

IGT039 Meeting #24
FINAL Minutes

Present:

Elaine Carr (EC)	Scottish Power	Andy Miller (AM)	Xoserve
Gethyn Howard (GH) (Chair)	GTC	Kish Nundloll(KN)	ESP
Richard Franklin (RF)	Opus Energy	Trevor Peacock (TP)	FPL
Jonathan Kiddle (JK)	EDF Energy	Adam Pearce (AP)	ESP
Steve Ladle (SL)	Gemserv obo.	Kristian Pilling (KP)	SSE
	IGT UNC	Kiran Samra (KS)	NPower

1) Introductions

The meeting attendees introduced themselves. GH confirmed that the intention of the meeting was to highlight the main areas of change to the legal drafting since the previous meeting and to review the issues log which had been circulated prior to the meeting. Finally, the group would also review the skeleton draft work group report which had been started since the last 039 meeting.

2) Review of actions

- 1) JD to undertake further analysis on SSP funding.

*GH confirmed that Jon Dixon (JD) had been off sick and so there was no update on this action. GH would however be speaking to JD on July 7th for an update – **carried over***

- 2) GH to speak to JD about potential options to progress Xoserve development cost recovery.

*GH confirmed that Jon Dixon (JD) had been off sick and so there was no update on this action. GH would however be speaking to JD on July 7th for an update – **carried over***

- 3) GH to speak to lawyer to gather a view on whether pointing paragraphs 1 to 3 of CV to UNC will undermine IGT contractual position regarding the “site works contract”.

*GH confirmed that he had spoken to GTC’s lawyer who did not see pointing across legal obligations to be an issue as long as the definitions were watertight – **closed***

- 4) Action – AM to add 3 types of AQ to SSP specification requirements.

*AM confirmed that a request had been placed for this requirement to be added to the IGT Agency Services BRD – **closed***

- 5) Action – AM to confirm whether 3 types of SOQ are required.

*AM confirmed that a request had been placed for this requirement to be added to the IGT Agency Services BRD – **closed***

- 6) GH to circulate a straw man work group report ahead of the next meeting

*GH confirmed that this had been added to the meeting documents and circulated ahead of the meeting for discussion under agenda item number 5 – **closed***

3) Review of legal drafting

SL clarified that the drafting approach meant that the IGT UNC was still the main contractual framework between IGTs and Shippers and that various parts of the text point across to the UNC for reading purposes only. RF asked why this approach had been chosen and GH

confirmed that this was the preferred approach by the group on the basis that copying the UNC provisions into the IGT UNC was not preferable due to dual governance issues and also that pointing across to the UNC made it abundantly clear that there was only one process to be used. GH also confirmed that moving all IGT UNC provisions to the UNC to form a DCUSA style document to be out of scope for IGT039 though could be something that could happen at a later date under a separate change proposal.

GH outlined that since the previous draft sections were presented at the last meeting, GTC's lawyer has reviewed the drafting from a stylistic angle to ensure that the wording was "fit for purpose" and also so that this could speed up the external legal review that IGTs would be undertaking. GH also confirmed that there were a number new sections that had been reviewed which had minor changes made. GH confirmed that the current drafting approach was to have an introductory section possibly within Part A which would explain the point across approach but also set out how terms in the UNC would be interpreted so as to apply to the IGT to Shipper relationship. This would avoid the approach in the previous set of drafts where each sub paragraph redefined particular terms in the UNC which would therefore result in a cleaner and easier to read IGT UNC.

SL commented that the text was base lined on v7.4 of the IGT UNC and that 8.1 was the current version. SL confirmed that the changes to the IGT UNC between these versions were minimal but would need to be incorporated into the IGT039 text. GH agreed to add the changes in.

