

**UNIFORM NETWORK CODE – TRANSPORTATION PRINCIPAL DOCUMENT****SECTION G – SUPPLY POINTS<sup>1</sup>****1 INTRODUCTION AND STRUCTURAL RULES****1.1 Supply Point and Registered User**

1.1.1 For the purposes of the Code:

- (a) a **“Supply Point”** is a System Exit Point comprising the Supply Meter Point for the time being registered in the name of a User pursuant to a Supply Point Registration, or (for the purposes of this Section G only) the subject of a Proposed Supply Point Registration;
- (b) the **“Registered User”** of a Supply Point is the User in whose name such Supply Meter Point is so registered;
- (c) a **“Supply Point Registration”** is the registration of a Supply Meter Point in the name of a User pursuant to paragraph 6.9.7(a) or 6.10.1 or (where applicable) to paragraph 4.2.1;
- (d) the **“Supply Point Registration Date”** in respect of a Supply Point is the date of the Supply Point Registration in accordance with paragraph 6;
- (e) a reference in the Code in the context of a User to a **“Registered”** Supply Point or Supply Meter Point is to a Supply Point, or (as the case may be) the Supply Meter Point comprised in a Supply Point, of which the User is the Registered User;
- (f) the premises to which gas offtaken from the Total System at a Supply Point is or is to be supplied are the **“Supply Point Premises”**.

1.1.2 A User may apply for a Supply Point Registration (**“Proposed Supply Point Registration”**) subject to and in accordance with paragraph 6 and may withdraw from a Supply Point Registration subject to and in accordance with paragraph 6.11.

1.1.3 Without prejudice to paragraph 9.1, only one User may be the Registered User in respect of a Supply Point.

1.1.4 A reference in the Code to the Registered User of a Supply Meter Point is to the Registered User of the Supply Point (or in the case of a Shared Supply Meter Point any of the Supply Points) in which such Supply Meter Point is comprised.

1.1.5 Subject to and in accordance with paragraph 9.1, a Class 1 Supply Meter Point may be comprised in more than one Supply Point if the Registered Users in respect of such Supply Points have confirmed to the CDSP that they wish to be sharing Registered Users (in accordance with this paragraph 9.1) and specified (in accordance with

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<sup>1</sup> Implementation of modification 0710S effective 05:00hrs on a date to be confirmed will amend this list in whole or in part.

paragraph 9.1.6) the basis on which the quantity of gas offtaken each Day from the Supply Meter Point comprised in such Supply Points is to be apportioned between such Users.

1.1.6 A reference in the Code to the Registered User of a CSEP Supply Point is to the User (as IGTS User) which is the Registered IGTS User of the corresponding IGTS Supply Point in accordance with IGTAD Section A2.1), and references:

- (a) to the Registered User of a CSEP Supply Meter Point, or
- (b) in the context of a User, to a Registered CSEP Supply Point or CSEP Supply Meter Point,

shall be construed accordingly.

1.1.7 In this Section G, unless otherwise expressly provided, references to Supply Meter Points and Supply Points do not include CSEP Supply Meter Points or CSEP Supply Points.

## **1.2 Offtake responsibility for Supply Points**

Subject to paragraph 7.1.2 the gas offtaken from the Total System at a Supply Point will (in accordance with Section E3 and where applicable paragraph 9.1) be attributed for the purposes of the Code to the Registered User; and the Registered User accepts (for the purposes of the Code) responsibility for such offtake of gas by itself or any other person whether or not authorised by the Registered User.

## **1.3 Supply Meter Points**

1.3.1 In accordance with Section A4.1 a Supply Meter Point is an Individual System Exit Point at which gas may (in accordance with the Code) be offtaken from the Total System for the purposes of supply directly to particular premises.

1.3.2 A Supply Meter Point may (subject to and in accordance with paragraph 9.1) be included in more than one Supply Point.

1.3.3 In accordance with Section M2 a Supply Meter Installation is required to be installed at each Supply Meter Point; but a point may be a Supply Meter Point in accordance with paragraph 1.3.1 notwithstanding that no such installation is installed at such point.

1.3.4 Pursuant to this Section G, a Supply Meter Point which has not been Isolated will at all times be included in at least one Supply Point.

1.3.5 Paragraph 3.2 sets out the basis on which a New Supply Meter Point may be established.

## **1.4 DNO Users**

In this Section G references to Users exclude DNO Users.

## **1.5 Trader User**

In this Section G references to Users exclude Trader Users.

**1.6 Communications**

1.6.1 Unless otherwise stated, any TPD Communication to be given by or to a Party under this Section G shall be given to or by the CDSP.

**1.7 CDSP Functions**

1.7.1 Direct Functions of the CDSP to support implementation of this Section G are:

- (a) determining Annual Quantities;
- (b) managing Shared Supply Meter Point Nominations;
- (c) maintaining the Supply Point Register;
- (d) responding to Supply Point Enquiries;
- (e) implementing Supply Point registration processes in accordance with paragraphs 4, 6, 7, 8 and Annex B-3; and
- (f) undertaking query management in respect of the Supply Point Register.

1.7.2 Agency Functions of the CDSP to support implementation of this Section G are:

- (a) apportioning liability as between Sharing Registered Users for the purposes of paragraph 9.1.13;
- (b) notifying consumers of the requirement for a Supply Contract for the purposes of paragraph 4.4.9;
- (c) calculating re-establishment charges for the purposes of paragraph 8.2.1; and
- (d) administering Interruption Invitations.

1.7.3 The CDSP will maintain and not later than 30 September in each year provide to each Party a separate list of Days in the following calendar year (other than Saturdays and Sundays) which are not Business Days or Supply Point Systems Business Days under paragraphs GT Section C2.2.1.

**2 SUPPLY POINT AND SUPPLY METER POINT CHARACTERISTICS**

**2.1 Classes of Supply Point**

2.1.1 Each Supply Meter Point shall be classified as a “**Class 1**”, “**Class 2**”, “**Class 3**” or “**Class 4**” Supply Meter Point and references to a Class 1, 2, 3 or 4 Supply Point shall be construed according to the Class of the Supply Meter Point comprised in the Supply Point.

2.1.2 Subject to the further provisions of this paragraph 2.1 and paragraph 2.2, a Supply Meter Point shall be:

- (a) in Class 1 where:
  - (i) the Class 1 Requirement applies, and

- (ii) the Class 1 Meter Read Requirements are satisfied.
  - (b) in Class 2, Class 3 or Class 4 where:
    - (i) the Registered User has elected that it should be in such Class, and
    - (ii) the Class 1 Requirement does not apply.
- 2.1.3 The Class 1 Requirement applies in relation to a Supply Meter Point if:
- (a) the Supply Meter Point is a NTS Supply Meter Point, or
  - (b) the Annual Quantity of the Supply Meter Point is not less than 58,600,000 kWh (2,000,000 therms), or
  - (c) the Supply Meter Point is Interruptible; or
  - (d) the Supply Meter Point is comprised in a Seasonal Large Supply Point;
  - (e) the Supply Meter Point is comprised in a Supply Point in respect of which the circumstances set out in the Class 1 Ratchet Charge Guidance Document apply; or<sup>2</sup>
  - (f) the Supply Meter Point is an LDZ Supply Meter Point where telemetry equipment has been installed in accordance with Section M6.7.1.
- 2.1.4 If the Transporter determines and notifies the Registered User that it would not be practicable or economic for the Class 1 Meter Read Requirements to be satisfied in respect of a particular Supply Meter Point, the Class 1 Requirement shall not apply (and for the avoidance of doubt the relevant Supply Meter Point shall not be in Class 1).
- 2.1.5 Where, as a result of a change in status of a Supply Meter Point which is not in Class 1, the Class 1 Requirement applies:
- (a) the Transporter will arrange for the satisfaction of the Class 1 Meter Read Requirements as soon as reasonably practicable, and will inform the Registered User when the Class 1 Meter Read Requirements are satisfied, in accordance with Section M6.2;
  - (b) the date from which the Supply Meter Point shall be in Class 1 shall be determined in accordance with paragraph 2.2.
- 2.1.6 Where, as a result of a change in status of a Supply Meter Point which is in Class 1, the Class 1 Requirement ceases to apply:
- (a) the Registered User shall elect whether the Supply Meter Point shall be in Class 2, Class 3 or Class 4;
  - (b) the date from which the Supply Meter Point shall be in the Class elected (and cease to be in Class 1) shall be determined in accordance with paragraph 2.2;
  - (c) when the Supply Meter Point ceases to be in Class 1, the Transporter may (in accordance with Section M6.2.9) remove any equipment provided for the

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<sup>2</sup> Implementation of modification 0757FT effective 05:00hrs on 11/05/2021 will amend paragraph 2.1.3(e).

purposes of satisfying the Class 1 Meter Read Requirements.

2.1.7 In relation to a Supply Meter Point in Class 2, 3 or 4, to which the Class 1 Requirement does not apply, the Registered User or Proposing User may elect to change the Class of such Supply Meter Point, subject to and in accordance with paragraph 2.2.

2.1.8 Without prejudice to the other provisions of this paragraph 2.1, if the Class 1 Requirement applies to a New Supply Meter Point which (pursuant to paragraph 3.2.5) is included in a Supply Point, but for any reason (other than due to an act or omission of the Registered User) the Class 1 Meter Read Requirements are not satisfied, the Supply Meter Point shall be a Class 1 Supply Meter Point even though the Class 1 Meter Read Requirements are not satisfied.

## **2.2 Changes in Supply Point Classification, etc**

2.2.1 Any change in the relevant classification of a Supply Meter Point or Supply Point or a meter reading election in relation to a Supply Meter, shall be given effect only upon and by way of:

- (a) Supply Point Confirmation or (as the case may be) Supply Point Reconfirmation;
- (b) where permitted under Annex G-1, Supply Point Amendment; or
- (c) as regards the classification of a Supply Meter Point or Supply Point only, by the CDSP pursuant to paragraph 2.2.9;

and the provisions of paragraph 2.1 and Section A4 as to the relevant classification shall be construed accordingly.

2.2.2 Where, by virtue of a change in the Annual Quantity or other status as provided in paragraph 2.1.3, a Supply Meter Point or Supply Point is required (in accordance with any provision of the Code) to be classified differently from the prevailing relevant classification, the Registered User shall make a Supply Point Reconfirmation or Supply Point Amendment to give effect to such revised classification for a Supply Point Registration Date or (as the case may be) amendment date not more than 2 months after:

- (a) subject to paragraph (b), the relevant date (as provided in paragraph 2.2.6(b));
- (b) in the case of a change within paragraph 2.1.5, the date when the Class 1 Meter Read Requirements are satisfied.

2.2.3 Where pursuant to any provision of the Code (and other than upon a change in the Annual Quantity or other status as provided in paragraph 2.1.3) the Registered User is entitled to elect for a change in Class of the Supply Meter Point or make a meter reading election in relation to a Supply Meter:

- (a) subject to paragraph (b), the Registered User may not make such an election with effect from a date less than 2 months after the effective date of the last change in Class of the Supply Meter Point or (as the case may be) meter reading election in relation to the Supply Meter;
- (b) paragraph (a) does not apply in respect of a change of Class or meter reading

election under a Supply Point Confirmation under which the Proposing User is not an Existing Registered User, or made for the purposes of recording a change in supplier.

- 2.2.4 A Supply Point Amendment changing the Class of a Supply Meter Point from a Class 3 or 4 Supply Meter Point to a Class 1 or 2 Supply Meter Point shall:
- (a) confirm that the Prevailing Supply Point Capacity will apply at the Supply Meter Point; and
  - (b) specify a Supply Point Offtake Rate (consistent with Annex B-3, paragraph 4.1).
- 2.2.5 If the Class of a Supply Meter Point is changed by way of a Supply Point Amendment, a Meter Reading shall be obtained and submitted to the CDSP in accordance with Section M5.14.1.
- 2.2.6 For the purposes of this paragraph 2.2:
- (a) **“relevant classification”** means the Class of a Supply Meter Point or the classification of a Supply Point as Smaller or Larger;
  - (b) the relevant date is the date of the change in status of the Supply Meter Point or Supply Point in question, or other date with effect from which the requirement for reclassification first arises;
  - (c) a **“meter reading election”** is an election in relation to a Class 3 Supply Meter of the Batch duration (in accordance with Section M5.8.1) or in relation to a Class 4 Supply Meter of the Meter Read Frequency (in accordance with Section M5.9.1).
- 2.2.7 The CDSP shall monitor each Supply Meter Point in Class 2, Class 3 or Class 4 and, where the Annual Quantity at any such Supply Meter Point becomes equal to or greater than the Annual Quantity specified in paragraph 2.1.3(b) (calculated by reference to paragraph 2.3.15), notify:
- (a) the Registered User pursuant to paragraph 2.3.6; and
  - (b) the relevant Transporter and any DM Services Provider appointed by the relevant Transporter that the Annual Quantity has crossed a threshold requirement for the purposes of paragraph 2.3.15, not later than 5 Business Days before the end of the AQ Calculation Month.
- 2.2.8 Where the CDSP identifies that a Registered User is in breach of its obligation in paragraph 2.2.2(b) to reclassify a Class 2, 3 or 4 Supply Meter Point to a Class 1 Supply Meter Point arising solely from a failure to reclassify on the basis of the Annual Quantity at that Supply Meter Point having become equal to or greater than the Annual Quantity specified in paragraph 2.1.3(b) (calculated by reference to paragraph 2.3.15) it shall, as soon as reasonably practicable give notice to the Registered User of the same and:
- (a) notify such Registered User that, if it does not remedy such breach within 20 Supply Point System Business Days of the date on which the CDSP’s notice was issued, the CDSP shall change the classification of a Supply Meter Point on

the Registered User's behalf; and

- (b) require such Registered User to provide, in the event that such breach is not remedied, details of the Supply Point Capacity and the Supply Point Offtake Rate applicable (in each case) to the Supply Meter Point within 20 Supply Point System Business Days of the date on which the CDSP's notice was issued.

2.2.9 If the Registered User does not remedy its breach of the Code within the time period set out in paragraph 2.2.8(a) the CDSP shall reclassify the relevant Supply Meter Point as a Class 1 Supply Meter Point and in doing so shall:

- (a) if and to the extent the Registered User has provided either or both of the details requested pursuant to paragraph 2.2.8(b), and to the extent such detail(s) do not fail validation by the CDSP, utilise such detail(s) in undertaking the reclassification;
- (b) if and to the extent the Registered User has not provided one or both of the details requested pursuant to paragraph 2.2.8(b), or if one or both of the values supplied by a Registered User in response to such request fails validation by the CDSP, the CDSP shall, in the case of the detail(s) not provided or in respect of which validation has been failed (as applicable):
  - (i) where the Supply Meter Point is, prior to reclassification, a Class 2 Supply Meter Point, use the Prevailing Supply Point Capacity and/or Supply Point Offtake Rate for the Supply Meter Point; or
  - (ii) where the Supply Meter Point is a Class 3 or 4 Supply Meter Point, adopt the existing NDM Supply Point Capacity derived from the AQ applicable to the Supply Meter Point as the Supply Point Capacity, and/or adopt a value equivalent to 1/12<sup>th</sup> (one twelfth) of the Supply Point Capacity (or Supply Point Capacity adopted pursuant to this paragraph as appropriate) as the Supply Point Offtake Rate for the Supply Meter Point;

2.2.10 Each Registered User shall, in respect of each Supply Meter Point registered in its name use all reasonable endeavours to:

- (a) assist the relevant Transporter in the discharge of that Transporter's obligations pursuant to paragraph 2.1.5(a); and
- (b) to facilitate the discharge of the measures described in paragraph 2.2.9 as may be required by any Party or the CDSP.

2.2.11 Breaches of the Code by a Registered User shall not be waived or remedied in circumstances where the CDSP discharges its obligations pursuant to paragraph 2.2.9, and the Registered User shall be liable for all information deemed or adopted on its behalf by the CDSP as if such information had been provided by the Registered User.

## 2.3 Annual Quantity

2.3.1 The "Annual Quantity" in respect of a Supply Meter Point or Supply Point is an estimate (determined by the CDSP in accordance with the further provisions of the Code) of the quantity of gas which would (on a seasonal normal basis, in the case of a

Class 3 or 4 Supply Meter Point) be offtaken from the Total System at that Supply Meter Point in a period of 12 months.

- 2.3.2 The Annual Quantity of a Supply Meter Point and the Supply Point(s) in which it is comprised shall be determined in accordance with the further provisions of this paragraph 2.3.
- 2.3.3 For the purposes of this Section G:
- (a) **“AQ Close-Out”** in any month is the 10th Day of that month;
  - (b) the **“AQ Read Submission Period”** in relation to a month (M) is the period from (but not including) AQ Close-Out for month M-1 to (and including) AQ Close-Out for month M;
  - (c) in relation to a Supply Meter Point, a month is an **“AQ Calculation Month”** where a Qualifying Meter Reading in respect of such Supply Meter Point is submitted in the AQ Read Submission Period in relation to that month;
  - (d) a **“Qualifying Meter Reading”** is any Valid Meter Reading (other than a Meter Reading which is replaced pursuant to Section M5.16), provided that in the case of a Class 1 or 2 Supply Meter Point the Exit Close-out Date in respect of the Read Date is not later than AQ Close-Out.
- 2.3.4 The Annual Quantity in respect of each Supply Meter Point shall be calculated in each AQ Calculation Month.
- 2.3.5 The Annual Quantity calculated in respect of the Supply Meter Point in an AQ Calculation Month (month M) shall apply:
- (a) with effect from and including the first Day of the month (month M+1) following the AQ Calculation Month; and
  - (b) until and including the last Day of the next AQ Calculation Month (which for the avoidance of doubt may be month M+1).
- 2.3.6 The CDSP will notify the Annual Quantity, and if relevant that the Annual Quantity has crossed a threshold requirement for the purposes of paragraph 2.3.15, to the Registered User not later than 5 Business Days before the end of the AQ Calculation Month.
- 2.3.7 For the purposes of calculating the Annual Quantity in respect of a Supply Meter Point in an AQ Calculation Month:
- (a) the **“AQ Closing Reading”** is the Qualifying Meter Reading which was submitted in the AQ Read Submission Period, or if more than one Valid Meter Reading was so submitted, the Qualifying Meter Reading with the latest Read Date;
  - (b) the **“AQ Opening Reading”** is:
    - (i) in relation to a Class 1 or 2 Supply Meter Point, the Valid Daily Meter Reading or (in the circumstances in Section M5.6.2 or M5.7.2) estimated Meter Reading for which the Read Date is the target date, subject to paragraph 2.3.14(c);



- (ii) in relation to a Class 3 or 4 Supply Meter Point:
  - (1) the Valid Meter Reading for which the Read Date is nearest to the target date; or
  - (2) in the case where the Read Dates of two Valid Meter Readings are an equal number of Days respectively before and after the target date, the Valid Meter Reading with the later Read Date;
  - (3) but excluding any Meter Reading for which the Read Date is less than 9 months or more than 36 months before the Read Date of the AQ Closing Read;
- (c) the “**target date**” for the purposes of paragraph (b) is the date which is 365 Days before the Read Date of the AQ Closing Reading;
- (d) the “**AQ Metered Period**” is the period from the Read Date of the AQ Opening Reading to the Read Date of the AQ Closing Reading;
- (e) in relation to a Class 3 or 4 Supply Meter Point, the “**AQ Metered Quantity**” is the Metered Quantity (as provided in Section M1.5.3(e)) for the AQ Metered Period.

2.3.8 If, in relation to a Supply Meter Point and an AQ Closing Read in a month, there is no Valid Meter Reading which qualifies as an AQ Opening Reading under the requirements in paragraph 2.3.7(b)), an Annual Quantity shall not be calculated and that month shall not be an AQ Calculation Month and the prevailing Annual Quantity of the Supply Meter Point shall be unchanged.

2.3.9 Subject to the further provisions of this paragraph 2.3, the Annual Quantity of a Supply Meter Point shall be determined:

- (a) in the case of a Class 1 or 2 Supply Meter Point, as the sum of the Supply Meter Point Daily Quantities for all Days in the AQ Metered Period;
- (b) in the case of a Class 3 or 4 Supply Meter Point, by reference to the AQ Metered Quantity and AQ Metered Period, in accordance with Section H3.2.

2.3.10 Where a Class 3 or 4 Supply Meter Point becomes a Class 1 or 2 Supply Meter Point, the Annual Quantity shall continue to be calculated pursuant to paragraphs 2.3.7(b)(ii) and 2.3.9(b) until the first AQ Calculation Month in which there is an AQ Closing Read for which the target date is not earlier than the date of the change in Class of the Supply Meter Point.

2.3.11 Where, following an AQ Calculation Month a Supply Meter Point changes Class, and as a result the method (under the applicable provisions of this paragraph 2.3) of calculating the Annual Quantity changes, the Annual Quantity shall not be revised by reason of such change until the next following AQ Calculation Month.

2.3.12 Where a Supply Meter Point is Isolated the value of the Annual Quantity for that Supply Meter Point shall continue to be the value as determined at the date of Isolation, until and unless the Supply Meter Point is Re-established.

2.3.13 Where an Isolated Supply Meter Point is Re-established, for the purposes of calculating the Annual Quantity in each subsequent AQ Calculation Month, Days on which the Supply Meter Point was Isolated:

- (a) shall be disregarded in determining the target date under paragraph 2.3.7(c);
- (b) shall be excluded from the AQ Metered Period for the purposes of the calculation under Section H3.2.

