

## Representation

### Draft Modification Report

#### 0381 – Removal of the NTS Exit (Flat) Capacity “deemed application” process

**Consultation close out date:** 12 September 2011  
**Respond to:** enquiries@gasgovernance.co.uk  
**Organisation:** Scottish Power  
**Representative:** Gerry Hoggan  
**Date of Representation:** 12 September 2011

#### Do you support or oppose implementation?

Support/Qualified Support/Neutral/Not in Support/Comments\* *delete as appropriate*

#### Please summarise (in one paragraph) the key reason(s) for your support/opposition.

We agree with the proposer that the deemed application process is unnecessary and disproportionately punitive. More importantly it could also lead to potentially perverse consequences, with system investment being required without any substantive or sustainable need, imposing additional unjustifiable costs.

#### Are there any new or additional issues that you believe should be recorded in the Modification Report?

No

#### Self Governance Statement:

*Do you agree with the Modification Panel's decision that this should be a self-governance modification?*

Yes

### **Relevant Objectives:**

*How would implementation of this modification impact the relevant objectives?*

We agree with the view of the Workgroup that this Proposal will better facilitate the following relevant objectives: -

- a) Efficient and economic operation of the pipe-line system; and
- d) 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

### **Impacts and Costs:**

*What analysis, development and ongoing costs would you face if this modification were implemented?*

None

### **Implementation:**

*What lead-time would you wish to see prior to this modification being implemented, and why?*

The Mod should be implemented as soon as reasonably practicable and in any event prior to the Enduring Exit Capacity changes taking effect as at 1 October 2012.

### **Legal Text:**

*Are you satisfied that the legal text will deliver the intent of the modification?*

We are comfortable that the proposed legal text should be effective.

### **Is there anything further you wish to be taken into account?**

*Please provide any additional comments, supporting analysis, or other information that that you believe should be taken into account or you wish to emphasise.*

No