

Modification proposal:	Uniform Network Code (UNC) 297: Extending Rights to Protected Information Provisions for Meter Asset Managers / Registered Metering Applicants (UNC297)		
Decision:	The Authority ¹ directs that this proposal be made ²		
Target audience:	The Joint Office, Parties to the UNC and other interested parties		
Date of publication:	22 September 2010	Implementation Date:	To be confirmed by the Joint Office

Background to the modification proposal

A Registered Metering Applicant (RMA) is defined in the UNC as any person who has been registered to request and receive certain information from the Transporter, pursuant to an appropriate registration scheme administered by the Transporter. A register of all RMAs is maintained by the Transporter's Agency, at present this register consists solely of Meter Asset Managers (MAMs).

A MAM is defined, in the Standard Licence Conditions of the Gas Supply Licence, as a person or a class or description of persons possessing the expertise satisfactorily to design, install, commission, inspect, repair, alter, reposition, remove, renew and maintain the whole or part of the Supply Meter Installation; or a person whose staff have such expertise.

Currently, the information an RMA can request is limited to the identity of the relevant supplier registered to a given Supply Meter Point. This request is submitted to, and processed by, the Transporter's agency. This request is regarded as having been made on behalf of the relevant shipper to the Supply Point. The supplier identity is used by the MAM/RMA to contact the currently registered supplier so any necessary contractual terms can be discussed.

Should the MAM/RMA request further information (anything other than the supplier's identity), then this request will be rejected by the Transporter's Agency in accordance with the UNC.

The modification proposal

This modification proposal seeks to increase the information that RMAs can request in relation to a specific supply point where it is registered as being the current or previous MAM for that Supply Meter Point. In addition to the identity of the registered supplier, RMAs will receive further meter point information. This information will be specified in the UNC, and will include the Meter Point Reference Number and the technical properties of that metering asset.

The proposer considers that UNC297 will further objective (d) as set out in Standard Special Condition A11.1 of the Gas Transporters Licence.

The proposer considers that if UNC297 were to be implemented the additional information available to RMAs/MAMs will increase the certainty over the location of their

¹ The terms 'the Authority', 'Ofgem' and 'we' are used interchangeably in this document. Ofgem is the Office of the Gas and Electricity Markets Authority.

² This document is notice of the reasons for this decision as required by section 38A of the Gas Act 1986.

assets and the parties liable to charges for their use. This will reduce the risk associated with this activity from loss of assets and freeriding³, therefore encouraging investment. The proposer also considers that RMAs/MAMs will have easier and more efficient access to data, as they currently have to make requests for this information from individual suppliers.

UNC Panel⁴ recommendation

At the UNC Panel (the Panel) meeting on 19 August 2010, the Panel voted unanimously in favour of implementing the proposal.

The Authority's decision

The Authority has considered the issues raised by the modification proposal and the Final Modification Report (FMR) dated 23 August 2010. The Authority has considered and taken into account the responses to the Joint Office's consultation on the modification proposal which are attached to the FMR⁵. The Authority has concluded that:

1. Implementation of the modification proposal will better facilitate the achievement of the relevant objectives of the UNC⁶; and
2. Directing that the modification be made is consistent with the Authority's principal objective and statutory duties⁷.

Reasons for the Authority's decision

The Joint Office received nine responses to its consultation, all of which were in support of the modification proposal.

For the reasons set out below, the Authority considers that this proposal will better facilitate relevant objective (d) of Standard Special Condition A11 of the Gas Transporter Licence and considers that the impact of the proposal will be neutral in relation to the remaining objectives.

Standard Special Condition A11.1 (d): the securing of effective competition between relevant shippers, suppliers and distribution network operators;

This modification will enable the Transporter's Agent to release specified data to RMAs but does not require the Transporters Agent to release data (or remove any responsibilities that Gas Transporters may have regarding data protection regulations). The proposed modification does not specify the charges (if any) that may be made by the Transporter's Agent in providing access to the data.

However, in removing the restrictions in the UNC to the data specified in the proposed modification that RMAs can access, it frees the Transporters Agent to develop arrangements with RMAs that could provide easier access to centrally held information to

³ i.e. knowing or unwitting use of the asset without paying the commensurate rental charges.

⁴ The UNC Panel is established and constituted from time to time pursuant to and in accordance with the UNC Modification Rules.

⁵ UNC modification proposals, modification reports and representations can be viewed on the Joint Office of Gas Transporters website at www.gasgovernance.com.

⁶ As set out in Standard Special Condition A11(1) of the Gas Transporters Licence, see: http://epr.ofgem.gov.uk/document_fetch.php?documentid=6547.

⁷ The Authority's statutory duties are wider than matters which the Panel must take into consideration and are detailed mainly in the Gas Act 1986.

support the role of the RMAs/MAMs. We consider that access to this information will enable RMAs to have more accurate data to manage their contracts and billing arrangements with suppliers.

Currently, RMAs/MAMs have to raise all enquiries for meter asset information to the Transporters Agent through the supplier. This modification could lead to arrangements being developed to provide RMAs with direct access to the data held on the Transporters Agent's centralised database. This will reduce the time and cost spent by RMAs/MAMs in making requests to suppliers and by suppliers in processing information requests from MAMs.

We consider that improvements in the efficient access to information that may be enabled by UNC297 would provide an opportunity for MAMs to offer a more cost effective service to suppliers, who will in turn be able to use those efficiencies in competing with each other.

Decision notice

In accordance with Standard Special Condition A11 of the Gas Transporters Licence, the Authority, hereby directs that modification proposal UNC297: Extending Rights to Protected Information Provisions for Meter Asset Managers / Registered Metering Applicants be made.

Emma Kelso
Associate Partner, Retail and Market Processes

Signed on behalf of the Authority and authorised for that purpose.