

Representation - Draft Modification Report 0566S

UNC modification stakeholder engagement and Guidelines

Responses invited by: **15 January 2016**

To: enquiries@gasgovernance.co.uk

Representative:	Maitrayee Bhowmick-Jewkes
Organisation:	RWE Npower
Date of Representation:	15/01/2016
Support or oppose implementation?	Qualified support
Relevant Objective:	f) Positive

Reason for qualified support - Please summarise (in one paragraph) the key reason(s):

RWE Npower understands the intention of this modification is to increase stakeholder engagement at the pre-modification stage to enable potential modifications to be progressed in a more timely manner

Whilst we support the principle behind this modification, and support the concept of introducing guidance for parties in drafting and submitting modifications and clarifying the timetable for doing so, we do not agree with the aspect of the proposal which gives the Panel a new power to refer a modification back to the proposer on the grounds that it “needs further development”.

It is our view that this part of the modification will make it harder for some parties, especially smaller industry parties, to raise modifications. Any industry party, regardless of their size, cannot be expected to raise a modification knowing its full impact on the wider industry. We consider that this is one of the main benefits of referring a modification to a workgroup for development. The modification Workgroup is made up of industry experts from varying business types who bring different expertise to the table. As a result, if a modification needs to be amended, or if there are impacts on other industry parties, this should become clear during the course of the Workgroup’s assessment and development process.

We are also concerned that without very clear criteria for the reasons for the Panel referring a modification back to the proposer, this could in some cases lead to unnecessary delay in modifications being progressed.

Self-Governance Statement: *Please provide your views on the self-governance statement.*

Self-Governance, there are no material impacts to this modification.

Implementation: *What lead-time do you wish to see prior to implementation and why?*

As soon as practicable.

Impacts and Costs: *What analysis, development and ongoing costs would you face?*

None identified.

Legal Text: *Are you satisfied that the legal text will deliver the intent of the Solution?*

Partly – as noted above, we have concerns about the lack of clear criteria for Panel deciding to refer a modification back to the proposer for further development.

Are there any errors or omissions in this Modification Report that you think should be taken into account? *Include details of any impacts/costs to your organisation that are directly related to this.*

Yes.

It may be helpful to consider the creation of an issues forum under the UNC, where ideas for changes to the Code and issue resolution can be discussed. Currently, parties have the opportunity to raise issues at workgroup meetings, but in practice this is little used because of time constraints and attendees being focused on the modification proposals being discussed at the meeting. Other industry codes have separate meetings where issue discussion takes place, and it could be helpful for the UNC to adopt a similar approach.

Please provide below any additional analysis or information to support your representation

The modification proposes the creation of a “Modification Proposal guidance document” by the Gas Transporters. We believe that it is important that the development of any such guidance should be done collaboratively with all parties having the opportunity to contribute.