

UNC Final Modification Report	At what stage is this document in the process?
<h1>UNC 0695S:</h1> <h2>Obligations on Shippers to pass Transporter compensation payments on to consumers, via Suppliers</h2>	<div style="display: flex; flex-direction: column; gap: 5px;"> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> 01 Modification </div> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> 02 Workgroup Report </div> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> 03 Draft Modification Report </div> <div style="border: 1px solid #00a651; border-radius: 5px; padding: 5px; display: flex; align-items: center; gap: 5px;"> 04 Final Modification Report </div> </div>
<p>Purpose of Modification:</p> <p>Introduce new obligations onto Shipper Users to ensure that Transporter compensation aimed at consumers is passed to registered suppliers for onward transmission to consumers</p>	
	<p>Panel consideration is due on 17 October 2019 <i>(at short notice by prior agreement)</i></p>
	<p>High Impact: N/A</p>
	<p>Medium Impact: N/A</p>
	<p>Low Impact: Transporters, Shippers and CDSP (Consequential impact to Suppliers and Consumers)</p>

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Timetable			
Modification timetable:			
Initial consideration by Workgroup	27 June 2019		
Workgroup Report presented to Panel	19 September 2019		
Draft Modification Report issued for consultation	19 September 2019		
Consultation Close-out for representations	10 October 2019		
Final Modification Report available for Panel	14 October 2019		
Modification Panel decision	17 October 2019 (<i>at Short Notice</i>)		

1 Summary

What

Currently where a Transporter is required to make a payment under the Gas (Standards of Performance) Regulations 2005 (as amended), known as Guaranteed Standards of Performance (GSoP), there is an ability to make payment via the registered Shipper and Supplier for the payment to be passed to the relevant consumer through their gas bill. A corresponding obligation is placed on Suppliers in the Electricity and Gas (Standards of Performance) (Suppliers) Regulations 2015 for these payments to be passed to the consumer within 10 working days of receipt of the distributed payment. There is currently no specific obligation for this to take place where compensation payments are outside the Regulations noted above. This Modification aims to codify the arrangements for any consumer compensation payment made by Transporters

Why

While the arrangements for GSoP are tried and tested, there remains a gap for voluntary compensation that is not subject to the regulations. During large scale incidents there are often queries from consumers to chase their compensation as it has not been processed in a timely way through the entire supply chain. This Modification will place a specific obligation on the registered Shipper to pass the payment to the registered Supplier for onwards transmission. In addition to statutory compensation there may be other compensation payments that Transporters wish to pass on to consumers. This will close the gap for voluntary compensation payments made either alongside GSoP or for other specific purposes.

How

Utilising the current CDSP processes, we will clarify the obligations and potentially introduce new charge codes for non-GSoP compensation payments.

2 Governance

Justification for Self-Governance

Compensations payments made by Transporters are intended to be on a pass-through basis, and clarity on obligations to pass-through these payments using existing mechanisms will not have a material impact on UNC Parties or non UNC Parties. This clarity is will not have a material impact on existing or future gas consumers and will improve the efficiency of consumer compensation arrangements in the event of network failures under guaranteed and voluntary standards.

Requested Next Steps

This Modification should:

- be considered a non-material change and subject to self-governance
- proceed to Consultation.

The Workgroup agree with the Panel's view on self-governance for the reasons set out above. The Workgroup consider the Modification is suitably developed and should proceed to consultation.

3 Why Change?

Existing arrangements are in place through the Central Data Service Provider (CDSP) for making payments to Shippers where a Transporter fails to meet some of the existing Gas (Guaranteed Standards of Performance) Regulations 2005 (as amended). This is most commonly used to make payments under GSoP1 where there is an interruption to a supply gas for a period of more than 24 hours and for GSoP2, failure to reinstate the customers premise within 5 working days. Under the existing arrangements Transporters pass information to the CDSP and a credit invoice is raised to the relevant Shippers along with supporting information. The successful processing of the credit invoice is deemed to be sufficient for the discharge of the Transporter obligations within the regulations. As these payments are aimed at redress for consumer detriment, the registered Shipper, who has obligations under section 15 of the Gas Shipper Standard Licence Conditions, should pass this onto the relevant Supplier who has obligations in The Electricity and Gas (Standards of Performance) (Suppliers) Regulations 2015 for these payments to be passed to the consumer within 10 working days of receipt of the distributed payment.

During large scale incidents there are often queries from consumers to chase their compensation as it has not been processed in a timely way through the entire supply chain. This Modification will place a specific obligation on the registered Shipper to pass the payment to the registered Supplier for onwards transmission within defined timescales.

There have been a number of large-scale incidents over the past 2 years, often caused by a third party damaging the pipe. Following these incidents there have been many cases of consumers contacting Transporters advising they have not yet received their payment; this can be months after the Transporter payment has been made. The Gas Shipper Licence Conditions do not give a specific timescale for payments to be passed through, therefore this Modification aims to remove this ambiguity by matching the time scales in The Electricity and Gas (Standards of Performance) (Suppliers) Regulations 2015.

