

UNC Modification Panel
Minutes of Meeting 258 held on
Thursday 21 May 2020
via teleconference

Attendees

Voting Panel Members:

Shipper Representatives	Transporter Representatives	Consumer Representatives
A Green (AG), Total Gas & Power (joined late) M Bellman (MB), ScottishPower R Fairholme (RF), Uniper D Fittock (DF), Corona Energy M Jones (MJ), SSE S Mulinganie (SM), Gazprom	A Travell (AT), BU UK H Chapman (HC), SGN G Dosanjh (GD), Cadent D Lond (DL), National Grid NTS T Saunders (TS), Northern Gas Networks	N Bradbury, EIUG S Horne, Citizens Advice

Non-Voting Panel Members:

Chairperson	Ofgem Representative	Independent Supplier Representative
W Goldwag (WG), Chair	L King (LK) J Dixon (JD)	(None)

Also, in Attendance:

- S Barr (SB), Northern Gas Networks;
- S Britton (SBr), Cornwall Insight;
- G Evans (GE), Waters Wye Associates (0725 (Urgent) only)
- B Fletcher (BF), Joint Office;
- P Garner (PG), Joint Office;
- R Hailes (RH), Joint Office;
- A Jackson (AJ), Gemserv - IGT UNC Panel Chair
- K Jones (KJ), Panel Secretary;
- A Raper (AR), Joint Office;

E Rogers (ER), Xoserve - CDSP Representative;
N Wye (NW), Waters Wye Associates (0716A only).

Record of Discussions

258.1. Introduction

The UNC Modification Panel Chair (WG) welcomed all attendees.

258.2. Note of any alternates attending meeting

Tracey Saunders for Richard Pomroy.

Steve Mulinganie for Andrew Green (until 10:20)

258.3. Record of apologies for absence

Andrew Green (joined the meeting late but had advised the Joint Office that this would be the case)

Richard Pomroy

258.4. Minutes of the last meetings (16 April and 30 April 2020)

Panel Members approved the minutes from the 16 April 2020 and 30 April 2020 meetings subject to two minor amendments as follows:

- a. 16 April 2020 minutes - Correction suggested by Richard Hewitt to Agenda item 256.10 (g) to clarify that the Proposer has recommended a change to the Governance status to Self-Governance and not the Workgroup.
- b. 30 April 2020 minutes - Correction provided by Tracey Saunders in relation to Agenda item 257.4 (d). The second paragraph was amended as below:

“TS explained that the late change to legal text, to amend the calculation factor, was to bring it closer to the original intent of the Modification. In response to a concern raised by RP that there might be an Ofgem send-back, Ofgem acknowledged that Urgent processes are being followed and Ofgem would be satisfied with the Legal Text changes where industry parties have shown that consensus has been achieved with the final Legal Text meeting the intent of the Modification. Ofgem pointed out that the approach agreed for the Legal Text amendments should not set a precedent for how future Modifications are governed.”

258.5. Review of Outstanding Action(s)

Action PAN 04/11: Code Administrator (JO) to draft a straw person template/dashboard showing Management Information for Modifications in flight for Panel to consider in January 2020.

Update: PG confirmed that an update on this action is expected to be provided at the June meeting but may need to be delayed to July.

Carried Forward – review expected June 2020.

Consider Urgent Modifications

a) Modification 0721 (Urgent) – Shipper submitted AQ Corrections during COVID-19

Ofgem provided an update on the decision in relation to Modification 0721(Urgent) acknowledging that Ofgem had not been able to make a decision by the published timetable (01 May 2020). As a result, the UNC and CDSP systems cut-off dates for this to have effect by June, which had driven the original urgent timetable had also been missed. Ofgem is aware that a similar cut off would apply if this Modification is to have effect for July

JD confirmed that work was ongoing to assess the likely impact of this proposal, but although similar issues arise with respect to Modification 0725 (Urgent), the availability of Daily Metered data should make the assessment of that later proposal easier. There should therefore not be a similar delay. JD added that this quantification is a secondary issue/consideration with the primary question being on the deviation from charging principles.

He indicated that Ofgem hope to be able to make a decision by 29 May 2020.

In response to a question from the Modification Panel Chair about whether Ofgem have sought further information to help with the quantification of the issue, JD confirmed that Ofgem have discounted issuing a supplementary question in relation to the potential take-up because a) it is not pragmatic given the urgent timetable and b) some information was provided through the consultation responses (for example from ICoSS).