2.3.14 In the case of a New Supply Meter Point:

- (a) until the first AQ Calculation Month in accordance with paragraph (b), the Annual Quantity shall be such amount determined by reference to paragraph 3.2.6;
- (b) the first AQ Calculation Month shall be the first month in relation to which a Qualifying Meter Reading, with a Read Date not less than 9 months after the Supply Point Registration Date of the first Supply Point which includes such new Supply Meter Point, is submitted in the AQ Read Submission Period;
- (c) subject to paragraph (b), in the case of a Class 1 or 2 Supply Meter Point, in each AQ Calculation Month until the first such month for which the Read Date of the AQ Closing Reading is not less than 365 Days after such Supply Point Registration Date:
  - (i) the AQ Opening Reading shall be the Daily Meter Reading for the Supply Point Registration Date;
  - (ii) the Annual Quantity (AQ) shall be calculated as follows:

$$AQ = AQ' * 365 / D$$

where:

AQ' is the quantity calculated under paragraph 2.3.9(a);

D is the number of Days in the AQ Metered Period;

- (d) in the case of a Class 3 or 4 Supply Meter Point, in each AQ Calculation Month where the Read Date of the AQ Closing Read is less than 365 Days after such Supply Point Registration Date:
  - (i) the AQ Opening Read shall be in accordance with paragraph (c)(i);
  - (ii) the Annual Quantity (AQ) shall be calculated as follows:

$$AQ = AQ' / D * 365$$

where AQ and D have the meaning in paragraph (c).

2.3.15 Where it is a condition of a change in classification (under any provision of the Code) of a Supply Point or Supply Meter Point that the Annual Quantity of such System Exit Point is or has become greater than, not less than, less than or not greater than a specified quantity (the “**threshold requirement**”), the condition shall be treated as

satisfied, with effect from the first Day of the month following a relevant month ('M'), if and only if:

- (a) except where paragraph (b) applies:
  - (i) each AQ Calculation Month in the preceding period of 6 months is a qualifying AQ Calculation Month; and
  - (ii) there are at least 3 consecutive qualifying AQ Calculation Months (including month M), or if there are fewer than 3 AQ Calculation Months in the preceding period of 18 months, each AQ Calculation Month in that 18 month period is a qualifying AQ Calculation Month;
- (b) in the case of a requirement for a change in classification to Class 1 by reason of the Annual Quantity of the Supply Meter Point being not less than the threshold requirement, if:
  - (i) the last 3 AQ Calculation Months were qualifying AQ Calculation Months (including Month M); or
  - (ii) the last AQ Calculation Month prior to the commencement of the preceding period of 12 months was a qualifying AQ Calculation Month, and any AQ Calculation Month in that period is a qualifying AQ Calculation Month.

2.3.16 For the purposes of paragraph 2.3:

- (a) an AQ Calculation Month is a qualifying AQ Calculation Month if the Annual Quantity calculated in such month satisfies the relevant threshold requirement;
- (b) a preceding period is a period ending with and including month M.
- (c) a relevant month is:
  - (i) in relation to paragraph 2.3.15(a) and (b)(i), an AQ calculation month;
  - (ii) in relation to paragraph 2.3.15(b)(ii), the last month in the preceding period.

2.3.17 For the purposes of the Code, subject to paragraph 2.3.18, the **“Formula Year Annual Quantity”** for a Class 3 or 4 Supply Meter Point and the Supply Point(s) in which it is comprised for a Formula Year is the Annual Quantity determined in the most recent AQ Calculation Month falling not later than the December prior to that Formula Year, notwithstanding any subsequent change in the basis of determination of such Annual Quantity as a result of a change in Class of the Supply Meter Point.

2.3.18 Where the Annual Quantity of a Supply Meter Point is revised pursuant to paragraph 2.3.20 with effect from any month in a Formula Year (FY), the Formula Year Annual Quantity:

- (a) for Formula Year FY; and
- (b) (where such revision is made after the Formula Year Annual Quantity for Formula Year FY+1 has been determined) for Formula Year FY+1

shall be revised, with effect from that month or (if later) the start of the relevant Formula Year, so as to be equal to such revised Annual Quantity.

- 2.3.19 For the purposes of determining the rate of any Transportation Charge, references in the Transportation Statement to the Annual Quantity of a Supply Point are to the Formula Year Annual Quantity for the Formula Year in question.
- 2.3.20 The Registered User may request a change in the Annual Quantity of a Supply Meter Point on the grounds that the most recently calculated Annual Quantity does not reflect the expected (seasonally adjusted where relevant) consumption of gas over the 12 months following the date of the request due to an eligible cause which occurred after the Read Date of the AQ Opening Reading used in the most recent calculation of the Annual Quantity.
- 2.3.21 For the purpose of paragraph 2.3.20 “**eligible cause**” means:
- (a) the confirmed theft of gas (which resulted in the metered consumption in the AQ Metered Period at the Supply Meter Point being less than the actual consumption);
  - (b) the installation, replacement or removal of Consumer's Plant which results in a material change in the basis on which gas is consumed; or
  - (c) the commencement of a new business activity or discontinuance of an existing business activity at the consumer's premises.
- 2.3.22 A Registered User may also request a change to the Annual Quantity of a Supply Meter Point where the Uniform Network Code Validation Rules prescribe the wider tolerance band referred to in Section M5.3.4(b) by reference to the Annual Quantity of the Supply Meter Point and;
- (a) the User submits a Meter Reading (“**Rejected Meter Reading**”) for such Supply Meter Point which fails validation because it falls outside the wider tolerance band, but which all other respects is Valid; and
  - (b) the User is satisfied that the Meter Reading is valid (and would not fail validation if the Annual Quantity were so changed).
- 2.3.23 Where a Registered User requests a change in the Annual Quantity:
- (a) it shall give notice to the CDSP specifying:
    - (i) the Supply Meter Point in respect of which the request is made;
    - (ii) in the case of a request under:
      - (1) paragraph 2.3.20, which eligible cause applies and evidence of its application in relation to the Supply Meter Point;
      - (2) paragraph 2.3.22, the Rejected Meter Reading and evidence that it is valid;
    - (iii) the User's estimate of the Annual Quantity which shall be made in accordance with paragraph 3.2.6(a)(iii) and where applicable taking

into account (in a case within paragraph 2.3.20, where applicable) the metered consumption between the Read Dates of the Valid Meter Reads referred to in paragraph (b), or (in a case within paragraph 2.3.22) the Rejected Meter Reading;

- (b) in the case of a request under paragraph 2.3.20:
  - (i) it shall submit a Valid Meter Reading with a Read Date which is no earlier than the date on which the eligible cause occurred; and
  - (ii) it may in addition submit a Valid Meter Reading with a Read Date later than the Read Date of the Meter Reading under paragraph (i).

2.3.24 A User may only give notice requesting a change in the Annual Quantity of a Supply Meter Point under paragraph 2.3.20 for an eligible cause under paragraph 2.3.21(c) where the following conditions are satisfied:

- (a) the notice is submitted no later than three (3) months after the Supply Point Registration Date;
- (b) the User has submitted a notification under paragraph 2.3.30;
- (c) prior to the Supply Point Registration Date the Existing Registered User of the Supply Point in which the Supply Meter Point is comprised is neither
  - (i) the User submitting the request for a change in the Annual Quantity; or
  - (ii) a 25% Affiliate of such User.

2.3.25 The CDSP will reject a request for a change in the Annual Quantity where:

- (a) either:
  - (i) the eligible cause specified in the Registered User's notice has not occurred or (as the case may be) the Rejected Meter Reading was not Valid;
  - (ii) the Registered User's estimate of the Annual Quantity is not made in accordance with paragraph 3.2.6(a)(iii);
- (b) in a case within paragraph 2.3.22, the User does not submit a Rejected Meter Reading;
- (c) in a case within paragraph 2.3.24, any of the conditions are not satisfied.

2.3.26 Within 2 Business Days of receipt of a request under paragraph 2.3.20 or 2.3.22 the CDSP will notify the User if the request is accepted or rejected (in which case the CDSP will notify the User of the reasons for the rejection).

2.3.27 Subject to paragraphs 2.3.28 and 2.3.31, where the CDSP accepts a request for a change in Annual Quantity of a Supply Meter Point:

- (a) with effect from and including the first Day of the first month which begins at least 15 Supply Point Systems Business Days after the date on which the User gave notice pursuant to paragraph 2.3.23(a), and until the next AQ Calculation

Month under paragraph (c) the Annual Quantity for the Supply Meter Point shall be the estimate specified in the User's notice under paragraph 2.3.23(a);

- (b) in a case within paragraph 2.3.22, the Rejected Meter Reading (as resubmitted at the User's request) will be accepted;
- (c) the next AQ Calculation Month shall be the first month in relation to which a Qualifying Meter Reading, with a Read Date not less than 9 months after the Read Date of the Meter Reading referred to in paragraph 2.3.22(b) or (as the case may be) the Rejected Meter Reading, is submitted in the AQ Read Submission Period; and
- (d) the CDSP shall notify the User five (5) Supply Point Systems Business Days prior to the date the change in Annual Quantity is given effect in accordance with paragraph (a) of the new Annual Quantity for the Supply Meter Point.

2.3.28 A User may cancel a request for a change in the Annual Quantity of a Supply Meter Point by giving the CDSP at least 8 Supply Point Systems Business Days' notice prior to the date the change would be given effect in accordance with paragraph 2.3.27(a) and if the CDSP receives such notice, the previously accepted request shall not take effect, and the Annual Quantity of the Supply Meter Point shall be unchanged.

2.3.29 Where at any time prior to the Supply Point Registration Date the User considers that any Annual Quantity of a Supply Point comprising a New Supply Meter Point which has been recorded on the Supply Point Register does not reflect the User's estimate of the correct quantity then the User shall promptly (and in any event before the Supply Point Registration Date) notify the CDSP of the same together with its estimate of the correct Annual Quantity.

2.3.30 For the purposes of paragraph 2.3.24 a User may submit to the CDSP a notification to confirm in respect of the User:

- (a) that no other Shipper User qualifies as a 25% Affiliate; or
- (b) the identity of each other Shipper User who qualifies as a 25% Affiliate

and the User shall promptly submit a further notification to the CDSP in the event the details in an earlier notification cease to be correct.

2.3.31 Where following the acceptance of a request for a change in the Annual Quantity under paragraph 2.3.24 it is determined the condition in paragraph 2.3.24(c)(ii) was not satisfied paragraph 2.3.27 shall be deemed not to have applied in respect of the request (notwithstanding the CDSP's acceptance of the request at the time it was submitted).

## 2.4 Sub-deduct Arrangements

2.4.1 For the purposes of the Code:

- (a) a **“Sub-deduct Arrangement”** is an arrangement of pipes and meters, installed before 1 March 1996, which National Grid recognised on such date as being such an arrangement, by which a part of the gas which is conveyed by a System to premises for the purposes of supply to those premises, is further conveyed to other premises for the purposes of supply to those other premises;

- (b) the System Point at which a meter comprised in the Sub-deduct Arrangement is installed, and upstream of which no other meter comprised in such arrangement is installed, shall be a Supply Meter Point (the “**Primary Supply Meter Point**”);
- (c) the Primary Supply Meter Point is not a Connected System Exit Point;
- (d) the gas conveyed in a Sub-deduct Arrangement may be conveyed:
  - (i) by a person (other than the Transporter) exempted pursuant to but subject to the conditions of any order under Section 6A of the Act granting exemption from paragraph (a) of Section 5(1) of the Act, in which case (irrespective of whether such conditions are complied with) the Sub-deduct Arrangement does not form part of a System;
  - (ii) by the Transporter, in which case the Sub-deduct Arrangement forms a part of a System; and
- (e) in a Sub-deduct Arrangement:
  - (i) each of the meters referred to in paragraph (a) (other than a check meter in accordance with paragraph (iii)) and the Supply Meter installed at the Primary Supply Meter Point, is a “**relevant meter**”;
  - (ii) a relevant meter (meter 'B') is “**dependent**” on another (meter 'A') where meter B is downstream of meter A and there is no relevant meter between meter A and meter B;
  - (iii) a meter is a check meter where all gas which flows through the meter also flows through one or more meters (in such arrangement) downstream of that meter.

#### 2.4.2 Where a Sub-deduct Arrangement forms part of a System:

- (a) each of the points in the Sub-deduct Arrangement at which gas is offtaken from the Total System for the purposes of supply to premises is a Supply Meter Point; and
- (b) the point of offtake for each such Supply Meter Point shall be the point determined as the point of offtake in accordance with Section J3.7.1, and title and risk in gas offtaken from the Total System shall pass accordingly.

#### 2.4.3 Where a Sub-deduct Arrangement does not form part of a System:

- (a) for the further purposes of this paragraph 2.4, the Primary Supply Meter Point shall be treated (for the purposes of the Code, but subject to paragraphs (b) and (d)) as being a number of Supply Meter Points each of which shall be associated with one relevant meter and so identified (by a unique reference) in the Supply Point Register;
- (b) the point of offtake in respect of each such Supply Meter Point shall be the point of offtake in accordance with Section J3.7.1 in respect of the Primary Supply Meter Point, and title and risk in gas offtaken from the Total System shall pass accordingly; and (for the purposes of Section J) the provisions of

paragraph 2.4.5 and of Section G shall have effect for the purposes of determining which Users are offtaking gas from the Total System at that point, and in what proportions;

- (c) none of such Supply Meter Points shall be treated as being a Shared Supply Meter Point; and
- (d) no provision of this paragraph 2.4, nor the fact that the Supply Point Register records details in respect of the Supply Meter Points which are (pursuant to paragraph (a)) treated as existing at the Primary Supply Meter Point, shall be taken to imply that any User has arranged with the Transporter for the conveyance of gas beyond the Primary Supply Meter Point.

#### 2.4.4 Where there is a Sub-deduct Arrangement:

- (a) each of the Supply Meter Points (including the Primary Supply Meter Point) referred to in paragraph 2.4.2(a), or (as the case may be) treated as existing in accordance with paragraph 2.4.3(a), is a **“Sub-deduct Supply Meter Point”**;
- (b) each relevant meter shall for the purposes of Section M2 be treated as a Supply Meter (a **“Sub-deduct Supply Meter”**) provided by the Transporter; provided that:
  - (i) the same person must be appointed as Meter Reader in respect of all Non-Daily Read Sub-deduct Supply Meters in a particular Sub-deduct Arrangement;
  - (ii) the Meter Reading Frequency in respect of each Non-Daily Read Sub-deduct Supply Meter shall be the Meter Reading Frequency of the primary Non-Daily Read NDM Sub-deduct Supply Meter;
  - (iii) where reasonably practicable, the Meter Reads for all Non-Daily Read Sub-deduct Supply Meters shall be undertaken on the same Day as a Meter Read in relation to the primary Non-Daily Read Sub-deduct Supply Meter; and a Meter Reading in respect of any Non-Daily Read Sub-deduct Supply Meter shall not be a Valid Meter Reading unless Meter Reads were undertaken for all Non-Daily Read Sub-deduct Supply Meters within a period of 5 Supply Point Systems Business Days commencing on the Day 2 Supply Point Systems Business Days before the Day of a Meter Read in relation to the primary Non-Daily Read Sub-deduct Supply Meter;
  - (iv) where the Transporter is the person appointed (pursuant to paragraph (i)) as Meter Reader, the Transporter agrees that its charges to Registered Users for Meter Reads at Non-Daily Read Sub-deduct Supply Meters (other than the primary such meter) will not be increased if the Meter Reading Frequency under paragraph (ii) is greater than that which would otherwise be required under Section M5;
- (c) for the purposes of paragraph (b) the primary Non-Daily Read Sub-deduct Supply Meter is the Non-daily Read Sub-deduct Supply Meter which is furthest upstream in the Sub-deduct Arrangement (and for the avoidance of doubt may be the relevant meter at the Primary Supply Meter Point);



- (d) each Sub-deduct Supply Meter Point shall have a separate Annual Quantity, and may be the subject of separate Supply Point Nominations and/or Supply Point Confirmations and may be comprised in a separate Supply Point;
- (e) the details in the Supply Point Register will reflect the premises at which each Sub-deduct Supply Meter is actually located; and
- (f) the Registered User of a Supply Point which includes a Sub-deduct Supply Meter Point is a **“Sub-deduct Registered User”**.

2.4.5 Upon any Meter Reads in respect of the relevant meters in a Sub-deduct Arrangement:

- (a) in respect of each Sub-deduct Supply Meter there shall be attributed to the Sub-deduct Registered User a volume (the **“Sub-deduct Volume”**) determined as the Metered Volume in respect of the associated relevant meter less the sum of the Metered Volumes for all dependent relevant meters;
- (b) the Metered Quantity determined in respect of each Sub-deduct Supply Meter in accordance with Section M1.5.3 will be determined on the basis of the Sub-deduct Volume.

2.4.6 In the case of a Sub-deduct Arrangement which forms part of a System, the Transporter reserves the right at its cost to undertake works to extend the relevant System by laying additional pipes so as to cause any Sub-deduct Supply Meter Point to cease to be comprised in the relevant Sub-deduct Arrangement; provided that the Transporter will not undertake such works without first obtaining the consent (not to be unreasonably withheld) of the Registered User of each Supply Point affected thereby and in undertaking such works will endeavour to minimise the disruption to the offtake of gas from the relevant System at such Supply Points (but subject thereto will not be in breach of its obligation to make gas available for offtake from the Total System by reason of the carrying out of such works).

2.4.7 Where, in relation to any relevant meter at which the Class 1 Requirement applies, there is any dependent meter which is not a Class 1 or Class 2 Supply Meter, the Supply Meter Point at which the relevant meter is installed shall (notwithstanding that the Class 1 Requirement applies and the Class 1 Meter Read Requirements are satisfied, and notwithstanding any other provision of the Code), unless otherwise agreed between the Transporter and the Registered User, be a Class 3 or Class 4 Supply Point.

2.4.8 For the purposes of this paragraph 2.4:

- (a) the CDSP will, after consultation with Users, prepare and from time to time revise (subject to prior approval by Panel Majority of the Uniform Network Code Committee) and publish the **“Guidelines for Sub-Deduct Arrangements (Prime and Sub-Deduct Meter Points)”** to apply in respect of Sub-deduct Arrangements; and
- (b) Sub-deduct Registered Users shall comply with such procedures referenced in paragraph (a).

### **3 SUPPLY POINT REGISTER**

### 3.1 Supply Point Register

3.1.1 Subject to GT Section D2.4.2, the CDSP has established and (without prejudice to paragraph 3.1.3) will maintain a register (“**Supply Point Register**”) of all Supply Meter Points, Supply Points and Supply Point Premises located on a System(s) operated by the Transporter.

3.1.2 In the Supply Point Register:

- (a) each Supply Meter Point will be identified by a unique number (the “**Supply Meter Point Reference Number**”) assigned with effect from 1 March 1996 or in the case of a new Supply Meter Point the date on which the Supply Meter Point is entered in the register in accordance with paragraph 3.2.2;
- (b) for each Supply Meter Point:
  - (i) the post code (“**Meter Post Code**”) of the address at which the Supply Meter is located will be recorded;
  - (ii) a code (“**Meter Link Code**”) will be assigned to indicate whether the Supply Meter Point is a Sub-deduct Supply Meter Point, and if so whether it is the Primary Supply Meter Point;
  - (iii) a code (“**Market Sector Code**”) will be assigned to indicate whether the Supply Point Premises are Domestic Premises or Non-domestic Premises;
- (c) each Supply Point will be identified by a unique number (the “**Supply Point Registration Number**”) assigned with effect from the Supply Point Registration Date; and
- (d) the details specified in the UK Link Manual will be recorded in respect of each Supply Meter Point, Supply Point and Supply Point Premises.

3.1.3 Without prejudice to any other provision of the Code, the Parties and the CDSP shall:

- (a) cooperate with a view to ensuring that the information contained in the Supply Point Register is at all times as accurate as is possible; and
- (b) each use reasonable endeavours to secure that it becomes aware, insofar as it might reasonably be expected to become aware, of any inaccuracy in the information contained in the Supply Point Register, and to inform (in the case of a Party) the CDSP or (in the case of the CDSP) either one or both of the Registered User and the Transporter of such inaccuracy,

but nothing in this paragraph 3.1.3 shall imply that the Supply Point Register is capable of being amended other than as provided in this Section G or Section M.

3.1.4 The Supply Meter Point Reference Number will continue to be assigned to a Supply Meter Point which has been Isolated.

3.1.5 The Supply Point Registration Number of a Supply Point and the Supply Meter Point Reference Number of any Supply Meter Point comprised therein will not be changed during the relevant Supply Point Registration.

- 3.1.6 Upon a request by any User identifying a Supply Meter Point by quoting the Supply Meter Point Reference Number and Meter Post Code, the CDSP will provide to the User certain of the details (such details being specified in the UK Link Manual for the purposes of this provision) recorded in the Supply Point Register of the Supply Point(s) in which the Supply Meter Point is comprised.
- 3.1.7 A Party shall not be entitled to have access to the information contained in the Supply Point Register except to the extent the Code provides for such information to be made available to such User.
- 3.1.8 The CDSP has established and will maintain, in relation to each Unmetered Connected System Exit Point, a register (“**CSEP Supply Point Register**”) in respect of CSEP Supply Meter Points and CSEP Supply Points which reflects the details (relating to IGTS Supply Meter Points and IGTS Supply Points) provided by the Independent Gas Transporter under IGTAD Section D3.1.
- 3.1.9 The CDSP may maintain the CSEP Supply Point Register on a combined basis with the supply point register maintained (pursuant to the arrangements referred to in IGTAD Section A1.6) for the Independent Gas Transporter.
- 3.1.10 The CSEP Supply Point Register is maintained for the purposes of enabling the Transporter to implement relevant provisions of the Transportation Principal Document in relation to CSEP Supply Meter Points and CSEP Supply Points, and (except as otherwise provided in this Document) changes to the CSEP Supply Point Register will be made only to reflect changes notified to the CDSP by the Independent Gas Transporter (and Users may not directly require changes in the CSEP Supply Point Register).
- 3.1.11 In this Section G, references to the Supply Meter Point Reference Number or other details in relation to a CSEP Supply Meter Point or CSEP Supply Point are to the equivalent details maintained in the CSEP Supply Point Register.

