

**Uniform Network Code Committee
Minutes of Meeting 200 held on Thursday 18 June 2020
Via Teleconference**

Attendees			
Voting Members:			
Shipper Representatives		Transporter Representatives	
A Green (AG), Total M Bellman (MB), ScottishPower D Fittock (DF) , Corona Energy M Jones (MJ) , SSE S Mulinganie (SM) , Gazprom R Fairholme (RF), Uniper		R Cailles (RC), BU UK H Chapman (HC), SGN G Dosanjh (GD), Cadent D Lond (DL), National Grid NTS T Saunders (TS), Northern Gas Networks	
Non-Voting Members:			
Chairperson	Ofgem Representative	Consumer Representatives	Independent Supplier Representative
W Goldwag (WG)	L King (LK)	N Bradbury (NB), EIUG L Snoxell (LS), Citizens Advice	(None)
Also, in Attendance:			
F Cottam (FC), Xoserve; T Faulkner (TF), Cornwall Insight; P Garner (PG), Joint Office; R Hailes (RH), Joint Office; K Jones (KJ), Panel Secretary; A Raper (AR), Joint Office; E Rogers (ER), Xoserve			

Copies of all papers are available at: <http://www.gasgovernance.co.uk/uncc/180620>

200.1 Note of any alternates attending meeting

None

200.2 Apologies for Absence

Alex Travell

200.3 Minutes and Actions from the previous meeting

The 21 May minutes were approved.

Action UNCC 01/05: Joint Office (PG) to clarify the 2020/21 User Representative Appointment Process and whether existing Single Point Of Contacts (SPOCs) need to confirm if they are continuing to act as the SPoC.

Update: PG confirmed that Joint Office had issued a clarification email, so this action was closed.

Closed.

200.4 Matters for the Committee's Attention

a) Review of Performance Assurance Reports Register

Fiona Cottam (FC) provided an overview of the revisions made to the Performance Assurance Reports Register and sought Committee Members approval for the changes. She highlighted that the changes had been approved at the Performance Assurance Committee meeting on 09 June 2020.

The key changes are as follows:

- Merge and rationalisation of multiple Report Registers, stating that this register also fulfils the requirement for a "Document 1: Performance Assurance Framework – Performance Report Register" as set out in the Performance Assurance Framework Document, thus removing duplication of documents
- Amendment to the governance section following approval of UNC Mod 0660S (Amendment to PARR permissions to allow PAC to update with UNCC approval)
- Replacement of references to "Transporters Agency" with "CDSP", to align with UNC Mod 0565A (Central Data Service Provider - General framework and obligations)
- Updating of existing reports to align to actual report formats, summarise performance obligations and signpost to UNC sections where relevant
- Incorporation of additional Reports introduced by recent approved UNC Modifications (0652 - Introduction of winter read/consumption reports and associated obligations; 0654S - Mandating the provision of NDM sample data; 0657 - Adding AQ reporting to the PARR Schedule reporting suite).

In response to a question, FC clarified that the changes are mainly administrative.

UNCC Members approved the changes to the Performance Assurance Reports Register. Version 2.0 will be effective from 18 June 2020.

b) Performance Assurance Committee – Voting Arrangements

AR provided a walkthrough of a discussion paper in relation to the Performance Assurance Committee (PAC) voting arrangements. The purpose of the paper was to

- Highlight the proposal in Modification 0674 - Performance Assurance Techniques and Controls to codify the PAC Terms of Reference.
- Highlight the ambiguity between the UNC TPD V16.2.1 and the PAC Terms of Reference.
- Seek clarification and re-affirmation of the PAC voting arrangements to inform future discussions.

AR confirmed that the UNC states that PAC decisions are based on a simple majority of the members of the Committee and in accordance with the terms of reference.

The terms of reference which became effective on 01 June 2018 introduced the concept of constituency-based voting.

Based on this, all decisions are made by simple majority of PAC Members or their alternates in **both** Shipper and Transporter constituencies with abstentions not counting.

In terms of constituencies he clarified that there are 9 Shippers and 3 Transporter votes.

Committee Members had a lengthy discussion in relation to whether the voting approach is consistent with the UNC definition.

MB said that the PAC Terms of Reference state that:

“the Member will be attending and voting at the PAC in the interests of the GB gas industry and not representing any commercial interest or commercial body”.

They asked if this was consistent with one constituency effectively having a veto on the other.

HC suggested that the use of the word ‘both’ in the PAC terms of reference suggests that a majority is needed in both Shipper and Transporter constituencies but accepted that this might mean Transporters could veto a Shipper majority but equally without the majority in both constituencies, Shipper members could simply outvote Transporter members.

The minutes from the May 2018 meeting were also reviewed to check if the PAC Terms of Reference reflected the decision that was taken by the UNCC.

Extract from UNCC 174 Meeting Minutes 17 May 2018

“GW advised that he was seeking a number of changes to the PAC Terms of Reference to allow more Shipper participation at the Committee. The proposal is to increase Shippers Membership to a maximum of 9 Shipper Members and

reduce DNO Membership to 2 Transporter Members. This would allow 12 PAC Members being 9 Shippers, 2 DNOs and 1 IGT represented.

Voting would be amended to require a majority of support in both constituencies to progress an item.

Members unanimously approved the proposed amendments to the PAC Terms of Reference and to request the Joint Office to invite additional Members for inclusion in the 2017/18 Committee.”

A Committee Member said that as PAC members represent the gas industry and do not have a commercial interest or bias, could more than one individual from the same organisation be a PAC Member at the same time? MB agreed with this view suggesting that this would widen the knowledge and experience base of the Committee and could be an area which could be reviewed in future.

After considerable debate Committee Members agreed that there was inconsistency and ambiguity between the UNC and PAC Terms of Reference. AR reminded Committee Members that the purpose of the discussion was to establish the current voting arrangements to understand the baseline for future change and that Modification 0674 presents such an opportunity.

The Committee Chair asked what the legal basis was for the voting arrangements and whether it was the UNC or the PAC Terms of Reference.

There was consensus that the UNC document provided the authority on this matter.

TS suggested that it would be helpful to seek legal advice on this matter.

The Committee Chair suggested that the Joint Office provide a clear written statement setting out the definitions in the UNC and PAC Terms of Reference and invite Members to provide comments.

This would then establish the current rules and allow any changes to be taken forward through Modification 0674.

<p>New Action UNCC 06/01: Joint Office to seek Committee Members views on the definitions of the voting arrangements as set out in the UNC TPD V16.2.1 document and the PAC Terms of Reference for discussion at the July meeting.</p>

200.5 AOB

None

200.6 Next Meeting

The next meeting will be on 16 July 2020, immediately after the UNC Modification Panel meeting on that date.

Action Table (18 June 2020)

Action Ref	Meeting Date	Minute Ref	Action	Owner	Status Update
UNCC 01/05	21/05/20	199.5 a)	Joint Office (PG) to clarify the 2020/21 User Representative Appointment Process and whether existing SPOCs need to confirm if they are continuing to act as the SPoC.	Joint Office (PG)	Closed
UNCC 06/01	18/06/20	200.4 a)	Joint Office to seek Committee Members views on the definitions of the voting arrangements as set out in the UNC TPD V16.2.1 document and the PAC Terms of Reference for discussion at the July meeting.	Joint Office (PG)	Pending