flowing against it, if they think the cost of the risk of not having access to gas outweighs the cost of capacity. This risk and hence capacity cost might be borne by Shippers and passed through to customers in overall contract pricing or could be borne directly by some customers depending on contractual arrangements. Meanwhile, this increased Exit Capacity procurement contributes to an increased probability of over-recovery of allowed revenue. It is difficult to forecast this over-buying when setting Forecasting Contracted Capacity and calculating capacity Reserve Prices. If it is not anticipated, the increase in Exit Capacity costs for some Users will not translate into reduced Reserve Prices and hence reduced costs for all other Users During the same Gas Year.

How

.It is proposed that text in UNC TPD Section J – Exit Requirements, that apparently relieves Transporters from making gas available if a User does not hold Registered Exit Capacity, is removed. This will not make Transporters liable to pay a User who does not hold Exit Capacity compensation. This is because the compensation that would be due would remain as a multiple of a User's Exit Capacity holdings, so if a User does not hold the relevant Exit Capacity, they would still not be eligible for compensation anyway.

It is also proposed that the legal text should be added to UNC TPD Section J should be amended to clarify that a site that submits an Offtake Profile Notice (OPN) would not have this rejected for the reason of not holding the corresponding 1/24th Exit Capacity and that Exit Capacity holdings do not affect a User's operational entitlement to offtake gas from the NTS (but may impact their charges).

It is further proposed that the rights and obligations of Transporters to "make gas available" need to be clarified by adding text be added to TPD Section Q – Emergencies – to clarify that the reduction or discontinuance of the offtake of gas at Exit Points may only be instructed/enforced in accordance with the provisions of that section of

the UNC, and for the avoidance of doubt, is unaffected by whether a User holds the relevant Exit Capacity or not.

2 Governance

Justification for ~~Self-Governance~~ Authority Direction

~~The proposer believes that this proposal would remove the right for National Gas to reject an OPN on the basis of capacity holdings, and is therefore a material change. The proposer believes this Modification proposal should clarify current arrangements and have no impact on intended UNC party's rights, obligations or liabilities.~~

~~National Gas clarified in their Exit Constraints webinar and associated Q&A documentation that they cannot instruct certain Users to reduce or discontinue offtake of gas before a Stage 2 Network Gas Supply Emergency and do not reject Offtake Profile Notices (OPNs) on the basis of a User's Registered Capacity holdings, and the intention of this Modification is to bring those clarifications into the UNC.~~

~~When discussing these proposed amendments at Transmission Workgroup on 01 June 2023, a workgroup participant "asked for it to be recorded in the minutes that if someone wishes to raise a Modification to remove redundant text, which would likely be a Self-Governance Modification but would require lots of scrutiny so it does not unpick anything else in Code, they can do so." (as recorded in section 1.3 of the minutes).~~

Requested Next Steps

This Modification should:

- be considered a ~~non~~-material change and not subject to Self-Governance.
- be assessed by a Workgroup.

3 Why Change?

~~Current legal text implies that Users without capacity have increased risk of not being able to offtake gas from the system in the short term~~ Power stations and industrial Users can be effectively curtailed in pre-Network Gas Supply Emergency stages

The proposer believes that Transporters cannot, and do not, take different within day operational decisions to manage the system depending on a User's Registered Capacity holding. This is because:

- ~~Condition 4F of the Gas Transporter licence says "The licensee must offer access to its system in line with the Act and the Directive. Where access to the system is refused duly substantiated reasons shall be given".~~
- ~~A User's principal right to use the Total System is set out in UNC TPD B1.1.1.~~
- ~~Circumstances where the Transporter has the right to instruct a User to reduce or discontinue offtake of gas (for Example in a Stage 2 Gas Emergency) are specifically defined in the UNC. The proposer is not aware of any specific circumstances where the Transporter can take actions that impact a User's ability to offtake of gas just because they do not hold Registered Exit Capacity.~~
- ~~In a webinar held on 16 December 2022, and associated Q&A documentation released on 02 February 2023, National Gas confirmed that they can "only legally direct a CCGT to cease taking gas when a Stage 2 NGSE in force" and that "a site that submits an Offtake Profile Notice would not have this~~

rejected for the reason of not holding the corresponding capacity. OPNs are not considered in relation to capacity entitlements as both may change during a Gas Day”.

