

CODE MODIFICATION PROPOSAL No 0210

Implementation of DNPC03 (LDZ System Charges – Capacity / Commodity Split and Interruptible Discounts), the Alignment of Failure to Interrupt Charges and the Alignment of the IFA Charge

Version 1.0

Date: 09/04/2008

Proposed Implementation Date: 1st October 2008

Urgency: Non Urgent

1 The Modification Proposal

a) Nature and Purpose of this Proposal

In February 2006 Ofgem published their document “Conclusions on the review of the structure of gas distribution charges”. One of the conclusions of this document was that increasing the proportion of capacity related charges would better reflect the actual balance of capacity and commodity related costs of gas distribution. Ofgem also suggested that more cost-reflective charges could have a significant impact on the efficient use of the Distribution assets and help reduce future investment costs. These savings would eventually be reflected in lower charges to all customers. A higher proportion of capacity related charges would also bring additional benefits to users in the form of more stable charges.

A consultation paper on behalf of all Gas Distribution Networks (GDNs) (*‘LDZ System Charges - Capacity / Commodity Split and Interruptible Discounts’*), known as DNPC03, was issued in July 2007. Following on from consultation the GDNs put forward a proposal to modify their charging methodologies with effect from 1st October 2008. Ofgem issued a Draft Impact Assessment in October 2007 and issued a final version, in conjunction with their decision letter, in December 2007; Ofgem decided not to veto the proposal.

This UNC Modification Proposal has been raised as a result of the Ofgem decision which allows the GDNs to “amend their charging methodologies with effect from 1 October 2008 so that:

- The proportion of revenue collected from the Use of System capacity charges increases from 50% to 95%, while the proportion collected from Use of System commodity charges decreases from 50% to 5%.
- Interruptible supply points pay capacity charges equal to 47.37% of those paid by an equivalent firm connection, so maintaining the existing value of capacity charge discounts received by these supply points”.

The proportion of revenue collected from the Use of System capacity charges and commodity charges are not set out in the UNC and the majority of DNPC03 will be implemented through changes to the individual GDN’s Transportation Charging Statement. However, the UNC currently states that in respect of an Interruptible Supply Point the Registered User shall not be

0210: Implementation of DNPC03 (LDZ System Charges – Capacity / Commodity Split and Interruptible Discounts), the Alignment of Failure to Interrupt Charges and the Alignment of the IFA Charge

required to pay NTS Exit Capacity Charges or LDZ Capacity Charges (UNC Transition Document Part IIC 9.1.9(a)). The intention of this UNC Modification Proposal is to remove the part of this exemption that relates to LDZ Capacity Charges. For clarity, the Registered User would still not pay NTS Exit Capacity Charges.

An unintended consequence of the change to the charging methodologies will be to increase the first day Failure to Interrupt (FTI) charge by 90%. For the first day of failure, the FTI charge is currently charged at two times the Applicable Annual Rate of the **Firm** LDZ Capacity Charge (UNC Transition Document Part IIC 9.9.2(a)(i)).

With the change in Capacity from 50% to 95%, the first day FTI charge would rise by 90% if no further change were made. The GDN's preferred solution to this, and the intent of this Proposal is to amend the first day FTI charge to be two times the difference between the Applicable Annual Rate (as introduced by DNPC03 at 1st October 2008) and the Firm Applicable Annual Rate; this will maintain the current level of the first day FTI charge.

In a similar way the change to the charging methodologies will also impact on the 'IFA Charge' (charges payable, by the Registered User, to the DN Operator and National Grid NTS where a relevant Supply Point has an Interruptible Supply Point Firm Allowance). The IFA Charge, payable to the DN Operator, is currently based on the Firm LDZ Capacity Charge and is supplementary to the LDZ System Charges (UNC Transition Document Part IIC 10.4).

With the change in Capacity from 50% to 95%, and the introduction of the interruption LDZ Capacity Charge, the IFA Charge will increase by approximately 53%.

We are therefore proposing that the IFA Charge payable to the DN Operator as a single charge in October of each year (not National Grid NTS) is calculated as equivalent Firm LDZ Capacity Charge, based on the Firm Allowance, (using it as the SOQ of the firm element), less any capacity payments expected over the subsequent 12 months made in respect of the Firm Allowance and paid as interruptible LDZ Capacity Charge, (resulting from the implementation of DNPC03 on 1st October 2008).

