

## Representation

### Draft Modification Report

#### 0479S - Inclusion of email as a valid UNC communication

**Consultation close out date:** 05 February 2015  
**Respond to:** enquiries@gasgovernance.co.uk  
**Organisation:** E.ON  
**Representative:** Colette Baldwin  
**Date of Representation:** 06 February 2015

#### Do you support or oppose implementation?

Oppose

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

In principle we support the expansion of the use of email for code communications. It's important to take advantage of improvements in technology that make life easier for both sender and recipient of communications. We are concerned however that the business rules in this modification are inadequate to substitute the conventions on the certainty of communications by letter and fax.

The proposer references and intends to align the approach to the electricity modifications to the BSC that were brought in in 2003 and 2004. These modifications were raised at a time that email use was not widespread and the experience of the use of email at that time didn't foresee many of the problems that we understand today in the safe and secure use of email. Ofgem's did however foresee the some risks inherent in the use of email and so in their decision letter on those electricity modifications also stated their expectation that appropriate levels of security would be put in place regarding internet and email security wherever email communications were allowed as a result of this proposal being implemented.

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

During the development of the modification I expressed concerns about the risks associated with the use of an invalid email address, and I believe that it's important to recognise how easily an email address may be misspelt which not result in a "bounce-back" or non-delivery may receipt if the email arrives with an unintended recipient. Equally it does not address obligations to update and change valid email addresses, or suggest timescales in which this must happen to ensure that communications get to their intended recipient.

#### Self Governance Statement:

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

As this could impact contractual relationships between parties we disagree that this modification meets the criteria for Self-Governance as it could have a material impact on contractual relationships if important communication provisions are not managed robustly by all parties

#### Relevant Objectives:

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

As we don't support the modification we don't agree that it facilitates any relevant objective.

**Impacts and Costs:**

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

N/A

**Implementation:**

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

N/A

**Legal Text:**

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

No, I believe critical items are missing from the legal text that will not deliver safe and secure communication.

**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.*