- The new National Emergency Plan for downstream gas and electricity released July 2023 reinforced the rule that demand reduction for GB customers as a result of a Gas Emergency does not occur before Stage 2 or higher (at which time Transporters are relieved of all obligations to make gas available, regardless of whether a User holds Exit Capacity or not).

The proposer also believes that all capacity is an end of day product and is not influenced by an Offtake Profile.

UNC TPD Section J 4.5.2 specifies that “rates of offtake set out in an Offtake Profile Notice (or revised such notice) shall not exceed the Permitted Offtake Rate”, where the Permitted Offtake Rate for an NTS Supply Point and an NTS Connected System Exit Point is currently limited to 1/24th of a User’s Registered Exit Capacity holding. This clause, as drafted, does not permit submission of an OPN reflective of the Users expected offtake when a User expects to overrun, or if a User does not yet hold capacity and intends to buy it in a forthcoming auction. The proposer believes that these circumstances arise frequently, and hence the submission of OPNs in excess of 1/24th capacity holding, not adhering to clause 4.5.2, is common practice. As a result, Users may be unaware of this potential restriction, or not expect it to be enforced, especially since it appears inconsistent with other rights and obligations in other parts of the UNC.

In a “Rules On” situation (UNC TPD C1.8), Users are required to follow their OPN, but and the proposer understands that National Gas intends to correspondingly enforce Section J 4.5.2 and reject any OPNs there is no obligation to offtake in that exceed a User’s 1/24th manner based on Exit Capacity holdings. The proposer believes that the scaling back of release of daily firm exit capacity in pre-NGSE stages is intended as a commercial incentive and not as an operational restriction that will affect critical national infrastructure such as power generation.

Under current arrangements, compensation is calculated as a multiple of the User’s Registered Exit Capacity holding in respect of the gas that was not made available, so if no Exit Capacity is held, then no compensation is due. The clauses that essentially specify that Transporters must hold Exit Capacity to be eligible for compensation in the first place are therefore superfluous.

Unnecessary increased costs are incurred by incentivising variable Users to buy capacity in long term auctions

Clarity of the rights and obligations that holding Registered Exit Capacity conveys is essential in a User’s decision as to when and how much Exit capacity to buy for their customers’ offtake requirements. A key risk for Users and customers is whether they will be able to access Exit Capacity in short term auctions. This risk even exists at dedicated User Exit Points which have plenty of obligated capacity, because National Gas currently has the right, in certain circumstances pre-NGSE stages, to restrict the quantity of daily firm NTS Capacity made available.

If a User or customer believes there is a risk that they may not be able to access Exit Capacity in short term auctions, and that holding capacity might reduce their risk of not being able to offtake gas from the system, then the User or customer is incentivised to buy more Exit Capacity in long term auctions. Customers with uncertain future offtake are more likely to require their Shipper buy Exit Capacity that covers all their possible offtake, even if they consider that flowing against all that capacity is very unlikely.

The proposer believes that the current charging arrangements are designed with the intent and expectation that Users pay for their flow on the system, and that they will not tend to significantly over-buy Exit Capacity. Ofgem’s decision to implement UNC678A was based on modelling results provided by CEPA, which included assumptions that market participants would be able to profile capacity bookings close to actual flows using short-

term capacity products (e.g. daily and within day capacity products), thus minimising the costs associated with over-booking of capacity.

Historically, gas-fired power generators have often operated with relatively high levels of output. As renewable penetration increases, gas-fired power generators will increasingly be operating as peaking plant, in some cases generating on average as little as 10% of their annual maximum possible generation. As described above, it is assumed that variable offtake Users will buy Exit Capacity to match their flows, and therefore it would be highly inefficient from a capacity charging perspective for these Users to procure as much as 10 times their total capacity requirement, but they may consider this to be the right strategy for them if they are concerned about the inability to offtake gas from the system.

The proposer believes that encouraging Users and customers to decide to buy more Exit Capacity further ahead in time, in overall quantities that are far greater than they are likely to need, is not beneficial for system operation or planning and is not likely to be cost efficient. Users who know they are likely to have over-bought Exit Capacity for their customers also know that they will pay a higher proportion of total transmission costs and will aim to recover those costs during that year. Other Users are not likely to be able to benefit from conversely paying a lower proportion during the same year because National Gas are unlikely to be able to accurately estimate over-buying in their Forecasted Contracted Capacity calculation in order to reduce Reserve Prices.