## 3.2 New Supply Meter Points

- 3.2.1 For the purposes of the Code:
- (a) a “**New Supply Meter Point**” is a new Supply Meter Point;
  - (b) for the purposes of the Code, the “**First Supply Point Registration Date**” is the Supply Point Registration Date of the first Supply Point Registration to be made for a Supply Point comprising the New Supply Meter Point; and
  - (c) “**Meter Fix Date**” is the date which has been notified to the Transporter as the date upon which a Supply Meter has been installed at a New Supply Meter Point.
- 3.2.2 Where the CDSP has been notified that Connections Work is to be or has been undertaken then on or as soon as reasonably practical after the relevant date (in accordance with paragraph 3.2.3) the CDSP will:
- (a) enter such New Supply Meter Point and the Supply Meter Point Reference Number for the same on to the Supply Point Register; and
  - (b) for the purposes of this Section G treat the same as a Supply Meter Point.

- 3.2.3 For the purposes of paragraph 3.2.2 the relevant date is the date upon which the CDSP has received notice of the (i) allocation of a specific Supply Meter Point Reference Number to a New Supply Meter Point, or (ii) completion of the Connections Work, from the person who has undertaken the same, where received earlier than such allocation notice.
- 3.2.4 Subject to paragraph 3.2.7, no person shall be entitled to offtake gas from the Total System at a New Supply Meter Point at any time before the First Supply Point Registration Date.
- 3.2.5 Any User may, at any time after the time at which a New Supply Meter Point was entered in the Supply Point Register, submit a Supply Point Nomination in accordance with paragraph 6.4.1 and (subject to having received a Supply Point Offer) submit a Supply Point Confirmation in respect of a Proposed Supply Point which comprises the New Supply Meter Point.
- 3.2.6 Where a User submits:
- (a) a Supply Point Nomination in accordance with paragraph 6.4 (in respect of a Larger Supply Point which comprises a New Supply Meter Point:
    - (i) where the Proposed Supply Point is a LDZ DM Supply Point, the Nominated Supply Point Capacity shall not be less than the User's estimate of the maximum quantity of gas to be offtaken on any Day in the next 12 months on the basis of reasonable assumptions as to weather conditions;
    - (ii) where the Proposed Supply Point is an NDM Supply Point, the User shall provide to the CDSP the User's estimate of the value of any variable by reference to which any End User Category (to which such Supply Point might belong) is in the relevant Gas Year defined in accordance with Section H; and
    - (iii) the User's estimates under paragraphs (i) and (ii) shall be made in good faith and after all appropriate enquiries of the consumer and on the basis of reasonable skill and care;
  - (b) a Supply Point Confirmation in accordance with paragraph 6.7 in respect of a Smaller Supply Point which comprises a New Supply Meter Point, then the User shall be deemed to have provided User's estimate of the quantity which the User expects to be offtaken from the Total System at the Supply Point in a 12 month period under seasonal normal conditions, which estimate shall (if the Supply Point Confirmation becomes effective) be the Annual Quantity for the Supply Point.
- 3.2.7 In respect of both Smaller and Larger Supply Points:
- (a) where a Supply Point Confirmation (including any subsequent Supply Point Confirmation) in respect of a New Supply Meter Point has been submitted then in the absence of a rejection of such Supply Point Confirmation:
    - (i) where the Meter Fix Date is prior to the date upon which such Supply Point Confirmation is submitted, the Proposing User which submitted such Supply Point Confirmation will be treated as being the Registered

User (but not an Existing Registered User) from:

- (1) the Meter Fix Date, where such Proposing User is the person that has submitted the Meter Fix Reading as described in Section M5.13.18(a);
- (2) the date such Supply Point Confirmation is submitted, where such Proposing User is not the person that has submitted the Meter Fix Reading as described in Section M5.13.18(a)

until the Supply Point Registration Date;

- (ii) where the Meter Fix Date is after or upon the date on which such Supply Point Confirmation is submitted, the Proposing User which submitted such Supply Point Confirmation will be treated as being the Registered User (but not an Existing Registered User) from the Meter Fix Date until the Supply Point Registration Date;
- (b) where the Proposing User is treated as being the Registered User, the Proposing User shall, notwithstanding that there is no Supply Point Registration in respect of the Proposed Supply Point (and irrespective of the Proposed Supply Point Registration Date) be permitted to offtake gas from the Total System at such New Supply Meter Point;
- (c) the quantity of gas (if any) so offtaken on any Day will be counted as an UDQO of the User for the purposes of Code (and in particular the User will be liable to pay any appropriate Transportation Charges in relation thereto);
- (d) for the purposes of the first Offtake Reconciliation the quantity of gas (if any) so offtaken will be counted as part of the Reconciliation Quantity (for which purposes a quantity of zero shall be assumed to have been offtaken); and accordingly the User will be liable to pay Reconciliation Clearing charges and Reconciliation Transportation Charge Adjustments in respect of the quantity of gas (if any) so offtaken; and
- (e) where any Supply Point Confirmation (including any subsequent Confirmation) has been rejected by the CDSP then the Proposing User whose Supply Point Confirmation has been rejected shall promptly take steps to ensure gas is not offtaken at the New Supply Meter Point.

### **3.3 Modification of Supply Point Register**

3.3.1 A Supply Point Registration may be modified, where the Code requires or permits such modification:

- (a) by a Supply Point Reconfirmation, or
- (b) by the CDSP, upon notice from a Proposing User, pursuant to paragraph 3.3.4 or Section M3.2.1, or
- (c) only as respects those details specified in Annex G-1, by an amendment (“**Supply Point Amendment**”) subject to and in accordance with Annex G-1.

3.3.2 Where:

- (a) as a result of a change in Supply Point Premises from Domestic Premises to Non-domestic Premises or visa versa, the Market Sector Code recorded in the Supply Point Register in relation to a Supply Point ceases to be accurate; or
- (b) the Registered User identifies an error in the Market Sector Code in relation to a Registered Supply Point,

the Registered User shall, as soon as reasonably practicable, amend the Supply Point Register accordingly by a Supply Point Amendment.

- 3.3.3 Where a Registered User submits a Supply Point Amendment in respect of a change to the Meter Point Code for a Supply Meter Point, the effect of which is to change the LDZ or Exit Zone of such Supply Meter Point, the CDSP will notify the Registered User of the new Supply Point Transportation Charge which will apply at that Supply Meter Point, 2 Supply Point Systems Business Days from the date of acceptance of the Supply Point Amendment.
- 3.3.4 Following the rejection of a Supply Point Nomination pursuant to paragraph 6.4.6(b) or a Supply Point Confirmation pursuant to paragraph 6.7.2(b):
- (a) the Proposing User may within 10 Supply Point Systems Business Days after such rejection notify the CDSP that the User considers that any details recorded in respect of the Proposed Supply Point in the Supply Point Register are incorrect, or that details which should be so recorded are absent from the Supply Point Register; and
  - (b) where the User so notifies the CDSP:
    - (i) the User shall at the same time provide details of what it considers the relevant details should be and its reasons for so considering; and
    - (ii) the CDSP will, as soon as reasonably practicable after the User's notification, consider the details and reasons provided by the User, and where it is reasonably satisfied that any of the relevant details in the Supply Point Register are incorrect, or that details which should be so recorded are absent from the Supply Point Register, the CDSP will (within 5 Days after being so satisfied) amend the Supply Point Register in respect of such details and will not reject (on the same grounds) a further Supply Point Nomination or Supply Point Confirmation in respect of the Proposed Supply Point.

#### **3.4 Failure to revise Supply Point Register**

- 3.4.1 If on any Day, as a result of a failure by the CDSP to revise the Supply Point Register in accordance with the provisions of the Code:
- (a) a Supply Meter Point, in respect of which the User has submitted a Supply Point Withdrawal which has become effective in accordance with paragraph 6.12, remains registered in the name of the User in the Supply Point Register; or
  - (b) a Supply Meter Point, in respect of which the User has submitted a Supply Point Confirmation which has become effective in accordance with paragraph 6.9.7(a) or 6.10.1, has not become registered in the name of the User in the Supply Point Register

then, in view of (and without prejudice to) Section E1.8.2, where the effect on the determination of the Energy Balancing Charges payable by the User is material, National Grid NTS may make a payment to or require a payment from the User of an amount reasonably estimated by National Grid NTS as required (having regard to the User's Daily Imbalance for the Day, whether such imbalance was positive or negative) to compensate the User or National Grid NTS for the inclusion or (as the case may be) exclusion (in the determination of such Energy Balancing Charges) of the quantity of gas offtaken from the Total System on the Day in the calculation of the User's Daily Imbalance.

- 3.4.2 Amounts paid by or to National Grid NTS pursuant to paragraph 3.4.1 will be additional Monthly Adjustment Neutrality Costs or (as the case may be) additional Monthly Adjustment Neutrality Revenues for the purposes of Section F4.5.3 in the month in which they are paid.
- 3.4.3 For the avoidance of doubt, the Supply Meter Points which are to be taken into account in determining the Transportation Charges, Scheduling Charges and other charges (other than Energy Balancing Charges other than Scheduling Charges (but without prejudice to paragraph 3.4.1) payable by a User shall be those which (but for any such failure as is referred to in paragraph 3.4.1) would be registered in the name of the User.

### 3.5 Site visit Appointments

- 3.5.1 This paragraph 3.5 applies where:
- (a) the User believes that the information set out in the Supply Point Register that:
    - (i) has been provided by the Transporter pursuant to the Code; or
    - (ii) subject to paragraph (e) below, relates to Meter assets is incorrect;
  - (b) the User has so notified the CDSP, providing details of the information which the User believes to be incorrect, what the User believes to be the correct information and the contact details for the consumer at the Supply Point Premises (the “**relevant consumer**”);
  - (c) following such notification, the CDSP has been unable (after examining the details contained in the Supply Point Register) to resolve the matter notified by the User (the “**relevant matter**”) and the CDSP has notified the Transporter;
  - (d) subject to paragraph (e) below, the User has accordingly requested the Transporter and the Transporter has agreed to endeavour to contact the relevant consumer and has consequently arranged with such consumer a time and date when the Transporter may visit the Supply Point Premises to investigate the relevant matter (a “**Site Visit Appointment**”);
  - (e) a Site Visit Appointment shall not include any visit (whether undertaken or not) to the consumer's premises which:
    - (i) is subject to the standards of performance set out in the Gas (Standards of Performance) Regulations 2002;
    - (ii) after the Metering Separation Date, relates to Meter assets.

- 3.5.2 Where a Site Visit Appointment has been arranged as set out in paragraph 3.5.1, subject to paragraph 3.5.3, the Transporter will during normal business hours (08:30 hours to 17:00 hours), or on such date and time as the Transporter and the consumer may agree, visit the Supply Point Premises and (subject to being given the required access) investigate the relevant matter.
- 3.5.3 Where a Site Visit Appointment has been arranged, the Transporter may require that the User attend at the Supply Point Premises at such time and date, and where the Transporter so requires, the Transporter will not be required to investigate the relevant matter if the User does not so attend and such Site Visit Appointment shall be deemed to be a completed Site Visit Appointment for the purposes of Annex G-2, paragraph 1.2.1.
- 3.5.4 If the Transporter is unable (upon such a visit) to obtain the access required to investigate the relevant matter, the Transporter shall not be required to revisit the Supply Point Premises; and
- (a) if the Transporter did not require (pursuant to paragraph 3.5.3) the User to attend, the Transporter will so inform the User as soon as reasonably practicable after making such visit; and
  - (b) such Site Visit Appointment shall be deemed to be a completed Site Visit Appointment for the purposes of Annex G-2.

## **4 SUPPLY POINT REGISTRATION – GENERIC RULES**

### **4.1 Introduction**

- 4.1.1 For the purposes of this paragraph 4 a “**Proposed**” Supply Point is the Supply Point which is the subject of a Proposed Supply Point Registration.
- 4.1.2 For the purposes of the Code:
- (a) “**Gas Act Owner**” is the consumer, holder of a Gas Transporter's Licence or relevant supplier that owns the meter (and for the purposes of this definition owner includes a lessee) and which in accordance with the Gas Code is responsible for keeping it in proper order for correctly registering the quantity of gas supplied;
  - (b) “**Meter Asset Manager**” is an organisation that works on behalf of another to install, replace, repair and maintain a Supply Meter Installation.
  - (c) in this Section G “**Supply Point Transportation Charges**” means Customer Charges, LDZ Capacity Charges, LDZ Commodity Charges, NTS Commodity Charges and NTS Exit Capacity Charges; and in the context of a Supply Point or Proposed Supply Point a reference to details of Supply Point Transportation Charges is to the applicable rate or amount thereof in accordance with Section B1.8.

### **4.2 Termination / Supplier of Last Resort**

- 4.2.1 Where the Transporter has given a Termination Notice (under Section V4) to a User, the Transporter may decide:



- (a) to reduce any of the periods and/or curtail any of the procedures provided for in this Section G in relation to any Supply Point Nomination or Supply Point Confirmation by any other User in respect of; or
- (b) to implement any other procedure for the registration in the name of any other User (who wishes to become the Registered User) of

any Supply Meter Points of which the Discontinuing User was the Registered User.

4.2.2 For the purposes of paragraphs 4.2.3, 4.2.4, 4.2.5, 4.2.6, 4.2.7 and 4.2.8:

- (a) where a User has been given a Termination Notice by National Grid NTS (under Section V4), all Supply Meter Points in respect of which the Discontinuing User was the Registered User immediately prior to the User Discontinuance Date shall be known as the **“Terminated Supply Meter Points”**;
- (b) a **“Supplier of Last Resort”** is a supplier whom by virtue of Standard Condition 8 of the Supplier's Licence has been directed by the Authority to supply gas in accordance with that condition in respect of any or all of the Terminated Supply Meter Points;
- (c) **“the Last Resort User”** is a User who is the first User, following the appointment of the Supplier(s) of Last Resort, to become the Registered User of all of the Terminated Supply Meter Points;
- (d) **“day of issue”** is the Day following the day of notification;
- (e) **“day of notification”** is the Day on which the Transporter receives written notice from the Authority of the appointment and identity of the Last Resort User; and
- (f) **“TSMP Information”** is relevant information (including, but not limited to, Protected Information) relating to the Terminated Supply Meter Points to which the Discontinuing User would have had access through UK Link, immediately prior to the User Discontinuance Date.

4.2.3 Where National Grid NTS has given a Termination Notice (under Section V4) to a User and the Authority directs a Supplier of Last Resort in respect of a Terminated Supply Meter Point, then notwithstanding any other provision of Code, the Last Resort User shall become the Registered User of the Terminated Supply Meter Points, thereby accepting the benefit of the rights and the burden of obligations under Code, the Framework Agreement and any relevant Ancillary Agreement, in respect of the Terminated Supply Meter Points (including without limitation the payment of Transportation Charges and Energy Balancing Charges in respect thereof) with effect from and including the date of the appointment of the Supplier of Last Resort.

4.2.4 To assist the Last Resort User in exercising its rights and discharging its obligations in respect of the Terminated Supply Meter Points the CDSP shall use reasonable endeavours, subject to paragraphs 4.2.6, 4.2.7 and 4.2.8, to provide to the Last Resort User on the day of issue a copy of the TSMP Information which can be accessed by the Last Resort User through UK Link.

4.2.5

- (a) the Transporter shall undertake a review of the Last Resort User's Code Credit Limit and (in the case of National Grid NTS) Secured Credit Limit as soon as reasonably practicable following the day of notification, and shall advise the Last Resort User, as soon as reasonably practicable thereafter but in any event not later than 3 Days after the day of notification, of any further security that will be required to be provided by the Last Resort User in accordance with paragraph 4.2.5(b).
  - (b) in the event that following the review referred to in paragraph 4.2.5 the Transporter notifies the Last Resort User that additional security is required, then the Last Resort User shall be obliged to provide the requisite security in accordance with the Code or Energy Balancing Credit Rules (as appropriate) in favour of the Transporter (or National Grid NTS) as soon as reasonably practicable thereafter but in any event no later than 14 Days of the day of notification and upon receipt of that security the Transporter shall revise the Last Resort User's Code Credit Limit (and/or in the case of National Grid NTS) Secured Credit Limit (as appropriate) as soon as reasonably practicable thereafter but in any event no later than 14 Days after the date of notification to take effect from the date of that revision.
  - (c) in the event that security is required to be provided by the Last Resort User pursuant to paragraph 4.2.5 but the Last Resort User fails to provide the security in accordance with paragraph 4.2.5(b), then the Code Credit Limit and/or Secured Credit Limit (as appropriate) shall not be revised pursuant to this paragraph 4.2.5 and the Transporter shall be entitled to exercise those rights and remedies available to it pursuant to V3.3 or Section X, as appropriate.
- 4.2.6 By virtue of this paragraph 4.2.6 the Discontinuing User hereby is deemed to have given its written consent for the purposes of both paragraph V5.5.2(a) and Section 105 of the Utilities Act 2000 (as amended from time to time) to the Transporter to disclose to the Last Resort User the TSMP Information pursuant to paragraph 4.2.4 above.
- 4.2.7 It is acknowledged that the TSMP Information contains information which has been provided to the CDSP by the Discontinuing User and accordingly the Last Resort User hereby acknowledges and agrees that:
- (a) the TSMP Information disclosed to it pursuant to paragraph 4.2.4 above shall not have been independently verified;
  - (b) it shall be solely responsible for making its own judgement and decision on the TSMP Information disclosed to it;
  - (c) neither the CDSP nor any of its employees, agents, consultants, advisers or directors, accept responsibility for, or make any representation or warranty (express or implied) regarding, the accuracy or completeness of the content of the TSMP Information; and
  - (d) the CDSP shall have no liability to the Last Resort User, in respect of any of the contents of the TSMP Information.
- 4.2.8 For the purposes of paragraph 4.2.4, the Last Resort User shall execute all such documents, deeds and assignments and perform such acts as the Transporter may reasonably require, including, without limitation, executing any relevant documents,

deeds and assignments, or perform such acts, necessary to ensure compliance with the provisions of the Data Protection Act 2018 (as may be amended from time to time).

### **4.3 Effect of Isolation**

- 4.3.1 A Supply Meter Point comprised in a Proposed Supply Point for which a Supply Point Confirmation has been submitted may, at the request of the Existing Registered User, be Isolated on any Day before (but not on or after) the Proposed Supply Point Registration Date.
- 4.3.2 Where a Supply Meter Point comprised in a Proposed Supply Point (for which a Supply Point Confirmation has been submitted) has been Isolated the Supply Point Confirmation may (in accordance with paragraph 6.9.7(a) or 6.10.1) become effective and the Proposing User will be the Registered User of a Supply Point which comprises the Isolated Supply Meter Point.

### **4.4 Unregistered New Supply Meter Points**

- 4.4.1 Each User shall not (and where the User shall not be the supplier its supplier will not) install or procure the installation of a Supply Meter at a New Supply Meter Point created after 1 September 2013 without first having a Supply Contract in place with the consumer.
- 4.4.2 Each Transporter will from time to time identify any new Supply Meter Point Reference Numbers created after 1 September 2013 and for which there has been no First Supply Point Registration Date in accordance with paragraph 3.2.1(b) for a period greater than 12 calendar months since the Supply Meter Point Reference Number was created and where the Transporter has evidence of a Supply Meter being in place for a period greater than 3 months after the creation of the New Supply Meter Point, which is capable of flowing gas, the Transporter will take steps to establish who requested installation of the Supply Meter which may include making enquiries of the consumer.
- 4.4.3 Pursuant to paragraph 4.4.2 where the Transporter obtains information that a supplier requested the installation of the Supply Meter and the User subsequently confirms this the Transporter shall notify the CDSP of the date on which it became aware that a Supply Meter had been installed and the CDSP will notify the relevant User that no Supply Point Registration is in place at the New Supply Meter Point and:
- (a) where the User confirms that a Supply Contract is in place between the supplier and consumer or does not respond within 1 calendar month of being notified by the CDSP the relevant User will register such New Supply Meter Point in accordance with paragraph 2 or take steps to remove the Supply Meter within 1 calendar month, failing which the provisions of paragraph 4.4.4 shall apply; or
  - (b) where the User confirms within 1 calendar month that no Supply Contract exists between the supplier and consumer the User shall ensure the supplier procures a Supply Contract with the consumer and will register such New Supply Meter Point in accordance with paragraph 6 or procure removal of the Supply Meter within 1 calendar month.
- 4.4.4 Where the User does not comply with the obligation to register such New Supply Meter Point in accordance with paragraph 4.4.3(a) or 4.4.9(a) the User shall be deemed to have granted the CDSP authority to register such New Supply Meter Point on its behalf and:

- (a) the First Supply Point Registration Date shall be deemed to be the Meter Fix Date or if this is not known the date notified to the CDSP on which the Transporter first became aware that a Supply Meter had been installed;
- (b) for the purposes of calculating the Opening Meter Reading the CDSP shall use the Meter Reading taken at the time the Transporter identifies that the Supply Meter is physically connected to a System such that gas is capable of being offtaken (without further action being taken) from the Total System; and
- (c) where paragraph 8.2.4 applies, the CDSP shall register the New Supply Meter Point as a Class 4 Supply Meter Point.

4.4.5 The Registered User pursuant to 4.4.3, 4.4.4 or 4.4.9(a) shall be liable for:

- (a) all reasonable costs incurred by the relevant Transporter in accordance with the Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit for reasons including validating the presence of a Supply Meter or to carry out a disconnection in accordance with the Gas Safety (Installation and Use) Regulations 1998 and where the Supply Meter remains connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System; and
- (b) all reasonable costs incurred by the relevant Transporter in discharging its obligations under paragraph 4.4; and
- (c) all charges (including without limitation Transportation Charges and Energy Balancing Charges) associated with such New Supply Meter Point from the Meter Fix Date or if this is not known the date the Transporter first became aware that the Supply Meter had been installed.
- (d) where the Registered User is liable for any charges in accordance with (c) above in respect of Energy Balancing Charges an Offtake Reconciliation will be carried out in accordance with Section E6.

4.4.6 In the event that the User does not comply with the obligation to register such New Supply Meter Point in accordance with paragraph 4.4.3(b) because it is unable to ensure its supplier procures a Supply Contract or the removal of the Supply Meter, the User shall submit a report to the CDSP detailing the circumstances in which a Supply Meter was installed without a Supply Contract being in place and any subsequent action the User has taken to try to rectify this.

