












UNC Final Modification Report	At what stage is this document in the process?
<h1>UNC 0611S:</h1> <h2>Amendments to the firm capacity payable price at Interconnection Points</h2>	<div style="display: flex; flex-direction: column; gap: 5px;"> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> <span style="background-color: #00a651; color: white; border-radius: 50%; padding: 2px 5px;">01</span> Modification         </div> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> <span style="background-color: #00a651; color: white; border-radius: 50%; padding: 2px 5px;">02</span> Workgroup Report         </div> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> <span style="background-color: #00a651; color: white; border-radius: 50%; padding: 2px 5px;">03</span> Draft Modification Report         </div> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> <span style="background-color: #00a651; color: white; border-radius: 50%; padding: 2px 5px;">04</span> Final Modification Report         </div> </div>
<p><b>Purpose of Modification:</b></p> <p>This modification seeks to facilitate compliance with the EU tariff code making amendments to the payable price at Interconnection Points (IP)s.</p>	
	<p>The Panel determined that self-governance procedures should apply. The Panel determined that this modification be implemented.</p>
	<p>High Impact:</p>
	<p>Medium Impact: None</p>
	<p>Low Impact: Shippers and National Grid NTS</p>

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Timetable		 Any questions? Contact: <b>Joint Office of Gas Transporters</b>  <a href="mailto:enquiries@gasgovernance.co.uk">enquiries@gasgovernance.co.uk</a>  0121 288 2107 Proposer: <b>Colin Hamilton</b>  <a href="mailto:colin.j.hamilton@nationalgrid.com">colin.j.hamilton@nationalgrid.com</a>  01926 653423 Transporter: <b>National Grid</b> Systems Provider: <b>Xoserve</b>  <a href="mailto:commercial.enquiries@xoserve.com">commercial.enquiries@xoserve.com</a>
<b>Modification timetable:</b>		
Initial consideration by Workgroup	03 March 2017	
Workgroup Report presented to Panel	15 June 2017	
Draft Modification Report issued for consultation	15 June 2017	
Consultation Close-out for representations	06 July 2017	
Final Modification Report available for Panel	10 July 2017	
Modification Panel recommendation	20 July 2017	

# 1 Summary

## What

The EU Capacity Allocation Mechanism (CAM) code was introduced into the UNC via Modification 0500. Since then several changes have been made to the EU CAM code which has resulted in subsequent proposals to change the UNC, namely Modification 0598S which seeks to introduce changes to the auction calendar and Modification 0597 which seeks to introduce a framework and rules to enable the acquiring of incremental capacity at Interconnection Points to take place. Commission Regulation (EU) No. 2017/460 establishing a network code on harmonised transmission tariff structures for gas requires changes to rules governing the payable price for both available and incremental annual firm capacity at interconnection points (IPs). This Modification Proposal seeks to introduce rules into the UNC concerning the payable price for the capacity released under the new incremental process at IPs (to be introduced by Modification 0597) and ensure the rules for the payable price for existing available capacity at IPs is compliant with this new EU Tariff code.

## Why

The EU Tariff code prohibits the use of a fixed payable price approach for available firm capacity at IPs. It also introduces the concept of a mandatory minimum premium that may be applied to the payable price for incremental capacity for situations where the reserve price on its own would fail to pass the economic test for incremental capacity release. This Modification shall ensure compliance with this new EU regulation.

## How

The following changes to the payable price for annual firm capacity at IPs shall be added to the UNC.

- a) Annual Yearly Capacity Auctions
  - The rules governing the payable price for NTS Entry Capacity at interconnections points allocated in an Annual Yearly Auction shall be aligned to that for the treatment of Annual Firm Exit Capacity. Namely, the NTS Auction Price shall be amended for the purpose of calculation the Applicable Daily Rate so that the reserve price element of this payable price shall be redetermined to reflect the prevailing reserve price when the capacity falls due for payment.
- b) For Incremental Capacity at Interconnection Points
  - Incremental capacity may be released either via an auction mechanism, or an alternative allocation mechanism.
  - This Modification shall introduce the concept of a Mandatory Minimum Premium which may be added to the Applicable Payable Price for incremental capacity for situations where the reserve price on its own would fail to pass the economic test for incremental release.

