08/04/2004

Dear Colleague,

NOTICE OF IMPLEMENTATION
MODIFICATION PROPOSAL No: 0680

"Recompense in the Event of Late Completion of Works for New System Entry Points"

Please note that Modification Proposal No 0680 will be implemented with effect from 06:00 hours on 13/04/2004. The Final Modification Report, Version 1.0, was signed by Ofgem on 08/04/2004.

The new Network Code text resulting from this Modification follows.

Modified Text:

Draft Legal Text

SECTION B

Amend paragraph 2.11.1 as follows:

"2.11.1 (a) A User shall, subject to paragraph (b) below, pay Capacity Charges . . . at Aggregate System Entry Points.

(b) Where:

(i) pursuant to paragraph 2.2.18 Transco allocates Quarterly System Entry Capacity for the first time at a New Aggregate System Entry Point from a specific date (the "**First Capacity Allocation Date**") but fails to accept gas properly tendered for delivery by a User (for the purpose of this paragraph 2.11.1 a "**relevant User**") at that Aggregate System Entry Point in the period on and following that First Capacity Allocation Date; and

(ii) the reason for such failure is the non commissioning of that Aggregate System Entry Point or any System Entry Point comprised within it; and

(iii) the relevant User both holds Registered Quarterly System Entry Capacity and does properly tender gas for delivery on the relevant Day(s) at that Aggregate System Entry Point,

then no System Entry Capacity Charges shall be payable by that relevant User in respect of such Registered System Entry Capacity at that Aggregate System Entry Point for each Day in the period from the First Capacity Allocation Date to the Day immediately preceding that on which Transco is first able to accept gas properly tendered for delivery by any User. Notwithstanding any other provision of the Code, the provisions of this paragraph (b) shall be the sole and exclusive remedy of Users where Transco fails to accept gas properly tendered for delivery in the circumstances set out above.

Yours sincerely,

Julian Majdanski
Modification Panel Secretary