

Representation - Draft Modification Report 0574
Creating the permission to release supply point data to the Theft Risk Assessment Service (TRAS)

Responses invited by: 5pm on 09 September 2016

To: enquiries@gasgovernance.co.uk

Representative:	Richard Pomroy
Organisation:	Wales & West Utilities Limited
Date of Representation:	9 th September 2016
Support or oppose implementation?	Oppose
Relevant Objective:	d)(ii) Neutral

Reason for support/opposition: Please summarise (in one paragraph) the key reason(s)

We recognise the need to appropriately and efficiently manage and reduce theft of gas. In managing theft there is a clear benefit to the end consumer who's bill should reduce from reducing the volumes of unallocated gas and by virtue of an increased chargeable base.

This modification seeks to provide data (Meter Point Reference Number, Meter Point address and Meter Serial number) to the Theft Risk Assessment Service (TRAS) service provider on behalf of Suppliers who are currently obligated to provide such information.

We equally recognise the risk that is posed from inappropriate data management. Our opposition therefore relates to the management and scope of data provided. Specifically:

1. Provision of information of shipperless sites. This is because we deem there is no requirement for the TRAS to have this information. Furthermore there is existing industry process in place to review this information by shippers and transporters within the Gas industry. This poses a wider concern that the scope of data collected has not been robustly justified.
2. Suppliers are currently obligated under SPAA to provide this data. For the TRAS to effectively operate information other than that which is being requested under this modification must be supplied from the suppliers. We believe that supplier data should be provided in the first instance and where suppliers are in breach of their obligation, provision directly by Xoserve may be concluded as an alternative solution. Currently therefore the justification for data release is not considered sufficient and would result in duplicative data and the requirement to reconcile an additional data source which we believe would add a further administrative element which is not required.

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

We believe that this modification should be self-governance. Whilst this modification is an enabling modification it will ultimately result in the provision of information to a third party. We believe that this would also be self-governance on the basis that the industry should have sufficiently robust controls in place to manage the flow of data between parties effectively.

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

Should this modification be approved suitable confidentiality agreements and commercial arrangements would need to be established before a service could be provided. This should be balanced with any ongoing commitments to deliver Project Nexus and should not result in additional delay

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

WWU would not directly incur costs. This Modification is a permissions modification. Any marginal cost for the provision and management of this information which results should be paid by the user(s) of this service.

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

Yes

Modification Panel Members have requested that the following questions are addressed:

Q1: To inform Panel's consideration of self-governance, views are requested as to whether respondents believe that releasing these data items represents a material impact on commercial arrangements for either / both Shippers and Transporters.

Notwithstanding our opposition to this modification we do not believe that the TRAS service provider in itself holding the data will represent a material impact on commercial arrangements for Shippers or Transporters. Most of this data (that where there is a registered supplier) will already be held by the TRAS service provider if all Suppliers comply with their SPAA obligations.

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.*

No

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

The statement in the Why Change section of the draft modification report states:

The TRAS has a requirement to access Supply Point Information, arising from terms agreed with the Supply Point Administration Agreement (SPAA) process for the purposes of assessing energy theft risk. The provision of data to the TRAS will contribute towards fulfilment of supply licence obligations to detect, prevent and investigate theft of energy.

This is factually correct but it creates the impression that the release of data contemplated in this modification is required. It is not. The data required can and should be provided by Suppliers under their SPAA obligations. This modification assumes that the Suppliers fail to fulfil their SPAA obligations by granting for the release of data to the TRAS service provider. It also provides the TRAS service provider with data that it does not require for the purposes of fulfilling its TRAS obligations.

The data requested under this proposal includes MPRNs where no supplier is registered, this is beyond the scope of the TRAS service provider's contract and therefore the TRAS service provider has no need for this data for the purposes of the agreement. Were this data to be provided to them we would expect that they would be required, under data protection best practice, to delete any data relating to MPRNs where there was no registered Supplier because it was not required for the purposes of the contract. This means that it is pointless authorising the provision of such data, hence modification 0574 has no useful purpose. Shipperless sites are an issue on which gas transporters have done and continue to do work, some of these are legitimately Shipperless; notwithstanding any issues with Shipperless sites, these are out of scope of TRAS.

Unlike modification 0584, this proposal contemplates the bulk release of data to the TRAS service provider. We do not consider that this is a proportionate solution. If for some reason a Supplier fails to rectify its failure to provide data a more proportionate solution would be for Xoserve to provide a one off extract of data for which that Supplier is registered as the supplier.