## 2 Governance

### Justification for Self-Governance

Panel determined that Modification 0611S is unlikely to have a material effect on competition and the contractual regime for the transportation of gas through pipes because it is unlikely to materially change the payable price for capacity released at interconnection points in both the Annual Yearly auction and in any incremental release

### Requested Next Steps

This modification should:

- be subject to self-governance

The Workgroup has considered the changes made to the solution and recommends that this modification should now be subject to self-governance procedures, as the modification should not materially impact competition and the contractual regime for the transportation of gas through pipes because it is unlikely to materially change the payable price for capacity released at interconnection points in both the Annual Yearly auction and in any incremental release.

## 3 Why Change?

The EU Tariff code enters force on the 06 April 2017. Changes to the UNC are required to ensure compliance with this regulation. The EU tariff code prohibits the use of a fixed payable price approach for available firm capacity at IPs. It also introduces the concept of a mandatory minimum premium that may be applied to the payable price for incremental capacity for situations where the reserve price on its own would fail to pass the economic test for incremental capacity release. These changes shall principally affect NTS shippers. If the Modification is not implemented GB may not be compliant with EU Regulations.

## 4 Code Specific Matters

### Reference Documents

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2017:072:FULL&from=EN>

### Knowledge/Skills

An understanding of the EU Tariff code and the European Interconnection Document within the UNC would be beneficial.

## 5 Solution

### Annual Yearly Capacity Auctions

The rules governing the Applicable Daily Rate of the Capacity Charge for Annual Yearly Entry will have to be aligned to that for Exit. The daily charge for interconnection point capacity allocated in an annual yearly capacity auction is the NTS Auction Price, which consists of the Reserve Price plus a share of any

auction premium. This Modification proposes to change the NTS Auction Price such that for the purposes of calculating the Applicable Daily Rate the reserve price element shall be redetermined as the reserve price for such Gas Year in the prevailing Transportation Statement.

## Incremental Capacity

With regards to Incremental Capacity it is proposed that the following definitions are introduced:

- a) The role of the **Mandatory Minimum Premium shall be elaborated**. This shall be an additional pricing element that may be applied to the payable price for incremental capacity to enable a positive economic test outcome where the allocation of all incremental capacity at the reserve price calculated via the normal charging methodology would not generate sufficient revenues to pass the test.
- b) The Applicable Daily Rate of the Capacity Charge for when incremental capacity at IPs is released via an Alternative Allocation Mechanism shall be the Reserve Price plus the Mandatory Minimum Premium (where applied). For the purposes of calculating the Applicable Daily Rate, the reserve price shall be redetermined as the reserve price for such Gas Year in the prevailing Transportation Statement.

For the avoidance of doubt, the concept of the Mandatory Minimum Premium shall be included in the code but the mechanism by which it is calculated shall be elaborated in both the entry and exit capacity release methodology statements.

## 6 Impacts & Other Considerations

### Does this modification impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?

No impact identified.

### Consumer Impacts

Slightly positive. This Modification supports the new process for releasing incremental capacity at Interconnection Points which may facilitate the addition of capacity to the GB market which in turn could be an immaterial and indirect benefit to consumers.

#### Consumer Impact Assessment

*(Workgroup assessment of proposer initial view or subsequent information)*

Criteria	Extent of Impact
Which Consumer groups are affected?	<ul style="list-style-type: none"> <li>• Domestic Consumers</li> <li>• Small non-domestic Consumers</li> <li>• Large non-domestic Consumers</li> <li>• Very Large Consumers</li> </ul>
What costs or benefits will pass through to them?	No direct material costs or benefits.
When will these costs/benefits impact upon consumers?	NA
Are there any other Consumer Impacts?	None identified.

