MODIFICATION 0666 - ESTABLISHMENT OF A CSS BID GROUP FOR CDSP CENTRAL SWITCHING SYSTEM BID ACTIVITIES

Legal text

DATA SERVICE CONTRACT

CDSP SERVICE DOCUMENTS

CDSP SERVICE DESCRIPTION

Amend the table at paragraph 3.2.3 as follows:

Part B	Direct Services – Non-Code Services	Service Area 3: Record/submit Data in compliance with the UNC Service Area 18: Provision of User Information and Reports Service Area 23: CSS Bid Services

ANNEX A SERVICE DESCRIPTION TABLE

Amend by adding a new Service Line as set out in Annex A.

BUDGET AND CHARGING METHODOLOGY

Amend the table at paragraph 3.1.1 to add a new Service Area as follows:

No.	Service Areas	Shipper Users	National Grid NTS	DN Operators and Independent Gas Transporters	DN Operators	Independent Gas Transporters
23	CSS Bid Services	100%				

TRANSITIONAL ARRANGEMENTS DOCUMENT

Amend paragraph 1.5.2 to read as follows:

...

(f)   paragraph 6 sets out commencement and transitional arrangements in respect of financial provisions of the UNC and the DSC; ~~and~~

(g)   paragraph 7 sets out arrangements relating to certain Costs in connection with the Nexus Modifications; and

(h)   paragraph 8 sets out the arrangements concerning the CSS Bid Group.

Add new paragraph 8 to read as follows:

8   CSS BID GROUP

8.1   Establishment and function

8.1.1   In connection with the activities of the CDSP relating to the submission of a bid by the CDSP in response to the Data Communication Company's ("**DCC**") procurement of services for establishing a central switching service ("**CSS Procurement**") a working group ("**CSS Bid Group**") shall be established (which shall not be a Network Code Sub-committee or a DSC Committee).

8.1.2   The only function of the CSS Bid Group shall be to assist the CDSP in developing the CDSP's bid to the DCC in response to the CSS Procurement and in advising on any subsequent negotiations with the DCC (but not to the extent of participating in any negotiations between the CDSP and the DCC).

8.1.3   The CSS Bid Group shall be autonomous, and the UNC Committee and the DSC Committees have no power to:

(a)   overrule a decision of the CSS Bid Group;

(b)   require the CSS Bid Group to disclose details of the CDSP's bid to, or negotiations with, the DCC.

8.1.4   The CSS Bid Group cannot authorise the CDSP to do anything which is within the scope of the powers of the DSC Committees.

8.1.5   The CSS Bid Group shall be established until such time as the DCC advises the CDSP the CDSP's bid has not been successful, or where the CDSP's bid is successful, the CDSP and the DCC agree the terms on which the CDSP will provide services to the DCC.

8.2   Constitution

8.2.1   The CCS Bid Group shall comprise of representatives of Shipper Users and not of any other Customer Class ("**CSS Group Representatives**").

8.2.2   Each Shipper User shall be entitled to nominate one CSS Group Representative (who shall be an employee of the Shipper User, and not a contractor, third party consultant or other professional adviser) by written notice to the CSS Group Secretary.

8.2.3 Each meeting of the CSS Bid Group shall be chaired by a representative of the CDSP ("**CSS Group Chairperson**"), and such person shall nominate (and may from time to time remove and replace) a person (being a CDSP representative) as secretary ("**CSS Group Secretary**") for the CSS Bid Group.

8.2.4 A CSS Group Representative may be a Committee Representative on a DSC Committee.

8.3 Decisions

8.3.1 It is expected decisions of the CSS Bid Group will generally be consensual, and the CSS Group Chairperson may, in respect of any matter to be decided, invite a CSS Group Representative who objects to indicate his or her objection, on the basis that (in the absence of any such objection) the matter shall be treated as decided by the unanimous approval of all CSS Group Representatives present at the relevant meeting at which the matter was decided.

8.3.2 Decisions of the CSS Bid Group shall not be binding on the CDSP.

8.4 Proceedings of the CSS Bid Group

8.4.1 In respect of meetings of the CSS Bid Group:

(a) the CSS Group Secretary may convene meetings on reasonable notice to the CSS Group Representatives;

(b) meetings may take place by way of telephone, video link or by other interactive means of communication;

(c) the CDSP is entitled and required to attend (by one or more representative) each meeting of the CSS Bid Group; and only representatives of the CDSP and CSS Group Representatives may attend meetings;

(d) a meeting will be quorate where two (2) CSS Group Representatives are in attendance;

(e) decisions of the CSS Bid Group may be made by way of written resolution signed by a quorum of CSS Group Representatives;

(f) the CSS Group Secretary shall maintain minutes of meetings of the CSS Bid Group, but shall not be required to publish the minutes; and

(g) a CSS Group Representative shall not be entitled to appoint an alternate.

8.4.2 A CSS Group Representative shall be required to enter into a confidentiality undertaking with the CDSP (on such terms as the CDSP may require) for the purposes of treating:

(a) information made available by the CDSP to the CSS Bid Group in relation to the CSS Procurement;

(b) the terms of the CDSP's bid to, and negotiations with, the DCC

as confidential information.

8.4.3   Until such time as a CSS Group Representative has provided such an undertaking to the CSS Group Secretary the CSS Group Representative shall not be entitled to attend a meeting of the CSS Bid Group.

8.4.4   The CCS Bid Group shall have no power to bind a Party, and no decision of the CSS Bid Group shall be effective to modify any provision of the DSC or the application thereof.

8.4.5   No Party shall be required to provide to the CSS Bid Group any information which such person is not willing to give.

8.4.6   In discussing any matter with, or making representations to, a DSC Committee, the CDSP shall be entitled to make the DSC Committee aware of (where relevant) the CSS Bid Group's views and opinions on the matter in question.