

17/11/2008

Dear Colleague,

**NOTICE OF IMPLEMENTATION
MODIFICATION PROPOSAL No: 0192**

“Introduction of DNO obligations to facilitate resolution of unresolved USRVs”

Please note that Modification Proposal No 0192 will be implemented with effect from 06:00 hours on Saturday 21 February 2009. The Final Modification Report, Version 4.0, was signed by Ofgem on 11 November 2008.

The new Code text resulting from this Modification follows:

Modified Text:

TPD Section E

Add new paragraph 8.4 to read as follows:

“8.4 Resolution of User Suppressed Reconciliation Values by the Transporters

8.4.1 Where a User Suppressed Reconciliation Value remains Suppressed:

- (a) for a period of 30 months following the USRV Month; or
- (b) in the Back Stop Reconciliation Month where it is more than 30 months following the USRV Month;

without prejudice to the User’s entitlement to investigate the User Suppressed Reconciliation Value pursuant to paragraph 8.1.1(b) and (c), the Transporter will commence an investigation of such User Suppressed Reconciliation Value in such 30th month (or in the Back Stop Reconciliation Month) and use its reasonable endeavours to resolve the User Suppressed Reconciliation Value such that it will cease to be Suppressed and such activity will be performed as a User Pays Service.

8.4.2 The USRV User will, irrespective of whether it investigates the User Suppressed Reconciliation Value pursuant to paragraph 8.1.1(b) and (c), pay (in accordance with Section S) to the Transporter a User Pays Charge in respect of such User Pays Service.

8.4.3 A User Suppressed Reconciliation Value which is the subject of an investigation by the Transporter pursuant to paragraph 8.4.1 will cease to be included within the number of User Suppressed Reconciliation Values calculated in accordance with paragraphs 8.3.3 and 8.3.4.

8.4.4 Where requested by the Transporter for the purposes of assisting it with its investigation:

- (a) the User will provide to the Transporter such additional information which is in its possession and may be reasonably obtained by it;
- (b) the User, which at the time of the request is the Registered User of the Supply Point in respect of the User Suppressed Reconciliation Value that is the subject of an investigation by the Transporter pursuant to paragraph 8.4, will facilitate access to the Supply Point Premises at which the Supply Meter Installation is located for the purposes of enabling the Transporter to obtain a Meter Reading and Meter Information;

and the provisions of Section M3.2 shall apply in respect of any changes identified.

8.4.5 Where the investigation by the Transporter pursuant to paragraph 8.4.1 concludes that:

- (a) there is sufficient information to determine that the User Suppressed Reconciliation Value will cease to be Suppressed, the Transporter will notify the USRV User and use the User Suppressed Reconciliation Value for the purpose of calculating the relevant invoice items in a Reconciliation for the relevant Reconciliation Billing Period;
- (b) there is insufficient information to determine that the User Suppressed Reconciliation Value should cease to be Suppressed, the Transporter may, in its discretion, determine that such User Suppressed Reconciliation Value will not be used for the purpose of calculating the relevant invoice items in a Reconciliation for the relevant Reconciliation Billing Period;

and such determination will be final and binding.

8.4.6 Where a User Suppressed Reconciliation Value which is the subject of an investigation by a User pursuant to paragraph 8.1.1, relates to the same relevant Reconciliation Billing Period as applies to the User Suppressed Reconciliation Value which is the subject of an investigation by the Transporter pursuant to paragraph 8.4.1, paragraph 8.4.4 and 8.4.3 shall apply in respect of the User Suppressed Reconciliation Value which is the subject of the paragraph 8.1.1 investigation, notwithstanding that a period of 30 months has not elapsed from the USRV Month for such User Suppressed Reconciliation Value.

8.4.7 “**USRV User**” is the User in respect of the User Suppressed Reconciliation Value which is the subject of an investigation by the Transporter pursuant to paragraph 8.4.1 (irrespective of whether it remains the Registered User of the Supply Point).

General Terms, Section C

In paragraph 1 insert the following definition:

“Back Stop Reconciliation Month” means the month of February 2009.

Yours sincerely,

John Bradley
Modification Panel Secretary