The group discussed the changes made following the last meeting. The following tables outline the changes and discussion points for each section of the IGT UNC:

Section B

Update	WG Observation	Response
References to component removed	ok	-
3.2(a) updated to FYAQ in line with UNC (previously incorrect).	ok	-

Section CI

Update	WG Observation	Response
2.9-2.12 retained as has been retained in UNC NEXUS drafting.	ok	-
Para 4 completely removed as no longer exists in UNC. Heading states "not used" to retain Code format and numbering.	ok	-
Para 5 – 5.1 and 5.2 now removed as duplicates pointing to of G1.5 which is already covered off under para 3.	ok	-
5.3 an example of where legal view was best for a fixed reference to keep this in the IGT UNC to make it easier to read.	ok	-

6 has been reworded so now incorporates the 3 previous carve outs of AQs into 2 but with same effect.	ok	-
6.3 - is this paragraph required as is an upstream activity? possibly still required as is to do with IGT AQ which is required to enable upstream charge?	Retain drafting in the IGT UNC but could "from time to time" wording be made clearer	AM confirmed this is typical contractual drafting and is simply acknowledging that AQs can change rather than prescribing the change. Agreed own lawyers can check this when they are engaged on final complete draft.
6.4 are group happy with x3 AQ types? (still have issue about whether need x2 types of SOQ).	ok	-
6.5(b) – amended to reporting procedures and will require review outside of 039 (added to WG report).	ok	Added to draft work group report
6.5(C) - definition of SOQ now brought in line with UNC but is (ii) required	retain as is in H4.1	ok
6.6 – Definition of AQ to be reworked by RDL and slotted under 6.2.	ok	-
Para 8 had carve out which is now removed as not a legal issue (last resort and termination notices).	ok	-
Under para 9 do we need to exclude G2.2.4 which covers "Supply Point Commodity Rate Renomination"? Feeling is doesn't apply so no material impact if left in.	Likely that will disapply to make absolutely clear that the process doesn't apply under IGT UNC but AM will check process for IGT supply points	-
14.3 Propose to keep DM wording as class 1 and 2 meters would be subject to needing information from the large transporters such as capacity nominations etc	ok but need to check Transporter Daily read Equipment definition for clause 14.4 and 14.5 to ensure relates only to Class 1	GH to check
Note para 18 has been removed as was removed from UNC under UNCO428.	ok	-
Para 19 removed. Poorly drafted and didn't make sense but no equivalent under UNC so have scrapped this as is to do with CoS.	ok	-

Section CII

Update	WG Observation	Response
Paras 1 & 2 & 4 restyled	ok	-

Section CIV

Update	WG Observation	Response
Paras 1 & 2 restyled	ok	-
Para 4 interesting as all points across and as definitions only in this section no longer needed as are incorporated by reference to G3.4.	Ok (though GH said he had contacted GTC's lawyer to confirm why this had been done though likely to be to ensure charging arrangements are the same for re-establishment purposes)	-

Section CV

Update	WG Observation	Response
Definitions pulled back as the section is largely intact in the IGT UNC. Legal view that this makes the Code easier to read.	ok	-

Section D

Update	WG Observation	Response
1.4-1.6 now removed as read requirements are covered off under classes of supply point.	ok	-

Section E

Update	WG Observation	Response
First time group have seen this. Working draft improved by RDL and Transporter definitions such as in para 6 have been amended.	ok	-
6.2 – New heading to be provided for inspections and simply say in line with the UK Link manual?	AM agreed to look into this as should be referenced somewhere in the UNC	-
Para 11 RDL to review but likely will use current wording to refer to transportation charging statement	ok	-
Para 14 needs to refer to NCUP*	ok	-

Section F

Update	WG Observation	Response
This is an update SL draft and has been reviewed but action with RDL to redraft – not available yet.	ok	-

Section I

Update	WG Observation	Response
NExA replaced with IGTAD.	ok	-

Section J

Update	WG Observation	Response
All refs to Component removed	ok	-

Section K

Update	WG Observation	Response
Working draft but looking to extend clause 25 to data operate by 3rd party.	ok	-

GH confirmed that parties are free to feed into the drafting process with any anomalies or issues they find rather than waiting for a complete draft to be produced. AP queried

whether a template will be provided for comments to make it easier for these to be collated. GH agreed to produce this and circulate in due course.

Action – GH to include changes up to v8.1 of the IGT UNC into draft text.

Action – AM to check process for Supply Point Commodity Rate Renominations and whether will apply to IGT networks.

Action – GH to review CI 14.4 to see only applies to Class 1 supply points.

