

**Draft Modification Report**  
**Demand Estimation Section H Changes to Processes and Responsibilities**  
**Modification Reference Number 0331**

Version 1

This Draft Modification Report is made pursuant to Rule 9.1 of the Modification Rules and follows the format required under Rule 9.4.

## **1 The Modification Proposal**

Demand Estimation processes as outlined in section H of UNC have been essentially unchanged since code inception. The profiling and capacity estimation parameters and seasonal normal CWV derivations and use were set out at a time when all expertise for gas allocation resided within National Grid (Transco as was).

Over the past decade there have been a number of changes within the industry. Shipper organisations bear the impacts from the allocation mechanism and so have an interest in ensuring the process and parameters operate smoothly and are as accurate as possible.

Climate change has meant that Shippers are spending increased time and resources assessing impacts. Many organisations now have meteorologists and expert forecasters embedded within their organisation.

Over the past few years there have been comments in the annual Shipper representations on how ineffective the current consultation process is, many of which centre around identified faults in the profiles that are not corrected due to timing. In addition there appears to be a mismatch between code obligations – which rest with Transporters – and the fact that impacts are on Shipper organisations.

Review Group 280 has discussed changes to the current process to allow cross industry involvement in defining and undertaking the analysis of both general profiles and more involved climate work. This modification builds on the output from review group 280 to provide a basis for moving forwards.

### **The Proposal:**

To allow development of profiles and analysis supporting attribution on a cross industry basis. Removing responsibility from Transporters only to a more equitable basis would allow Users to contribute the expertise embedded within their organisations towards improving the entire process.

Currently analysis is constrained by the details within code. Removing these from being explicitly stated within code and restricting code to the output required would allow more flexibility to ensure analysis is appropriate. For the avoidance of doubt we are not looking to change the format of the attribution equation or the use of EUC bands to differentiate between groups of consumers but are intending the analysis to look at all LDZ and supply points equitably. This may include EUC boundaries being amended as is currently allowed for within UNC. We believe this will impact UNC H1.1.4, H 1.6.8, H1.7.5 and H4.3.2

Under current governance arrangements we will be requesting UNCC amend the DESC terms of reference to support the extended activities. We will also be requesting UNCC create a new sub-committee or allow DESC to create a group of specialists to look at specific areas. The text of this modification assumes that an expert group will be created however under UNCC governance this will not be reflected within legal text. An expert group would be formed, reporting to UNCC through DESC that would provide a cross industry group responsible for the technical analysis and support for the work areas covered within section H. In doing this many of the technical details currently specified in explicit detail within UNC could be removed allowing the detailed analysis to be flexed as appropriate to ensure the profiles could represent the changing patterns of demand and provide more accurate allocation, while maintaining formal governance and escalation routes.

During the development group work terms of reference for the Expert Group and DESC have been developed that support the cross industry format of the work and these are detailed below. Elements of section H that E.ON believes would need amending are highlighted in the attached document and mentioned in the detail below.

The Transportation Principal Document Section H provides for the “Uniform Network Code Committee or any relevant Sub-committee” to consider a number of matters relating to demand estimation. The Uniform Network Code Committee has established the Demand Estimation Sub-Committee (DESC) meet as necessary to fulfil the functions set-out in Section H. On implementation of this Modification E.ON would request UNCC amend DESC terms of reference and create the expert group in line with requirements outlined here.

General Terms Section B 4.3.4 sets out the matters to be determined by a panel majority of the Uniform Network Code Committee:

- a) Membership and manner of appointment of members
- b) Basis of reporting to Uniform Network Code Committee, Users and Transporters
- c) Procedures for the conduct of business

Terms of Reference for DESC:

These three matters are implemented for DESC as follows.

#### **1. DESC Members and Appointment**

- a) DESC members are those nominated by shippers and one representative from each transporter listed below:
  - a) National Grid Gas NTS
  - b) National Grid Distribution
  - c) Northern Gas Networks
  - d) Wales & West Utilities

- e) Southern Gas Networks or Scotland Gas Networks
  
- b) Each year, shippers nominate up to nine members. The Joint Office manages the process for nomination on shippers' behalf. Changes within year may be agreed by shipper members of the Uniform Network Code Committee.
- c) Whilst each Transporter has the right to nominate members, xoserve has currently been appointed as an alternate to represent National Grid NTS and all DNs. xoserve is required to state, where appropriate, when it is speaking or acting on behalf of the Transporters in this capacity.
- d) Attendance is open and xoserve, as the service provider, is invited to send one or more representatives for information purposes.
- e) All meetings are chaired by the Joint Office, which also provides a secretary.