There is also an incorrect reference to 10.5.3 within UNC Transition Document Part IIC 10.4.2. This should refer to 10.4.3 and will also be amended by implementation of this Modification Proposal.

For clarification this proposal will have no impact on the following:

- Arrangements for interruptible sites directly connected to the National Transmission System
- The charge rate for subsequent days where a FTI charge is due
- IFA Charge payable to National Grid NTS

0210: Implementation of DNPC03 (LDZ System Charges – Capacity / Commodity Split and Interruptible Discounts), the Alignment of Failure to Interrupt Charges and the Alignment of the IFA Charge

- Ratchet Charges (interruptible sites can not attract such charges under the current, transitional, arrangements)
- The basis for calculating the applicable LDZ Capacity and Commodity Charge rates (i.e. the usage of Bottom Stop SOQ for interruptible sites)
- Interruption arrangements as of 1st October 2011 (commencement of revised DN Interruption Arrangements (Mod 0090))

b) Justification for Urgency and recommendation on the procedure and timetable to be followed (if applicable)

Urgent procedures are not requested for this Modification Proposal

c) Recommendation on whether this Proposal should proceed to the review procedures, the Development Phase, the Consultation Phase or be referred to a Workstream for discussion.

The Proposer recommends that this Modification Proposal proceeds directly to the Consultation Phase. A draft Modification Proposal titled “Re-alignment of Failure to Interrupt charges” was presented by Gaz De France ESS at February 2008’s Distribution Workstream and was discussed further at the March 2008 Workstream. This Proposal fully incorporates the points raised in those discussions and the additional UNC changes required to implement DNCP03 and to facilitate the revised failure to interrupt charge and IFA Charge.

2 Extent to which implementation of this Modification Proposal would better facilitate the achievement (for the purposes of each Transporter’s Licence) of the Relevant Objectives

Standard Special Condition A11.1 (a): the efficient and economic operation of the pipe-line system to which this licence relates;

By facilitating the implementation of DNPC03 and maintaining the current level of failure to interrupt charges this Modification Proposal may be expected to facilitate this relevant objective and help to ensure the efficient and economic operation of the pipe-line system

Standard Special Condition A11.1 (b): so far as is consistent with sub-paragraph (a), the coordinated, efficient and economic operation of (i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters;

Implementation would not be expected to better facilitate this relevant objective

Standard Special Condition A11.1 (c): so far as is consistent with sub-paragraphs (a) and (b), the efficient discharge of the licensee's obligations under this licence;

Implementation of this Proposal will allow the change to the GDN’s charging

0210: Implementation of DNPC03 (LDZ System Charges – Capacity / Commodity Split and Interruptible Discounts), the Alignment of Failure to Interrupt Charges and the Alignment of the IFA Charge

methodology to be implemented on 1st October 2008 and therefore be consistent with SSC A5, this in turn would therefore better facilitate this relevant objective.

Standard Special Condition A11.1 (d): so far as is consistent with sub-paragraphs (a) to (c) the 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;

Implementation of appropriate charging methodologies will help to ensure that there is no inappropriate discrimination between different market sectors and that, in this instance, charges to interruptible sites remain cost reflective and Users are not in receipt of inappropriate ‘discounts’ or subject to inappropriate failure and IFA charges. We therefore believe that implementation of this Modification Proposal is likely to better facilitate this relevant objective.

Standard Special Condition A11.1 (e): so far as is consistent with sub-paragraphs (a) to (d), the provision of reasonable economic incentives for relevant suppliers to secure that the domestic customer supply security standards (within the meaning of paragraph 4 of standard condition 32A (Security of Supply – Domestic Customers) of the standard conditions of Gas Suppliers’ licences) are satisfied as respects the availability of gas to their domestic customers;

Implementation would not be expected to better facilitate this relevant objective

Standard Special Condition A11.1 (f): so far as is consistent with sub-paragraphs (a) to (e), the promotion of efficiency in the implementation and administration of the network code and/or the uniform network code.