Some Transporters have chosen to increase the value of compensation that they pay to the consumer and are considering additional consumer compensation that would be relevant under RIIO (Revenue=Incentives+Innovation+Outputs) GD2.

There may also be additional times where a transporter would like to pay non-statutory compensation to a consumer, which is not under a specific GSoP. There is currently no specific obligation for this to take place where compensation payments are outside the Regulations and Licence conditions noted above and this Modification aims to codify the arrangements for any consumer compensation payment made by Transporters. This will close the gap for non-statutory compensation payments made either alongside GSoP or for other specific purposes.

A corresponding Supply Point Administration Agreement (SPAA) Change Proposal is also being raised to ensure that non-statutory compensation payments passed through from Shippers is passed through the supply chain and relayed to the relevant consumer.

4 Code Specific Matters

Reference Documents

[The Gas \(Standards of Performance\) Regulations 2005](#)

[The Electricity and Gas \(Standards of Performance\) \(Suppliers\) Regulations 2015](#)

[Gas Shipper Standard Licence Conditions](#)

Knowledge/Skills

N/A

5 Solution

In order to ensure that consumers receive their compensation in a timely manner it is proposed that the 10 Working Day model included in the Supplier Regulations is replicated for Shippers. These are intended to be on a pass-through basis and will be issued with supporting information to identify the relevant Meter Point Reference Numbers (MPRNs),

New obligations to ensure that Shippers pass both statutory and non-statutory consumer payments to the relevant Supplier added to TPD Section [V11.1].

For the avoidance of doubt, the intention is to utilise existing functionality for GSoP payments, so there should be minimal impacts on parties.

6 Impacts & Other Considerations

Does this modification impact a Significant Code Review (SCR) or other significant industry change projects, if so, how?

None identified

Consumer Impacts

Improved certainty of receiving Transporter compensation in a timely manner.

Consumer Impact Assessment

(Workgroup assessment of proposer initial view or subsequent information)

Criteria	Extent of Impact
Which Consumer groups are affected?	<ul style="list-style-type: none"> • Domestic Consumers • Small non-domestic Consumers • Large non-domestic Consumers • Very Large Consumers
What costs or benefits will pass through to them?	The Modification would provide greater surety that transporter compensation would be received by the consumer in a timely manner
When will these costs/benefits impact upon consumers?	As soon as implemented.
Are there any other Consumer Impacts?	None identified

Cross Code Impacts

To compliment this UNC Modification and to provided similar levels of contractual continuity through the supply chain, the Workgroup was advised that changes to the SPAA, (Change Reference SCP 476) and the IGT UNC, (Change Reference IGT129), have been raised.

EU Code Impacts,

None identified

Central Systems Impacts

Minimal impacts anticipated, e.g. new charge code as the intention is to utilise existing system functionality where appropriate to do so.

Workgroup Impact Assessment

The impact assessment has been completed and Workgroup agree that there are no outstanding significant issues.

Rough Order of Magnitude (ROM) Assessment)

The solution is a relatively straightforward change. Payments to shippers would be made using existing invoice items and identified using new charge codes.

7 Relevant Objectives

Impact of the modification on the Relevant Objectives:	
Relevant Objective	Identified impact
a) Efficient and economic operation of the pipe-line system.	None
b) Coordinated, efficient and economic operation of (i) the combined pipe-line system, and/ or (ii) the pipe-line system of one or more other relevant gas transporters.	None
c) Efficient discharge of the licensee's obligations.	Positive
d) Securing of effective competition: (i) between relevant shippers; (ii) between relevant suppliers; and/or (iii) between DN operators (who have entered into transportation arrangements with other relevant gas transporters) and relevant shippers.	None
e) Provision of reasonable economic incentives for relevant suppliers to secure that the domestic customer supply security standards... are satisfied as respects the availability of gas to their domestic customers.	None
f) Promotion of efficiency in the implementation and administration of the Code.	Positive
g) Compliance with the Regulation and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.	None

Gas Transporter Standard Licence Condition 20 requires the passing of payments through the supply chain, this Modification facilitates the efficient delivery of this obligation by formalising the timeframe.

By formalising a 10-day pass-through window in the Code for shippers, all compensation payments, both statutory and non-statutory, will flow in a consistent timeframe. Accordingly, the Workgroup believes a single, consistent mechanism will ease and improve the administration of the code. Thereby furthering relevant objective f.

8 Implementation

As self-governance procedures are proposed, implementation could be sixteen business days after a Modification Panel decision to implement, subject to no Appeal being raised.

9 Legal Text

Legal Text has been provided by Northern Gas Networks and is included below. The Panel has considered v2.0 of the Legal Text, which is inserted below, and is satisfied that it meets the intent of the Solution. This can be found here: www.gasgovernance.co.uk/0695

Text Commentary

A new clause will be inserted into TPD V which obligates Shippers to process all pass-through payments (statutory and non-statutory) to the relevant supplier within 10 business days of receipt from the Transporter so it can be passed on to the consumer.