## 2. Basis for Reporting

**The Joint Office, on behalf of DESC, reports each month to the Uniform Network Code Committee, following the standard format used by the Uniform Network Code Work streams except that:**

- a) The Topic Status format is used to record progress on any specific issues that do not form part of the typical annual work plan (see Appendix).
- b) The Modification Status format is not used other than to highlight UNC Modification Proposals that might impact the work of DESC.
- c) DESC minutes shall include a summary of the decisions reached by DESC. In particular, using current code references:
  - i. Composite Weather Variable determination taking account of new weather experience (H1.4.2).
  - ii. Demand model smoothing to derive the seasonal normal values of the Composite Weather Variable (H1.5.2).
  - iii. Report and review of NDM Sampling (H1.6).
  - iv. Annual and any interim evaluation of End User Category definitions and Demand Model performance. (H1.8.1)
  - v. Proposed revision of End User Category definitions and Demand Models and discussion of User representations (H1.8.1 and H1.8.4).
  - vi. Matters arising from the source of weather data such as changes in weather stations.
  - vii. Any other particular issue that may arise in the development or revision of End User Categories and Demand Models (H1.8.6).

- viii. Operation and delivery of output from the expert group including definition of the Terms Of Reference for the Expert Group.

Minutes of each meeting are made available to DESC Members, all shippers, members of the Uniform Network Code Committee and all other persons requesting copies.

### **3. Procedures for the Conduct of Business by DESC**

The Chairman's Guidelines apply to the conduct of the meeting.

In principle, meetings shall be open to all but the Chairman may exercise discretion to the extent permitted under the Chairman's Guidelines.

As allowed for under General Terms B1.4.7.3 which allows for voting where specified within Code we would envisage the legal text specifying voting arrangements for the UNCC relevant sub-committee (in this case DESC)

The quorum is at least four voting members or their alternates, of which at least two shall be shippers and two transporter.

Members are permitted to appoint alternates to attend on their behalf and a single alternate may represent more than one member.

Recommendations from the DESC will be reached by a simple majority of voting members present, or their alternate, ensuring equitable Transporter and Shipper votes. Maximum of 5 Shipper votes where 5 Transporters are present. Where a recommendation can not be reached as a result of a tied vote DESC will pass the matter to the UNCC to be resolved. For the avoidance of doubt a tied vote at the UNCC would represent a recommendation to not implement any proposed change.

### **4. Role of DESC**

The main role for DESC will be to review the outcomes and recommendations of the work conducted by the Expert Group, and to act as an escalation route for any disputes arising from the Expert Group. In particular DESC will:

- a) Review the Terms of Reference for the Expert Group and determine on any recommendations to change these Terms of Reference, subject to consultation with the Expert Group.
- b) Review the work and analysis being undertaken by the Expert Group with a view to ensuring that timetables are adhered to and a holistic approach is taken to the work being undertaken by the Expert Group.
- c) Raise any particular issues that they believe the Expert group should address and resolve.
- d) Recommend to Users and Transporters whether analysis should be commissioned from industry experts to assess climate change
- e) Determine whether the recommendations from the Expert Group are

appropriate and ensure that the approach proposed by the Expert Group represents an economic and efficient solution to the issues being addressed. In instances when the DESC does not determine that the proposed approach is suitable to refer the proposal back to the Expert Group along with an explanation for the DESC's decisions and the areas that they need to be addressed.

- f) In instances when the Expert Group is unable to reach a recommendation DESC will seek to reach a recommendation based on the information that has been provided to it by the Expert Group. In instances when DESC are also unable to reach a recommendation as a result of a tied vote, they will either:
  - i. Refer the issue back to the Expert Group along with an explanation of the information and analysis that the Expert group needs to provide in order for the DESC to reach a recommendation; or
  - ii. Refer the issue to the UNCC along with a summary of the issue, the views expressed and the reason why they were unable to make a recommendation.