Action – GH to amend CI para 9 in line with comments table.

Action – AM to identify meter inspection section of UNC so this can be referenced in the IGT UNC.

Action – GH to produce and circulate a comments table for drafting feedback.

4) Review of Issues Log

The group review the issues log. The current status of the log can be found in Appendix 1.

5) Review of Skeleton Work Group Report

GH provided an overview of the draft skeleton development group report which included a summary of the purpose and scope of the group along with the headings for each of the topics that the group has reviewed. GH clarified that the document is a work in progress and will be fleshed out over the next few weeks and months. GH asked that should any parties think of any further headings or sub headings to be included in the report to send them through and GH would add to the report.

6) Next Steps and Work Plan Review:

The group noted that GH would be speaking to Jonathan Dixon at Ofgem regarding the issues which the group were still awaiting a steer on, particularly around the funding of future Xoserve modifications. On the basis that GH's call with Ofgem was yet to take place and also as the external legal review had not yet commenced the potential impacts on the timeframes for completion of the work were unknown at this point in time. GH confirmed that he should have a better understanding of this during the following week and so it was agreed that for now that the current date of 20th August for the formal legal review would remain. GH also outlined that the AIGT legal review would be commencing in the next few weeks but that he had a call with the AIGT the next day to agree the scope of the work prior to contact with external legal firms being made. It was noted that should the meeting scheduled for August 20th need to be pushed back, a further meeting could be convened around the beginning of August to provide an update on progress with the formal legal meeting taking place following this at a later date. GH confirmed he would provide an update to the group as soon as he could confirm timeframes which was likely to be during w/c 7th July.

7) Future Meeting Dates:

As per the discussion under agenda item 6, the group agreed for now to keep the meeting for 20th August and that GH would confirm following his call with the AIGT and JD during w/c 7th July whether this date would be moved.

8) AOB:

There was no AOB

Actions:

- 1) JD to undertake further analysis on SSP funding.
- 2) GH to speak to JD about potential options to progress Xoserve development cost recovery.
- 3) GH to include changes up to v8.1 of the IGT UNC into draft text.
- 4) AM to check process for Supply Point Commodity Rate Renominations and whether will apply to IGT networks.
- 5) GH to review CI 14.4 to see only applies to Class 1 supply points.
- 6) GH to amend CI para 9 in line with comments table.
- 7) AM to identify meter inspection section of UNC so this can be referenced in the IGT UNC.
- 8) GH to produce and circulate a comments table for drafting feedback.

Appendix 1 – Issues Log as of 2nd July 2014.

Part	Paragraph	Raised by	Comment	Response	Action Complete?
A	2		This could be where RDL new drafting on overview and interpretation sits in the IGT UNC	RDL to draft	RDL
	2.10		Look at removing as this will no longer be applicable (check how bulk confirmations are referenced however)		GH
	4		NExA description needs review i.e. should all refs be updated to IGTAD or should this simply say "or future replacement documents".	New IGTAD definition added to replace NEXA agreement. NEXA Ancillary agreement remains as is a different GDN to Shipper agreement	Y RDL

Part	Paragraph	Raised by	Comment	Response	Action Complete?
CI	General		C1 3 of the IGT UNC is Called Daily Read Requirement & C1 5 Supply Point Classification. This ties to UNC G1.5 & M6.2 respectively but there are cross overs in content	CI 3 renamed classes of supply point and this part carved out of CI 5	Y
	1.2	SL	1.2 should stay in IGT UNC as sets out one user per supply point rule	ok	Y
	2.8-2.12		2.8-2.12 may need to be removed pending section D and E drafting as the IGT is unlikely to be updating the supply point register with meter info	To be retained as is still un post NEXUS UNC drafting	Y GH
	3		Daily read equipment needs further review as could be defined in UNC (is referred to in part D)	CI 3.5(b) has been drafted to make it clear that the equipment and responsibilities are those of the GDN	Y
	3.6		Will LDZ CSEP Ancillary Agreement still be correct terminology?	Yes - NEXA definition needs to be amended however	
	5.5		to be pointed across but define "days" not business days	Complete	Y
	6.1	AP	6.1 needs a way of carving out infill	Draft content now added to text	Y
	6.1		this section needs to refer to the x3 types of AQ and link to UNC for rolling AQ where possible	Draft content now added to text	Y
	6.3(a)		SOQ is not defined using the same term in the UNC so need to identify this and undersand if this acheives the same thing as SOQ - is this held by Xoserve?	Updated to same definition as UNC	Y AM/CW
			3 types of AQ need to be listed	Added as per email from AM oin 04/06/14	Y GH
			Types of SOQ may need to be listed	to be discussed with AM offline	AM