4 Code Specific Matters

Reference Documents

[Transmission Workgroup minutes from 01 June 2023](#) (see section 1.3)

[National Gas Exit Constraints Webinar 16 December 2022 Q&A document](#)

[National Emergency Plan for downstream gas and electricity](#)

[UNC TPD Section J - Exit Requirements](#)

[UNC TPD Section Q - Emergencies](#)

5 Solution

Proposed business rules:

1. The role of NTS Registered Capacity holdings are as a financial instrument and a hedge against overrun charges, and they should not impact the operational NTS offtake rights of the holder.
2. A User's entitlement to offtake gas from the system (i.e. the maximum permitted rate) should not be affected by a User's NTS Exit Capacity holding.
3. The Permitted Offtake Rate for an Offtake Profile Notice (OPN) for any NTS Exit Point shall not be restricted or affected by a User's NTS Exit Capacity holding: an OPN should contain a User's best estimate of their expected offtake.
4. For the avoidance of doubt, the reduction or discontinuance of the offtake of gas at Exit Points may only be instructed and enforced in accordance with the provisions of UNC TPD Section Q – Emergencies

It is proposed that:

- ~~relevant sections of the text in Section J, which state Transporters are not obligated to make gas available if a User does not hold Registered Exit Capacity, are removed. Calculations of compensation due to Users if Transporters do not make gas available remain unchanged~~
- ~~text be added to TPD Section J to clarify that a site that submits an OPN would not have this rejected for the reason of not holding the corresponding Exit Capacity.~~
- ~~text be added to TPD Section Q – Emergencies – to clarify that the reduction or discontinuance of offtake of gas at Exit Points may only be instructed in accordance with the provisions of that section of the UNC, and for the avoidance of doubt, is unaffected by whether a User holds Exit Capacity or not.~~

6 Impacts & Other Considerations

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

No

Consumer Impacts

- Improved safety and reliability due to increased security of supply of electricity
- Lower bills than would otherwise be the case due to Rreduced over-buying of Exit Capacity, and hence a more even distribution of transmission costs according to use of the system and reduction of over-recovery in revenues, is likely to lead to reduced prices and hence reduced costs to large consumers.

What is the current consumer experience and what would the new consumer experience be?

No impact

Impact of the change on Consumer Benefit Areas:

Area	Identified impact
<p><u>Improved safety and reliability</u></p> <p><u>Increased security of supply of gas and electricity due to more coordinated cross-vector management of gas offtake and electricity generation as intended during a declared NGSE. No change to system operation and management</u></p>	<p>None<u>Positive</u></p>
<p><u>Lower bills than would otherwise be the case</u></p> <p>This Modification is most likely to impact Exit Capacity procurement strategies of Shippers for Very Large Consumers such as CCGTs or large industrials, who may as a result reduce their over-buying of Exit Capacity and in turn reduce the costs of their products to their customers.</p>	<p>Positive</p>
<p><u>Reduced environmental damage</u></p> <p>None</p>	<p>None</p>

Improved quality of service None	None
Benefits for society as a whole None <u>Increased security of supply of gas and electricity</u>	None <u>Positive</u>

Cross-Code Impacts

None

EU Code Impacts

None

Central Systems Impacts

None

7 Relevant Objectives

Impact of the Modification on the Transporters' Relevant Objectives:

Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	None
b) Coordinated, efficient and economic operation of (i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters.	None
c) Efficient discharge of the licensee's obligations.	None
d) Securing of effective competition: (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.	Positive
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.	None
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

8 Implementation

As ~~this modification would bring the UNC in line with common practice, Self-Governance procedures are proposed,~~ implementation could be sixteen business days after a Modification Panel decision to implement, subject to no Appeal being raised.

9 Legal Text

Legal text ~~will be drawn up by the relevant Transporter at a time when the Modification is sufficiently developed~~ is provided, attached.

10 Recommendations

Proposer's Recommendation to Panel

Panel is asked to:

- Refer this proposal to a Workgroup for assessment.