

UNC Governance Workgroup Minutes

Monday 02 December 2019

at Radcliffe House, Blenheim Court, Warwick Road, Solihull B91 2AA

Attendees

Rebecca Hailes (Chair)	(RH)	Joint Office
Maitrayee Bhowmick-Jewkes (Secretary)	(MBJ)	Joint Office
Andy Clasper	(AC)	Cadent
Guv Dosanjh	(GD)	Cadent
Helen Cuin	(HCu)	Joint Office
Oorlagh Chapman*	(OC)	Centrica
Clare Cattle-Jones*	(CCJ)	SSE
Phil Lucas	(PL)	National Grid
Tracey Saunders	(TS)	NGN
Teresa Thompson*	(TT)	National Grid
David Mitchell*	(DM)	SGN
Kirsty Dudley*	(KD)	EON
Anne Jackson*	(AJ)	IGT Panel Chair
Penny Garner	(PG)	Joint Office (Item 4 onwards)

*via teleconference

Copies of all papers are available at: <http://www.gasgovernance.co.uk/gov/021219>

1. Introduction and Status Review

1.1. Approval of Minutes (04 November 2019)

The minutes from the previous meeting were approved.

Rebecca Hailes (RH) reminded the Workgroup that Modification Workgroup meetings must be quorate for any decisions to be taken. RH responded to Phil Lucas' query that any member of public can attend a Joint Office Workgroup. The Governance Workgroup however as an 'umbrella workgroup' did not need to be quorate.

1.2. Modifications with Ofgem

The Workgroup was informed by RH that several Modifications are still with Ofgem for decisions. At November's UNC Modification Panel, Ofgem informed Panel that Modification 0678 and its alternatives are currently under review and consultants have been employed to assist with the analysis. A 'minded-to' decision is expected to be issued by end of December.

Ofgem will have a communications 'purdah' around the elections. However, Liam King has confirmed to Panel that the Ofgem moratorium will not make a difference in decisions being made.

RH confirmed to the Workgroup that there were no further updates besides the above.

1.3. Pre-Modification Discussions

There were no pre-modifications for discussion.

2. Review of Outstanding Actions

Action 1101: Joint Office to try to book Pink Room in Elexon for Panel Meetings going forward. Post Meeting Update: This has been completed.

Tracey Saunders (TS) and Guv Dosanjh (GD) confirmed that the last Panel meeting had been much better. **Closed.**

Action 1102: All parties to provide options on webinar software for holding meetings. LK advised Ofgem uses Sli.do for their webinars. Workgroup to review options at the next meeting for better efficiencies.

Update: RH informed the Workgroup no updates had been received so far. However, the Joint Office had reviewed the options discussed at the last meeting and had concluded that the Sli.do software was not an option for panel meetings due to limited functionality and it does not show attendees voting preferences in an adequate manner. TS told the Workgroup that she had trialled use of Webex and this was still under review. She wanted the Workgroup to note that when a software is agreed upon, meeting attendees would need to speak to their own organisations regarding access.

RH confirmed that both Cadent and National Grid already use Webex. TS and Clare Cantle-Jones (CCJ) queried how Webex would work for meetings and whether it was a viable option. RH confirmed the Joint Office has previously investigated this as an option and concluded that it was very expensive to operate, however, in light of views to use more technology to hold meetings, this option was still under review. TS stated that she would be happy to accept whichever option was cheapest, if it would work. Another attendee mentioned using Skype as a possible option. **Closed.**

New Action 1201: Joint Office (RH) to explore Webex and Skype as possible options for holding meetings.

Action 1103: Joint Office (RH) to convert the Pan 01_08 Considerations list into questions for proposers to consider prior to submitting a new modification to the UNC Panel.

Update: The Workgroup considered the questions under the criteria for Alternative Modifications as part of Item 6 below and agreed the action could be closed. **Closed.**

Action 1104: Joint Office (PG) to review the use of pre-meeting briefs by JO meeting Chairs.

Update: RH informed the Workgroup that Penny Garner (PG) was still reviewing this item and would update the Workgroup next month. **Carried Forward.**

Action 1105: Joint Office (PG) to review whether they can publish consolidated minutes for Workgroups with more than one Modification.