		IGTs will still undertake annual review of NExA table and Xoserve will provide the information to do this. Text needs to reflect this.	Draft content now added to text	Y	GH
6.4		IGT AQ review procedures needs to be amended to report procedures	Added to WG report	Y	GH
6.6		6.6 can be removed as follows GDN process	Removed	Y	
8.1.2		8.1.2 can be removed as won't over ride IGT UNC arrangements. However changes needed to iGTAD to link them together	Proposal is to update IGTAD to link in termination notices together or at least for NG to check/notify the IGTs. NEEDS LEGAL VIEW HOWEVER AS RIGHT TO TERMINATE MAY NEED TO STAY IN IGT UNC.	Y	RDL
10.4		10.4 can be removed as class 1 will be DM mandatory so the clause will not be applicable post NEXUS	Removed	Y	
14.6-8		Need to check if is DM or class 1			GH
19		Not clear what this is trying to achieve. Doesn't appear in UNC so unlikely to be needed.	RDL to review as looks like poor layout/drafting - removed as no longer in UNC	Y	RDL
CII		points across but 5.6.3 refers to "total system"	Needs to be covered off under UNC terminology section		RDL
CIV	2.4.3	need to check with Xoserve that closing read for withdrawal is required under IGT UNC CIV 2.4.2(d)(iii)	Section pointed across as IGT process will follow GDNs'	Y	AM
	7	Need to check with Xoserve whether they are involved in the re-establishment business process	Xoserve have confirmed their involvement in the process so have pointed across as will be dealt with in the same way	Y	AM
	1-3	Can paras 1-3 point to UNC? Will this impact contractual standing?	See comments in drafting - all to stay	Y	GH/RDL
CV	2	One off connections under Code require nomination but in practice uses a one line PSR as an IGT to Shipper process. Code implies this should be Shipper driven but haven't anticipated this and Xoserve don't have this mapped out. Need to discuss collectively	Xoserve have confirmed that the process in the BRD will be able to support one off connection process	Y	039/Xoserve

D	2.7	point to UNC M4		Y	
	3	Contractual terms for provision of metering so needs to stay in IGT UNC		Y	
	5	How does clamping work in terms of flows and can Xoserve support this?	Rules brought in line with UNC	Y	For Xoserve to answer
	7.1(b)	Does UK link set out file format for transporter notification to Shipper for transporter installed meter and do Xoserve send this on behalf of the transporter? - M3.2.1(b) (for Xoserve to answer).	The IGT will update the C&D database whilst the installer will notify the Supplier via relevant flows. These will be sent to Shipper for registration. Text is in UNC but what happens behind the scenes will differ.	Y	For Xoserve to answer
E	1.5.2	Daily read Equipment is now referred to as "Transporter" Daily read Equipment - why is this? Is this so that it refers to class one specifically?	To separate out Class 1 provided metering RDI to update to extend to systems operated on behalf of IGTs	Y	Chris Warner
	11	This points to data ownership under K25 so needs to be retained in IGT UNC			RDL
F	4 6 7.2/7.3 9				
I		references to NEXA - how will this be defined? i.e. IGTAD or simply amend NEXA definition to include future replacement docs	New IGTAD definition added to replace NEXA agreement. NEXA Ancillary agreement remains as is a different GDN to Shipper agreement	Y	RDL
K	25	Liabilities to stay in IGT UNC but needs to be tweaked to include UK Link Need change to IGTAD so GDN notifies IGT via Xoserve if a Shipper is terminated. Need to understand what flows Xoserve send to GDNs so can also be sent to IGTs.			