4.4.7 The CDSP will keep a record of any reports it receives under paragraph 4.4.6 and submit a report twice yearly:

- (a) to the Authority giving details of the reports received from each User (on an attributable basis); and
- (b) to the Authority and all Users of the number of incidences where a User has not complied with paragraph 4.4.1 (on an attributable basis).

4.4.8 Further to paragraph 4.4.2, in the event that either:

- (a) the User confirms that the supplier did not request installation of the Supply

Meter and the relevant New Supply Meter Point has not been registered by a User within 3 calendar months of the Transporter becoming aware that a Supply Meter has been installed at a New Supply Meter Point; or

- (b) the User confirms that the supplier did request installation of the Supply Meter and the User has taken steps in accordance with paragraph 4.4.3(b) to try and ensure the supplier procures a Supply Contract with the consumer but no Supply Contract is in place and the User has been unable to procure removal of the Supply Meter,

then the provisions of paragraph 4.4.9 shall apply.

4.4.9 The CDSP will within 3 calendar months advise the consumer to obtain a Supply Contract and:

- (a) if the consumer confirms that a Supply Contract is already in place and the relevant User verifies this then the relevant User shall register such New Supply Meter Point in accordance with paragraph 2 within 1 calendar month of being notified to do so by the CDSP failing which the provisions of paragraph 4.4.4 shall apply; or
- (b) if the consumer does not enter into a Supply Contract or the CDSP is unable to ascertain whether a Supply Contract is in place then the CDSP shall notify the Transporter and the Transporter shall seek to disconnect the supply of gas to the consumer subject to any applicable legislation, regulation or Code of Practice.

#### **4.5 Supply Portfolio**

4.5.1 The CDSP shall be entitled to request from each User a copy of the supply portfolio of each Supplier with whom the User is contracted as at the date identified in 4.5.2 (“**Supply Portfolio**”).

4.5.2 Subject to paragraph 4.5.3 and 4.7.1, Supply Portfolios will be extracted as of the first non Business Day of November in each Gas Year (“**Portfolio Date**”).

4.5.3 For the Gas Year commencing 1 October 2013 only, the Portfolio Date shall be the first non Business Day of May 2014.

4.5.4 The CDSP shall give the User a minimum of 60 Business Days’ notice prior to the Portfolio Date relating to which the User must provide its Supply Portfolio.

4.5.5 The User must comply with the CDSP's request under paragraph 4.5.1 and provide the Supply Portfolio to the CDSP within 15 business days of the Portfolio Date unless unable to do so under paragraph 4.5.2.

4.5.6 The Supply Portfolios shall include all actively supplied Supply Meter Point Reference Numbers that are currently live in each Supplier’s database where a Supply Contract is in place and shall detail the following data:

- (a) Supply Meter Point Reference Number(s);
- (b) meter serial number(s) of the Supply Meter(s);
- (c) premise post code(s); and

- (d) Shipper short code(s) and supplier short code(s)
- 4.5.7 On receiving the Users Supply Portfolio, the CDSP will compare the Supply Portfolio against the data held on the Supply Point Register and all other Supply Portfolios provided by other Users.
- 4.6 User Data Reconciliation**
- 4.6.1 Upon completion of the comparison under paragraph 4.5.7, the CDSP shall provide a report (“**Reconciliation Report**”) per Supply Portfolio to the relevant User as soon as reasonably practicable.
- 4.6.2 A Supply Meter Point Reference Number is “**Unregistered**” if it has not previously held a Supply Point Registration by any User on the Supply Point Register and at the time of the creation of the Reconciliation Report is not subject to a Supply Point Confirmation.
- 4.6.3 A Supply Meter Point Reference Number is “**Shipperless**” if it has previously held a Supply Point Registration by any User on the Supply Point Register and at the time of the creation of the Reconciliation Report is not subject to a Supply Point Confirmation.
- 4.6.4 The Reconciliation Report will specify to each relevant User the Supply Meter Point Reference Number(s) detailed on the User’s supplier’s Supply Portfolio(s) which are at that time:
- (a) Unregistered in accordance with 4.6.2;
  - (b) Shipperless in accordance with 4.6.3;
  - (c) not present on the Supply Point Register;
  - (d) present on any other User’s Supply Portfolio
  - (e) at a Status of either dead or extinct on the Supply Point Register.
- 4.6.5 Subject to paragraph 4.6.6, the User shall commence the registration of any Supply Meter Point Reference Number identified in the Reconciliation Report as being Shipperless or Unregistered within 40 Business Days of receiving the Reconciliation Report (“**Registration Period**”).
- 4.6.6 Where the User considers it would not be appropriate to create and/or register a Supply Meter Point Reference Number it will provide a reason to the CDSP for not commencing Registration within the Registration Period.
- 4.6.7 For the avoidance of doubt in relation to paragraph 4.6.4(c) and subject to paragraph 4.6.6, Users will be required to rectify these issues by creating a Meter Point Reference Number and completing the Supply Point Confirmation of the same.
- 4.6.8 Unless otherwise agreed by the CDSP and User under paragraphs 4.6.6 or 4.6.9 where the User fails to create a Supply Meter Point Reference Number within the Registration Period the CDSP may create a Supply Meter Point Reference Number to allow Supply Point Confirmation under 4.6.11.

- 4.6.9 Where the User is unable to commence the registration of the Supply Meter Point Reference Number within the provision of paragraph 4.6.7 due to further investigations being required then the User shall provide a justification for requiring additional time to the CDSP who shall, at their sole discretion, be entitled to grant the User an additional period of up to 50 Business Days beyond the Registration Period in which to commence the registration of the Supply Meter Point Reference Number (“**Extension Period**”).
- 4.6.10 Where the CDSP and the User agree that the User is unable to complete the investigation as per paragraph 4.6.9 the User shall be obligated to provide any information it has obtained in respect of the Supply Point to the CDSP.
- 4.6.11 If within the Registration Period or the Extension Period the User does not obtain a Supply Point Confirmation, or has failed to provide a reason as per paragraph 4.6.6, the User shall be deemed to have granted the CDSP authority to register such Supply Meter Point using the information on the Supply Point Register.
- 4.6.12 Where the CDSP require additional information to create and/or register the Supply Meter Point Reference Number under paragraph 4.6.11 then an additional request for data items will be submitted to the User. The User shall provide any requested additional information within 15 Business Days from the CDSP's request (“**Information Period**”).
- 4.6.13 Where the User fails to provide to the CDSP the additional information under paragraph 4.6.12 the CDSP shall be entitled to use default values for the purposes of registering the Supply Meter Point Reference Number.
- 4.6.14 Following the provision of the Reconciliation Reports the CDSP will publish a report detailing for each User (on a non-attributable basis) and the Authority (on an attributable basis) the following:
- (a) the number of Supply Meter Point Reference Numbers which are Unregistered;
  - (b) the number of Supply Meter Point Reference Numbers which are Shipperless;
  - (c) the number of Supply Meter Point Reference Numbers not present on the Supply Point Register;
  - (d) the number of Supply Meter Point Reference Numbers with a status of either dead or extinct.
- 4.6.15 For the avoidance of doubt the number of Supply Meter Point Reference Numbers that are also on any other Supply Portfolio will not be included in the report published in section 4.6.14.

## **4.7 Supplier Data**

- 4.7.1 Where a User is a separate legal entity to the relevant Supplier or is not the holding company or subsidiary company of the relevant Supplier or any company which is a subsidiary of such a holding company and is unable to obtain the Supply Portfolio then, the User shall confirm this to the CDSP along with justification as to why the relevant Supplier is unable to fulfill the request. Users shall provide this information to the CDSP within 15 Business Days from the Portfolio Date.

- 4.7.2 In the event that the User has been unsuccessful in obtaining the Supply Portfolio under paragraph 4.7.1 then the User will provide the relevant Supplier’s contact details to the Transporters who shall be entitled to make a direct request to the relevant Supplier for this information.

## 5 SUPPLY POINT REGISTRATION – CSS SPs

Not Used

## 6 SUPPLY POINT REGISTRATION – NON-CSS SPs

### 6.1 Introduction

- 6.1.1 A User may apply to become the Registered User in respect of a Supply Point in accordance with this paragraph 6.
- 6.1.2 In order for a User (the “**Proposing User**”) to become the Registered User in respect of a Supply Point:
- (a) where the Proposed Supply Point is a Larger Supply Point, then the User must make a Supply Point Nomination in accordance with paragraph 6.4, in response to which the CDSP will (subject as provided in this Section G) submit to the Proposing User a Supply Point Offer in accordance with paragraph 6.5; and
  - (b) the Proposing User must make a Supply Point Confirmation in accordance with paragraphs 6.6 to 6.8 which become effective in accordance with paragraphs 6.9, 6.10 and 4.3.
- 6.1.3 In respect of a Proposed Supply Point Registration:
- (a) a “**Supply Point Nomination**” is a communication by a Proposing User in respect of a Larger Supply Point requesting a Supply Point Offer from the CDSP;
  - (b) a “**Supply Point Offer**” is a communication by the CDSP to a Proposing User providing information in respect of a Larger Supply Point; and
  - (c) a “**Supply Point Confirmation**” is a communication by a Proposing User to the CDSP requesting Supply Point Registration in respect of a Proposed Supply Point.
- 6.1.4 The Code provides that the CDSP will reject in certain cases a Supply Point Nomination or Supply Point Confirmation; and any reference in this Section G to such a rejection by the CDSP is to a rejection in accordance with any such provision of the Code.
- 6.1.5 Unless the context otherwise requires, references in this Section G to details to be included in a Supply Point Nomination, Supply Point Offer or Supply Point Confirmation are to details which would (if the Proposing User submits a Supply Point Confirmation and/or if the Supply Point Confirmation becomes effective) apply in respect of the Proposed Supply Point Registration.

### 6.2 Supply Point Enquiries

- 6.2.1 A User (an “**Enquiring User**”) contemplating submitting:



- (a) a Supply Point Nomination in respect of a Larger Supply Point or a New Smaller Supply Point;
- (b) a Supply Point Confirmation in respect of a Smaller Supply Point,

(the “**prospective**” Supply Point Nomination or Supply Point Confirmation) may first submit an enquiry (a “**Supply Point Enquiry**”) to the CDSP as to the matters referred to in paragraph 6.2.6.

6.2.2 For the purposes of this paragraph 6.2, references to the 'Proposed Supply Point' are to what would be the Proposed Supply Point if the Enquiring User were to submit the prospective Supply Point Nomination or Supply Point Confirmation.

6.2.3 A Supply Point Enquiry:

- (a) shall specify:
  - (i) in the case of a prospective Supply Point Nomination the details which would be required to be specified pursuant to paragraphs 6.4.2(a) to 6.4.2(c);
  - (ii) in the case of a prospective Supply Point Confirmation the Supply Meter Point Reference Number in respect of which the enquiry is submitted;
- (b) may in addition specify a period (“**relevant consumption period**”) (for which purpose the Enquiring User shall specify a start and an end date) in respect of which the Enquiring User wishes to know the quantity of gas offtaken at each Supply Meter Point (“**relevant meter point**”) comprised in the Proposed Supply Point during such period.

6.2.4 For the purposes of paragraph 6.2.3(b) the relevant consumption period shall:

- (a) commence no earlier than:
  - (i) subject to paragraph (ii), the date falling 12 months prior to the date on which the Supply Point Enquiry is submitted;
  - (ii) if later, the date on which the consumer currently consuming gas offtaken from the Total System at any Supply Meter Point comprised in the Proposed Supply Point first started to consume gas;
- (b) end no later than the day falling 5 days before the date on which the Supply Point Enquiry is submitted.

6.2.5 The CDSP will reject a Supply Point Enquiry:

- (a) made in respect of a Larger Supply Point or New Smaller Supply Point where the CDSP would be required, or (as the case may be) entitled, to reject a Supply Point Nomination pursuant to paragraph 6.4.6;
- (b) made in respect of a Smaller Supply Point where the CDSP would be required, or (as the case may be) entitled, to reject a Supply Point Confirmation pursuant to paragraph 6.7.2;

- (c) where specified, the relevant consumption period is not in accordance with paragraph 6.2.4.
- 6.2.6 Where the CDSP accepts the Supply Point Enquiry the CDSP's notice under paragraph 6.2.5 shall specify in relation to the Proposed Supply Point:
- (a) the address of the Supply Point Premises;
  - (b) the Supply Meter Point Reference Number, manufacturer's serial number and (where the Proposed Supply Point comprises a Sub-deduct Supply Meter Point) the Meter Link Code of each Supply Meter Point comprised in the Proposed Supply Point;
  - (c) where the Proposed Supply Meter Point includes a Class 3 or 4 Supply Meter:
    - (i) the Applicable End User Category in accordance with Section H1.7;
    - (ii) details of the Supply Point Capacity;
    - (iii) in the case of a Class 3 Supply Meter, the prevailing Batch Period;
    - (iv) in the case of a Class 4 Supply Meter, the prevailing Meter Reading Frequency;
  - (d) the Exit Zone (and if applicable) the LDZ in which the Proposed Supply Point is located;
  - (e) the Annual Quantity of each Supply Meter Point comprised in the Proposed Supply Point; and
  - (f) where the Enquiring User specified a relevant consumption period when submitting each Supply Point Enquiry, the quantity of gas offtaken at each relevant meter point comprised in the Proposed Supply Point calculated as the sum for the relevant meter point of the Prevailing Reconciled UDQO for each Day in the relevant consumption period.
- 6.2.7 For the purposes of paragraph 6.2.1, an Enquiring User shall be taken to be contemplating submitting a Supply Point Nomination or Supply Point Confirmation where prior to submitting a Supply Point Enquiry it has obtained written or verbal consent from the relevant consumer at the Proposed Supply Point (whether directly or indirectly through the relevant Supplier) to the submission of a Supply Point Enquiry in respect of the Proposed Supply Point.
- 6.2.8 The Enquiring User shall retain evidence of the consumer's consent for the purposes of paragraph 6.2.17 and where requested by the CDSP (whether at the time of the Supply Point Enquiry or thereafter) provide such evidence to the CDSP.

### **6.3 Current, New and Existing Supply Points**

#### **6.3.1 In relation to a Proposed Supply Point Registration:**

- (a) an “**Existing Supply Point**” is a Supply Point which (at the relevant time):
  - (i) is the subject of an existing Supply Point Registration (which may be a

registration in the name of the Proposing User); and

- (ii) comprises the Supply Meter Point which is comprised in the Proposed Supply Point; and
  - (b) an “**Existing Registered User**” is a User (who may be the Proposing User) who is the Registered User in respect of an Existing Supply Point.
- 6.3.2 Subject to paragraph 6.9.3, the Proposing User will not be entitled to have access to the identity of the Existing Registered User(s).
- 6.3.3 A “**Supply Point Reconfirmation**” or a “**Supply Point Renomination**” is a Supply Point Confirmation or (as the case may be) Supply Point Nomination submitted by the Existing Registered User of an Existing Supply Point; and where the Code provides for a Supply Point Reconfirmation to be made in respect of a Larger Supply Point, the Code shall be deemed also to provide for an appropriate Supply Point Renomination to be made.

#### **6.4 Supply Point Nomination**

- 6.4.1 A User may make a Supply Point Nomination in respect of a Larger Supply Point in accordance with paragraph 6.1.2 and this paragraph 6.4. Where a Proposing User wishes to make a Supply Point Nomination in respect of a Larger Supply Point for the purpose of in the case of an LDZ Supply Point increasing Supply Point Capacity for such Supply Point then the Proposing User may use the following process:
- (a) (provided that the Proposed Supply Point will be an Existing Supply Point) the User may submit, as appropriate, one or more Supply Point Nominations in accordance with paragraph 6.4 to nominate in the case of an LDZ Supply Point the prevailing Supply Point Capacity any such Supply Point Nomination shall be referred to as a “**Supply Point First Nomination**”); and
  - (b) at any time up to the date of the Supply Point Offer in respect of the Supply Point First Nomination the User may also submit, as appropriate, in accordance with paragraph 6.4, one or more Supply Point Nominations to in the case of an LDZ Supply Point increase the Supply Point Capacity (and any such Supply Point nomination shall be referred to as “**Supply Point Second Nomination**”).
- 6.4.2 A Supply Point Nomination shall specify:
- (a) the identity of the Proposing User;
  - (b) the Supply Meter Point Reference Number in respect of the Supply Meter Point comprised in the Proposed Supply Point;
  - (c) in respect of that Supply Meter Point:
    - (i) the Meter Post Code;
    - (ii) the proposed Class of the Supply Meter Point;
    - (iii) where the Proposed Supply Point includes a Class 3 Supply Meter the proposed Batch Period for the Supply Meter;

- (d) in the case of an LDZ Supply Point where the Proposed Supply Point is a DM Supply Point, the proposed Supply Point Capacity and proposed Supply Point Offtake Rate in respect of the DM Supply Point, in compliance with the requirements of Annex B-3;
- (e) where the Proposed Supply Point is a Class 4 Supply Meter Point the Meter proposed Read Frequency;
- (f) any other details which are required to be specified in any particular case pursuant to any provision of this Section G;
- (g) where the User wishes to apply for the LDZ Optional Capacity Rate, the LDZ Specified Exit Point.

6.4.3 In this Section G **“Nominated”** means proposed in a Supply Point Nomination.

6.4.4 Where a User makes a Supply Point Nomination:

- (a) the CDSP will submit a Supply Point Offer (in accordance with paragraph 6.5), or reject the Supply Point Nomination (in accordance with paragraph 6.4.6), or submit a referral notice (in accordance with paragraph 6.4.8), or request information from the Transporter (in accordance with paragraph 6.4.9), within 2 Supply Point Systems Business Days after the Supply Point Nomination was submitted;
- (b) where (in accordance with paragraph 6.4.8) the CDSP (on the Transporter's instruction) submitted a referral notice, the Transporter will notify the CDSP of the outcome of the Transporter's assessment of the feasibility of making gas available for offtake from the Total System at the Proposed Supply Point within 12 Supply Point Systems Business Days after the date of the Transporter's instruction to the CDSP in accordance with paragraph 6.4.8 following which the CDSP will submit a Supply Point Offer; and
- (c) where (in accordance with paragraph 6.4.9), the CDSP requested information from the Transporter, the Transporter will respond to the CDSP's request for information as soon as reasonably practicable, and the CDSP will submit a Supply Point Offer (in accordance with paragraph 6.5), or reject the Supply Point Nomination (in accordance with paragraph 6.4.6) within 2 Supply Point Systems Business Days of receipt of a response from the Transporter.

6.4.5 If the CDSP does not comply with paragraph 6.4.4 it will in any event reject the Supply Point Nomination or make a Supply Point Offer or submit a referral notice as soon as reasonably practicable.

6.4.6 The CDSP will reject the Supply Point Nomination where:

- (a) the Supply Point Nomination is not made strictly in accordance with the requirements of paragraph 6.4.2;
- (b) the Supply Meter Point Reference Number specified pursuant to paragraph 6.4.2(b) is not identified in the Supply Point Register with the Meter Post Code specified pursuant to paragraph 6.4.2(c);
- (c) if the Proposed Supply Point comprises a NExA Supply Meter Point, and the

Network Exit Agreement is one to which the User is required to be a party and the User has not become a party,

and the CDSP will reject the Supply Point Nomination where the Supply Point Nomination does not comply with any other requirement provided for in this Section G, where the Transporter has instructed the CDSP to reject the Supply Point Nomination or in accordance with Section V3 or in any other case where such rejection is provided for in the Code.

- 6.4.7 Where the CDSP rejects the Supply Point Nomination the CDSP will inform the Proposing User of the reason (under paragraph 6.4.6) for such rejection (and where such rejection was pursuant to paragraph 6.4.6(a), the requirement of paragraph 6.4.2 which was not complied with)).
- 6.4.8 Where the Proposed Supply Point comprises a New Supply Meter Point, or (in accordance with the further provisions of this Section G) it is necessary for the Transporter to assess the feasibility of making gas available for offtake from the Total System at the Proposed Supply Point, the Transporter may (unless the CDSP rejects the Supply Point Nomination) notify the CDSP of such requirement and instruct the CDSP to give notice (a “**referral notice**”) to that effect to the Proposing User.
- 6.4.9 Where a User submits a Supply Point Nomination:
- (a) not used;
  - (b) applying for the LDZ Optional Capacity Rate (in accordance with paragraph 6.4.2(h)) at the Supply Point, and the CDSP does not have available to it the distance between the Notional NTS Connection Point and the Proposed Supply Point, then the CDSP will request such information from the Transporter;
  - (c) where the Proposed Supply Point comprises a NExA Supply Meter Point, and the Network Exit Agreement is one to which the User is required to be party (in accordance with TPD Section J1.5.2 or 1.5.3), and the CDSP is not aware if the User has become a party, the CDSP will request the Transporter to confirm whether the User has entered into such a Network Exit Agreement;
  - (d) in respect of a Proposed Supply Point, which is an NTS Supply Point, and the CDSP does not have available to it, the Maximum NTS Exit Point Offtake Rate, then the CDSP will request such information from the Transporter,

and the CDSP will not issue the Supply Point Offer (or where applicable, reject the Supply Point Nomination) until it has received the information requested.