Implementation of this Proposal will ensure that any further changes to the LDZ capacity and commodity proportions will not require a UNC Modification Proposal to re-align the first day FTI charge or the IFA Charge. We therefore believe that implementation of this Modification Proposal will better facilitate this relevant objective by the promotion of efficiency in the administration of the UNC.

3 The implications of implementing this Modification Proposal on security of supply, operation of the Total System and industry fragmentation

No such implications on security of supply or operation of the Total System have been identified

4 The implications for Transporters and each Transporter of implementing this Modification Proposal, including:

a) The implications for operation of the System:

No implications for operation of the system have been identified

b) The development and capital cost and operating cost implications:

There are no development and capital cost or operating cost implications

0210: Implementation of DNPC03 (LDZ System Charges – Capacity / Commodity Split and Interruptible Discounts), the Alignment of Failure to Interrupt Charges and the Alignment of the IFA Charge associated with implementation of this Proposal.

- c) **Whether it is appropriate to recover all or any of the costs and, if so, a proposal for the most appropriate way for these costs to be recovered:**

No cost recovery mechanism is required

- d) **The consequence (if any) on the level of contractual risk of each Transporter under the Uniform Network Code of the Individual Network Codes proposed to be modified by this Modification Proposal**

No such consequences has been identified

- 5 The extent to which the implementation is required to enable each Transporter to facilitate compliance with a safety notice from the Health and Safety Executive pursuant to Standard Condition A11 (14) (Transporters Only)**

Implementation is not required in order to facilitate compliance with any notice issued under Standard Condition A11 (14)

- 6 The development implications and other implications for the UK Link System of the Transporter, related computer systems of each Transporter and related computer systems of Users**

There are no development, or other, implications for Transporter or Users systems

- 7 The implications for Users of implementing the Modification Proposal, including:**

- a) **The administrative and operational implications (including impact upon manual processes and procedures)**

No such implications have been identified

- b) **The development and capital cost and operating cost implications**

No such costs have been identified

- c) **The consequence (if any) on the level of contractual risk of Users under the Uniform Network Code of the Individual Network Codes proposed to be modified by this Modification Proposal**

Without implementation of this Modification Proposal the level of charge associated with the first day of a failure to interrupt, and any applicable IFA Charge, will increase by 90% and 53% respectively; thus increasing the contractual risk of Users.

- 8 The implications of the implementation for other relevant persons (including, but without limitation, Users, Connected System Operators, Consumers, Terminal Operators, Storage Operators, Suppliers and producers and, to the extent not so otherwise addressed, any Non-Code Party)**

No such implications have been identified for any other relevant persons

9 Consequences on the legislative and regulatory obligations and contractual relationships of the Transporters

As a Gas Distribution Network (GDN) we are obliged to keep our charging methodology under review to ensure that the objectives of the charging methodology are being achieved further to Standard Special Condition (SSC) A5 (2A)(a) of the gas transporters' licence. The pricing consultation DNPC03 resulted in a proposed modification to the GDN's charging methodologies, Ofgem decided not to veto that proposal. Implementation of this Modification Proposal will allow the GDNs to successfully implement the change to the charging methodology and be consistent with SSC A5

10 Analysis of any advantages or disadvantages of implementation of the Modification Proposal not otherwise identified in paragraphs 2 to 9 above

Advantages

- Allows implementation of DNPC03
- Ensures Failure to Interrupt charges remain, unchanged, at the appropriate level
- Ensures IFA Charges, payable to DN Operators are at the appropriate level

Disadvantages

- No Disadvantages have been identified

11 Summary of representations received as a result of consultation by the Proposer (to the extent that the import of those representations are not reflected elsewhere in this Proposal)

12 Detail of all other representations received and considered by the Proposer

13 Any other matter the Proposer considers needs to be addressed

No other matters need to be addressed in relation to this Proposal

14 Recommendations on the time scale for the implementation of the whole or any part of this Modification Proposal

This Modification Proposal will need to be implemented on the 1st October 2008 in order to be consistent with the publication of each of the GDN's Transportation Charging Statement

15 Comments on Suggested Text

16 Suggested Text

To be provided separately for the Consultation Phase

Code Concerned, sections and paragraphs

Uniform Network Code

Transition Document

Section(s) Part IIC Section 9, Section 10.4

Proposer's Representative

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