A further clause will be inserted into TPD J to clarify that the above arrangements will also apply to compensation payments for 'Gas not made available for offtake' for LDZ Supply Points at Non-domestic Premises whose AQ exceeds 73,200 kWh per annum.

V2 changes: Amendment from 'Registered Supplier' to 'Supplier' to conform with existing defined terms.

Text

TRANSPORTATION PRINCIPAL DOCUMENT SECTION V: GENERAL

Insert new paragraph 11.1.6 to read as follows:

11.1.6 Where a User receives a distributed payment for consumer compensation it will relay the distributed payment to the Supplier, or in the absence of any Supplier direct to the end consumer, within 10 Business Days of receipt of the distributed payment.

TRANSPORTATION PRINCIPAL DOCUMENT SECTION J: EXIT REQUIREMENTS

Amend paragraph 3.5.2 to read as follows:

3.5.2 For the purposes of section 3.5.3 section V 11.1.6 will apply.

10 Consultation

Panel invited representations from interested parties on 19 September 2019. The summaries in the following table are provided for reference on a reasonable endeavours' basis only. It is recommended that all representations are read in full when considering this Report. Representations are published alongside this Final Modification Report.

Implementation was unanimously supported in the 4 representations received.

Representations were received from the following parties:

Organisation	Response	Relevant Objectives	Key Points
Cadent	Support	c) - positive f) - positive	<ul style="list-style-type: none"> Believes the modification, if implemented, would address the 'timing' gap in the current end to end process by specifying a 10 day window for Shipper Users to relay statutory payments to the relevant Supplier. Notes that in addition non statutory payments made by Gas Transporters would also be addressed within UNC if this modification were to be implemented.

			<ul style="list-style-type: none"> • Has not identified any additional analysis or further information over and above what has previously been stated.
Northern Gas Networks	Support	c) - positive	<ul style="list-style-type: none"> • Supports this Modification as the introduction of a 10 Business Day window for Shippers passing through consumer compensation, both statutory and non-statutory, formalises what already occurs in most instances where a consumer compensation payment is triggered by the Gas Transporter. The codifying of this activity should provide additional certainty for end consumers whenever they are entitled to compensation originating from a Gas Transporter. • This Modification furthers Relevant Objectives c) efficient discharge of the licensee’s obligations as it enhances Gas Transporter Standard Licence Condition 20: ‘Payments in Relation to Standards of Performance’ which facilitates passing of payments through the supply chain. • Should follow Self-Governance procedures as it is providing additional clarity on existing obligations, using existing mechanisms. This clarity does not have a material impact on UNC parties or gas consumers. • Believes that the legal text provided should deliver the Solution set out in the Modification. • Notes there have been a number of large-scale incidents over the past two years, often caused by a third party damaging the GT pipeline. Following these incidents there have been many cases of consumers contacting Transporters advising they have not yet received their payment; this can be months after the Transporter payment has been made to the shipper. First-hand experience of this situation demonstrates that this modification would aid in reducing, and hopefully removing many of these scenarios by making it clear to all parties the timeframes for payments to be passed on, allowing for an improved end consumer experience.
Scotia Gas Networks	Support	c) - positive f) - positive	<ul style="list-style-type: none"> • Supports the modification on the grounds that it will introduce a 10 Business Days window for Shippers to pass on consumer compensation payments into the UNC. Whilst payments are already passed on by Shippers in a timely manner, this modification will set clear targets for making payments which will be good for consumers. • Points out that no direct impacts or costs to SGN’s systems have been identified. Furthermore, in order to ensure that Xoserve’s systems can fulfil the modification requirements DSC Change XRN4896 has been raised.

Wales & West Utilities	Support	c) - positive f) - positive	<ul style="list-style-type: none"> • Believes that Shippers currently pass on voluntary payments for end consumers made by Transporters together with statutory payments. • Supports this Modification as it codifies existing best practice in regard to both passing on voluntary payments and doing this in a timely manner and therefore furthers relevant objective (f). • It also furthers relevant objective (c) as it enables Transporters to better discharge their licence obligations. • Notes that Ofgem will be amending the statutory payments in RIIO GD2 from April 2021 and removing the caps on some payments. • Agrees that this Modification satisfies the self-governance criteria. • There are no direct costs resulting from this change. DSC change XRN4896 has been raised separately to ensure that Xoserve systems can process the payments. • Has responded to this change to ensure the Ofgem changes to payments, the removal of caps and likelihood of Transporters making different payments are all considered and that this applies to all non-connections related Guaranteed Standards of Performance. • Currently makes limited use of this means of making customer service payments to customers, as where possible they make payments directly to customers to ensure that they receive payments as soon as possible. Notwithstanding this, this Modification together with SPAA CP 476, is a sensible change.
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11 Panel Discussions

12 Recommendations

Panel Determination

Members agreed that Modification 0695S **should [not]** be implemented.