## **6.5 Supply Point Offers**

- 6.5.1 Where the CDSP does not reject (in accordance with paragraph 6.4.4) a Supply Point Nomination, the CDSP will submit to the Proposing User a Supply Point Offer in accordance with this paragraph 6.5.
- 6.5.2 A Supply Point Offer will specify in relation to the Proposed Supply Point:
- (a) the identity of the Proposing User;
  - (b) the address of the Supply Point Premises;

- (c) in respect of each Supply Meter Point comprised in the Proposed Supply Point Registration:
  - (i) the Supply Meter Point Reference Number;
  - (ii) the manufacturer's serial number;
  - (iii) the Class of the Supply Meter Point;
  - (iv) for each Class 3 Supply Meter, the Batch Period for the Supply Meter;
  - (v) where the Proposed Supply Point comprises a Sub-deduct Meter Point the Meter Link Code for the Supply Meter Point;
- (d) where the Proposed Supply Point is a Class 3 or 4 Supply Meter Points:
  - (i) the Applicable End User Category in accordance with Section H1.7;
  - (ii) in the case of an LDZ Supply Point, Supply Point Capacity (in accordance with Section H4.1); and
  - (iii) in the case of a Class 4 Supply Meter the Meter Read Frequency for the Supply Meter;
- (e) in the case of an LDZ Supply Point where the Proposed Supply Point comprises a Class 1 or 2 Supply Meter Point:
  - (i) details in respect of Supply Point Capacity and Supply Point Offtake Rate in accordance with paragraph 6.5.3;
  - (ii) whether the Proposed Supply Point is a Firm Supply Point or an Interruptible Supply Point;
- (f) the Exit Zone and (where applicable) LDZ in which the Proposed Supply Point is located;
- (g) the Annual Quantity for the Supply Meter Point;
- (h) in the case of a Proposed Supply Point, which is an NTS Supply Point, the Maximum NTS Exit Point Offtake Rate;
- (i) in the case of a Proposed Supply Point comprising a Class 3 or Class 4 Supply Meter Point, the Formula Year Annual Quantity for the Supply Meter Point;
- (j) the relevant Supply Point Transportation Charges;
- (k) a number by which the Supply Point Offer may uniquely be identified;
- (l) where a User has made a Supply Point Nomination in accordance with paragraph 6.4.9;
  - (i) not used;
  - (ii) the Notional NTS Connection Point, the distance between the Notional NTS Connection Point and the Proposed Supply Point, the eight figure

grid references, the capacity of the Proposed Supply Point and the LDZ Optional Capacity Rate;

- (m) the identity of the Gas Act Owner; and
  - (n) the identity of the Meter Asset Manager.
- 6.5.3 In the case of an LDZ Supply Point where the Proposed Supply Point is a DM Supply Point:
- (a) the Supply Point Capacity (“**Offered Supply Point Capacity**”) specified in the Supply Point Offer shall be, subject to Annex B-3, paragraph 6, the Nominated Supply Point Capacity (provided that where the Nominated Supply Point Capacity is less than the Prevailing Supply Point Capacity, paragraph 6.8.3 shall apply);
  - (b) subject to Annex B-3, paragraph 6, the Supply Point Offtake Rate specified in the Supply Point Offer shall be the Nominated Supply Point Offtake Rate.
- 6.5.4 Subject to paragraphs, 6.5.5 and 6.8.3, and unless and until a Supply Point Confirmation is made which becomes effective, a Supply Point Offer will remain valid for a period of six (6) months after it was made.
- 6.5.5 In the case of an LDZ Supply Point where the Proposed Supply Point is a DM Supply Point, at any time at which the Proposing User has not submitted a Supply Point Confirmation:
- (a) if the Prevailing Supply Point Capacity becomes greater than the Offered Supply Point Capacity, as a result of the occurrence in any month of a Supply Point Ratchet (pursuant to Section B4.7) in respect of any Existing Supply Point the CDSP will so notify the Proposing User whereupon the Supply Point Offer will lapse (but without prejudice to any Supply Point Confirmation submitted before such notification was given, in respect of which paragraph 6.8.4 will apply);
  - (b) if the Prevailing Supply Point Capacity becomes greater than the Offered Supply Point Capacity, as a result of a Capacity Revision Application (in accordance with Annex B-3, paragraph 7.2) made by the Registered User for an increase in Supply Point Capacity in respect of any Existing Supply Point, paragraph 6.8.3 shall apply.
- 6.5.6 The CDSP will inform the Proposing User of the application of paragraph 6.8.3 pursuant to paragraph 6.5.5(b) within 5 Supply Point Systems Business Days after the occurrence of the event giving rise to the application of paragraph 6.8.3.
- 6.5.7 Where during the period for which a Supply Point Offer remains valid:
- (a) in the case of an NDM Supply Point, the Formula Year Annual Quantity of the Proposed Supply Point is revised pursuant to a notice by an Existing Registered User under paragraph 2.3.20 or 2.3.22, or such NDM Supply Point belongs to a different End User Category, from the Formula Year Annual Quantity or End User Category specified in the Supply Point Offer:
    - (i) the CDSP will notify the Proposing User of the revised Formula Year

## Annual Quantity or End User Category;

- (ii) the Supply Point Offer shall be deemed to be modified accordingly (and shall remain valid);
  - (b) the details of the Supply Point Transportation Charges are (upon a change in Formula Year Annual Quantity or End User Category of any Supply Meter Point or the coming into force of a new Transportation Statement or otherwise) revised, the CDSP will not and is not required to notify the Proposing User of such change, and the Proposing User will be informed of the revised details only if it makes a Supply Point Confirmation which becomes effective.
- 6.5.8 There may be any number of Supply Point Offers outstanding, to different Proposing Users, in respect of a Proposed Supply Point or Proposed Supply Points comprising the same Supply Meter Point.
- 6.5.9 The details contained in a Supply Point Offer of the matters set out in paragraph 6.5.10 shall be binding upon the Transporter and the Proposing User where the User submits a Supply Point Confirmation in respect of such Supply Point Offer, notwithstanding any error in the details so stated (but without prejudice to the ability of the CDSP to withdraw a Supply Point Offer containing such erroneous details before a Supply Point Confirmation has been submitted).
- 6.5.10 The matters referred to in paragraph 6.5.9 are:
- (a) the Supply Meter Points comprised in the Proposed Supply Point;
  - (b) the Annual Quantity, End User Category and, in the case of an LDZ Supply Point, the Supply Point Capacity of the Proposed Supply Point.
- 6.5.11 Except as provided in paragraph 6.5.9, where any detail contained in a Supply Point Offer is incorrectly stated:
- (a) such error shall not bind the Transporter or the Proposing User and shall not prejudice the proper determination of such detail; and
  - (b) a Supply Point Confirmation made on the basis of such Supply Point Offer shall be valid notwithstanding such error.
- 6.5.12 Where the User disputes the distance specified by the CDSP under paragraph 6.5.2(k), the User may resubmit a Supply Point Nomination for the Proposed Supply Point stating alternative eight figure grid references for the Proposed Supply Point and the Notional NTS Connection Point as appropriate with supporting evidence of calculation.

**6.6 Supply Point Confirmations: General**

- 6.6.1 A User may submit a Supply Point Confirmation to the CDSP:
- (a) in respect of an Existing Smaller Supply Point or a New Smaller Supply Point (pursuant to the establishment of a New Supply Meter Point in accordance with Annex G-3, paragraph 1.1.1(f)(i)), in accordance with paragraph 6.7, at any time;
  - (b) in respect of a Larger Supply Point, in accordance with paragraph 6.8, after



making a Supply Point Nomination, at any time where the condition in paragraph 6.6.2 is satisfied; or

- (c) in respect of a Supply Point where information has been specified in accordance with paragraph 6.5.2(k) provided that a Supply Point Offer made in respect of paragraphs 6.5.2(a) to 6.5.2(j) and has been or, is simultaneously being confirmed by the User under this paragraph 6.6.1.

6.6.2 The condition referred to in paragraph 6.6.1(b) is that:

- (a) the Supply Point Confirmation is made at a time at which the Supply Point Offer remains (in accordance with paragraph 6.5.4) valid; and
- (b) in the circumstances in paragraph 6.8.3, the Proposed Supply Point Registration Date is within the Capacity Reduction Period.

6.6.3 By making a Supply Point Confirmation in respect of a Proposed Supply Point the Proposing User:

- (a) warrants:
  - (i) that; or
  - (ii) where the User will not be the supplier, that the supplier (or if there is more than one supplier, the suppliers between them) has (or have) warranted to the User that

as at the Proposed Supply Point Registration Date there will be in force a contract or contracts (including a deemed contract pursuant to paragraph 8(1) or 8(2) of the Gas Code) for the supply to the consumer of the gas offtaken by such User from the Total System at the Proposed Supply Point; and

- (b) agrees (if the confirmation becomes effective):
  - (i) to be the Registered User in respect of the Proposed Supply Point; and
  - (ii) to be registered as holding at an LDZ Supply Point:
    - (1) in the case of an NDM Supply Point (if any), Supply Point Capacity (and accordingly LDZ Capacity) determined in accordance with Section H4;
    - (2) in the case of a Supply Point (if any), the Confirmed Supply Point Capacity (and accordingly LDZ Capacity);
  - (iii) that it consents to the disclosure of the information by the CDSP in accordance with paragraph 6.9.8(b).

6.6.4 In the case of an LDZ Supply Point that is a DM Supply Point subject to paragraph 6.8.4(a), the “**Confirmed Supply Point Capacity**” of a Proposed Supply Point (for which the Supply Point Confirmation becomes effective) is the Offered Supply Point Capacity.

6.6.5 A Supply Point Confirmation may not be made, and the CDSP will reject any Supply Point Confirmation submitted:

- (a) (except in respect of a Shared Supply Meter Point), in respect of a Proposed Supply Point comprising a Supply Meter Point comprised in a Proposed Supply Point in respect of which any other Supply Point Confirmation has been made and is (in accordance with paragraph 6.6.9) outstanding; and
  - (b) in respect of a Proposed Supply Point comprising a Supply Meter Point (other than a New Supply Meter Point) in respect of which there is any request for Siteworks outstanding or any Siteworks Contract which has not been completed, and for which the Siteworks Applicant is a gas shipper other than the Proposing User.
- 6.6.6 The CDSP will reject a Supply Point Confirmation where instructed to do so by the Transporter in accordance with Section V3.
- 6.6.7 The “**Proposed Supply Point Registration Date**” in respect of a Supply Point Confirmation is the date with effect from which the Proposing User wishes to become the Registered User in respect of the Proposed Supply Point.
- 6.6.8 The Proposed Supply Point Registration Date shall be:
- (a) not more than 30 Supply Point Systems Business Days after the Supply Point Confirmation is submitted; and
  - (b) not less than 14 calendar days commencing on the Day after the Supply Point Confirmation is submitted unless:
    - (i) at the time that the Supply Point Confirmation is submitted a Supply Point Withdrawal has been submitted by the Existing Registered User in respect of each Existing Supply Point in which case the Proposed Supply Point Registration Date shall not be less than 4 Supply Point Systems Business Days
    - (ii) there is no change in the identity of the Registered User in respect of the Supply Point, in which case the Proposed Supply Point Registration Date shall not be less than 4 Supply Point Systems Business Days; or
  - (c) not earlier than 2 months after the Supply Point Confirmation is submitted, where such Supply Point ceases to be, or becomes, a category of Special Metering Supply Point described in Annex G-3 paragraphs 1.1.1(i)(ii)(2), 1.1.1(i)(ii)(3), or 1.1.1(i)(ii)(4).
- 6.6.9 A Supply Point Confirmation shall be outstanding until it is rejected by the CDSP in accordance with this paragraph 6 or lapses in accordance with paragraph 6.9.6, or (where it becomes effective) until the Supply Point Registration Date.
- 6.6.10 Every Supply Point Confirmation shall specify (in addition to what is required in paragraphs 6.7 and 6.8) the identity of the proposed supplier; and in any case where upon a change of the identity of the supplier a User continues to be a Registered User in respect of a Supply Point, such User shall either submit a Supply Point Confirmation or a Supply Point Amendment to notify the CDSP of the identity of the new supplier as soon as reasonably practicable after such change of identity. By notifying the CDSP of the identity of the new supplier, such User warrants to all Parties that such new supplier (or if there is more than one supplier, the suppliers between them) has (or have) warranted to the User that there will be in force a contract or contracts (including a

deemed contract pursuant to paragraph 8(1) or 8(2) of the Gas Code) for the supply to the consumer of the gas offtaken by such User from the Total System at the Proposed Supply Point.

6.6.11 Where the CDSP does not reject the Supply Point Confirmation it will as soon as reasonably practicable and in any event within 2 Supply Point Systems Business Days after the Supply Point Confirmation was communicated, give notice to the Proposing User acknowledging the Supply Point Confirmation.

6.6.12 The Proposing User may cancel its Supply Point Confirmation in accordance with paragraph 6.9.1(c), where:

- (a) a Consumer has cancelled the contract, or contracts, for the supply to the Consumer of the gas offtaken by such User from the Total System at the Proposed Supply Point, or where the Proposing User will not be the supplier, the supplier has informed the Proposing User that a cancellation of such contract or contracts has occurred; or
- (b) the Proposing User has submitted a Supply Point Confirmation which is made in error.

## **6.7 Supply Point Confirmations: Smaller Supply Points**

6.7.1 A Supply Point Confirmation in respect of a Smaller Supply Point shall specify:

- (a) the identity of the Proposing User;
- (b) the Supply Meter Point Reference Number in respect of the Supply Meter Point comprised in the Proposed Supply Point, and the Meter Post Code of such Supply Meter Point;
- (c) the Proposed Supply Point Registration Date;
- (d) whether the Supply Point comprises a Class 2, 3 or 4 Supply Meter Point;
- (e) where the Supply Meter Point comprises a:
  - (i) Class 2 Supply Meter, the Supply Point Capacity (which shall be the Prevailing Supply Point Capacity of the Exiting Supply Point) and the Supply Point Offtake Rate (which shall be consistent with Annex B-3, paragraph 4.1);
  - (ii) Class 3 Supply Meter, the proposed Batch Period for the Supply Meter;
  - (iii) Class 4 Supply Meter, the Meter Reading Frequency for the Supply Meter;
- (f) the identity of the Meter Asset Manager.

6.7.2 The CDSP will reject the Supply Point Confirmation where:

- (a) the Supply Point Confirmation is not made strictly in accordance with the requirements of paragraph 6.7.1; or

- (b) in the case of paragraph 6.7.1(b), the Supply Meter Point Reference Number specified is not identified in the Supply Point Register with the specified Meter Post Code

and the CDSP will reject the Supply Point Confirmation where the Supply Point Confirmation does not comply with any other requirement provided for in this Section G or in any other case where such rejection is provided for in the Code.

- 6.7.3 Where the CDSP rejects the Supply Point Confirmation the CDSP will within 2 Supply Point Systems Business Days after the Supply Point Confirmation was communicated, inform the Proposing User of the provision of the Code pursuant to which the Supply Point Confirmation was rejected (and where such rejection was pursuant to paragraph 6.7.2(a), the requirement of paragraph 6.7.1 which was not complied with).
- 6.7.4 The Proposing User will not submit a Confirmation in accordance with this paragraph 6.7 where such Proposing User is aware that the Annual Quantity in respect of such Supply Point is greater than 73,200 kWh (2,500 therms) and in such case any application in respect of the same shall be made in accordance with paragraph 6.4.

## **6.8 Supply Point Confirmations: Larger Supply Points**

- 6.8.1 A Supply Point Confirmation in respect of a Larger Supply Point subject pursuant to paragraph 6.1.2(a) to the requirement to be Nominated shall specify:
  - (a) the Supply Point Offer in respect of which it is made;
  - (b) the Proposed Supply Point Registration Date; and
  - (c) where the Annual Quantity in respect of the Supply Point is greater than 732,000 kWh (25,000 therms), the details (for making contact in an Emergency) required under Section Q2.3;
  - (d) the identity of the Meter Asset Manager.
- 6.8.2 Subject to paragraphs 6.5.7(b) and 6.5.10, the details (other than any expressly required in this Section to be included) which are the subject of the Supply Point Confirmation are those specified in the Supply Point Offer, and no other detail may be specified in the Supply Point Confirmation which would conflict with or qualify any such details.
- 6.8.3 In the case of an LDZ Supply Point where:
  - (a) the Proposed Supply Point is a DM Supply Point; and
  - (b) the Prevailing Supply Point Capacity is, or (in accordance with paragraph 6.5.5(b)) at any time before a Supply Point Confirmation is submitted becomes, greater than the Offered Supply Point Capacity

a Supply Point Confirmation may be submitted only for a Proposed Supply Point Registration Date falling within the Capacity Reduction Period.
- 6.8.4 In the case of an LDZ Supply Point where the Proposed Supply Point is a DM Supply Point, at any time after a Supply Point Confirmation is submitted but before the Supply Point Registration Date:

- (a) if the Prevailing Supply Point Capacity becomes greater than the Offered Supply Point Capacity, as a result of the occurrence of a Supply Point Ratchet (pursuant to Section B4.7.1) in respect of any Existing Supply Point the Confirmed Supply Point Capacity will be increased to the Prevailing Supply Point Capacity;
  - (b) if the Prevailing Supply Point Capacity becomes greater than the Offered Supply Point Capacity, as a result of the Registered User in respect of any Existing Supply Point applying for an increase in its Registered Supply Point Capacity, the Confirmed Supply Point Capacity will be the Offered Supply Point Capacity.
- 6.8.5 In the circumstances in paragraph 6.8.4(a) the CDSP will, notify the Proposing User of the increased Confirmed Supply Point Capacity before the Supply Point Registration Date, but will not later than the 5th Supply Point Systems Business Day after the Supply Point Registration Date notify to the Proposing User the revised Confirmed Supply Point Capacity and revised details of Supply Point Transportation Charges (and the CDSP's notification under paragraph 6.9.8 or 6.10.2 shall to that extent be provisional).
- 6.8.6 Without prejudice to paragraph 6.8.1 a Supply Point Commodity Rate Confirmation shall specify:
- (a) the Supply Point Offer in respect of which it is made;
  - (b) the Supply Meter Point Reference Number in respect of the Supply Meter Points comprised in the Proposed Supply Point; and
  - (c) the Proposed Supply Point Registration Date.

## **6.9 Effect of Confirmation: Existing Supply Points not already withdrawn**

- 6.9.1 Where, at the time a User submits a Supply Point Confirmation which is not rejected by the CDSP, there is any Existing Supply Point in respect of which a Supply Point Withdrawal has not been submitted:
- (a) the CDSP will, as soon as reasonably practicable and in any event within 2 Supply Point Systems Business Days after the Supply Point Confirmation was submitted, notify the Existing Registered User of the submission of the Supply Point Confirmation and the Proposed Supply Point Registration Date, but except in accordance with paragraph 6.9.9, not the identity of the Proposing User;
  - (b) the Existing Registered User may, up to but not after:
    - (i) the 7th Supply Point Systems Business Day after the date of notification to the Existing Registered User of the submission of the Supply Point Confirmation; or
    - (ii) if earlier, the 3rd Supply Point Systems Business Day before the Proposed Supply Point Registration Date,

(in either case the “**Objection Deadline**”)

submit to the CDSP an objection (“**Supply Point Objection**”) in respect of such

Existing Supply Point provided that the Existing Registered User shall not submit such Supply Point Objection where a domestic consumer supplied with gas at the Existing Supply Point has ceased or is to cease to own or occupy the relevant premises; and

- (c) the Proposing User may, subject to paragraph 6.9.8 up to but not after the 3rd Supply Point Systems Business Day before the Proposed Supply Point Registration Date submit to the CDSP a cancellation (“**Supply Point Confirmation Cancellation**”) in respect of such Supply Point Confirmation.

6.9.2 No Supply Point Objection may be submitted, nor (if purportedly submitted) shall be effective:

- (a) by an Existing Registered User, after the Objection Deadline; nor
- (b) (for the avoidance of doubt) in respect of an Existing Supply Point in respect of which the Existing Registered User has submitted a Supply Point Withdrawal.

6.9.3 Where a User submits a Supply Point Objection to the CDSP:

- (a) the objecting User is required to declare its identity in the objection;
- (b) the CDSP will, as soon as reasonably practicable and in any event within 2 Supply Point Systems Business Days after the Supply Point Objection was submitted, notify such objection, including (where declared in the objection) the identity of the objecting User, to the Proposing User;
- (c) where the objecting User did not comply with the requirement in paragraph (a):
  - (i) the CDSP will not reject the Supply Point Objection (which will accordingly be effective for the purposes of paragraph 6.9.6);
  - (ii) the CDSP will, if requested by the Proposing User, provide to the Proposing User the identity of the objecting User as soon as is reasonably practicable but (as is acknowledged by each User) does not undertake to do so before the Objection Deadline; and
- (d) the objecting User will declare in the objection the reason for its objection and if the objecting User fails to do so the CDSP will reject such Supply Point Objection which accordingly will not be effective for the purposes of paragraph 6.9.6;
- (e) and that Supply Point Objection was raised at the request (whether directly or indirectly) of the Consumer in respect of the affected Existing Supply Point, the CDSP will, where the reasons for the objection have been provided to the CDSP by the objecting User, as soon as reasonably practicable and in any event within 2 Supply Point Systems Business Days after the Supply Point Objection was submitted, notify such reasons to the Proposing User.

6.9.4 The CDSP:

- (a) will not be concerned with the reason for any Supply Point Objection nor with any question as to whether such an objection is well founded;
- (b) shall, for the purposes of paragraph 6.9.1(b), notify the Existing Registered

User of any notification received by the CDSP from the Proposing User that a domestic consumer supplied with gas at the Existing Supply Point has ceased or is to cease to own or occupy the relevant premises and the CDSP will not be concerned with the reason for such notification nor with any question as to whether such notification is well founded.