SM suggested that Gazprom would be happy to share their data with Ofgem and that industry is in limbo until an Ofgem decision is made.

In conclusion, JD agreed that it is not ideal for a decision to be outstanding beyond the agreed Urgent timetable. He re-affirmed that the main issue is the charging principles and that this is also likely to be the case for Modification 0725 (Urgent).

Article in Financial Times

TS asked permission from the Panel Chair to read out a statement in relation to a recent article published in the Financial Times headlined “*Power suppliers in talks with Ofgem over network payment holidays*”.

“Gas Transporters have been working closely with Ofgem and the electricity DNOs to develop a new scheme to provide improved liquidity to the market by making short term changes to payment and credit terms for some transportation charges. This will be focussed, time limited and capped, and a new Urgent Modification is now in the final stages of development to ensure that it is broadly consistent cross-sector. This will be issued once the final details have been agreed.”

LK stated that Ofgem are conscious of the impact of COVID-19 on Shippers and Suppliers, and across the whole of industry. LK declined to comment on the FT article but confirmed that Ofgem is engaged with the Energy Networks Association (ENA) as well as Network companies to explore a scheme that would allow some short term relief to address Shipper and Supplier cash flow issues, particularly for those companies who find it

difficult to access financing from other means.. He added that the engagement has been constructive, and discussions are on-going but could not comment on when, if such a scheme were to be pursued, he would be able to give further details.

A brief discussion took place and Panel Members made the following observations:

- a. NB suggested that the issues are affecting the whole of the energy industry, including customers and are wider than Shippers and Suppliers.
- b. SM commented on the statement read out by TS and suggested that the article was specifically about power suppliers and gas suppliers were only referenced indirectly. In response, LK stated that Ofgem are engaging with ENA and the scope is industry wide across gas and electricity networks.
- c. TS confirmed that the statement is written from a Gas Transporter perspective and Transporters are working closely with both Ofgem and electricity sector to ensure consistency.

b) Modification 0722 (Urgent) - Allow Users to submit Estimated Meter Reading during COVID-19

PG asked Panel Members to consider if the subject matter of Modification 0721 (Urgent) should be referred to a Workgroup and whether there were any specific questions that Workgroup should consider.

Panel Members had a general discussion in relation to the three Urgent Modifications that have been implemented (0722, 0723 and 0724) agreeing that it would be sensible to:

- a. Understand if there are any unintended consequences.
- b. Consider if there are any areas in relation to monitoring that need to be addressed by the Performance Assurance Committee (PAC).
- c. Consider if the Modifications have appropriate exit strategies.

PG clarified that the Distribution Workgroup would be the appropriate Workgroup to consider the subject matter of these Urgent Modifications as the Performance Assurance Committee is not a UNC Workgroup but a Sub-Committee of the UNCC. She also indicated that it would be helpful for the subject matter to be discussed at Distribution Workgroup and PAC at the same time and suggested that updates are provided to the Modification Panel on a monthly basis until no longer required.

It was agreed that the Urgent Modifications be added to the UNCC agenda for discussion on 21 May 2020 so that the appropriate governance route can be followed.

AT asked what the implications were in relation to the legal text for the implemented Modifications given that Modification 0721 (Urgent) has not been implemented. PG confirmed that a Consent to Modify had been raised to enable the legal text for the three implemented Urgent Modifications to be inserted into the UNC.

Workgroup Questions:

- Consideration of the exit strategy arrangements to advise whether any

additional arrangements might be required?

- What potential Transportation impacts are there?

Modification Panel Members then determined:

- To issue the subject of Modification 0722 (Urgent) to a Workgroup for assessment and return to the August Panel with an interim report in June and July, by unanimous vote.

c) Modification 0723 (Urgent) - Use of the Isolation Flag to identify sites with abnormal load reduction during COVID-19 period

See discussion under Agenda item 258.6 (b).

Modification Panel Members then determined:

- To issue the subject of Modification 0723 (Urgent) to a Workgroup for assessment and return to the August Panel with an interim report in June and July, by unanimous vote.

d) Modification 0724 (Urgent) - Amendment to Ratchet charges during COVID-19 period

See discussion under Agenda item 258.6 (b).

SM suggested that the subject matter of this Modification does not need to be discussed at Workgroup as exit strategies are identified. However, the Proposer was happy for the subject matter of this Modification to be considered at Workgroup from a due diligence perspective.