#### **Terms of Reference for the Expert group:**

#### **5. Expert Group Members and Appointment**

- a) Expert Group members are those nominated by shippers and one representative from each transporter listed below:
  - National Grid Gas NTS
  - National Grid Distribution
  - Northern Gas Networks
  - Wales & West Utilities
  - Southern Gas Networks or Scotland Gas Networks
- b) These experts will remain in place until they resign from the expert group, or their employing organisation informs the Joint Office that they are no longer their designated representative.
- c) Nominations to join the expert group will be issued by the Joint Office on an annual basis, with sufficient lead time to ensure that additional members are in place to start at the beginning of the Gas Year.
- d) Whilst each Transporter has the right nominate a member, xoserve has currently been appointed as an alternate to represent National Grid NTS and all DNs. xoserve is required to state, where appropriate, when it is speaking or acting on behalf of the Transporters in this capacity.
- e) Attendance is open and xoserve, as the service provider, is invited to send one or more representatives for information purposes.
- f) All meetings are chaired by the Joint Office, which also provides a

secretary.

## **6. Basis for Reporting**

**The Joint Office, on behalf of the Expert Group, reports to the DESC as appropriate, following the standard format used by the Uniform Network Code Work streams except that:**

The Topic Status format is used to record progress on any specific issues that do not form part of the typical annual work plan (see Appendix).

The Modification Status format is not used other than to highlight UNC Modification Proposals that might impact the work of the Expert group .

Expert Group minutes shall include a summary of the decisions reached by the Expert Group. In particular:

Minutes of each meeting are made available to Expert Group Members, all shippers, members of the Uniform Network Code Committee and all other persons requesting copies.

## **7. Procedures for the Conduct of Business by the Expert Group**

For formally scheduled meetings then the Chairman's Guidelines apply to the conduct of the meeting.

In principle, meetings shall be open to all but the Chairman may exercise discretion to the extent permitted under the Chairman's Guidelines.

The quorum is at least 3 members or their alternates, of which at least two shall be shippers and one transporter.

Members are permitted to appoint alternates to attend on their behalf and a single alternate may represent more than one member.

Recommendations from the Expert Group will be reached by a simple majority of members present, or their alternate. Where a recommendation can not be reached the Expert Group will pass the matter to DESC to be resolved, along with an explanation of the issue, the matters raised and any explanation as to why the Expert group have been unable to make a recommendation.

The expert group will be expected to convene at short notice to assess analysis and make recommendations on progress or alternative investigations. These meetings will by necessity be informal and may be conducted over email or teleconference. In these cases all representatives should be invited with a minimum of 2 being included in the discussions. A summary will be expected to be presented at the next formally scheduled meeting for the record.

## **8. Role of Expert Group**

The Expert group will be a sub-committee of the DESC. Its role will be to conduct, oversee and direct the detailed analysis and methodologies required

for Demand Estimation purposes under the UNC and as such replaces Transporter responsibility within UNC H with responsibility resting with the appropriate UNCC designated sub-committee, in line with the guidance issued by DESC, and make recommendations on these methodologies which will be passed to the DESC for approval. In particular the Expert Group will be responsible for developing an underlying methodology for:

- a) undertaking any profile analysis
- b) determining the frequency with which profiles are updated
- c) agreeing sample sizes (Impacts code H1.6.1, H1.6.5, H1.6.6)
- d) agreeing sample composition (Impacts code H1.6.1, H1.6.5, H1.6.6, H1.6.7, H1.6.8, H1.7.1)
- e) defining the statistical techniques to be used (Impacts code H1.7.1, H1.7.3)
- f) defining any criteria for decision making through the analysis process (Impacts code H1.6.7)
- g) determining what position would be taken if change is not materially or statistically significant
- h) CWV reviews including determination of frequency (Impacts code UNC H1.4.1a,b, H1.4.2, H1.4.3)
- i) seasonal normal reviews including determination of frequency (Impacts code H1.5.2, H1.5.3, H1.5.4)
- j) ad-hoc analysis
- k) The expert group will oversee any decisions that arise during the analysis.
- l) The expert group will review any methodology and make any necessary changes on a regular basis, in particular emphasising the fact that demand models will not include any defined variables as a pre-requisite but will determine appropriate model composition during analysis. (Impacts code H1.3.1, H1.3.3, H1.4.1, H1.7.2, H1.7.3, H4.3.1)
- m) The expert group will be notified who is undertaking the analysis, on what frequency and agree access to data if necessary.
- n) The Expert Group should ensure that it is transparent who is undertaking the analysis and all data used in the process is available for Network Code signatories to replicate the analysis if required. (Impacts code H1.8.2)
- o) The expert group will ensure that members are available to consult on any data manipulation or exclusions that are required during analysis and decisions are made on the basis of agreed criteria
- p) The expert group will ensure analysis is published for consultation across the industry and questions responded to in sufficient time to meet system requirements (Impacts code H1.8.1, H 1.9.1, H1.9.2)
- q) In undertaking analysis using expertise across the industry it is not envisaged that the current representation and Ofgem appeal will be required. Any issues would be referred to DESC who could vote on outcomes. This removes some of the time constraints over the summer period allowing time to publish views to those not involved in the process while still meeting constraints of Transporter systems. (Impacts code H1.8.3, H1.8.4, H1.8.5, H1.8.6)