- 6.9.5 A User may withdraw a Supply Point Objection up to but not after:
- (a) the 7th Supply Point Systems Business Day after the Supply Point Objection was made; or
  - (b) if earlier, the Objection Deadline.
- 6.9.6 Where a Supply Point Objection is made and is not withdrawn in accordance with paragraph 6.9.5, the Supply Point Confirmation shall lapse and be of no effect, and the CDSP will so inform each Existing Registered User as soon as reasonably practicable and in any event not later than one Supply Point Systems Business Day before the Proposed Supply Point Registration Date.
- 6.9.7 Where no Supply Point Objection is made, or all (if any) Supply Point Objections made are withdrawn, or where the Supply Point Objection has been rejected by the CDSP in accordance with paragraph 6.9.3(d):
- (a) the Supply Point Confirmation shall be effective and the Supply Meter Points comprised in the Proposed Supply Point shall be registered in the name of the Proposing User with effect from the Proposed Supply Point Registration Date; and
  - (b) each Existing Registered User shall be deemed to have submitted a Supply Point Withdrawal in accordance with paragraph 6.11 in respect of the relevant Existing Supply Point.
- 6.9.8 In the case of a Supply Point Confirmation within paragraph 6.9.1, after the Objection Deadline and as soon as reasonably practicable and in any event being not later than one Supply Point Systems Business Day before the Proposed Supply Point Registration Date:
- (a) the CDSP will notify the Proposing User whether the Supply Point Confirmation has become effective, setting out (where it has become effective, and without prejudice to paragraph 2.7.5) the details of the Supply Point to be recorded in the Supply Point Register and, will provide the Valid Meter Reading for the latest Read Date (in the case of a Class 1 or 2 Supply Point, for which Exit Close-Out has occurred), held by the CDSP, in respect of the Supply Point;
  - (b) (where the Supply Point Confirmation has become effective) the CDSP will notify the User (which was the Existing Registered User immediately preceding the effective date of the Supply Point Confirmation) of the identity of the Proposing User (that has become the Registered User) and the identity of the supplier (that has become the supplier) in respect of the Supply Point recorded in the Supply Point Register and which is the subject of such Supply Point Confirmation.
- 6.9.9 Where the Existing Registered User:

- (a) receives five or more notifications of Supply Point Confirmations after 1 September 2014 in respect of an Existing Supply Point within a period of three consecutive calendar months; and
- (b) makes a request for disclosure of the Proposing User’s identity,

the CDSP will disclose the identity of the Proposing User to the Existing Registered User but only where such Proposing User has submitted five or more Supply Point Confirmations after 1 September 2014 and within a period of three consecutive calendar months.

## **6.10 Effect of Confirmation: Existing Supply Points already withdrawn**

6.10.1 Where at the time a User submits a Supply Point Confirmation which is not rejected by the CDSP, a Supply Point Withdrawal has been submitted by the Existing Registered User in respect of each Existing Supply Point, the Supply Point Confirmation shall be effective and the Supply Meter Points comprised in the Proposed Supply Point shall be registered in the name of the Proposing User with effect from the Proposed Supply Point Registration Date.

6.10.2 In the case of a Supply Point Confirmation within paragraph 6.10.1, the CDSP will notify the Proposing User, as soon as reasonably practicable and not later than one Supply Point Systems Business Day before the Proposed Supply Point Registration Date, that the Supply Point Confirmation has become effective, setting out (without prejudice to paragraph 6.8.5) the details of the Supply Point to be recorded in the Supply Point Register and will provide the Valid Meter Reading for the latest Read Date (in the case of a Class 1 or 2 Supply Point, for which Exit Close-Out has occurred) held by the CDSP, in respect of the Supply Point.

## **6.11 Supply Point Withdrawal**

6.11.1 In order for a User to cease to be the Registered User in respect of a Supply Point:

- (a) a User must submit, or be deemed in accordance with paragraph 6.9.7(b) to submit, a request (“**Supply Point Withdrawal**”) for withdrawal; and
- (b) the Supply Point Withdrawal must become effective

in accordance with this paragraph 6.11.

6.11.2 The Registered User in respect of a Supply Point (the “**Withdrawing Supply Point**”) may at any time submit to the CDSP a Supply Point Withdrawal specifying:

- (a) the identity of the User (the “**Withdrawing User**”); and
- (b) the Supply Point Registration Number of, and the Supply Meter Point Reference Number of the Supply Meter Point (the “**Withdrawing Supply Meter Point**”) comprised in, the Withdrawing Supply Points.

6.11.3 Where a User submits or is deemed to submit a Supply Point Withdrawal, subject to paragraph 4.3.1, the User may but is not obliged to secure Isolation of the Withdrawing Supply Meter Point.



- 6.11.4 Where a Withdrawing Supply Meter Point is comprised in a Proposed Supply Point for which the Supply Point Confirmation becomes effective, the CDSP will so notify the Withdrawing User not later than 2 Supply Point Systems Business Days after the date on which it is known that the Supply Point Confirmation will become effective.
- 6.11.5 Where a User submits a Supply Point Withdrawal in respect of a Supply Point which comprises a Shared Supply Meter Point the CDSP will inform each other Sharing Registered User of the submission of such withdrawal.

## **6.12 Effect of withdrawal**

- 6.12.1 A Supply Point Withdrawal shall become effective (“**Effective Supply Point Withdrawal**”) only where the Withdrawing Supply Meter Point:
- (a) is comprised in another Supply Point (of which the Registered User may be the Withdrawing User); and/or
  - (b) has been Isolated in accordance with paragraph 7.1

and the date of the Effective Supply Point Withdrawal shall be:

- (i) in the case of paragraph (a), the Supply Point Registration Date (of such other Supply Point); and
  - (ii) in the case of paragraph (b), the later of the date of such Isolation and the date of the Supply Point Withdrawal, or in the case of (a) and (b) the latest of any such date.
- 6.12.2 For so long as a Supply Point Withdrawal has not become effective in accordance with paragraph 6.12.1, the Withdrawing User shall remain liable for Supply Point Transportation Charges in respect of the Withdrawing Supply Point determined on the basis of the Supply Point Capacity and LDZ Capacity held immediately before the submission of the Supply Point Withdrawal (or in the case of an NDM Supply Point such capacity as revised with effect from 1 October in any Gas Year in accordance with Section H4 by reference to the new Formula Year Annual Quantity and End User Category).
- 6.12.3 When a Supply Point Withdrawal has become effective in accordance with paragraph 6.12.1, the User shall cease to be the Registered User and the Supply Point (and the Supply Point Registration) shall be cancelled.
- 6.12.4 A Supply Point Withdrawal in respect of a Supply Point which comprises a Shared Supply Meter Point shall be effective on the 15th Supply Point Systems Business Day after submission thereof, irrespective of whether the Shared Supply Meter Point has been Isolated, except where all of the Sharing Registered Users submit Supply Point Withdrawals on the same Day, in which case such withdrawals shall become effective only in accordance with paragraph 6.12.1.

## **6.13 Withdrawal: Closing Meter Read**

- 6.13.1 Where a Supply Point Withdrawal becomes effective (under paragraph 6.12.1) in respect of a Supply Point and the Proposing User provides an Opening Meter Reading in accordance with Section M5.13, the CDSP will, within 5 Supply Point Systems

Business Days after such Meter Reading was provided to it, notify such Meter Reading to the Withdrawing User and inform the Withdrawing User whether it was Validated.

- 6.13.2 Where Section M5.13.4(b) applies, an Opening Meter Reading for a Class 4 Supply Meter Point with a Read Date which satisfies the relevant requirement in that paragraph (b) will be deemed for all purposes of the Code to have been obtained on the Supply Point Registration Date (and the Reconciliation Values determined accordingly).

## **7 ISOLATION**

### **7.1 General**

7.1.1 For the purposes of the Code and subject to paragraph 7.4:

- (a) **“Isolation”** of a Supply Meter Point shall mean the amendment of the Supply Point Register in accordance with paragraph 7.2.4 for the purposes of securing that gas cannot be offtaken from the Total System at such point and **“Isolate”** shall be construed accordingly; and
- (b) **“GDN/PM/GT4”** is the document relating to the cessation of the flow of gas entitled Management Procedure for: Sealing of Equipment to Protect against Theft of Gas and Tampering, as published by the Transporters from time to time, and can be found on the Energy Networks Association Website.

7.1.2 For the avoidance of doubt and subject to paragraph 7.1.3, where a Supply Meter Point has been Isolated (and unless and until an Effective Supply Point Withdrawal) the Registered User of the Supply Point in which it is comprised shall continue to be responsible for gas offtaken from the Total System at the Supply Meter Point.

7.1.3 In the case of a NDM Supply Point comprising a Class 3 or 4 Supply Meter Point which has been Isolated (and unless and until it is Re-established in accordance with paragraph 8.1) NDM Supply Meter Point Demand will cease to be determined in respect of that NDM Supply Meter Point in accordance with Section H2.

### **7.2 Isolation request**

7.2.1 A Registered Supply Meter Point may be Isolated subject to and in accordance with this paragraph 7.2.

7.2.2 For the purposes of paragraph 7.2.1 the User shall:

- (a) provide to the CDSP a notification complying with the following:
  - (i) specify the identity of the User;
  - (ii) specify the relevant Supply Point Registration Number, and the Supply Meter Point Reference Number of the Supply Meter Point;
  - (iii) specify the date on which gas ceased to flow;
  - (iv) contain a Valid Meter Reading obtained on the date set out in sub paragraph (iii) above;
  - (v) specify whether the Supply Meter Installation remains connected at the

**Supply Meter Point;**

- (b) have complied with paragraph 7.2.5.
- 7.2.3 Subject to paragraph 7.2.4, within one Day of receipt of a notice complying with paragraph 7.2.2 the CDSP will amend the Supply Point Register to set the status of the Supply Meter Point to **“Isolated”**.
- 7.2.4 Where the Supply Meter Point is a Shared Supply Meter Point the CDSP will not amend the Supply Point Register pursuant to paragraph 7.2.3 if any one or more of the Sharing Registered Users warrant to the CDSP that gas flow at the Supply Meter Point has ceased.
- 7.2.5 Where a User provides a notification in accordance with paragraph 7.2.2 such User shall have taken all reasonable steps to ensure that all work to cease the flow of gas has been carried out by suitably competent personnel using that degree of skill, diligence, prudence and foresight which would reasonably and ordinarily be expected from a skilled and experienced person complying with applicable law, recognised industry standards and GDN/PM/GT4, engaged in the same type of undertaking and the Transporter will be entitled to assume that the User has complied with such obligation.
- 7.2.6 The CDSP will not amend the Supply Point Register pursuant to paragraph 7.2.3 in the event that:
- (a) the notification submitted pursuant to paragraph 7.2.2 does not comply with the requirements set out in such paragraph; or
  - (b) the User submitting the notification is not the Registered User of the Supply Point in which the relevant Supply Meter Point is comprised on the Day that the notice is received by the CDSP.
- 7.2.7 A Supply Meter Point will be treated as Isolated for the purposes of the Code (until and unless Re-established in accordance with paragraph 8.1) with effect from the Day on which the Supply Point Register was amended pursuant to paragraph 7.2.3.

**7.3 Urgent Cessation of Flow of Gas**

- 7.3.1 Nothing in the Code shall prevent the Transporter from ceasing the flow of gas at any Supply Meter Point where it appears to the Transporter that it is necessary to do so for the purposes of ensuring safety; and, for the avoidance of doubt, where it does so the Transporter shall not be in breach of its obligation to make gas available for offtake.
- 7.3.2 Where pursuant to paragraph 7.3.1 the Transporter undertakes work to cease the flow of gas at a Supply Meter Point other than at the request of the Registered User:
- (a) the Transporter will inform the CDSP and the CDSP will inform the Registered User as soon as reasonably practicable after undertaking work to cease the flow of gas;
  - (b) nothing in the Code shall make the Registered User liable to make any payment to the Transporter in respect of the undertaking work to cease the flow of gas.

## 7.4 Disablement of Supply

7.4.1 In the event that a Supply Meter Point is Isolated and:

- (a) the Supply Meter Installation remains physically connected to a System, the User who is the Registered User at the time of such Isolation shall ensure that upon Effective Supply Point Withdrawal such Supply Meter Installation is physically disconnected from the System within 12 months from the date of such Effective Supply Point Withdrawal; and
- (b) in the event that the Supply Meter Installation is not physically disconnected within the period specified in sub-paragraph (a) above the Transporter will (where no supply of gas is required at the Supply Meter Point) take such actions to disable the flow of gas and the User who was the Registered User at the time of Effective Supply Point Withdrawal shall pay the Transporter's costs (as contained in the Transporter's Transportation Statement) in respect thereof.

## 7.5 Shipper User verification of Supply Meter Point Isolations

7.5.1 Transporters shall send a report (“**Supply Meter Removal Report**”) to each Shipper User each calendar month showing:

- (a) Supply Meter Point Reference Numbers which are in the Shipper User’s ownership and those where the Shipper User has withdrawn from the Supply Point but were in the Shipper User’s ownership at the date of Supply Meter Point Isolation; and
- (b) Addresses of Supply Meter Points where a Supply Meter was notified to the Transporter as being removed in the calendar month, six months prior to the date of the report and no other Supply Meter has since been installed according to the Meter Information held on the Supply Point Register.

7.5.2 The Supply Meter Removal Report shall indicate whether each Supply Meter Point has had any activity on the Supply Point Register associated with it which may indicate that there is a Supply Meter installed.

7.5.3 Shipper Users shall scrutinise the Supply Meter Removal Report (“**Scrutineering**”).

7.5.4 If, following Scrutineering, the Shipper User determines that a Supply Meter is installed and capable of flowing gas and has been installed by one of their contracted parties the Shipper User shall:

- (a) register the Supply Point; and
- (b) update the Meter Information on the Supply Point Register.

7.5.5 If following Scrutineering the Shipper User determines that address details on the Supply Meter Removal Report are not accurate, they shall update the address details on the Supply Point Register for each Supply Meter Point Reference Number which is recorded inaccurately.

7.5.6 Any updates made under paragraphs 7.5.4 and 7.5.5 shall be made within 9 months of the date of the removal of the Supply Meter.

7.5.7 NTS Exit Points and Shared Supply Meter Points are excluded from the process set out in this paragraph 7.5.

## **8 RE-ESTABLISHMENT**

### **8.1 General**

8.1.1 **“Re-establish”** shall mean the re-setting by the CDSP of the previously recorded Isolation status of a Supply Meter Point to indicate that gas can be offtaken from the Total System at such Point and **“Re-established”** and **“Re-establishment”** shall each be construed accordingly.

8.1.2 Where a Supply Meter Point has been Isolated in accordance with paragraph 7.2.3 and the Transporter or the CDSP becomes aware that gas is capable of being offtaken at that time (without further action being taken) from the Total System at such point then the Transporter or (as the case may be) the CDSP will notify the other, and the CDSP shall notify the Registered User of such fact.

8.1.3 Where a Supply Meter Point has been Isolated and the Registered User becomes aware (whether pursuant to paragraph 8.1.2 or otherwise) that gas is capable of being offtaken at that time (without further action being taken) from the Total System at such point it shall forthwith notify the CDSP of such fact and the CDSP shall Re-establish such Supply Meter Point.

8.1.4 For the avoidance of doubt, in the case of a Class 3 or 4 Supply Meter Point which has been Re-established, NDM Supply Point Demand will be determined in respect of the Class 3 or 4 Supply Point in accordance with Section H2 from the date of such Re-establishment.

### **8.2 Isolation and Re-establishment where same SMP remained connected**

8.2.1 Where a Supply Meter Point has been Isolated after 1 April 2013, and is Re-established, and an Effective Supply Point Withdrawal has not occurred and the Supply Meter continues to remain physically connected to a System during the period from the date of Isolation to the date of Re-establishment and the Transporter (in which case it will notify the CDSP) or the CDSP identifies that the previously connected Supply Meter (with the same serial number and number of dials as provided as part of the Meter Information) is physically connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System then where gas was or is being offtaken from the Total System during such period (as evidenced by Meter Readings), each Registered User in respect of the period for which it is or was the Registered User shall be liable for:

- (a) all reasonable costs incurred by the relevant Transporter in accordance with the Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit to carry out a disconnection in accordance with the Gas Safety (Installation and Use) Regulations 1998 and where the Supply Meter remains connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System; and
- (b) all charges (including without limitation Transportation Charges and Energy Balancing Charges) associated with such Supply Meter Point as if it had not been so Isolated and in respect of Energy Balancing Charges for which the

Registered User is liable pursuant to paragraph 8.2.1(b) a reconciliation will be carried out in accordance with Section E6.

- 8.2.2 Where a Supply Meter Point has been Isolated after 1 April 2013 and an Effective Supply Point Withdrawal has occurred and the Transporter (in which case it will notify the CDSP) or the CDSP identifies that the previously connected Supply Meter (with the same serial number and number of dials as provided as part of the Meter information) is still capable of flowing gas (without any further action being taken) from the Total System then:
- (a) the Effective Supply Point Withdrawal shall be deemed to be void as if such Effective Supply Point Withdrawal had never been effective, as set out at 8.2.4 below;
  - (b) where gas was or is being offtaken at such Supply Meter Point during such period the CDSP shall notify the party that was the Registered User at the time of Isolation (the “**Relevant Registered User**”) and such Relevant Registered User:
    - (i) shall be liable for all charges (including without limitation Transportation Charges and Energy Balancing Charges) associated with such Supply Meter Point, as if an Isolation and Effective Supply Point Withdrawal had not occurred;
    - (ii) shall register such Supply Meter Point in accordance with paragraph 2 as soon as reasonably practicable and in any event within 1 calendar month after the notification in (b) above and the Supply Point Registration Date for such registration shall be deemed to be the date of the Effective Supply Point Withdrawal;
    - (iii) shall be liable for all reasonable costs incurred by the relevant Transporter in accordance with Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit to carry out a service disconnection in accordance with the Gas Safety (Installation and Use) Regulations 1998 and where the Supply Meter remains connected and capable of flowing gas;
  - (c) where the Registered User is liable for any charges in accordance with (b)(i) above in respect of Energy Balancing Charges, a reconciliation will be carried out in accordance with Section E6; and
  - (d) where gas has not been offtaken (but is capable of being offtaken without further action being taken) at such Supply Meter Point during such period then the Relevant Registered User:
    - (i) shall be liable for Capacity Charges and Customer Charges associated with such Supply Meter Point, as if an Isolation and Effective Supply Point Withdrawal had not occurred;
    - (ii) shall register such Supply Meter Point in accordance with paragraph 2 as soon as reasonably practicable and in any event within 1 calendar month after the notification in (b) above and the Supply Point Registration Date for such registration shall be deemed to be the date of the Effective Supply Point Withdrawal;

- (iii) shall be liable for all reasonable costs incurred by the relevant Transporter in accordance with Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit to carry out a service disconnection in accordance with the Gas Safety (Installation and Use) Regulations 1998 and where the Supply Meter remains connected and capable of flowing gas.

8.2.3 Charges payable in accordance with paragraph 8.2.2 shall cease to accrue on the date when a notice has been received by the CDSP that suitable works have been undertaken to ensure that the Supply Meter Point is no longer capable of offtaking gas (without further action being taken) or until Re-establishment, provided that the Transporter will be entitled to levy such charges where the Transporter or the CDSP discovers that suitable works have not been undertaken.

8.2.4 Where the Relevant Registered User does not submit an appropriate Supply Point Confirmation in accordance with paragraphs 8.2.2(b)(ii) and 8.2.2(d)(ii) above within 1 calendar month of being notified by the CDSP:

- (a) the Relevant Registered User shall be deemed to have granted the CDSP authority to register such Supply Meter Point using the information on the Supply Point Register (except as provided in paragraph (iii)) in relation to such Supply Point as at the date of the Effective Supply Point Withdrawal; and
  - (i) the Supply Point Registration Date shall be deemed to be the date of the Effective Supply Point Withdrawal;
  - (ii) for the purposes of calculating the Opening Meter Reading the CDSP shall use the Meter Reading taken at the time the Transporter identifies that the previously connected Supply Meter (with the same serial number and number of dials as provided as part of the Meter Information) is physically connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System together with the Meter Reading provided by the Relevant Registered User immediately upon the Isolation for the purposes of calculating the relevant Transportation and Energy Balancing Charges;
  - (iii) the Supply Point and Supply Meter Point comprised in the Supply Point will be classified as a Class 4 Supply Point and Supply Meter Point,

such that the Effective Supply Point Withdrawal shall be deemed to be void and any obligations associated with such Supply Point shall be applied as if the Effective Supply Point Withdrawal had never become effective.

### 8.3 Isolation and Re-establishment where different SMP remained connected

8.3.1 Where a Supply Meter Point has been Isolated after 1 April 2014, and is Re-established, and an Effective Supply Point Withdrawal has not occurred and the Transporter identifies that a connected Supply Meter (with a different serial number as provided as part of the Meter Information) is physically connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System then where gas was or is being offtaken from the Total System during the period from the date of Isolation to the date of Re-establishment, the Transporter will use its reasonable endeavours to record both the Meter Information and details from any

tags or stickers attached to the Supply Meter (together the “**Meter Data**”) and provide such information to the CDSP who shall provide the information to the Registered User. The Registered User shall be liable for:

- (a) all reasonable costs incurred by the relevant Transporter in accordance with the Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit to carry out a disconnection in accordance with the Gas Safety (Installation and Use) Regulations 1998 and where a Supply Meter is connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System; and
- (b) all charges (including without limitation Transportation Charges and Energy Balancing Charges) associated with such Supply Meter Point from the later of the date of Isolation or the date that a Supply Meter is fitted following Isolation (the “**Subsequent Meter Fix Date**”) if known and in respect of Energy Balancing Charges for which the Registered User is liable pursuant to paragraph 8.2.1(b) in respect of Larger Supply Points, an Offtake Reconciliation will be carried out in accordance with Section E6.

8.3.2 Where a Supply Meter Point has been Isolated after 1 April 2014 and an Effective Supply Point Withdrawal has occurred and the Transporter identifies that a connected Supply Meter (with a different serial number as provided as part of the Meter Information) is capable of flowing gas (without any further action being taken) from the Total System then where gas was or is being offtaken from the Total System during the period from the date of Isolation to the date of Re-establishment, the Transporter will use its reasonable endeavours to record the Meter Data (and provide the Meter Data to the CDSP) and, subject to paragraph 8.5.1, the CDSP shall issue the Meter Data to the Relevant Registered User within one calendar month of recording it and notify the Relevant Registered User that, subject to paragraph 3.7.20, they are required to register such Supply Meter Point in accordance with paragraph 6 within 3 calendar months of such notification (the “**Registration Date**”) unless another User registers the Supply Meter Point in accordance with paragraph 6 before the Registration Date and

- (a) the Supply Point Registration Date shall be deemed to be the later of the date of the Effective Supply Point Withdrawal or the Subsequent Meter Fix Date if known in accordance with paragraph 8.5.7;
- (b) for the purposes of calculating the Opening Meter Reading the User determined pursuant to this paragraph 8.3.2 shall use the Meter Reading taken at the time the Transporter identifies that the connected Supply Meter (with a different serial number as provided as part of the Meter Information) is physically connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System for the purposes of calculating the relevant Transportation and Energy Balancing Charges; such that the Effective Supply Point Withdrawal shall be deemed to be void and any obligations associated with such Supply Point shall be applied as if the Effective Supply Withdrawal had never become effective.

