

## **UNIFORM NETWORK CODE - TRANSITION DOCUMENT**

### **PART III – OFFTAKE ARRANGEMENTS DOCUMENT**

#### **1. Introduction and Commencement**

- 1.1 In this Part III defined terms shall have the meanings given to them in or for the purposes of the Offtake Arrangements Document.
- 1.2 The arrangements provided for in the Offtake Arrangements Document:
  - (a) shall be effective with respect to the operation of the Parties' Systems and flows of gas at Offtakes with effect on and from the First Day; but
  - (b) shall come into force (for the purposes, inter alia, of enabling the doing of any thing which may be required to be done in relation to but in advance of the First Day) upon the (earlier) date of the Transporter's Framework Agreement.

#### **2. OAD Section B**

- 2.1 For the purposes of OAD Section B3.9, as at the First Day, the prevailing Site Schedule of Responsibilities relating to each Offtake Site is the site schedule of responsibilities established by National Grid and prevailing as at the Last Day for each Offtake Site.

#### **3. OAD Section C**

- 3.1 For the purposes of OAD Section C2, as at the First Day, the prevailing versions of Emergency Procedures E1, E2 and E3 are the prevailing emergency procedures (referred to as T/PME/1, T/PME/2 and T/PME/3 prepared by National Grid and prevailing as at the Last Day.
- 3.2 For the purposes of OAD Section C3, as at the First Day, the prevailing version of SCO-IP is the version prepared by National Grid and known as 'Process for controlling work on sites containing both NTS and Network operational equipment' and dated as of the First Day.
- 3.3 For the purposes of OAD Section C4, as at the First Day, the prevailing Site Emergency Procedures relating to each Offtake Site are the site emergency procedures established by National Grid and prevailing as at the Last Day for each Offtake Site.
- 3.4 For the purposes of OAD Section C5, as at the First Day, the prevailing GSSERs relating to each Offtake Site are the general site safety and environmental requirements established by National Grid and prevailing as at the Last Day for each Offtake Site.

#### **4. OAD Section D**

- 4.1 For the purposes of OAD Section D3.1.1, as at the First Day, the prevailing Validation Procedures are the documents known as T/PR/ME2 Parts 1, 2 and 3 and T/PR/GQ/3 established by National Grid and prevailing as at the Last Day.
- 4.2 For the purposes of OAD Section D3.2.5, as at the First Day, Routine Validation of any Measurement Equipment shall be treated as last carried out upon the date on which National Grid last carried out routine validation thereof before the date of this Document.

#### **5. OAD Section G**

- 5.1 For the purposes of OAD Section G, the draft, final and updated maintenance programmes (relating to maintenance of one System which may affect another) established by National Grid and prevailing at the Last Day shall be treated on and with effect from the First Day as draft, final and updated Maintenance Programmes prepared (as appropriate) by each Party and provided to each affected Party.

**6. OAD Section H**

- 6.1 For the purposes of OAD Section H, each Party shall be treated, as at the First Day, as having provided the information (relating to historic and forecast development of demand) prepared by National Grid (in relation to the relevant LDZ) and prevailing as at the Last Day.

**7. OAD Section I**

- 7.1 Offtake Profile Notices, pressure requests and requests for reduced pressure in relation to the First Day shall be established by the Parties as provided in paragraph 1.2 above.
- 7.2 For the purposes of the application (in relation to the Formula Year in which the First Day falls) of OAD Section I5.3.2, Interruption (pursuant to the National Grid Network Code) of an Interruptible LDZ Supply Point on Days in that Formula Year up to the Last Day:
- (a) shall be counted in the term 'AI';
  - (b) shall be treated as Interruption pursuant to an Interruption Instruction given by National Grid NTS (and counted in the term 'NI') if such Interruption was required:
    - (i) pursuant to Section G6.7.3(a) of the National Grid Network Code, in respect of a Transportation Constraint affecting the NTS; or
    - (ii) pursuant to Section G6.7.3(c) of the National Grid Network Code.

**8. OAD Section J**

- 8.1 For the purposes of OAD Section J, the statements (setting out planning data in relation to LDZ/LDZ Offtakes) prepared by National Grid and prevailing at the Last Day shall be treated on and with effect from the First Day as Offtake Parameter Statements prepared by the upstream Party in relation to such LDZ/LDZ Offtakes and provided to the downstream Party.

**9. OAD Section M**

- 9.1 For the purposes of OAD Section M, as at the First Day, the prevailing Offtake Communications Document is the document of that title prepared by National Grid and dated as of the First Day.