## Cross Code Impacts

None identified.

## EU Code Impacts

This UNC Modification proposal demonstrates how GB will comply with the EU Tariff code. There are also links with amendments to the EU CAM code as detailed in UNC Modifications 0597 and 0598.

## Central Systems Impacts

The move from the current fixed price to the new administered price for entry capacity at interconnection points will impact GEMINI. Any system changes to GEMINI will be dealt with as part of National Grid's EU Phase 4 project.

## Workgroup Impact Assessment

The Workgroup reviewed the modification and subsequent amendments provided and recommend that this modification is now sufficiently developed to be issued to consultation.

The assessment included consideration of the following Panel questions:

- Consider the Self-Governance status of the modification and provide a report to Panel.  
Following amendments to and clarification of the modifications intent by the Proposer, the Workgroup recommends that this modification should now be subject to self-governance procedures, because it is unlikely to materially change the payable price for capacity released at interconnection points in both the Annual Yearly auction and in any incremental release.  
The Workgroup recommends the Panel seek wider industry views during consultation to confirm there will be no material impacts on parties prior to deciding on self-governance.
- Will there be any impacts on discounts offered on rates at both system entry or exit points?  
The Workgroup were unable to identify any impacts on discounted rates although it was noted that the Charging Forum were involved in a wider industry review where these aspects could be considered in the whole.

## Rough Order of Magnitude (ROM) Assessment

A ROM is not required for this modification as any costs required for implementation would be included in EU Phase 4 project development activities.

## 7 Relevant Objectives

Impact of the modification on the Relevant Objectives:

Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	None
b) Coordinated, efficient and economic operation of	None

(i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters.	
c) Efficient discharge of the licensee's obligations.	None
d) Securing of effective competition: (i) between relevant shippers; (ii) between relevant suppliers; and/or (iii) between DN operators (who have entered into transportation arrangements with other relevant gas transporters) and relevant shippers.	None
e) Provision of reasonable economic incentives for relevant suppliers to secure that the domestic customer supply security standards... are satisfied as respects the availability of gas to their domestic customers.	None
f) Promotion of efficiency in the implementation and administration of the Code.	None
g) Compliance with the Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	Positive

This modification furthers relevant objective g) because it introduces appropriate changes into the UNC to reflect the requirements of Commission Regulation 2017/460.

## 8 Implementation

No implementation timescales are proposed. The European Commission has specified that this Regulation should come into effect on 06 April 2017 with respect to the mandatory minimum premium; however, the earliest such a premium could apply is Q1 2018 subject to an incremental signal being confirmed following the demand assessment phase in March 2017. The requirement for entry capacity allocated at the annual auction to have a floating price is not required until the annual auction in July 2018. Any Authority decision should take account of these timelines if required.

However, the Workgroup recommends self-governance procedures should be followed, therefore Implementation could be 16 days following a Panel decision to implement. The Workgroup notes that implementation should be no earlier than EU Phase 4 implementation date which is currently planned as 13 August 2017.

## 9 Legal Text

Legal Text has been provided by National Grid NTS and is included below. The Workgroup has considered the Legal Text and is satisfied that it meets the intent of the Solution.