8.3.3 Where gas was or is being offtaken, the User as determined pursuant to paragraph 8.3.2 above shall be liable for:

- (a) NTS Exit Commodity Charges, LDZ Commodity Charges and Commodity Variable Component of Customer Charges and Energy Balancing Charges from



the later of the date of Isolation or Subsequent Meter Fix Date if known;

- (b) Capacity and Customer Charges from the later of the date of Effective Supply Point Withdrawal or Subsequent Meter Fix Date if known; and
- (c) all reasonable costs incurred by the relevant Transporter in accordance with Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit to carry out a service disconnection in accordance with the Gas Safety (Installation and Use) Regulations 1998 and where the Supply Meter remains connected and capable of flowing gas.

#### **8.4 Isolation and no Re-establishment**

8.4.1 Where a Supply Meter Point has been Isolated after 1 April 2014 and an Effective Supply Point Withdrawal has occurred and the Transporter identifies that a connected Supply Meter (with a different serial number as provided as part of the Meter Information) is capable of flowing gas (without any further action being taken) from the Total System then where gas has not been offtaken (but is capable of being offtaken without further action being taken) at such Supply Meter Point during the period from the date of Isolation to the date of Re-establishment, the Transporter will use its reasonable endeavours to record the Meter Data (and provide the Meter Data to the CDSP) and, subject to paragraph 8.5.1, the CDSP shall issue the Meter Data to the Relevant Registered User within one calendar month of recording it and notify the Relevant Registered User that, subject to paragraph 8.5.6, they are required to register such Supply Meter Point in accordance with paragraph 5 within 3 calendar months of such notification (the “**Registration Date**”) unless another User registers the Supply Meter Point in accordance with paragraph 2 before the Registration Date and

- (a) the Supply Point Registration Date shall be deemed to be the later of the date of the Effective Supply Point Withdrawal or the Subsequent Meter Fix Date if known in accordance with paragraph 8.5.7;
- (b) for the purposes of calculating the Opening Meter Reading the User determined pursuant to paragraph 8.3.2 shall use the Meter Reading taken at the time the Transporter identifies that the connected Supply Meter (with a different serial number as provided as part of the Meter Information) is physically connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System for the purposes of calculating the relevant Transportation and Energy Balancing Charges; such that the Effective Supply Point Withdrawal shall be deemed to be void and any obligations associated with such Supply Point shall be applied as if the Effective Supply Withdrawal had never become effective.

8.4.2 The User as determined pursuant to paragraph 8.4.1 shall be liable for:

- (a) Capacity Charges and Customer Charges associated with such Supply Meter Point from the later of the date of Effective Supply Point Withdrawal or Subsequent Meter Fix Date if known; and
- (b) all reasonable costs incurred by the relevant Transporter in accordance with Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit to carry out a service disconnection in accordance with the Gas Safety (Installation and Use)

Regulations 1998 and where the Supply Meter remains connected and capable of flowing gas.

- 8.4.3 Subject to paragraph 8.5.6, where neither the Relevant Registered User nor any other User submits an appropriate Supply Point Confirmation in accordance with paragraphs 8.3.2 and 8.4.1 above within 3 calendar months of being notified to do so by the Transporter:
- (a) the Relevant Registered User or another User involved in any User Activity shall be deemed to have granted the CDSP authority to register such Supply Meter Point using the information on the Supply Point Register (except as provided in paragraph (iii)) in relation to such Supply Point as at the date of the Effective Supply Point Withdrawal; and
    - (i) the Supply Point Registration Date shall be deemed to be the later of the date of the Effective Supply Point Withdrawal or the Subsequent Meter Fix Date if known in accordance with paragraph 8.5.7;
    - (ii) for the purposes of calculating the Opening Meter Reading the CDSP shall use the Meter Reading taken at the time the Transporter identifies that the connected Supply Meter (with a different serial number as provided as part of the Meter Information) is physically connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System for the purposes of calculating the relevant Transportation and Energy Balancing Charges; such that the Effective Supply Point Withdrawal shall be deemed to be void and any obligations associated with such Supply Point shall be applied as if the Effective Supply Withdrawal had never become effective;
    - (iii) the Supply Point and Supply Meter Point comprised in the Supply Point will be classified as a Class 4 Supply Point and Supply Meter Point.

## 8.5 Supply Point Withdrawal and subsequent User Activity

8.5.1 In the event that after an Effective Supply Point Withdrawal the CDSP receives:

- (a) information about any of the following:
  - (i) a Supply Point Confirmation from a User other than the Relevant Registered User which was rejected by the CDSP in accordance with paragraph 6.1.4; or
  - (ii) Meter Readings from a User other than the Relevant Registered User which were rejected; or
  - (iii) a C&D Notification, or
  - (iv) a User other than the Relevant Registered User has submitted Meter Information in accordance with Section M3.2;

in each case “**User Activity**”; or

- (b) evidence from the Relevant Registered User that demonstrates to the CDSP's

reasonable satisfaction that another User has been involved in any User Activity relating to the relevant Supply Meter Point; such evidence from the Relevant Registered User in respect of another User's User Activity may include but is not limited to Meter Information, a photo of a Supply Meter Installation, a C&D Notification, a customer bill, signed contract or relevant email correspondence; or

- (c) a C&D Notification from a Non-Code Party and the Non-Code Party confirms which User such Notification was made on behalf of,

then in the event that the CDSP determines that the Supply Meter Point is not already registered to another User the CDSP will issue a notice to such User identified pursuant to this paragraph 8.5.1 within one calendar month of becoming aware of such information setting out the Meter Data and notifying the relevant User that they are required to register such Supply Meter Point in accordance with paragraph 5 within one calendar month of receiving the CDSP's notice. Where more than one User is identified pursuant to this paragraph 8.5.1 the CDSP will issue the notice to the User found to have undertaken the most recent activity in relation to the Supply Meter Point.

8.5.2 The User as determined pursuant to paragraph 8.5.1 above shall be liable for:

- (a) all reasonable costs incurred by the relevant Transporter in accordance with the Siteworks Terms and Procedures (as defined in Annex G-3, paragraph 1.2.2) where the relevant Transporter undertakes a visit to carry out a disconnection in accordance with the Gas Safety (Installation and Use) Regulations 1998 and where a Supply Meter is connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System; and
- (b) all charges (including without limitation Transportation Charges and Energy Balancing Charges) associated with such Supply Meter Point from the later of the date of the Effective Supply Point Withdrawal or the Subsequent Meter Fix Date if known and in respect of Energy Balancing Charges for which the User is liable pursuant to paragraph 8.2.1(b) in respect of Larger Supply Points, an Offtake Reconciliation will be carried out in accordance with Section E6.

8.5.3 Subject to paragraph 8.5.6, where the User identified in accordance with paragraph 8.5.1 does not submit an appropriate Supply Point Confirmation within one calendar month of being notified to do so by the CDSP, the CDSP will investigate the evidence provided by the Relevant Registered User. If in the opinion of the CDSP the evidence is not deemed to be conclusive, the Relevant Registered User will be required to register the Supply Meter Point.

8.5.4 Subject to paragraph 8.5.3, where, in the opinion of the CDSP, the evidence provided by the Relevant Registered User is deemed conclusive:

- (a) the User identified in accordance with paragraph 8.5.1 shall be deemed to have granted the CDSP authority to register such Supply Meter Point using the information on the Supply Point Register in relation to such Supply Point as at the date of the Effective Supply Point Withdrawal; and
  - (i) the Supply Point Registration Date shall be deemed to be the later of the date of the Effective Supply Point Withdrawal or the Subsequent Meter Fix Date if known in accordance with paragraph 8.5.7;

- (ii) for the purposes of calculating the Opening Meter Reading the CDSP shall use the Meter Reading taken at the time the Transporter identifies that the connected Supply Meter (with a different serial number as provided as part of the Meter Information) is physically connected to a System such that gas is capable of being offtaken (without any further action being taken) from the Total System for the purposes of calculating the relevant Transportation and Energy Balancing Charges; such that the Effective Supply Point Withdrawal shall be deemed to be void and any obligations associated with such Supply Point shall be applied as if the Effective Supply Withdrawal had never become effective.
- 8.5.5 Where a User identified pursuant to paragraph 8.3.2 or 8.5.1 warrants that they are not associated with the Supply Meter Point then the CDSP will send Meter Data and notice to register the Supply Meter Point to the User who has carried out the next most recent User Activity or where no other User Activity is identified the CDSP shall send Meter Data to the Relevant Registered User with notice that they are required to register the Supply Meter Point within 3 calendar months of receiving such notice.
- 8.5.6 If the Transporter identifies that a Supply Meter has been installed at a Supply Meter Point but has no reasonable evidence that this was done at the request of a User the Transporter will within 3 calendar months advise the consumer to obtain a Supply Contract (and notify the CDSP at the same time) and:
- (a) if the consumer confirms that a Supply Contract is already in place and the relevant User verifies this then the relevant User shall register such New Supply Meter Point in accordance with paragraph 2 within 1 calendar month of being notified to do so by the CDSP failing which the provisions of paragraph 8.4.3 shall apply; or
  - (b) if the consumer does not enter into a Supply Contract within 3 calendar months of being notified to do so or the Transporter is unable to ascertain whether a Supply Contract is in place then the Transporter shall seek to disconnect the supply of gas to the consumer subject to any applicable legislation, regulation or relevant code of practice.
- 8.5.7 If pursuant to paragraphs 8.3.2(a), 8.4.1(a), 8.4.3(a)(i) or 8.5.4(a)(i) a User fails to notify the Transporter of the Subsequent Meter Fix Date within one month of such User becoming the Registered User the Transporter shall notify the CDSP and the Supply Point Registration Date shall be deemed to be the date of the Effective Supply Point Withdrawal.

## **9 SHARED SUPPLY METER POINTS**

### **9.1 Shared Supply Meter Points**

#### 9.1.1 For the purposes of the Code:

- (a) a **“Shared Supply Meter Point”** is a Supply Meter Point which is pursuant to this paragraph 9.1 comprised in more than one Supply Point;
- (b) **“Sharing Registered Users”** are the Users which are the Registered Users or (as applicable) Proposing Users in respect of a Shared Supply Meter Point;

- (c) a **“Shared Supply Meter Point Notification”** is a Supply Point Nomination given in respect of a Shared Supply Meter Point;
- (d) a **“Sharing Registered User Agent”** is a person (which may be one of the Sharing Registered Users at the Shared Supply Meter Point), authorised by each of the Sharing Registered Users at the Shared Supply Meter Point to:
  - (i) submit Shared Supply Meter Point Nominations on their behalf; and/or
  - (ii) inform the CDSP of the allocation of the Supply Meter Point Daily Quantity to each Sharing Registered User in respect of each Day in accordance with paragraph 9.1.11.

and for the purposes of this paragraph 9.1 a **“relevant”** Supply Point is a Supply Point comprising Shared Supply Meter Point.

9.1.2 Paragraph 1.1.5 applies only in respect of:

- (a) a Supply Meter Point which at 1 March 1996 was comprised in more than one Supply Point; or
- (b) a Supply Meter Point in relation to which the following conditions are satisfied:
  - (i) the Supply Meter Point is not part of a Sub-deduct Arrangement; and
  - (ii) the Annual Quantity of the Supply Point comprised in the relevant Supply Point is not less than 58,600,000 kWh (2,000,000 therms).

9.1.3 A Shared Supply Meter Point may be comprised in a Firm Supply Point and in an Interruptible Supply Point.

9.1.4 In relation to a Shared Supply Meter Point or a Proposed Supply Point comprising a Shared Supply Meter Point, the Users may appoint, or cancel the appointment of a Sharing Registered User Agent by notice to the CDSP (in accordance with the procedures referred to in paragraph 9.1.17), which shall identify:

- (a) the Supply Meter Point;
- (b) the Sharing Registered Users;
- (c) the Sharing Registered User Agent;
- (d) the date from which the Sharing Registered User Agent is appointed or such appointment is cancelled; and
- (e) whether the Sharing Registered User Agent is appointed (or such appointment is cancelled) for the purpose in paragraph 9.1.1(d)(i) or 9.1.1(d)(ii) or both.

9.1.5 In relation to a Proposed Supply Point comprising a Shared Supply Meter Point:

- (a) a Shared Supply Meter Point Nomination must be submitted by:
  - (i) one (and only one) of the Users proposed to be a Sharing Registered User on behalf of all of the Users proposed to be Sharing Registered Users (and the CDSP may assume that such submission is authorised

by all such Sharing Registered Users); or

- (ii) the Sharing Registered User Agent, under paragraph 9.1.1(d)(i) in accordance with paragraph 9.1.6;
- (b) a separate Supply Point Offer (in accordance with paragraph 2.4.2) will be sent to each Sharing Registered User (and, if appointed, to the Sharing Registered User Agent);
- (c) each Sharing Registered User shall make a Supply Point Confirmation in accordance with paragraph 6.6.

9.1.6 A Shared Supply Meter Point Nomination shall specify the following information:

- (a) the information required pursuant to paragraph 6.4.2 in respect of each Sharing Registered User and Proposed Supply Point;
- (b) whether the allocation of gas offtaken is to be by way of Fixed Percentage Allocation (under paragraph 9.1.10(a)) or Agency Allocation (under paragraph 9.1.1(b)), and:
  - (i) if Fixed Percentage Allocation, the allocation between the Sharing Registered Users in percentages (aggregating 100%);
  - (ii) if Agency Allocation, the identity of the Sharing Registered User Agent; and
- (c) for an Agency Allocation, a default allocation methodology for the apportionment of Reconciliation Quantity among Existing Shared Registered Users in percentages (aggregating 100%) (“**Default Allocation Methodology**”).

9.1.7 A Supply Point Confirmation (including a Supply Point Reconfirmation) in respect of a Proposed Supply Point which comprises a Shared Supply Meter Point will be rejected unless:

- (a) a Supply Point Confirmation is received from each proposed Sharing Registered User in respect of a Shared Supply Meter Point, within 2 Supply Point Systems Business Days of submission of the first Supply Point Confirmation for a Shared Supply Meter Point Nomination; and
- (b) the requirements of this paragraph 9.1 are complied with.

9.1.8 A Supply Point Amendment may only amend the Supply Point Registration of a Shared Supply Meter Point as to the matters specified in Annex G-1.

9.1.9 Pursuant to paragraph 6.12.1, if one or more (but not all) of the Sharing Registered Users at a Shared Supply Meter Point submit a Supply Point Withdrawal, such Supply Point Withdrawal(s) will only be effective if the remaining Sharing Registered User(s) submit Supply Point Reconfirmations.

9.1.10 A Shared Supply Meter Point Nomination may provide for the allocation of gas offtaken at the Shared Supply Meter Point to be determined each Day:

- (a) (provided that none of the Supply Points in which the Shared Supply Meter Point is comprised is Interruptible) by the CDSP, understanding instructions notified to the CDSP in advance by the Sharing Registered Users, in accordance with paragraph 9.1.6 (“**Fixed Percentage Allocation**”); or
- (b) by a person authorised as Sharing Registered User Agent as provided in paragraph 9.1.1(d)(ii) (“**Agency Allocation**”).

9.1.11 Where a Shared Supply Meter Point Nomination provides for Agency Allocation:

- (a) the CDSP will notify the Supply Meter Point Daily Quantity to the Sharing Registered User Agent not later than the specified time on the Day following the Gas Flow Day and (where such quantity is pursuant to any provision of the Code to be revised) may notify a revision of the quantity so notified to the Sharing Registered User Agent not later than the specified time on the Exit Close Out Date;
- (b) if, by the specified time on the Day following the Gas Flow Day, and (where the CDSP notifies a revision of the Supply Meter Point Daily Quantity to the Sharing Registered User Agent) by the specified time on the Day on which the CDSP notifies such revision, the Sharing Registered User Agent has notified to the CDSP amounts, aggregating the Supply Meter Point Daily Quantity (as revised at the relevant time), to be allocated to the Sharing Registered Users:
  - (i) the amounts so notified may be revised (provided they continue to aggregate the Supply Meter Point Daily Quantity, as revised at the relevant time) by the Sharing Registered User Agent at any time before the specified time on the Exit Close Out Day;
  - (ii) the Supply Meter Point Daily Quantity shall be allocated between the Sharing Registered Users in the amounts so notified or such revised amounts so notified not later than the specified time on the Exit Close Out Day;
- (c) if, by the specified time on the Day following the Gas Flow Day, or by the specified time on any Day on which the CDSP notifies to the Sharing Registered User Agent any revision of the Supply Meter Point Daily Quantity, the Sharing Registered User Agent has not so notified to the CDSP such amounts, the Supply Meter Point Daily Quantity shall be allocated between the Sharing Registered Users:
  - (i) in proportion to the Nominated Quantities under the Users' Output Nominations for the relevant Supply Point for the Day or (if such Nominated Quantity is zero for each such User) in proportion to the Registered Supply Point Capacities at each such Supply Point; or
  - (ii) if the Sharing Registered User Agent shall have notified the CDSP (not less than 15 Days before the Gas Flow Day) of proportions aggregating unity for the purposes of allocation in the circumstances contemplated in this paragraph (c), in such proportions;
- (d) if the Supply Meter Point Daily Quantity is allocated pursuant to paragraph (c) in respect of more than 12 Days in any Gas Year, the charges payable pursuant to paragraph 9.1.13 in respect of that Gas Year by the Sharing Registered Users

shall be determined (in accordance with the Transportation Statement) as though the Shared Supply Meter Point Nomination were under paragraph 9.1.10(a).

9.1.12 Section B8.9 applies in the case where an Interruptible Supply Point includes a Shared Supply Meter Point.

9.1.13 Subject to Section M1.7.2, the liability of the Sharing Registered Users in respect of a Shared Supply Meter Point for obligations under the Code shall be several:

- (a) in the proportions in which they hold Supply Point Capacity at the relevant Supply Points; or
- (b) if a Sharing Registered User Agent has notified (but so that paragraph 9.1.11(b)(ii) shall be deemed to apply to such notification) to the Transporter proportions (aggregating unity) for the purposes of this paragraph 9.1.12, in such proportions

except in the case of any such obligation which is not capable of being so divided, in which case the liability of the Sharing Registered Users shall be joint.

9.1.14 The whole of the Annual Quantity of a Shared Supply Meter Point shall be counted (without any apportionment) in determining the Annual Quantity of each relevant Supply Point.

9.1.15 In respect of LDZ Supply Points where the rate of any Supply Point Transportation Charge is a function of Supply Point Capacity, the rate of such charge payable by a Sharing Registered User shall be determined on the basis of the aggregate of the Supply Point Capacities held by each Sharing Registered User at the relevant Supply Point.

9.1.16 For the purposes of this paragraph 9.1:

- (a) the CDSP will, after consultation with Users, prepare and from time to time revise (subject to prior approval by Panel Majority of the Uniform Network Code Committee) and publish reasonable procedures to apply in respect of Shared Supply Meter Points;
- (b) Sharing Registered Users shall comply and (in the case of a Sharing Registered User Agent) procure that such User Agent complies with such procedures; and
- (c) the procedures may specify the form of Shared Supply Meter Point Notifications.

9.1.17 Where the Transporter has given Termination Notice (under Section V4) to a User which was a Sharing Registered User, such User shall be deemed to have submitted a Supply Point Withdrawal and the remaining Sharing Registered Users shall submit Supply Point Reconfirmations.

## **9.2 Mandatory Allocation Agencies**

9.2.1 All Users agree that (subject to and in accordance with this paragraph 9.2) if the conditions in paragraph 9.2.2 are satisfied and any User (the “**applicant User**”) shall so require, a Supply Meter Point (the “**relevant Supply Meter Point**”) shall become a Shared Supply Meter Point, in relation to which the applicant User and each Existing



Registered User shall be Sharing Registered Users and shall appoint the consumer as Sharing Registered User Agent pursuant to an Agreement (the parties to which shall be each such User and the consumer, but for the avoidance of doubt not the Transporter or the CDSP) in the terms (“**Mandatory Allocation Agency Terms**”), subject to paragraph 9.2.2(d), in Annex G-4.

- 9.2.2 The conditions referred to in paragraph 9.2.1 are that:
- (a) the relevant Supply Meter Point is eligible (in accordance with paragraph 9.1.2) to be a Shared Supply Meter Point;
  - (b) the requirement in paragraph 9.1.10 would be (or will continue to be) satisfied;
  - (c) the applicant User is willing to appoint the consumer as Sharing Registered User Agent upon the Mandatory Allocation Agency Terms;
  - (d) the consumer is willing to act as Sharing Registered User Agent upon the Mandatory Allocation Agency Terms; and
  - (e) no existing Registered User would be obliged by virtue of the Shipper's Licence to submit a Supply Point Objection in respect of the Applicant User's Supply Point Confirmation.
- 9.2.3 Where the applicant User wishes to become a Sharing Registered User pursuant to paragraph 9.2.1:
- (a) the User shall submit to the CDSP a notification to that effect, identifying the consumer and the relevant Supply Meter Point, together with:
    - (i) an Agreement in the Mandatory Allocation Agency Terms, completed with details of the relevant Supply Meter Point, the effective date of the Agreement and the names of the applicant User and Existing Registered User(s) and the consumer (in the capacity of agent), in a number of originals equal to the number of proposed parties thereto, each executed by the applicant User and consumer but undated;
    - (ii) a signed irrevocable authority by the consumer in favour of the CDSP to date and deliver the Agreement in accordance with paragraph (d);
  - (b) the CDSP will notify each Existing Registered User thereof enclosing a copy of the applicant User's notification and a copy of the Agreement;
  - (c) pursuant to paragraph 9.2.1, each Existing Registered User shall, provided the conditions in paragraph 9.2.2 are satisfied, arrange for the execution of each original of the Agreement not later than the 10th Supply Point Systems Business Day after the CDSP's notification under paragraph (b);
  - (d) when each Existing Registered User has complied with paragraph (c), the CDSP will (and each relevant User hereby authorises the CDSP to) date and deliver the Agreement on behalf of each such User and the consumer, and provide two originals to the applicant User and one each to each other such User; and
  - (e) the Agreement once executed by each Existing Registered User shall take effect

as a Shared Supply Meter Point Nomination for the effective date specified in the Agreement, and no Supply Point Objection may be submitted by any Existing Registered User nor (if submitted) shall be effective.

