

TRANSCO NETWORK CODE MODIFICATION PROPOSAL No. 0664
"Provision of the identity of the incoming supplier to incumbent Meter Asset Managers and
Meter Operators"
Version 1.0

Date: 13/11/2003

Proposed Implementation Date:

Urgency: Non-Urgent

Justification

Transco has been advised of a requirement for a Meter Asset Manager (MAM) or Meter Operator (MO) to be able to obtain the identity of the gas supplier at a Supply Meter Point. MAMs/MOs have informed Transco that it is important for their business processes that they are able to identify this information at an existing Supply Meter Point and where they are the incumbent MAM/MO.

MAMs/MOs are not always informed by the outgoing gas supplier of the identity of the supplier for a Supply Meter Point as such information may not be known to the outgoing gas supplier. Given that the MAM/MO has no contractual relationship with the consumer they are also unable to obtain the gas supplier identity through that route. Without this information MAMs/MOs have expressed concern that they may be unable to contact and establish a contract with a new gas supplier.

Unfortunately, Transco is not permitted to provide the identity of an incoming gas supplier to the incumbent MAM or MO for the following reasons:

1. Section 105 of the Utilities Act explains that where such information is obtained by Transco by virtue of Section 1 of the Gas Act and relates to the affairs of an individual, Transco must not disclose it except with the consent of that individual.
2. The supplier identity is classified as Protected Information as defined by Network Code Principal Document Section V5. Where the supplier identity has been provided by a User it becomes the Protected Information of that User.

The prohibition on disclosure of Protected Information, as set out within Section V5 of the Network Code and by Section 105 of the Utilities Act, does not apply where the disclosure is made :

- in compliance with the conditions of the Transco Licence - Network Code Section V5.5.2.(c)(ii).
- by a Licence holder and is required to be made by a condition of his licence. - Utilities Act Section 105(3)(c).

Transco's Standard Licence Condition 31 does provide for such disclosure under specific conditions which if met would release Transco from Network Code and Section 105 liabilities.

Section V 5.5.2 (a) of the Network Code permits disclosure of Protected Information to which the Protected Party has consented in writing. However, obtaining such consent in each and every case would be complicated and time consuming and therefore impractical.

Therefore to enable the incoming suppliers identity to be issued to the incumbent MAM/MO Modification of the Network Code is required to permit disclosure in accordance with Standard Condition 31 para 2(d)(i). To ensure Condition 31 compliance it should be clarified that Transco would need to disclose supplier identifiers to MAM/MOs, each of which would request such data in its capacity acting on behalf of the relevant User. For the purposes of Network Code each User would be recognising that a request made by the registered MAM/MO (satisfying relevant safeguards) is authorised as a request by its agent. These measures avoid the need for individual authorisation in each case by a User.

Release of the supplier information would be managed through Transco's Request for Information (RFI) bureau by request. Users have expressed a desire for relevant safeguards to be established to prevent the inappropriate release of data. It has, for example, been cited that some MAMs/MOs are suppliers and could use this service as a way of obtaining marketing information.

A registration scheme for MAMs/MOs is therefore being developed by Transco. Passwords would be issued on request and Transco would have the ability to monitor the information requests and where it suspected that the information was being used inappropriately, could revoke access. Misuse of information could represent a breach of the spirit of registration which is aimed at formalising communication between MAMs/MOs and GTs.

Nature of Proposal

Section V5.1 of the Network Code Principal Document identifies Transco's obligations with regard to the disclosure of Protected Information. Transco is currently prevented from releasing such information without the consent of the Protected Party.

Modification of the Network Code is therefore required to establish terms which permit Transco to disclose the supplier identity to the relevant Meter Asset Manager/Meter Operator. These would be based on each User recognising that a request made by the registered MAM/MO (satisfying relevant safeguards) is authorised as a request by the MAM/MO being the User's agent.

Purpose of Proposal

The purpose of this Modification Proposal is to permit Transco to disclose the supplier identity recorded on its Supply Point Register by request to the relevant Meter Asset Manager. This measure is consistent with Transco's GT Licence 'Relevant Objectives' of facilitating the

efficient discharge of Transco's obligations under its Licence and facilitating competition between relevant shippers and between relevant suppliers.

Consequence of not making this change

Transco would not be able to disclose the identity of the relevant supplier upon request from a Meter Asset Manager or Meter Operator.

Area of Network Code Concerned

Principal Document Section V5.

Proposer's Representative

Christopher J Warner (Transco)

Proposer

Sharon D McLaughlin (Transco)

Signature

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