### Text Commentary

Amendment	Comment
EID Section B	

<b>Amend existing paragraph 2.1.5 (g) &amp; (l) to read as follows:</b>	
(g) <b>“Reserve Price”</b> means the price below which Interconnection Point Capacity may not be purchased which shall be set for each Gas Year in accordance with the National Grid NTS Transportation Statement for that Gas Year.	Revised definition to clarify meaning.
(l) <b>“NTS Auction Price”</b> means the NTS Share of the Auction Premium plus:  (i) for the purposes of calculating the Applicable Daily Rate, the Reserve Price prevailing in respect of the period in relation to which the Applicable Daily Rate is payable;  (ii) for the purposes of an Auction, where the Auction relates to a period of one Gas Year, the Reserve Price prevailing in respect that Gas Year , or where the Auction relates to a period of more than one Gas Year, the Reserve Price prevailing in respect the first Gas Year to which the Auction relates ;	Definition expanded to show that the payable price shall float and that this is not the same as the cleared price in an auction.
<b>Amend existing paragraph 2.1.7 to read as follows:</b>	
2.1.7 Notwithstanding paragraph 2.1.6, the Applicable Daily Rate in respect of Interconnection Point Capacity held by a Bacton User at the Bacton IP ASEP or the Bacton UKCS ASEP shall be determined in accordance with TD Part IIE paragraph 4.3.	New 2.1.7 inserted to take account TAR NC Article 35 and ensure that the fixed price element of firm capacity bought at an IP before 6 April 2017 shall not be subject to change by the TAR NC.
<b>EID Section E</b>	
<b>A new section 8 to go into EID section E.</b>	
8 <b>APPLICABLE DAILY RATE FOR INTERCONNECTION POINT CAPACITY</b>  8.1 The Applicable Daily Rate payable in respect of Interconnection Point Capacity shall, notwithstanding TPD Sections B2.11 and B3.12, be the Reserve Price.  8.2 If an economic test is carried out in respect of the allocation of any Interconnection Point Capacity and a mandatory minimum premium (as is referred to in paragraph 4.1.4(d)(i)(3) and calculated in accordance with National Grid NTS’s Entry Capacity Release Methodology Statement or Exit Capacity Release Methodology Statement) is required in order that the economic test is positive such mandatory minimum premium shall be added to the Reserve Price referred to in paragraph 8.1.	New section created to define the payable price (Applicable Daily Rate) in an alternative allocation mechanism. It also points to where calculation methodology can be found for the mandatory minimum premium (i.e Entry and Exit Release Methodology Statements).

## Text

### EID Section B

Amend existing paragraph 2.1.5 (g) & (l) to read as follows:



- (g) **“Reserve Price”** means the price below which Interconnection Point Capacity may not be purchased which shall be set for each Gas Year in accordance with the National Grid NTS Transportation Statement for that Gas Year.
- (l) **“NTS Auction Price”** means the NTS Share of the Auction Premium plus:
- (i) for the purposes of calculating the Applicable Daily Rate, the Reserve Price prevailing in respect of the period in relation to which the Applicable Daily Rate is payable;
  - (ii) for the purposes of an Auction, where the Auction relates to a period of one Gas Year, the Reserve Price prevailing in respect that Gas, or where the Auction relates to a period of more than one Gas Year, the Reserve Price prevailing in respect the first Gas Year to which the Auction relates ;

Amend existing paragraph 2.1.7 to read as follows:

2.1.7 Notwithstanding paragraph 2.1.6, the Applicable Daily Rate in respect of Interconnection Point Capacity held by a Bacton User at the Bacton IP ASEP or the Bacton UKCS ASEP shall be determined in accordance with TD Part IIE paragraph 4.3.

## EID Section E

A new section 8 to go into EID section E.

### 8 APPLICABLE DAILY RATE FOR INTERCONNECTION POINT CAPACITY

- 8.1 The Applicable Daily Rate payable in respect of Interconnection Point Capacity shall, notwithstanding TDP Sections B2.11 and B3.12, be the Reserve Price.
- 8.2 If an economic test is carried out in respect of the allocation of any Interconnection Point Capacity and a mandatory minimum premium (as is referred to in paragraph 4.1.4(d)(i)(3) and calculated in accordance with National Grid NTS’s Entry Capacity Release Methodology Statement or Exit Capacity Release Methodology Statement) is required in order that the economic test is positive such mandatory minimum premium shall be added to the Reserve Price referred to in paragraph 8.1.

## 10 Consultation

Panel invited representations from interested parties on 15 June 2017. The summaries in the following table are provided for reference on a reasonable endeavours basis only. We recommend that all representations are read in full when considering this Report. Representations are published alongside this Final Modification Report.