**10. OAD Section N**

- 10.1 For the purposes of OAD Section N8, as at the First Day, the prevailing members and chairman of the Offtake Committee are the persons nominated as such by National Grid on or before the Last Day.

## **PART IV – MODIFICATION RULES**

### **1. Modification Panel**

#### **1.1 Prior to the First Day:**

- (a) the Transporters have nominated (by notice to National Grid) not more than five (5) individuals to be Transporters' Representatives; and
- (b) the Designated Person has nominated (by notice to National Grid) not more than five (5) individuals to be Users' Representatives.

#### **1.2 With effect from the First Day, the Voting Members of the Modification Panel shall be:**

- (a) the individuals so nominated by the Transporters, as Transporters' Representatives; and
- (b) the individuals so nominated by the Designated Person, as Users' Representatives.

#### **1.3 All individuals appointed to the modification panel as non-voting members as at the Last Day shall be deemed with effect from the First Day to continue in that appointment as non-voting Members of the Modification Panel.**

#### **1.4 Prior to the First Day the Transporters have nominated (by notice to National Grid) an individual to be the Panel Chairman and an individual to be his deputy and with effect from the First Day the Panel Chairman and his deputy shall be the individuals who have been so nominated by the Transporters.**

#### **1.5 The individuals appointed as secretary (and deputy secretary) to the modification panel as at the Last Day shall be deemed with effect from the First Day to continue in that appointment as Secretary (and deputy Secretary) to the Modification Panel.**

### **2. Modification Proposals**

#### **2.1 Where, as at the Last Day:**

- (a) a modification proposal or a third party modification proposal has been made pursuant to National Grid's Network Code; and
- (b) National Grid has not submitted a modification report to the Authority, or (as the case may be) the Authority has not decided whether to direct that the relevant modification be made or (as the case may be) to consent to the relevant modification

the modification proposal or third party modification proposal shall be deemed with effect from the First Day to be a Modification Proposal or Third Party Modification Proposal as the case may be (identical in its purpose and effect to the modification proposal or third party modification proposal) made in respect of the Uniform Network Code in accordance with the Modification Rules.

#### **2.2 Where, as at the Last Day:**

- (a) the Authority has directed National Grid to make (or consented to National Grid making) a modification to National Grid's Network Code with effect from an implementation date after the Last Day; and

- (b) National Grid has not modified National Grid's Network Code in accordance with such direction or consent

the Transporters shall as soon as practicable on or after the First Day apply to the Authority for consent (pursuant to Standard Special Condition A11(13)(b) of their Transporter's Licences) to modify the Uniform Network Code in accordance (mutatis mutandis) with such direction or consent, and (if the Authority so consents) shall modify the Uniform Network Code in accordance with such consent.

### **3. Application of Modification Rules**

- 3.1 Subject to paragraphs 1 and 2, all steps, acts, circumstances and other things taken, done or existing as at the Last Day under or for the purposes of any provision of Section Y of National Grid's Network Code (as applying generally and in relation to any modification proposal) shall be deemed to be or have been taken, done or existing under or for the purposes of the equivalent provision of the Modification Rules.
- 3.2 Without limitation, the things referred to in paragraph 3.1 include the business conducted by the modification panel, the establishment of and business conducted by any development work group, workstream, or review group, and the preparation and sending to or receipt from any person or body of any agenda, guidelines, draft or final paper, report, representation or other document.
- 3.3 If any question arises as to the stage (under the Modification Rules) which a Modification Proposal or Third Party Modification Proposal is treated (pursuant to paragraphs 2.1 and 3.1) as having reached on the First Day, the Modification Panel shall decide such question after consulting the Authority.

### **4. Interpretation**

In this Part IV 'non-voting member', 'secretary', 'modification proposal', 'third party modification proposal', 'modification report', 'implementation date', 'modification panel', 'development work group', 'workstream', 'review group' or 'review proposal' mean non-voting Member, Secretary, Modification Proposal, Third Party Modification Proposal, Modification Report, Implementation Date, Modification Panel, Development Work Group, Workstream, Review Group or Review Proposal as defined in National Grid's Network Code as in force as at the Last Day.

### **5. Review of Modification Rules**

The Transporters agree, prior to the coming into force of Sections 173 to 176 of the Energy Act 2004, to procure that a review proposal is made for the review of the Modification Rules in the light of the provisions of those Sections.