Update: RH confirmed this action required further consideration, with the potential need to invest in software to merge PDFs. The Workgroup is still awaiting input from Penny Garner. **Carried Forward.**

3. Workgroups

3.1. 0676R – Review of Gas Transporter Joint Office Arrangements

(Report to Panel 19 December 2019)

<https://www.gasgovernance.co.uk/0676>

3.2. 0708S – Re-ordering of the UNC in advance of Faster Switching

(Report to Panel 19 March 2020)

<https://www.gasgovernance.co.uk/0708>

4. BEIS/Ofgem Energy Codes Governance Review

Workgroup noted that with the General Election on 12 December, progress on this may be slower than expected. PG advised the Workgroup that Ofgem have indicated that their response to the September 2019 consultation on Code Governance is expected in early 2020, with a further consultation and workshops expected in summer 2020.

5. Review and Development of Issues Log

RH highlighted that the Issues Register was updated in November and number of actions were taken. The Issues Log was reviewed and updates provided as below:

- Is the current JO model "fit for purpose"? Being considered in Workgroup 0676R.
- Management of alternatives: Joint Office to share findings from internal review and Ofgem to present a perspective on lessons learnt on this. Joint Office and National Grid also to hold a review once a decision is received for Modification 0678 and its alternatives.
- Engagement at Panel meetings: Awaiting input from Panel Chair.
- Panel voting software: This is still under review.
- IGT joint governance arrangements: The cross-codes impacts are high on the agenda. Consideration is being given to a Joint Working Group or a joint CACoP Working Group. PL suggested that perhaps instead of considering just a gas codes route, it would be more beneficial to use CACoP for all cross-codes working group route for best practice.
- DESC Governance: Better understanding is required of DESC and how it interacts with UNC and the UNC Committee (UNCC). RH to work with Fiona Cottam (Xoserve) to update the group.

New Action 1202: Fiona Cottam to provide update on DESC (Joint Office to email FC this action)

- PAC Governance: Better understanding is required of PAC and how it interacts with UNC and the UNC Committee (UNCC). RH to work with Fiona Cottam (Xoserve) to update the group.

New Action 1203: Fiona Cottam to provide update on PAC (Joint Office to email FC this action)

6. Panel Action: PAN 01/08: The Governance Workgroup is requested to provide recommendations on the criteria to be adopted for considering alternative Modifications.

Discussion of this item included consideration of the following Action:

Action 1103: Joint Office (RH) to convert the Pan 01_08 Considerations list into questions for proposers to consider prior to submitting a new modification to the UNC Panel.

RH informed the Workgroup that she had drafted a list of questions and they had been briefly reviewed at Panel, based on discussions in this Workgroup in November. She shared these with the Workgroup for discussions:

1. Has the proposed alternative been raised promptly, given the timescales for the original Modification?
2. Is the proposed alternative addressing the same issue with a different approach?
3. Could the two solutions be implemented together or are they mutually exclusive?

4. Has discussion of the alternative solution taken place in the relevant workgroup and/or as pre-modification?
5. How much alignment is there between the two timescales?
6. How much alignment is there between the scope/features?

Overall the Workgroup agreed that these questions cannot be set in the Uniform Network Code (UNC) as hard rules, and instead should be provided as guidance for Proposers and for Panel to review. Some of the points raised on these were as follows:

Regarding question 3 on whether two solutions could be implemented together or whether they were mutually exclusive, the Workgroup queried if they were mutually exclusive, did it mean they could not be implemented together? PL commented that if the two solutions were mutually exclusive, it was possibly not an Alternative Modification. Kirsty Dudley (KD) mentioned that if two Modifications can be delivered separately, they can proceed together. If they eventually merge, that would be acceptable. Ofgem can ask for Workgroups and Workgroup Reports to be combined.

The Workgroup also discussed the interactions which should take place between the Proposers of the original and the Alternative Modification. The view was that the Proposer of the Alternative Modification should ask the original Proposer to amend their Modification to take their views into account. If not, this then triggers the drafting of the Alternative Proposal under Modification Rules 6.4.2. In addition, more emphasis will be put on pre-modification engagement, especially through the Critical Friend process.