- 9.2.4 Subject to paragraph 9.2.5, if any Existing Registered User fails to execute an Agreement pursuant to paragraph 9.2.3(c) by the date therein specified:
- (a) such User shall be deemed to have submitted a Supply Point Withdrawal in respect of the relevant Supply Point, which shall be effective on the effective date specified in the Agreement, pursuant to paragraph 6.12.3; and
  - (b) the Agreement shall take effect (unless there was no other Existing Registered User), and the Supply Point Confirmation submitted by the applicant User shall become effective, and the applicant User shall not be entitled to submit a Supply Point Withdrawal within the period referred to in 6.12.4.
- 9.2.5 Paragraph 9.2.4 shall not apply if any Existing User submits to the CDSP by the date specified in paragraph 9.2.3(c) written confirmation to the effect that the condition in paragraph 9.2.2(e) is not satisfied.

**ANNEX G-1****SUPPLY POINT AMENDMENTS**

- 1 This Annex G-1 sets out the basis on which the Registered User may amend a Supply Point Registration by a Supply Point Amendment.
- 2 Nothing in this Annex G-1 entitles a User to amend a Supply Point Registration except in circumstances where the Code requires or permits such amendment.
- 3 The table below sets out those details of a Supply Point Registration which may be made by a Supply Point Amendment and (for each) the basis on which such Supply Point Amendment may be made.
- 4 In the table below:
  - (a) Column A specifies the details recorded in the Supply Point Register which may be modified by a Supply Point Amendment;
  - (b) in Column B:
    - (i) ‘User specifies’ signifies that the Registered User’s notice must specify the date with effect from which the Supply Point Amendment is to be made;
    - (ii) ‘Upon notice’ signifies that the Supply Point Amendment will be made as soon as reasonably practicable following the Registered User’s notice.
- 5 Where (as provided in paragraph 4(b)(i)) the User must specify the effective date of a Supply Point Amendment, such date shall be:
  - (a) not less than the minimum notice (if any); and
  - (b) not more than the maximum notice (if any);(as set out in Columns C and D of the table below where applicable) after the date of the User’s notice.
- 6 Where the Code requires an amendment of a Supply Point Registration with effect from a particular date, it is the responsibility of the User to specify the effective date of the Supply Point Amendment in accordance with that requirement.
- 7 A separate Supply Point Amendment must be submitted for each proposed change to a Supply Point Registration in accordance with this Annex G-1.
- 8 Where a Registered User has submitted a Supply Point Amendment, the Registered User may not submit any further Supply Point Amendments until the CDSP has made the change in the initially submitted Supply Point Amendment.
- 9 A Registered User may cancel a Supply Point Amendment for:

- (a) a change in Supply Point Capacity;
- (b) a change in Supply Point Offtake Rate;
- (c) a change in Meter Read Frequency; or
- (d) a change of Class of a Supply Meter Point,

by notice to the CDSP not less than 3 Supply Point Systems Business Days before the Effective Date specified in the Supply Point Amendment in accordance with the table below.

10 A Sharing Registered User may not change the Supply Point Capacity or Supply Point Offtake Rate in respect of a Shared Supply Meter Point by way of a Supply Point Amendment.

<b>A. Detail which may be modified</b>	<b>B. Effective date</b>	<b>C. Minimum notice</b>	<b>D. Maximum notice</b>
Change in Supply Point Capacity	User specifies	In accordance with Annex B-3	N/A
Change in Supply Point Offtake Rate	User specifies	In accordance with Annex B-3	N/A
Change in Meter Read Frequency	User specifies	2 Supply Point Systems Business Days	-
Change of Meter Reader	Upon notice	-	-
Change in User Emergency Contacts	Upon notice	-	-
Change in any details maintained pursuant to Standards Special Condition A50(8)	Upon notice	-	-
Change in supplier where there is no change of Registered User in respect of a Supply Point	Upon notice	2 Supply Point Systems Business Days	-
Change in Market Sector Code	Upon notice	-	-
Change of Class	User specifies	5 Supply Point Systems Business Days	30 Business Days
Meter Asset Manager ID	Upon notice	-	-
Gas Act Owner	Upon notice	-	-
Any other detail specified in the UK Link Manual as capable of being modified by Supply Point Amendment	Upon notice	-	-

Change in Meter Post Code	Upon notice	-	-
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- 11 Where in respect of a Day a User submits Supply Point Amendments in excess of the User’s limit as provided for in the UK Link Manual (and notified to the User by the CDSP) the CDSP shall be entitled to reject any Supply Point Amendments submitted in excess of the User’s daily limit (and where Supply Point Amendments are submitted in a batch which results in the User’s daily limit being exceeded all the Supply Point Amendments in the batch will be rejected).



**ANNEX G-2****COMPENSATION RULES****1 Responding to referral notices**

## 1.1

## 1.1.1 For the purposes of this Annex G-2:

- (a) the Transporter **“responds”** following the submission by the CDSP of a referral notice (in accordance with TPD Section G6.4.8) by notifying the CDSP of the outcome of the Transporter's assessment of the feasibility of making gas available for offtake from the Total System at the Proposed Supply Point;
- (b) periods within which the Transporter is to respond run from the Supply Point Systems Business Day after the Supply Point Nomination was submitted; and
- (c) a Supply Point Nomination is **“referred”** where TPD Section G6.4.8 applies in relation thereto.

## 1.1.2 The Transporters will respond to the CDSP within 12 Supply Point Systems Business Days to not less than 97% of the referred Supply Point Nominations submitted by each User in any calendar month.

## 1.1.3 If, in respect of the referred Supply Point Nominations submitted by a User in any calendar month, the Transporters do not comply with the requirement in paragraph 1.1.2, the Transporters will (subject to the further provisions of the Code) pay to the User an amount calculated as:

$$((0.97 * A) - B - C) * £30$$

where for the relevant month:

- A is the number of referred Supply Point Nominations submitted by the User in that month;
- B is the number of referred Supply Point Nominations submitted by the User in that month to which the Transporters did respond within 12 Supply Point Systems Business Days; and
- C is the number of referred Supply Point Nominations where:
  - (a) the Transporter reasonably considered that a site visit was necessary (in accordance with the further provisions of TPD Section G); and
  - (b) the Transporter was unable to perform such site visit within 12 Supply Point Systems Business Days as a result of failure, acting reasonably, to obtain any consents necessary to undertake such site visit (and the Transporter shall not be required to seek any such consent after the 10th Supply Point Systems Business Day).

- 1.1.4 The Transporter will (subject to the further provisions of this paragraph 1.1.4) pay to the User £50 in respect of each referred Supply Point Nomination submitted by a User, if the Transporter does not respond within 17 Supply Point Systems Business Days provided that the Transporter will not be liable to pay such amounts where:
- (a) the Transporter reasonably considered that a site visit was necessary (in accordance with the further provisions of TPD Section G); and
  - (b) the Transporter was unable to perform such site visit within 17 Supply Point Systems Business Days as a result of failure, acting reasonably, to obtain any consents necessary to undertake such site visit (and the Transporter shall not be required to seek any such consent after the 15th Supply Point Systems Business Day).
- 1.1.5 Amounts payable under paragraph 1.1.4 are in addition to and irrespective of any amounts which may become payable in respect of any month under paragraph 1.1.3.
- 1.1.6 For the purposes of Section V10 the rules in paragraphs 1.1.3 and 1.1.4, are Compensation Rules within Compensation Group G; and in relation thereto the 'payment month' is the second month following that in which the relevant Supply Point Nomination was submitted.

## 1.2 Site visits

- 1.2.1 The Transporter shall be taken to have completed a Site Visit Appointment where the Transporter attends at the Supply Point Premises on a date which complies with TPD Section G3.5; and
- (a) the Transporter investigates the relevant matter (as described in TPD Section G3.5); or
  - (b) the User did not attend if required to do so in accordance with TPD Section G3.5.3; or
  - (c) the Transporter was unable (after reasonable attempts to do so at the time of its visit) to obtain access to the Supply Point Premises.
- 1.2.2 If the Transporter does not complete all Site Visit Appointments in a calendar month, the Transporter will (subject to the further provisions of the Code) pay to the User an amount calculated as:

$$(A) - B) * £20$$

where for the relevant month:

- A is the number of Site Visit Appointments due to be carried out in that month;
- B is the number of Site Visit Appointments completed in accordance with paragraph 1.2.1.

- 1.2.3 For the purposes of Section V10, the rule in paragraph 1.2.2 is a Compensation Rule within Compensation Group H; and in relation thereto the 'payment month' is the second month following that in which the relevant Site Visit Appointment was due to be carried out.



**ANNEX G-3****SITWORKS****1 NEW SUPPLY METER POINTS AND OTHER SITWORKS****1.1 General**

1.1.1 For the purposes of the Code:

- (a) the “**Siteworks Applicant**” is the User or other person who has requested that the Siteworks be undertaken;
- (b) the “**Siteworks Contract**” is the contract between the Transporter and the Siteworks Applicant under which the Transporter is to undertake the Siteworks;
- (c) the “**Completion Date**” is the date of substantial completion (as defined or described in the Siteworks Contract) of the Siteworks;
- (d) the “**Target Completion Date**” means the intended Completion Date of the Siteworks as specified in or determined under the Siteworks Contract;
- (e) “**Siteworks**” includes works undertaken by the Transporter:
  - (i) at the request of a Registered User or other person in connection with the System for the purposes of installing, modifying, removing, or replacing a Supply Meter Installation at a Special Metering Supply Point;
  - (ii) at the request of the Registered User for the purposes of ceasing or enabling the flow of gas at a Special Metering Supply Point;
- (f) “**Siteworks**” means works undertaken by the Transporter at the request of a User or other person in connection with a System for the purposes of:
  - (i) the establishment of a New Supply Meter Point;
  - (ii) enabling an increase in the rate or pressure at or quantities in which it is feasible to make gas available for offtake from the Total System at an existing Supply Meter Point;
  - (iii) modifying or replacing any part of a System located at the Supply Point Premises (but not the Supply Meter Installation at an existing Supply Meter Point);
  - (iv) enabling the Firm Transportation Requirement (in accordance with Section B, paragraph 8.3.4) to be satisfied in respect of an Interruptible Supply Point; or
  - (v) furnishing, installing, removing, making operational and/or maintaining Daily Read Equipment;

- (g) Siteworks under paragraph (f)(i) may be:
- (i) for the construction and/or installation (and connection to a System) by the Transporter of the service pipe or any part thereof (but not the Supply Meter Installation); or
  - (ii) for the purposes of making a connection to a System of any service pipe constructed or installed by any other person (but not the new Supply Meter Installation).
- (h) **“Connections Work”** is the connection of the service pipe (or any part thereof) for the establishment of a New Supply Meter Point on to the relevant System.
- (i) **“Special Metering Supply Point”** is any Supply Point:
- (i) comprising a Supply Meter Point in respect of which a Supply Meter Installation is provided and installed by the Transporter; and
  - (ii) such Supply Meter Point:
    - (1) is a Shared Supply Meter Point; or
    - (2) is comprised within a System Exit Point which is subject to a Special Offtake Arrangement; or
    - (3) which is comprised in an LDZ Specified Exit Point identified within a Supply Point Nomination in respect of which a Supply Point Registration has occurred; or
    - (4) which is comprised in a Notional NTS Connection Point identified within a Supply Point Offer in respect of which a Supply Point Registration has occurred; or
  - (iii) such Supply Meter Installation comprises a Supply Meter to which telemetered equipment has been installed in accordance with Section M6.7.1; or
  - (iv) which the Transporter and the User at such Supply Point have agreed shall be a Special Metering Supply Point.

1.1.2 Where the Siteworks Applicant is a User the Siteworks Contract shall not (unless it expressly provides to the contrary) be an Ancillary Agreement and does not form a part of and is not incorporated into the Code.

1.1.3 Where the Siteworks Applicant is not the Registered User of the relevant Supply Meter Point:

- (a) nothing in the Code shall make the Registered User liable for any payment becoming due under the Siteworks Contract; and
- (b) the Transporter will have no liability to the Registered User in respect of any breach of the Siteworks Contract.

1.1.4 The Registered User of a Supply Meter Point will not be liable for any breach of the Code which results from a breach by the Transporter of a Siteworks Contract relating to

that Supply Meter Point.

- 1.1.5 The Transporter shall not be obliged to undertake work requested in accordance with paragraph 1.1.1(e), where the Special Metering Supply Point comprises a Special Metering Supply Point unless by no later than the date of such request the Registered User has notified the Transporter that it has obtained from those Users at such Shared Supply Meter Point their agreement to undertake such work.

## **1.2 Siteworks Terms and Procedures**

- 1.2.1 The Transporter will from time to time publish Siteworks Terms and Procedures applicable to different types of Siteworks or Siteworks in relation to different Supply Meter Points.
- 1.2.2 **“Siteworks Terms and Procedures”** means the procedures by which and terms and conditions on and subject to which a User or other person may request the Transporter to provide a quotation (where the price is not published) for and to undertake Siteworks and a Siteworks Contract may be entered into.
- 1.2.3 Siteworks Terms and Procedures do not form a part of the Code; and (without prejudice to any Legal Requirement applying to the Transporter) nothing in the Code requires the Transporter to undertake any Siteworks or to do so on any particular terms.
- 1.2.4 The Transporter agrees to give to Users notice:
- (a) of not less than 2 months of any change in published prices of Siteworks; and
  - (b) of not less than 3 months of any other change to contract terms contained in Siteworks Terms and Procedures (other than the addition of terms and procedures for a type of Siteworks not previously covered).

## **1.3 Undertaking Siteworks**

- 1.3.1 The Transporter will not be in breach of its obligation to make gas available for offtake at a Supply Meter Point where or to the extent that its ability to do so is impaired by reason of its carrying out any Siteworks in respect of that Supply Meter Point.
- 1.3.2 Where the Transporter carries out Siteworks at a Supply Meter Point comprised in a Supply Point whose Annual Quantity exceeds 73,200 kWh (2,500 therms), and the Siteworks Applicant is not the Registered User, the Transporter will, unless the Siteworks Applicant has requested the Transporter not to do so, notify the Registered User of the Siteworks where practicable before and in any event promptly upon completing such Siteworks.



## ANNEX G-4

### MANDATORY ALLOCATION AGENCY TERMS

**THIS AGREEMENT** is made on [ ]

#### **BETWEEN**

- (1) the persons whose names and addresses are set out in Part 1 of the Schedule hereto (the “**Shippers**”); and
- (2) the person whose name and address are set out in Part 2 of the Schedule hereto (the “**Consumer**”).

#### **WHEREAS**

- A The Consumer is or is to be supplied with gas at the Premises by each of the persons named in Part 3 of the Schedule.
- B The Shippers are or will be Sharing Registered Users in respect of the Supply Meter Point(s) and wish to appoint the Consumer as Sharing Registered User Agent.

**IT IS AGREED** as follows:

#### **1 Definitions**

In this Agreement:

“**Supply Contract**” means, in relation to each Supplier, the contract between the Consumer and that Supplier for the supply of gas at the Premises, as from time to time in force;

“**Premises**” means the premises specified in Part 4 of the Schedule hereto;

“**Proper Quantity**” means, in relation to any Shipper, a quantity of gas which is:

- (a) not more than what the relevant Supplier was obliged to deliver and the Consumer was entitled to take; and
- (b) not less than what the Consumer was obliged to take and the relevant Supplier was entitled to deliver

at the Premises on any Day pursuant to the relevant Supply Contract (having regard to all nominations or other notices given or other things done by or on behalf of the Consumer or the relevant Supplier pursuant to and in accordance with that contract on that or any previous Day);

“**relevant Supplier**” means in relation to any Shipper, the Supplier (whether or not being such Shipper itself) which supplies or is to supply to the Consumer gas offtaken from the Total System by such Shipper at the Supply Meter Point;

**“Supplier”** means a person specified in Part 3 of the Schedule (whether or not being a User) supplying gas to the Consumer at the Premises;

**“Supply Meter Point”** means the Supply Meter Point (at the Premises) specified in Part 5 of the Schedule hereto;

**“the Transporter”** means [ ].

Words and expressions defined in the Uniform Network Code and not otherwise defined herein shall have the meanings ascribed thereto in the Uniform Network Code, and references to Sections are to Sections of the Transportation Principal Document.

## **2 Duration**

This Agreement shall become effective at 05:00 hours on the date specified in Part 6 of the Schedule and shall continue in force until and unless terminated by agreement of all of the Shippers.

## **3 Appointment and undertakings of User Agent**

- 3.1 At the request of the Consumer, the Shippers hereby appoint the Consumer, and the Consumer agrees to act as Sharing Registered User Agent for the purposes of TPD Section 9.1.17.
- 3.2 The Consumer undertakes to each Shipper, in relation to each Day while this Agreement is in force:
- (a) that the Consumer (as Sharing Registered User Agent) will notify to the CDSP, in accordance with the requirements of TPD Section G1.7.12 an allocation (and where so required a revised allocation) between the Shippers of the Supply Meter Point Daily Quantity Offtaken in respect of the Supply Meter Point; and
  - (b) that the allocation so notified will be such that:
    - (i) TPD Section 9.1.11(b) applies;
    - (ii) the quantity of gas allocated to each Shipper is a Proper Quantity; and
  - (c) where any Supplier is a Qualifying Supplier, that the Consumer will not take gas from a Supplier other than a Qualifying Supplier where the quantity of gas which the Consumer takes (by way of supply at the Premises) from any Qualifying Supplier is less than the maximum quantity which the Consumer was entitled, after taking account of any interruption requirement (and any unwillingness of a Qualifying Supplier to supply gas) in relation to the relevant Day, so to take on the Day from such Qualifying Supplier.
- 3.3 The Consumer undertakes to each Shipper to indemnify the Shipper against:
- (a) any loss (including without limitation by reason of any System Price differing from the price payable to it by the relevant Supplier), liability or damage incurred, by reason of the operation of the Code, by the Shipper;
  - (b) where the Shipper is not the relevant Supplier, any liability of the Shipper to the relevant Supplier pursuant to the arrangements from time to time in force

between the Shipper and the relevant Supplier

as a result (in either case) of any failure of the Consumer to comply with 3.2.

- 3.4 Where any Shipper is the relevant Supplier, nothing in this Agreement shall affect or prejudice the Supply Contract or any rights or obligations of the Shipper or Consumer thereunder; and in particular the Shipper shall not be taken, by reason of entering into this Agreement, to have assented to or waived any claim relating to the entering by the Consumer into any other Supply Contract.
- 3.5 For the purposes of paragraph 3.2(c):
- (a) an **“interruption requirement”** is a requirement, imposed on the consumer by a Qualifying Supplier pursuant to any term of the relevant Supply Contract to limit the quantity of gas taken or not to take gas on a Day;
  - (b) a **“Qualifying Supplier”** is a Supplier whose Supply Contract came into force before 1st January 1998 and who was supplying gas to the Consumer at the Premises pursuant to its Supply Contract before the effective date specified in part 6 of the Schedule.

#### **4 Miscellaneous**

- 4.1 If any one or more of the provisions contained in this Agreement shall be invalid, illegal, or unenforceable in any respect the validity, legality and enforceability of the remaining provisions of this Agreement shall not in any way be affected or impaired thereby.
- 4.2
- (a) No waiver by any Shipper or the Consumer of any default or defaults by another Shipper or the Consumer in the performance of any of the provisions of this Agreement shall operate or be construed as a waiver of any other or further default or defaults whether of a like or different character.
  - (b) No failure or delay by any Shipper or the Consumer in exercising any right, power or privilege under this Agreement shall operate as a waiver thereof nor shall any single partial exercise by such Shipper or the Consumer of any right, power or privilege preclude any further exercise thereof or the exercise of any other right, power or privilege.
- 4.3 This Agreement shall be governed by and construed in all respects in accordance with English law and the Shippers and the Consumer agree to submit to the jurisdiction of the English Courts as regards any claim or matter arising in relation to this Agreement.
- 4.4 This Agreement constitutes the entire agreement and understanding between the Shippers and the Consumer in relation to the Shared Supply Meter Point and no Shipper nor the Consumer has relied on any warranty or representation of the other except as expressly stated or referred to in this Agreement.
- 4.5
- (a) Any notice to be given under this Agreement shall be in writing and shall be duly given if signed by or on behalf of a person duly authorised to do so by the

person giving the notice and delivered by hand at, or by sending it by first class post or by facsimile transmission to the relevant address, or facsimile number set out in Part 1 of the Schedule hereto in the case of the Shippers, and Part 2 of the Schedule hereto, in the case of the Consumer.

- (b) Any Shipper and the Consumer shall be entitled to amend in any respect the particulars which relate to it and which are set out in Parts 1 and 2 of the Schedule hereto by notice to the other Shippers and the Consumer.
- (c) Any such notice given as aforesaid shall be deemed to have been given or received:
  - (i) if sent by hand, at the time of delivery;
  - (ii) if sent by facsimile, upon transmission acknowledged by a correct transmission slip at the end of the message; and
  - (iii) if sent by post, 48 hours after posting.

**IN WITNESS WHEREOF** the parties have entered into this Agreement as of the day and year first above written



Signed by \_\_\_\_\_ for \_\_\_\_\_

and on behalf of \_\_\_\_\_

***[INSERT NAMES OF SHIPPERS]***

Signed by \_\_\_\_\_ for \_\_\_\_\_

and on behalf of \_\_\_\_\_

***[INSERT NAME OF THE CONSUMER]***

## **SCHEDULE**

### **Part 1 - the Shippers**

*[Names and addresses]*

### **Part 2 - the Consumer**

*[Name and address]*

### **Part 3 - the Suppliers**

*[Names]*

### **Part 4 - the Premises**

*[Address]*

### **Part 5 - the Supply Meter Point**

Supply Meter Point Reference Number:

### **Part 6 - effective date**

*[Date]*