One representation was received which offered qualified support.

Representations were received from the following parties:

Organisation	Response	Relevant Objectives	Key Points
British Gas Trading	Qualified Support	g - positive	<ul style="list-style-type: none"> <li>• Agrees there is a need to clarify how transportation charges will be established and applied for the provision of capacity at Interconnection Points, including the basis</li> </ul>

			<p>for establishing charges for incremental capacity. The relative timings for the implementation of the revised EU CAM network code and the EU Tariff network code necessitates this modification, since a solution is required before the Tariff code is fully implemented by 31 May 2019.</p> <ul style="list-style-type: none"> <li>• Not wholly convinced that the solution in respect of incremental capacity is conducive to encouraging investment at Interconnection Points, however would expect this to be reconsidered as part of the wider charging review that is currently underway.</li> <li>• Does not agree self-governance is appropriate for this modification.</li> <li>• The proposer has asserted that the text ensures that charges for “legacy” entry capacity contracts (as provided for under Article 35 of the EU Tariff network code) will not be impacted by the proposal and this outcome is important. The presentation of the legal text could have been clearer.</li> </ul>
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Responding parties were also requested to address the following question in their representations.

*Q1: Please provide clear views and supporting evidence on the self-governance status of this modification focusing, in particular, on whether this proposal is likely to have a material impact upon competition in the shipping, transportation or supply of gas.*

Organisation	Key Points
British Gas Trading	<ul style="list-style-type: none"> <li>• In respect of incremental capacity, it is important that potential applicants are not discouraged from making a purchase and that the overall funding, or financial exposure, for the capacity is reasonably shared between applicants and the wider shipper community. This appears to have been properly addressed via this modification and the recent proposed changes to the Capacity Release Methodology Statements. Nevertheless, Ofgem’s views on the application of the economic test should be sought and recorded to help ensure that the balance between direct costs (via User commitment) and socialised costs is appropriate. Ofgem should also be satisfied that the requirements of the EU network codes are being met.</li> </ul>

Please note that late submitted representations will not be included or referred to in this Final Modification Report. However, all representations received in response to this consultation (including late submissions) are published in full alongside this Report, and will be taken into account when the UNC Modification Panel makes its assessment and recommendation.

## 11 Panel Discussions

### Discussion

The Panel Chair summarised that Modification 0611 sought to ensure compliance with the forthcoming EU Tariff code concerning the payable price for the capacity released under the proposed new incremental process under Modification 0597.

Members considered the representations made noting that, of the 2 representations received (including 1 received late), 1 supported implementation and 1 offered qualified support.

Members agreed with respondents that this modification was necessary to ensure compliance with the EU CAM Code, although it was noted that one respondent expressed some concerns as to whether it was conducive to encouraging investment at Interconnection Points. This was believed to be a matter more aligned to the Transmission Charging Review and not material to the specific content of this modification.

Panel considered the Workgroup's and Respondents' views on self-governance, notably that one respondent believed that Ofgem should provide a view on the suitability of the economic test.

Some Members agreed with this view; the Panel Chair reminded Members about the 'presumption of self-governance' approach now in force and asked for evidence to be provided of the material impact on any of the self-governance criteria.

Subsequent to this, Members agreed with the Workgroup that there was no material impact on any of the self-governance criteria. The following self-governance statement was agreed:

Panel determined that Modification 0611S is unlikely to have a material effect on competition and the contractual regime for the transportation of gas through pipes because it is unlikely to materially change the payable price for capacity released at interconnection points in both the Annual Yearly auction and in any incremental release.

### Consideration of the Relevant Objectives

Members considered relevant objective g) *Compliance with the Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators*, agreeing that implementation would have a positive impact because the modification ensured compliance with reflect the requirements of Commission Regulation 2017/460.

### Determinations

Members determined that self-governance procedures should apply.

Members voted unanimously to implement Modification 0611S.

## 12 Recommendations

### Panel Recommendation

Members determined that Modification 0611S should be implemented