

Governance Workstream Minutes

Thursday 15 March 2007

350 Euston Road, London

Attendees

Tim Davis (Chair)	(TD)	Joint Office of Gas Transporters
Alex Campbell	(AC)	E.ON UK
Chris Logue	(CL)	National Grid NTS
Chris Warner	(CWa)	National Grid UKD
Chris Wright	(CWr)	British Gas Trading
John Bradley	(JB)	Joint Office of Gas Transporters
Jonathan Dixon	(JD)	Ofgem
Julian Majdanski	(JM)	Joint Office of Gas Transporters
Liz Spierling	(LS)	Wales & West Utilities
Peter Bolitho	(PB)	E.ON UK
Robert Cameron Higgs	(RCH)	Northern Gas Networks

1.0 Introduction and Status Review

1.1 Minutes from Previous Workstream

Were accepted without amendment.

1.2 Review of Actions

GOV1020: Prepare a discussion document on potential changes to Urgent procedures for February 2007 Workstream

See item 3.0 below

Closed

GOV1021: Review whether there is currently sufficient clarity in respect of effective dates where there is a retrospective aspect to a Proposal

TD was unaware of any current concerns providing that it was recognised that use of historic data did not constitute, of itself, retrospection. This was the case with implementation of Modification Proposals 0094 and 0095. CW suggested that any retrospective aspect should be reflected in the Proposal itself. PBoI agreed with this and also suggested the standard Modification Report headings could include a specific reference to retrospectivity. TD suggested that heading 15 in the Modification Report (Proposed implementation timetable (including timetable for any necessary information system changes) could be reworded to capture this. CWa preferred that an analysis on retrospective aspects should be included in the sections that covered implications for Transporters and Users. The JO agreed to draft proposed amendments to the proforma for the next meeting

Carried Forward

2.0 Modification Proposals

None

3.0 Topics

3.1 011GOV Urgent Proposals

BGT had issued a document "Guidance Note on Best Practice for Urgent Uniform Network Code Modification Proposals" It was agreed that the main discussion on this should be deferred to the next meeting.

CWr confirmed that the note included discouragement of "tactical" use of the Urgent process where a Proposer could/should have submitted the Proposal earlier. JD clarified the Ofgem position that a Modification Panel Recommendation should not be considered as carrying more weight than representations. However, Ofgem did find

a Panel decision useful – even if it was only received as late as the day of decision, providing the draft Final Modification Report was available in good time. TD said that the JO had prepared a flow chart to complement the BGT paper and offered to place it on the JO website. This was agreed.

Action JB

3.2 012GOV Legal Text Aspects of Current Rules

TD reminded the meeting that SGN was preparing a “tidy up” Proposal that would potentially incorporate changes to the legal text. JD stated that Ofgem had concerns with awaiting legal text until it was minded to approve a Proposal and believed that text should in general be prepared for the Final Modification Report. CL suggested providing legal text for every Proposal may not be considered efficient and economic. TD offered that the JO would work with BG and submit proposals to the next meeting.

Action JM

In response to a question on the level of legal text costs, CL suggested that legal costs potentially ranged from less than £100 to £millions. The Transporters agreed to review legal cost data with a view to potentially providing indicative costs for the next meeting.

Action Transporters

JD pointed out that Elexon legal costs are published for each BSC Proposal and could provide a benchmark.

4.0 Any Other Business

5.0 Next Meeting

19 April 2007, following the UNC Committee meeting.

Action Log – UNC Governance Workstream 15 March 2007

Action Ref	Meeting Date(s)	Minute Ref	Action	Owner*	Status Update
GOV 1020	18/01/07	4.0	Prepare a discussion document on potential changes to Urgent procedures for February 2007 Workstream and draft guidelines for March 2007 Workstream.	British Gas Trading (MY/CWr)	Guidelines published Closed
GOV 1021	15/02/07	4.0	Review whether there is currently sufficient clarity in respect of effective dates where there is a retrospective aspect to a Proposal.	Joint Office (TD)	Discussed at March 2007 Workstream. JO agreed to draft amendment to standard Modification Report proforma. Carried Forward
GOV 1022	15/03/07	3.1	Place a flow chart reflecting the Urgent procedure guidelines on the JO website.	Joint Office (JB)	
GOV 1023	15/03/07	3.2	Work with SGN on potential changes to the Modification Rules in respect of legal text.	Joint Office (JM)	
GOV 1024	15/03/07	3,2	Prepare indicative legal costs of recent Modification Proposals	All Transporters	

* key to initials of action owners

MY – Mike Young, CWr - Chris Wright, TD – Tim Davis, JB – John Bradley, JM – Julian Majdanski