

## **Membership of the Demand Estimation Sub-committee**

Modification 0331 amended the role and responsibilities of the Demand Estimation Sub-committee (DESC) and allowed the option of creating an additional sub-committee called the Expert Group.

Membership of the DESC is to include up to five (5) Transporter Members and up to five (5) Shipper ?User Members. The Shipper Members are to be elected annually in a process managed by the Joint Office of Gas Transporters (Joint Office).

The Transporters may each nominate one (1) Member as follows:

National Grid Distribution;  
National Grid Transmission;  
Northern Gas Networks;  
Scotia Gas Networks;  
Wales & West Utilities.

**Note:** Should DESC Members be required to vote, e.g. following consideration of the Expert Group recommendations, a maximum of five (5) Transporter and five (5) Shipper votes will be recorded to identify a simple majority. Members can appoint alternatives prior to a vote being taken.

## **DESC Shipper Member Election Process**

### **Option 1**

During the first week of August each year, the Joint Office will circulate a formal invitation (to Shippers registered with it for receipt of UNC notifications), inviting Shippers to nominate a candidate for membership of the DESC, and providing a response template, a date for the response and a contact address.

Shipper Organisations may each nominate one (1) candidate and respond to the Joint Office by the date given and using the template provided. Where five (5) or fewer nominations are received, the Joint Office will notify the nominees that they have been appointed as DESC members with effect from 01 October.

Where more than five (5) nominations are received, the Joint Office will run ?manage an election process by notifying Shippers of

- the candidates' details,;
- the organisation each candidate represents; and
- the closing date for votes.

Shipper Organisations may each vote for one (1) candidate.

The five (5) candidates each receiving the highest number of votes will be elected Members of DESC with effect from 01 October. Ties may require a second round of voting.

## **Option 2**

As for Option 1, except that where more than five (5) nominations are received, the Joint Office will notify the UNCC of the list of candidates for membership of DESC. The UNCC will then determine (how?) which candidates should be Members of DESC with effect from 01 October.

## **Option 3**

During the first week of August each year, the Joint Office will write to the Gas Forum, inviting them to nominate up to five (5) candidates for membership of the DESC. The Gas Forum will then provide the Joint Office with the contact details of the five (5) Shipper Members it has nominated for DESC membership (a week? Two weeks?) prior to 01 October.

## **Current year**

Modification 0331 was implemented on 03 January 2012, which was following the Gas Forum nomination of current Members of DESC.

It is not proposed to instigate a new election process part way through 2011/2012 and that existing Shipper Members should remain as nominated by the Gas Forum.

However, as there are currently eight (8) Shipper Members representing five (5) organisations, should a vote be required then current DESC Members can only exercise one (1) vote per organisation.

## Appendix 1 – UNC General Terms Section B

### 4.2 Functions of Uniform Network Code Committee

4.2.1 The function of the Uniform Network Code Committee shall (subject to paragraph 4.4) be to review such matters concerned with the implementation of the Code and to do such other things as are provided for by the Code.

4.2.2 To the extent that any procedure of the Uniform Network Code Committee is not provided for under this paragraph 4 or pursuant to paragraph 4.1.2, the Uniform Network Code Committee may by panel majority decide upon the procedures to be adopted by it.

### 4.3 Network Code Sub-committees

4.3.1 The Uniform Network Code Committee may by panel majority establish sub-committees (each a "**Network Code Sub-committee**" or, for the purposes of this paragraph 4, a "**Sub-committee**") for the purposes of doing or assisting in doing anything to be done by the Uniform Network Code Committee; and the Uniform Network Code Committee may by panel majority decide that a Sub-committee shall cease to be established.

4.3.2 Where the Code provides for anything to be done by the Uniform Network Code Committee or a relevant Sub-committee, the reference to a relevant Sub-committee is to a Sub-committee established pursuant to this paragraph 4.3 for the purposes of (or including) doing that thing.

4.3.3 A Sub-committee may be established for a fixed period (or for such period as shall be required for a fixed purpose) or on a standing basis.

4.3.4 When establishing a Sub-committee the Uniform Network Code Committee shall determine by panel majority:

- (a) the members of the Sub-committee, or the manner of appointment of such members;
- (b) the basis on which the Sub-committee is to report to the Uniform Network Code Committee and/or to Transporters and Users; and
- (c) the procedures by which the Sub-committee shall conduct its business, provided that (except where the Code expressly provides for such a vote) such procedures shall not require or permit a vote to be taken on any matter.

4.3.5 Each Sub-committee shall be comprised of persons representing the Transporters (one of whom shall, unless otherwise agreed, be the chairman of such Sub-committee), persons representing Users, a person representing the Authority (if the Authority shall nominate such a person) and any other persons whom the Uniform Network Code Committee shall determine shall be members thereof.

4.3.6 Members of a Sub-committee appointed to represent Users shall be appointed having regard to the contribution which they may as individuals make to the business of the Sub-committee and not to the Users by whom they are employed or engaged.

4.3.7 The provisions of this paragraph 4.3 are subject to any express provisions of the Code in relation to any Sub-committee.

4.3.8 In this paragraph 4.3 references to Users include DNO Users.

#### **4.4 No powers to bind**

4.4.1 Except as expressly provided in the Code, neither the Uniform Network Code Committee nor any Sub-committee shall have any power to bind any Party and no decision of the Uniform Network Code Committee or any Sub-committee shall be effective to modify any provision of the Code or the application thereof.

4.4.2 Without prejudice to any requirement under the Code for a Transporter to consult with the Uniform Network Code Committee or any Sub-committee in respect of any matter, no Party may be required to provide to the Uniform Network Code Committee or any Sub-committee any information which such person is not willing so to provide.