Modification Panel Members then determined:

- To issue the subject of Modification 0724 (Urgent) to a Workgroup for assessment and return to the August Panel with an interim report in June and July, by unanimous vote.

258.6. New, Non-Urgent Modifications

a) Modification 0716A - Revision of Overrun Charge Multiplier

NW introduced the Modification outlining why the change was required to reduce the current overrun multiplier of 8 to 1.1. He also provided a brief background explaining that the overrun multiplier has not been reviewed or changed for over 20 years and that the Proposer believes that the overruns are caused by User errors, as in their view there is no commercial advantage to overrunning.

He added that the likely implementation of Modification 0678A - *Amendments to Gas Transmission Charging Regime (Postage Stamp)* would accelerate the need for review and change. He concluded his presentation by explaining why this Modification is an alternative to Modification 0716 which limits its proposal to maintaining the status quo.

For Modification 0716A Panel Members determined:

- It is not related to a Significant Code Review, by unanimous vote.
- The criteria for Self-Governance are not met as this Modification has a material cost impact on the transportation arrangements for Shippers and relevant consumers, by unanimous vote.
- That Modification 0716A be issued to Workgroup 0716 with a report by the 16 July 2020 Panel, by unanimous vote.

258.7. Existing Modifications for Reconsideration

None.

258.8. Consider Workgroup Issues

None.

258.9. Workgroup Reports for Consideration

a) Modification 0714 - Amendment to Network Entry Provision at Perenco Bacton terminal

In response to a question from TS, AR clarified that procedures and controls had been put in place to ensure that sub-GS(M)R specification gas would not leave the terminal through the NTS feeders, interconnectors or power station offtakes. The arrangements for monitoring and controlling the inflows and outflows from the National Grid terminal are set out in detail in Section 6 of the Draft Modification Report.

He also explained that there were mixed views within Workgroup on the governance of the Modification and that some Workgroup participants supported Self-Governance .

DL stated that there would need to be discussion between National Grid and the Health and Safety Executive in the context of their Safety Case with a potential need for a temporary derogation for National Grid from its Safety Case covering the entry specification of the gas entering the National Grid terminal at the Perenco entry point. Sub-GS(M)R specification gas is not normally permitted to flow into a National Grid terminal and such a unique arrangement should be considered by Ofgem & the HSE, potentially requiring HSE approval for the arrangements prior to an Ofgem decision on the Modification.

AR added that because of these differing viewpoints, Workgroup are asking Panel Members to review the governance of the Modification.

Consultation Questions:

- Considering that National Grid would require HSE approval before the associated Network Entry Agreement could be amended, should the governance of Modification 0714 remain as Authority Decision?

Panel Members noted the Workgroup Report recommendations.

For Modification 0714, Panel Members determined:

- It is not related to a Significant Code Review, by unanimous vote.
- It should be issued to consultation with a close out date of 12 June 2020, by unanimous vote.
- To be considered at 18 June 2020 Panel (at short notice), by unanimous vote.

258.10. Consideration of Workgroup Reporting Dates and Legal Text Requests

Panel Members determined unanimously to extend the following Workgroup reporting date(s), recorded here with some additional data:

Modification number and title	Current Panel reporting date	Requested Panel reporting date	Reason for request to change Panel reporting date/Comments
0674 - Performance Assurance and Controls	June 20	Aug 20	Awaiting final version of the proposal to allow finalisation of legal text. Also, associated documentation; PAC Constitution Document and Performance Assurance Framework document still in review.
0691S - CDSP to convert Class 2, 3 or 4 Supply Meter Points to Class 1 when G1.6.15 criteria are met	June 20	July 20	Workgroup may need more time to finalise Legal Text due to the proximity between the June UIG meeting and the June Modification Panel meeting.
0693R - Treatment of kWh error arising from statutory volume-energy conversion	June 20	Oct 20	Workgroup need more time as agreed at the 21 April 2020 meeting.
0710 - CDSP provision of Class 1 read service	June 20	Sept 20	Awaiting final version of the proposal and final review of Legal Text. Also, more information requested from CDSP regarding the new DSC service charging structure
0716/0716A - Revision of Overrun Charge Multiplier	June 20	July 20	

Panel Members reviewed Legal Text requests and no changes were made.

When considering a Legal Text request for Modification 0691S, HC advised that they were unable at this time to provide formal legal text as the Modification was still in development.