It is intended that Section H will be revised to remove specific details of analysis or any minimum requirements for the Demand Models. Current analytical details will be fixed at those specified in the 2010/11 NDM Profile and Capacity Estimation Parameters supporting document and will determine the status quo that could be revised under recommendation of the expert group with evidence supporting any changes.

This list is not exhaustive but covers areas we believe should be amended. Our suggestions for removal/amendment are attached

## 2 User Pays

### a) **Classification of the Proposal as User Pays or not and justification for classification**

Discussion in the review group suggested that any analysis over and above the standard levels of Transporter resource covered under current UNC provision would be raised as User Pays on an adhoc basis. The general provisions of UNC section H would not be User Pays.

### b) **Identification of Users, proposed split of the recovery between Gas Transporters and Users for User Pays costs and justification**

All costs over and above standard levels of costs recovered 100% from NDM Shippers.

### c) **Proposed charge(s) for application of Users Pays charges to Shippers**

p/peakdaykWh/day – i.e. the same method as recovering Distribution charges from Shippers.

### d) **Proposed charge for inclusion in ACS – to be completed upon receipt of cost estimate from xoserve**

## 3 **Extent to which implementation of the proposed modification would better facilitate the relevant objectives**

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

Implementation would not be expected to better facilitate this relevant objective.

**Standard Special Condition A11.1 (b): *so far as is consistent with sub-paragraph (a), the (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 would not be expected to 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;***

Allocation is used to share daily energy across Shipper portfolio. From a Transporter perspective the allocation methodology is designed to fully allocate all energy, and therefore Transporters income for each day is mostly complete with risk for incorrect allocation and subsequent movement sitting with Shippers. It is essential for Shipper organisations to minimise this risk as the differential between purchasing energy for final reconciled position against initial allocation can be significant given price movements. For example, reconciliation for 2009 to date has adjusted over 1TWh of the initial allocation for January 2009 from LSP to SSP markets. Given price changes between purchase could be large this is a high value risk. For example the differential between Sept 2008 purchase prices and Jan 2009 SAP used for reconciliation, only a 4 month difference, was up to 23pence per therm and this amounts to just under £8million on a 0.2% volume change for a single month. It can be seen from this that the risk to Shipper organisations can be significant.

The workgroup considered enabling better allocation would therefore facilitate the Transporter obligation to ensure effective competition as any risk in misallocation is also reflected in an increased reconciliation risk.

***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.***

This proposal seeks to improve the processes outlined in section H and to streamline Network Code to enable more appropriate analysis. It was believed that this proposal achieves this objective by improving operation of this part of Code, by improving the verification of profiles, which may result in improvements to allocation between market sectors through a fair, transparent and non-discriminatory set of profiles, while removing the elements that have caused contention for the past few years and resulting in a number of modifications.

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

No implications on security of supply, operation of the Total System or industry fragmentation have been identified. The workgroup did not identify any implications with demand estimation and Network 1-20 demand profiles differing given they are to be calculated separately.

**5 The implications for Transporters and each Transporter of implementing the Modification Proposal, including:**

**a) implications for operation of the System:**

No implications for operation of the system have been identified.

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

Moves to operating an expert group with cross industry input into the analysis should be manageable within current budgets. Where analysis shows there would need to be system changes it is anticipated these being raised as a User Pays modification related to the specific changes being suggested.

**c) extent to which it is appropriate to recover the costs, and proposal for the most appropriate way to recover the costs:**

Additional operational costs recovered in line with the arrangements in Section 2.

There are no development or capital costs associated with the implementation of this proposal.

