

**UNC Workgroup 0861S Minutes  
Clarification of Provisions Regarding Utilisation of the System  
Without Holding System Capacity**

**Tuesday 28 November 2023**

**via Microsoft Teams**

**Attendees**

Eric Fowler (Chair)	(EF)	Joint Office
Niamh Holden (Secretary)	(NH)	Joint Office
Anna Shrigley	(AS)	ENI Global Marketing & Trading
Chris Wright	(CW)	Exxon Mobil
Jeff Chandler	(JC)	SSE
Julie Cox	(JCo)	Energy UK
Lauren Jauss	(LJ)	RWE
Mark Field	(MF)	Sembcorp
Paul O'Toole	(PO)	Northern Gas Network
Philip Lucas	(PL)	National Gas
Ross Edwards	(RE)	SGN
Richard Pomroy	(RP)	Wales & West Utilities
Shiv Singh	(SS)	Cadent

*The Workgroup Report is due to be presented at the UNC Modification Panel by 21 March 2023.*

*This Workgroup meeting will be considered quorate provided at least two Transporter and two Shipper User representatives are present.*

*Please note these minutes do not replicate/include detailed content provided within the presentation slides, therefore it is recommended that the published presentation material is reviewed in conjunction with these minutes. Copies of all papers are available at: <https://www.gasgovernance.co.uk/0861/281123>*

**1.0 Outline of Modification**

The Proposer, Philip Lucas (PL) presented the Modification to the Workgroup and explained that the proposal was prompted by a present lack of clarity regarding rights and obligations relating to capacity as set out within TPD Section B in the UNC. PL outlined that the purpose of the Modification is to acknowledge the extent of Transporters' obligations and provide further clarity on the interaction between terms within the UNC.

PL stated that when read in isolation, the terms of TPD Section B place a limit on Transporters' obligations. It is proposed that TPD Section B is modified to include wording that essentially states that despite the limitations regarding Transporters obligations to accept deliveries of gas and make gas available for offtake in excess of Capacity, where for any reason a User does flow in excess of these Capacity holdings, the relevant additional Charges will be payable.

PL noted that the Modification has a narrow scope and is purely for clarification. Please refer to the Modification published at: <https://www.gasgovernance.co.uk/0861> for more detail.

**2.0 Initial Discussion**

The Workgroup considered the suitability of the proposal and whether they agreed this was a sensible clarification to add to the UNC.

Shiv Singh (SS) noted that it seemed a sensible addition. Julie Cox (JCo) concluded this was an output of discussions with NGT last spring, that adding in addition references helps clarify the obligations of the transporters, much like what was trying to be achieved with the implementation of Modification 0860S.

EF asked the Workgroup if any attendees did not agree with the Modification or whether they would like to suggest any alternative wording.

No Workgroup members disagreed that this is helpful proposal, and there were no alternatives. EF asked LJ for comments on the potential interplay with Proposal 0860. LJ agreed that 0861 doesn't change the current arrangements but perhaps consolidates them.

The Workgroup agreed that the Modification is sufficiently clear to be consulted upon and discussed the appropriateness of both Modification 0861 and 0860 running simultaneously. EF questioned whether there was any interplay between the two Modifications, or whether a faster Modification could be implemented for 0861.

PL questioned whether LJ's proposed Modification affected the three sections raised for amendment within 0861; I3.7.1, J3.10.5(b) and J3.8.4(b). LJ advised that she didn't think the Modifications would overlap but is proposing a change to the wording in J3.10.5(b), LJ suggested they go away and check whether this would have any effect on Modification 0861. PL agreed that clarification was needed.

EF suggested that should both Modifications propose changes to the same section, 0861 could be implemented but then changed following the implementation of 0860. LJ argued that she did not believe that this would change the solution for Modification 0860.

RP stated that there were two options available to the Workgroup, they could either push forward with the implementation of 0861 and then wait for the implementation of 0860 or wait for the two to run concurrently. RP argued that it depends on the timing of the progression of both Modifications.

EF asked whether a lot of time was needed to develop 0860, stating that it is a more contentious Modification but the proposed solution was clear. LJ suggested that it be left open, they could therefore reflect on reviews of the Workgroup.

The Workgroup concluded that it was sensibly to keep the two Modifications together.

### **2.1. Issues and Questions from Panel**

None raised.

### **2.2. Initial Representations**

None received.

### **2.3. Terms of Reference**

Standard Terms of Reference will apply.

## **3.0 Next Steps**

The following next steps were confirmed:

- A brief update discussion of this Modification within the Transmission workgroup Meeting on 7 December 2023.
- Provision of Legal Text to be requested
- Development of a draft Workgroup Report to be published by EF prior to next scheduled workgroup meeting on 29 January 2024.

## **4.0 Any Other Business**

None.

## 5.0 Diary Planning

Further details of planned meetings are available at: [www.gasgovernance.co.uk/events-calendar/month](http://www.gasgovernance.co.uk/events-calendar/month)

Workgroup meetings will take place as follows:

<b>Time / Date</b>	<b>Paper Publication Deadline</b>	<b>Venue</b>	<b>Workgroup Programme</b>
10:00 Monday 29 January 2024	5pm Friday 19 January 2024	Microsoft Teams Radcliffe House, Blenheim Court, Warwick Road, Solihull B91 2AA	Detail planned agenda items. <ul style="list-style-type: none"><li>• Consideration of Legal Text</li><li>• Development of Workgroup Report</li></ul>