258.11. Final Modification Reports

The UNC Modification Panel Chair introduced and welcomed the IGT UNC Modification Panel Chair as an observer to the UNC Modification Panel meeting. The UNC Modification Panel Chair highlighted to Panel that they should have received a copy of a communication from the IUNC Modification Panel Chair on 19 May 2020, highlighting a number of points for consideration relating to the implementation of three UNC Modifications 0702S, 0708S and 0715S and their interactions with the IGT.

Panel Members noted that, in contrast to the process followed within the UNC, the IGT Panel chooses an implementation date. The UNC Panel Chair stated that it is not the role of the UNC Modification Panel to determine implementation dates, rather, that the determination of a suitable implementation date involved a discussion between the relevant Transporter, the Proposer, the CDSP and if necessary the Authority.

In relation to three specific Modifications 0708S, 0702S and 0715S, Panel Members noted these UNC Modifications highlight the cross-code impact and thus liaison with the IGT is considered part of the process for determination of a suitable implementation date in these cases.”

Panel Members had a brief general discussion in relation to the cross-code working and made the following comments:

- TS suggested that it would be helpful to have better alignment between UNC code parties at the start of a Modification process.
- Transporter Panel Members commented that they are not a party to the IGT UNC.
- NB reminded Panel Members that Principle 13 of the Code Administration Code of Practice (CACoP) is intended to ensure code administrators will ensure cross code coordination to progress changes efficiently where Modifications impact multiple codes.
- BF suggested that the relationship between Transporters and Independent Gas Transporters should be aligned wherever possible and that the UNCC should be involved where implementation dates cannot be aligned. He added that in the UNC, the DSC Committees agree implementation dates. For self-governance Modifications the implementation date is normally 16 working days. Workgroup should consider and address any cross-code impacts as part of the Modification development including implementation issues and dates to ensure alignment.
- HC stated that the current requirement is set out within Transporter licence conditions.

The discussion concluded with a Panel Member suggesting that the UNC Panel should have a role similar to the IGT UNC in setting implementation dates. PG indicated that this would need to be considered as part of a formal review and would therefore, require a Request to be raised.

- a) **Modification 0672 - Target, Measure and Reporting Product Class 4 Read Performance**

PG explained the purpose of the Modification before highlighting that of the 6 representations received, 5 supported implementation and 1 was not in support.

It was noted that Workgroup have suggested a review of the governance of this Modification.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0672>

Modification Panel Members then determined:

- That Modification 0672 was not related to a Significant Code Review, by unanimous vote.
- The criteria for Self-Governance are met, by unanimous vote.
- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0672S by unanimous vote.

b) **Modification 0683S - Offtake Arrangements Document (OAD) Review Updates – Phase 1**

PG explained the purpose of the Modification before highlighting that of the 5 representations received, 5 supported implementation.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0683>

Modification Panel Members then determined:

- That Modification 0683S was not related to a Significant Code Review, by unanimous vote.
- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0683S, by unanimous vote.

c) **Modification 0696V - Addressing inequities between Capacity booking under the UNC and arrangements set out in relevant NExAs**

PG explained the purpose of the Modification before highlighting that of the 7 representations received, 4 supported implementation and 3 were not in support.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0696>

Modification Panel Members then determined:

- That Modification 0696V was not related to a Significant Code

Review, by unanimous vote.

- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0696V, by majority vote (9 out of 14).

d) Modification 0701 - Aligning Capacity booking under the UNC and arrangements set out in relevant NExAs

PG explained the purpose of the Modification before highlighting that of the 4 representations received, 4 supported implementation.

A general discussion took place on alternative Modifications and why Modification 0701 is not an alternative to Modification 0696V. TS explained that originally Modification 0696 was very different and that during the development the Modifications have become similar. In addition, the Modification Panel Chair asked if the Modification process allows for the re-consideration of whether a Modification is an alternative or not and/or re-validation of the Modification status.

BF clarified that Modification 0696V and 0701 need to be assessed individually and each one should be judged on its own merits. PG added that the final decision on implementation lies with Ofgem.

The Modification Panel Chair asked Ofgem if it would be helpful for the Modification Panel to provide a view on implementation of Modifications 0696V and 0701.

LK indicated that any Modification Panel considerations would be considered but Ofgem are not specifically directing the Modification Panel to provide a view.

A brief discussion took place on whether both Modifications could be implemented. SM suggested that both Modifications could be implemented with the sequencing of implementation being the key consideration.