**d) Analysis of the consequences (if any) this proposal would have on price regulation:**

This modification should reduce the contractual risk for each Transporter by improving industry participation in the analysis of profiles and therefore removing the likelihood of requests for disapproval by shippers for the NDM capacity profiling and capacity estimation parameters proposals.

**6 The consequence of implementing the Modification Proposal on the level of contractual risk of each Transporter under the Code as modified by the**

## **Modification Proposal**

No such consequence is anticipated.

- 7 The high level indication of the areas of the UK Link System likely to be affected, together with the development implications and other implications for the UK Link Systems and related computer systems of each Transporter and Users**

No changes to systems would be required as a result of implementation of this Proposal.

- 8 The implications of implementing the Modification Proposal for Users, including administrative and operational costs and level of contractual risk**

*Administrative and operational implications (including impact upon manual processes and procedures)*

There will be a requirement from Users for input into an expert group. As the benefits from improvements to allocation are considerable, it is expected that there will be a net benefit to any immediate costs from resourcing the group.

*Development and capital cost and operating cost implications*

There will be ongoing operational costs from resourcing the expert group.

*Consequence for the level of contractual risk of Users*

The level of contractual risk for Users is expected to reduce under this modification. Improved allocation should provide more certainty for Shippers in levels of commodity charges and reconciliation. Less misallocation between temperature sensitive and less temperature sensitive EUC bands should also provide greater assurance of appropriate charging.

- 9 The implications of implementing the Modification Proposal for Terminal Operators, Consumers, Connected System Operators, Suppliers, producers and, any Non Code Party**

No implications identified.

- 10 Consequences on the legislative and regulatory obligations and contractual relationships of each Transporter and each User and Non Code Party of implementing the Modification Proposal**

This reduces the contractual risk of the Transporters as the obligation to develop Demand Estimation processes as covered in TPD Section H will move from Transporters to a cross industry group including Shippers.

**11 Analysis of any advantages or disadvantages of implementation of the Modification Proposal**

**Advantages**

- Addresses issues identified with the demand estimation process in the past, by increasing transparency and improving focus on areas of concern.
- Improves Shipper engagement and involvement in the analysis of profiles etc, therefore reducing the likelihood of methodologies being disallowed.
- Provides for improved use of climate experts from within Shipper organisations to aid the development of analysis.
- Enables the flexibility to provide a better default position should the proposals be rejected by UNCC.

**Disadvantages**

- The Expert Group, DESC and UNCC may not be able to reach an agreement on the change in the proposals, therefore the default position is there is no change to the current industry profiles which may lead to a less favourable position for all.
- Individual commercial incentives may affect industry decisions, therefore making it more difficult to reach an agreement by majority vote.

**12 Summary of representations received (to the extent that the import of those representations are not reflected elsewhere in the Modification Report)**

*Written Representations are now sought in respect of this Draft Report. Consultation End Date: 05 September 2011*

**13 The extent to which the implementation is required to enable each Transporter to facilitate compliance with safety or other legislation**

No such requirement has been identified.

**14 The extent to which the implementation is required having regard to any proposed change in the methodology established under paragraph 5 of Condition A4 or the statement furnished by each Transporter under paragraph 1 of Condition 4 of the Transporter's Licence**

No such requirement has been identified.

**15 Programme for works required as a consequence of implementing the Modification Proposal**

No programme for works has been identified.

**16 Proposed implementation timetable (including timetable for any necessary information systems changes)**

Implementation should be prior to analysis supporting a new gas year profiles. This would indicate implementation by 01 October 2011 to allow time for the expert group members to be identified prior to spring analysis.

**17 Implications of implementing this Modification Proposal upon existing Code Standards of Service**

No implications of implementing this Modification Proposal upon existing Code Standards of Service have been identified.

**18 Recommendation regarding implementation of this Modification Proposal and the number of votes of the Modification Panel**

**19 Transporter's Proposal**

This Modification Report contains the Transporter's proposal to modify the Code and the Transporter now seeks direction from the Gas and Electricity Markets Authority in accordance with this report.

**20 Text**

Legal text for this modification has been published in a separate document along this Draft Modification Report.

**Representations are now sought in respect of this Draft Report and prior to the Transporters finalising the Report.**

For and on behalf of the Relevant Gas Transporters:

**Tim Davis**  
**Chief Executive, Joint Office of Gas Transporters**