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Our Reference:
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[Date 16 May 2011](#)

Dear Tim,

Modification Proposal 0312

Thank you for providing SSE with the opportunity to comment on the above Modification Proposal.

SSE is supportive of proposal 0312.

SSE believe that this proposal if implemented will better facilitate the achievement of relevant objective d, to improve competition between existing Shippers.

The effect of the Modification Proposal is to safeguard rights of appeal to the Competition Commission for Code parties in the event that the Authority implements a proposal which it originated and subsequently approves, but which did not achieve a two-thirds majority support of the Modification Panel members.

It would seem proportionate that in the situation where the originator of a proposal is also the final decision maker, that additional checks and balances are required to at least maintain a reasonable level of accountability and transparency of the Code Modification Process. Without this, there could be accusations of pre-judgement due to the insufficient separation of powers.

Please do not hesitate to give me a call if you wish to discuss this further.

Yours sincerely

Jeff Chandler
Head of Fuel Strategy
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