

October 11th, 2010

Mr. Tim Davis
Joint Office of Gas Transporters
First Floor South
31 Homer Road
Solihull
West Midlands
B91 3LT

Response to Proposed UNC Modifications 0318 and 0318A: “Code Governance Review: The approach to be taken when raising alternative Modification Proposals”

Dear Tim,

First Utility supports both of the above Proposed UNC Modifications, with a preference for Proposed UNC Modification 0318A.

We believe that there is a strong requirement to ensure that any UNC Modifications raised by Users are properly developed before proceeding to consultation. The amendment of the rules to prevent Alternate Modifications being raised within five working days of a Modification being issued out for this purpose is designed to avoid Alternate Modifications not being properly developed. However we are concerned that this might then make it much less likely that Modifications will ever be sent out directly to consultation or, if this did happen, a decision from Ofgem on the original Modification could be delayed whilst waiting for the independent “alternate” Modification to go through its own process.

In light of this, it would therefore seem appropriate to require the UNC Modification Panel to consider whether or not a Modification is suitably developed, along with its likely impact on Users and the market, before directing that a Modification be issued directly to consultation. We also agree with the proposal contained in 0318A that the Panel should generally not grant further time for Workstream assessment of an Alternate Modification where it believes that the Alternate Modification could have reasonably been raised earlier. However, we welcome the fact that the Modification Proposal allows the Modification Panel some discretion in this respect.

Please do not hesitate to contact me if you have any questions or would like any further information.

Regards,

Chris Hill

Regulation

01926 328760
07776 137403



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Response to Proposed UNC Modification 0319: "Code Governance Review: Role of Code Administrators and Code Administration Code of Practice"

Dear Tim,

First Utility supports the above Proposed UNC Modification.

We agree that the Authority should have the power to return Modification Proposals which it considers insufficiently developed for further consideration. We also agree that it would be useful for the UNC Modification Panel to provide reasons for any recommendations it makes in relation to implementation or non implementation of any Modification Proposals.

We also particularly welcome the proposed "Critical Friend" role, which will be of great help to smaller, resource constrained Users like First Utility.

Please do not hesitate to contact me if you have any questions or would like any further information.

Regards,

Chris Hill

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Response to Proposed UNC Modification 0320: "Code Governance Review: Appointment and Voting Rights for a Consumer Representative and Independent Panel Chair"

Dear Tim,

First Utility supports the above Proposed UNC Modification.

We believe that having two voting consumer representatives on the UNC Modification Panel will provide greater consumer input to the UNC Modification process. In addition, the appointment of an independent Panel Chair with a casting vote on governance determination may assist in certain Modification Proposals progressing more speedily than has sometimes been the case in the past.

Please do not hesitate to contact me if you have any questions or would like any further information.

Regards,

Chris Hill

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Response to Proposed UNC Modification 0322: "Code Governance Review: Inclusion of the NTS Transportation and Connection Charging Methodologies within the UNC"

Dear Tim,

First Utility supports the above Proposed UNC Modification.

We agree that incorporating network charging methodologies into the UNC will give Users the opportunity to propose changes to these, which should go some way towards ensuring that wider industry views are taken into account during the pricing regime process.

Please do not hesitate to contact me if you have any questions or would like any further information.

Regards,

Chris Hill

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Response to Proposed UNC Modification 0323: "Code Governance Review: Self Governance"

Dear Tim,

First Utility supports the above Proposed UNC Modification.

Certain Modifications have little material impact on the market and it would seem appropriate that these Modifications proceed as quickly as possible without being delayed unnecessarily by the UNC Modification process.

In addition, the removal of these less material Modifications from the normal process should allow more time to consider and develop the detail of Modifications which would potentially have a more significant impact on Users and the market in general.

Please do not hesitate to contact me if you have any questions or would like any further information.

Regards,

Chris Hill

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Response to Proposed UNC Modification 0325: “DN Transportation Charging Methodology and Change Governance”

Dear Tim,

First Utility supports the above Proposed UNC Modification. The implementation of this Modification by the Authority will potentially result in greater transparency of the relevant DN Charging Methodologies which should in turn assist competition.

Please do not hesitate to contact me if you have any questions or would like any further information.

Regards,

Chris Hill

Regulation

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