Regarding alignment of the timescales of the original and Alternative Modifications, question 5, PL queried whether it was implied that when an Alternative was raised, they were automatically agreeing to the timescales proposed in the original Modification. TS stated that there may be a situation when the timescales cannot be aligned. PL queried whether it was mandated under the Modification Rules? RH was not sure this view is correct and said the Joint Office will check this and revert to the Workgroup, and if this is indeed mandated, she will change the question.

Post Meeting update:

The Modification Rules are silent on timescales so it would be for the Modification Panel to decide a reasonable timescale for a new Modification, taking into account other information relating to whether it was a true alternative as well.

The Workgroup also discussed scopes of the original and Alternative Modifications and agreed that they can have different scopes, as without a difference in scope, the new Modification would not be an Alternative. TS noted that the new Modification can however be a separate Modification and no longer an Alternative if it widens the scope of the original Modification beyond recognition.

Further to the above discussions, RH asked the Workgroup if there were any additional questions to add for consideration when an Alternative Modification is to be raised. PL stated raising the Alternative Modification late in the process has an adverse implication when drafting the Legal Text.

Post Meeting update:

A further question has been noted for discussion in January: What will be the effect on production of Legal Text for the Modifications concerned?

TS mentioned that it would be helpful to have clarity around how pre-modifications are discussed and it would be helpful to have consistency around this. It was agreed that this action would be closed, and this topic would be discussed as part of the normal agenda item Panel Action: PAN 01/08. **Closed.**

7. Next Steps

RH briefly summarised the next steps as being:

- Finalise response to Panel on Panel Action 01/08.
- Continued development of 0676R Workgroup proposals.
- Continue to monitor the BEIS/Ofgem Energy Codes Governance Review.
- Continued review of the Issue log.
- Joint Office to review the meeting dates for February and March and communicate to the Workgroup.

8. Any Other Business

8.1 Elexon Insight on Streamlining the Modification Process

GD mentioned Elexon has published a document, in conjunction with Cornwall Insight outlining how the modification and cross codes process can be changed.

<https://www.elexon.co.uk/change/elexon-insights-how-we-could-streamline-the-modification-process/>

9. Diary Planning

Further details of planned meetings are available at: <https://www.gasgovernance.co.uk/events-calendar/month>

Subject to the agreement by Panel of an extension, Workgroup meetings will take place as follows:

Time / Date	Venue	Workgroup Programme
10.30 Wednesday 22 January 2020	Radcliffe House, Blenheim Court, Warwick Road, Solihull B91 2AA	Standard Workgroup Agenda, plus <ul style="list-style-type: none"> • BEIS/Ofgem Update • Finalise response to Panel on Panel Action: PAN 01/08 • Consideration of Workgroups 0676R and 0708S • Continued review of the Issue log.

Action Table (as at 02 December 2019)

Action Ref	Meeting Date	Minute Ref	Action	Owner	Status Update
1101	04/11/19	4.0	Joint Office to try to book Pink Room in Elexon for Panel Meetings going forward.	Joint Office (HB)	Closed
1102	04/11/19	4.0	All parties to provide options on webinar software for holding meetings. LK advised Ofgem uses Sli.do for their webinars. Workgroup to review options at the next meeting for better efficiencies.	All Parties	Closed
1103	04/11/19	5.0	Joint Office (RH) to convert the Pan 01_08 Considerations list into questions for proposers to consider prior to submitting a new modification to the UNC Panel.	Joint Office (RH)	Closed
1104	04/11/19	8.0	Joint Office (PG) to review the use of pre-meeting briefs by JO meeting Chairs.	Joint Office (PG)	Carried Forward
1105	04/11/19	8.0	Joint Office (PG) to review whether they can publish consolidated minutes for Workgroups with more than one Modification.	Joint Office (PG)	Carried Forward
1201	02/12/19	2.0	Joint Office (RH) to explore Webex and Skype as possible options for holding meetings.	Joint Office (RH)	Pending
1202	02/12/19	5.0	Xoserve (Fiona Cottam) as CDSP to provide update on DESC (Joint Office to email FC this action)	Xoserve (FC)	Pending
1203	02/12/19	5.0	Xoserve (Fiona Cottam) as CDSP to provide update on DESC (Joint Office to email FC this action)	Xoserve (FC)	Pending