

06 February 2008

Julian Majdanski
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Dear Julian

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**Uniform Network Code Modification Proposals 0188/0188A –
Introduction into the UNC of the Agency Charging Statement**

Thank you for the opportunity to respond to the above modification proposal. Gaz de France ESS does not support the implementation of either modification proposal.

These modification seek to introduce a precedent to the UNC in two ways, firstly that non-regulated revenue can be recovered under the UNC framework and secondly that a non-code party; Xoserve, as a third party agent is effectively introduced as a UNC contract counterparty. Under both proposals the charging arrangements will be invoiced in accordance with UNC section S. The UNC defines the terms between Transporters and Users and is not designed to incorporate or indeed be used as a vehicle to protect third party interests. Such contracts should remain separate to the UNC and be subject to independent challenge.

In the case of services which are bound by a UNC requirement i.e. “code ACS services”, where invoices are submitted on behalf of the Transporters the proposed approach may be acceptable. In the case of “non-code ACS services”, where fees are paid direct to non-UNC counterparty, this should not be the case.

The Agency Services document itself is currently in draft form only and is incomplete. Appendix 2 which is supposed to detail the methodology by which unit costs have been derived is blank. Users are therefore unable to make an informed judgement on what exactly is to be implemented.

I trust these comments are helpful, if you have any queries regarding this response please contact me on 0113 306 2104.

Yours sincerely



Phil Broom



**Regulatory Affairs Analyst
Gaz de France ESS**