

**UNC Workgroup 0593 Minutes**  
**Provision of access to data for Price Comparison Websites and**  
**Third Party Intermediaries**  
**Thursday 25 August 2016**  
**at Elexon, 4<sup>th</sup> Floor, 350 Euston Road, London NW1 3AW**

**Attendees**

Andy Clasper	(AC)	National Grid Distribution
Angela Love*	(AL)	ScottishPower
Bob Fletcher (Chair)	(BF)	Joint Office
David Mitchell	(DM)	Scotia Gas Networks
Fraser Mathieson	(FM)	Scotia Gas Networks
James Hill*	(JH)	EDF Energy
Lorna Lewin	(LL)	DONG Energy
Maitrayee Bhowmich-Jewkes*	(MBJ)	RWE npower
Mark Jones*	(MJ)	SSE
Mike Berrisford (Secretary)	(MB)	Joint Office
Rachel Hinsley	(RH)	Xoserve
Sean Hayward	(SH)	Ofgem
Shanna Key	(SK)	Northern Gas Networks
Steve Mullinganie	(SM)	Gazprom
Tahera Choudhury	(TH)	Xoserve

\* via teleconference

Copies of all papers are available at: <http://www.gasgovernance.co.uk/0593/250816>

The Workgroup Report is due to be presented at the UNC Modification Panel by 20 October 2016.

**1.0 Outline of Modification**

SK introduced the modification and explained that it is a 'permissions only', and not a 'services' type of modification, which is not expected to go-live before Project Nexus implementation. The main aim of the modification is that it should facilitate the provision of data, which should then lead to a benefit in competition.

SK advised that the Competition and Market Authority (CMA) orders are currently being drafted with an expected mid September release date. Furthermore, the CMA has indicated that it is keen to work closely with industry parties, especially on aspects such as definitions etc. SM believed that Ofgem had already provided a view on the issue of definitions in the form of the already released / published TPI definitions. Responding, SK briefly referenced the initial representation submitted for the modification by the Utilities Intermediaries Association (UIA) and pointed out that this represents a mainly non-domestic view perspective.<sup>1</sup> BF noted that this initial representation includes Data Protection considerations and how parties should not use these regulations to prevent data being provided which could not be used to specifically identify and individual.

<sup>1</sup> A copy of the initial UIA representation is available to view and/or download from the Joint Office web site at: <http://www.gasgovernance.co.uk/0593>

In acknowledging that a broad definition for Price Comparison Websites (PCW) already exists, SK suggested that perhaps a combination of the various definitions might be appropriate as a form of a starting point on which to build.

BF advised that the modification had previously been the subject of discussion at the 18 August 2016 Panel meeting before going on to indicate that in his opinion, development of suitable legal text for this modification would be crucial, as it is a permission modification and does not directly provide a service. Some parties voiced concerns that the modification, if implemented, could potentially 'open the door' to organisations seeking (industry / marketing) information which is a major worry as this is not the intention of the CMA order. Responding, FM acknowledged that criteria establishment would be a crucial element to the modification and pointed out that the Electricity Market Working Group is already looking into the matter in detail. He then indicated that further consideration by Transporters would be undertaken following the valuable feedback provided. Supporting this view, TC advised that Xoserve would be looking to provide feedback on the wider industry initiatives in due course.

In confirming that the 'original' timeline for the modification was based on it being granted self-governance status, SK acknowledged that the timeline could / would change now the modification is no longer considered to be a self-governance modification.

As the discussions continued, some parties voiced concerns about the potential utilisation of offline bi-lateral agreement discussions should the modification be implemented and it was requested that all related documentation and discussions come through the Workgroup in order to maintain important transparency. BF suggested that perhaps one option would be to raise this as a Distribution Workgroup 'topic' item in order to keep pace with any bi-lateral discussions that might take place should data be requested.

Moving on, BF reminded those present that in order to complete the Workgroup Report at the September meeting, provision of and confirmation of, the final legal text would be required from Northern Gas Networks. SK suggested that the legal text changes (UNC TPD Section V related) would be quite specific as this is simply a 'permissions' type modification.

It was then suggested that further clarification around whether or not this modification relates only to the domestic market sites would be needed in order to avoid this being seen as potentially discriminating behaviour. RH also pointed out that the term 'Transporters Agent' should actually read as 'Transporters Agency'. When TC and SK confirmed that the modification relates to domestic market supply point permissions only, SK agreed to consider amending the modification inline with the points / concerns raised. SM then reminded those in attendance that Third Party Intermediaries (TPI's) are predominately, but not exclusively, non-domestic market organisations.

During a very brief review of the Terms of Reference, RH explained that Xoserve utilises 3<sup>rd</sup> party style contracts (similar to UNC 0574 provisions), rather than non-Code contracts, as referred to in the document.

**New Action 0801: Ofgem (SH) to look to provide clarification around potential definitions applicable to the modification and to confirm whether or not Ofgem would be happy for the modification to reference domestic sites only.**

**New Action 0802: Northern Gas Networks (SK) to consider providing suitable (non confidential / bi-lateral) supporting documentation, along with confirmation that these can be published on the Joint Office web site, for consideration at the next meeting.**

## 2.0 Initial Discussion

### 2.1. Initial Representations

Whilst not discussed in any specific detail, the UIA initial representation was briefly referenced within the discussions undertaken on item 1.0 above.

**2.2. Issues and Questions from Panel**

None raised.

**3.0 Next Steps**

BF confirmed that subject to resolution of the definitions question, provision of non confidential bi-lateral supporting documentation, an amended modification and confirmed final legal text, the Workgroup Report could / would be completed at the September meeting.

**4.0 Any Other Business**

None.

**5.0 Diary Planning**

Further details of planned meetings are available at: [www.gasgovernance.co.uk/Diary](http://www.gasgovernance.co.uk/Diary)

Workgroup meetings will take place as follows:

Time/Date	Venue	Workgroup Programme
10:30 Thursday 22 September 2016	Consort House, 6 Homer Road, Solihull B91 3QQ	Standard Agenda items including: <ul style="list-style-type: none"> <li>• Amended Modification</li> <li>• Consideration of Definitions</li> <li>• Review of Relevant Objectives</li> <li>• Consideration of Wider Industry Impacts</li> <li>• Consideration of Legal Text</li> <li>• Development / Completion of Workgroup Report</li> </ul>

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**Action Table (25 August 2016)**

<b>Action Ref</b>	<b>Meeting Date</b>	<b>Minute Ref</b>	<b>Action</b>	<b>Owner</b>	<b>Status Update</b>
0801	25/08/16	1.0	To look to provide clarification around potential definitions applicable to the modification and to confirm whether or not Ofgem would be happy for the modification to reference domestic sites only.	Ofgem (SH)	<b>Pending</b>
0802	25/08/16	1.0	To consider providing suitable (non confidential / bi-lateral) supporting documentation, along with confirmation that these can be published on the Joint Office web site, for consideration at the next meeting.	NGN (SK)	<b>Pending</b>