TS reiterated that the Modification Panel determination was that Modification 0701 was not an alternative to Modification 0696.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0701>

Modification Panel Members then determined:

- That Modification 0701 was not related to a Significant Code Review, by unanimous vote.
- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0701 by majority vote (9 out of 14).

e) **Modification 0702S - Introducing 'Research Body' as a new User type to the Data Permissions Matrix and UNC TPD Section V5**

PG explained the purpose of the Modification before highlighting that of the 2 representations received, 2 supported implementation.

Panel Members noted that determination of a suitable implementation date will involve a discussion between the relevant Transporter, the Proposer, the Joint Office and CDSP (as needed), the IGT Panel Chair and if necessary, the Authority.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0702>

Modification Panel Members then determined:

- That Modification 0702S was not related to a Significant Code Review, by unanimous vote.
- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0702S, by unanimous vote.

f) **Modification 0704S - Review of Transporter Theft Reporting**

PG explained the purpose of the Modification before highlighting that of the 5 representations received, 5 supported implementation.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0704>

Modification Panel Members then determined:

- That Modification 0704S was not related to a Significant Code Review, by unanimous vote.
- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0704, by unanimous vote.

g) **Modification 0708S – Re-ordering of the UNC in advance of Faster Switching**

PG explained the purpose of the Modification before highlighting that of the 9 representations received, 9 supported implementation.

Panel Members noted that determination of a suitable implementation date will involve a discussion between the relevant Transporter, the Proposer, the Joint Office and CDSP (as needed), the IGT Panel Chair and if necessary, the Authority.

In addition, Panel Members agreed that whilst Modification 0708S was not directly related to a Significant Code Review, the Modification will help to better facilitate the management of the Legal Text of the Switching SCR.

Ofgem provided clarification stating that Modification 0708S is exempted from the Switching SCR as it does not impact the policy, or scope of the SCR. JD added that Modification 0708S is relevant in helping to manage the co-ordination of the Legal Text.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0708>

Modification Panel Members then determined:

- That Modification 0708S was not related to a Significant Code Review, by unanimous vote.
- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0708S, by unanimous vote.

h) **Modification 0715S - Amendment of the Data Permission Matrix and UNC TPD Section V5 to add Electricity System Operator (ESO) as a new User type**

PG explained the purpose of the Modification before highlighting that of the 7 representations received, 7 supported implementation.

Panel Members noted the equivalent Modification - IGT UNC ~~437~~139. DL indicated that he was working with E.ON Energy in relation to implementation dates. AJH indicated that implementation could be at the end of June and a decision will be taken at the IGT UNC Panel meeting to be held on ~~24~~9 May 2020.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0715>

Modification Panel Members then determined:

- That Modification 0715S was not related to a Significant Code Review, by unanimous vote.
- That there were no new issues requiring a view from Workgroup, by unanimous vote.
- To recommend implementation of Modification 0715S, by unanimous vote.

i) **Modification 0725 (Urgent) - Ability to Reflect the Correct Customer Network Use and System Offtake Quantity (SOQ) During COVID-19**

PG explained the purpose of the Modification before highlighting that of the 16 representations received, 10 supported implementation, 1 provided qualified support and 5 were not in support.

Modification Panel discussion: see the Final Modification Report published at: <https://www.gasgovernance.co.uk/0725>

Modification Panel Members then determined:

- That Modification 0725 (Urgent) was not related to a Significant Code Review, by unanimous vote.
- Not to recommend implementation of Modification 0725 (Urgent), with no majority vote - 7 votes in favour (out of a possible 14) with no Panel Chair casting vote.

PG clarified that in the case of a split vote (i.e. the absence of a majority vote) the UNC Modification Rules state that the Panel Chair does not have a casting vote in relation to the determination to recommend the implementation of this Modification to Ofgem.

TS agreed to respond to a number of specific queries in relation to the Legal Text and in particular in relation to Business Rules 6, 7 and 8.

PG confirmed that the Final Modification would be issued to Ofgem today in line with the Urgency timetable.

Ofgem acknowledged the hard work of the Joint Office, the Proposer of the Modification and Legal Text Provider in producing the relevant documents within the very short timescales.

258.12. AOB

None.

258.13. Date of Next Meeting

10:00, Thursday 21 May 2020, by teleconference.

Action Table (21 May 2020)						
Action Ref	Meeting Date	Minute Ref	Action	Owner	Status Update	Date of Expected update
PAN 04/11	21/11/19	250.11	Code Administrator (JO) to draft a straw man template/dashboard showing Management Information for Modifications in flight for Panel to consider in January 2020.	Joint Office (PG)	Carried Forward	June