

## **RG005 Review Group – Legal Text Page turn**

### **Draft Minutes**

**14<sup>th</sup> September 2020 via Teleconference**

<b>Attendee</b>	<b>Initial</b>	<b>Organisation</b>	<b>Role</b>
Anne Jackson	AJ	Gemserv	Chair
Alina Starsa	AS	Power Shop	
Jacqueline Knighton	JK	Ovo Energy	
Cher Harris	CH	Indigo Pipelines	
Liam Gallagher	LG	BUUK	
Rebecca Cailes	RC	BUUK	
Oorlagh Chapman	OC	Centrica	
Tony Mason	TM	Leap Gas	
Morven Hunter	MH	Last Mile	
Heather Ward	HW	Last mile	
Kirsty Dudley	KD	E.ON	
Richard Dakin	RD	E.ON	
Rachel Clarke	RCL	Gemserv	Code Administrator
Kemi Fontaine	KF	Gemserv	Code Administrator

### **1. Welcome and Apologies for Absence**

The Chair welcomed attendees to the meeting and advised that apologies had been received from Vicky Bell of Leap Utilities, Claire Robert Scottish Power and Brandan Rodriguez SSE.

### **2. Confirmation of Agenda**

The Chair confirmed the items for discussion as outlined in the final agenda and asked attendees for Any Other Business' (AOB) items. Workgroup members did not submit any AOB items to discuss.

### **3. Significant Code Review Background – Implications for IGT UNC**

The Chair gave a brief background of the Significant Code Review (SCR) work carried out to date and outlined to the Review Group the timeline of the SCR Drafting. The Chair highlighted that initially Ofgem had indicated in a consultation that there would be a new switching program which was currently in the process of being developed which would include the creation of a Central Switching Service (CSS) which is due to be implemented in 2021. The Chair explained this required a SCR specifically for the Faster Switching elements involved in the new programme.

The Chair explained that following this consultation it was also determined by Ofgem that there would be a consolidation of specific retail codes such as the Master Registration Document (MRA) for electricity and Supply Point Administration Agreement (SPAA) for gas, resulting in these codes be subsumed into the Retail Energy Code (REC) which would provide the governance for the CSS. The Chair informed parties that the purpose of the Review group (RG005) was to review the consequential changes of the REC and Faster Switching SCRs drafting on the IGT UNC.

The Chair explained that it was likely the REC SCR would be implemented three months before the Faster Switching SCR and, therefore, would be considered and implemented separately. The Chair further explained to the Review Group that the current IGT UNC Faster Switching SCR drafting that was completed in 2019 had been kept 'warm' and still fulfilled its purpose at this point in time. The Chair noted that although the original FS SCR drafting for the IGT UNC was correct for the FS changes, the implementation of UNC0708 (Re-ordering of the UNC in advance of Faster Switching) which brought forward the re-ordering drafting exercise that had been undertaken in the UNC had impacted on the cross-code references within this drafting. It had therefore been imperative to compare this drafting with the implemented text from our own re-alignment exercise (IGT137 - Alignment of the IGT UNC to the UNC in advance of Faster Switching) to ensure that any references that needed changing were identified and amended. The Chair noted that this was not a small task as multiple documents had to be consulted.

#### 4. Retail Code Consolidation SCR Legal Text

The Chair opened up the discussion of the REC and the review group were presented with the proposed Legal text currently drafted which RCL confirmed was based on the Legal text drafted by the UNC to ensure the two codes align. RCL highlighted the initial Changes proposed in section G of the code was the removal of references to the SPAA and to replace it with REC as per the new arrangements and noted that this was the approach taken throughout the Code.

The Chair highlighted that it had been suggested that the Ofgem consultation for these SCR drafts had been delayed until December 2020, however, that had not been officially published. The Chair noted that following the consultation, the legal text drafts would be incorporated into Modifications that would be raised by Ofgem and that under the Significant Code Review rules would not be controlled by the Code Administrator.

The review group were presented with proposed amendments to following sections:

- **Part K**

RCL highlighted that one reference within this section of Code concerning Theft Risk Assessment Service (TRAS) would likely be removed by the IGT135 (Alignment of the IGT UNC Part K and the Data Permissions Matrix) once implemented.

- **Part L**

RCL identified that the changes made to this section concerned which parties were eligible to raise Modification in the IGTUNC and this had been amended to reflect that Pipeline users, Pipeline Operators, Third parties, Retail Energy Code Company (RECCo) and the REC Code Manager were able to propose new amendments.

- **Part M**

RCL identified that the changes made to this section concerned the removal of the definition of SPAA and TRAS.

- **Part N**

RCL outlined that this section would include the new defined terms such as the REC Code Manager, REC and RECCo. RCL confirmed that the definition from Retail Energy Code pointed over to the DCC licence as this was the only place REC is currently defined until Ofgem make other licence changes.

KD queried what would happen to the definition and permissions to pass data to TRAS if IGT135 is not implemented as the obligations to share data would still exist, albeit not through the SPAA. RCL noted the challenge and resolved to add in an alternative drafting if IGT135 is not implemented. KD further queried whether IGT135 would be finalised when the RCC Drafting is submitted to RDUG and Ofgem. RCL confirmed that IGT135 potentially would not have been finalised by the IGT UNC Panel and noted that it would be useful to discuss this with the authority in regard to whether this could prevent the risk of it being returned to the Review group.

Lastly regarding the RCC the Review Group was presented with amended clauses concerning Metering under the IGT UNC. The Chair explained the current code requirements would continue to apply, however, the requirements for Meter Installers and Meter Equipment Managers (both new REC defined terms) would fulfil the roles under the IGT UNC and adhere to the requirements of the REC. The Chair confirmed it had not been stipulated in the REC schedules what those requirements were or whether they would cause a conflict with this drafting. TM queried whether the REC would take precedence over of the IGT UNC code in situations of potential conflict. The Chair explained that it was expected that this would be the case as the industry has to steer away from Dual-Governance. KD queried whether it had been confirmed that this would definitely be subsumed into the REC or whether this was a risk. RCL confirmed that this was a firm assumption, and this was supported by the Chair. The Chair indicated that through discussions with Ofgem, it is apparent that Metering will be discussed in Regulatory Design User Group (RDUG) meetings within the coming months and that the Code Administrator had been invited to attend that meeting. KD queried if the information on Metering that is being discussed at the RDUG meeting would be shared with the Review group or solely discussed at RDUG, as it was identified by parties as a possible obstacle in the metering drafting of the SCR legal text. The Chair agreed and suggested that it was unlikely that the metering scheduling would be released before the November 2020 discussion, however, it was the intent to review and discuss the published schedules post the November 2020 RDUG meeting.

The Review Group discussed whether it was the interpretation of the RDUG to remove Metering from the IGT UNC, CH noted that it was essential that Metering remained in the IGT UNC to cover Transporters in the case of last resort meter fits. The Chair noted that the Metering drafting had been changed and proceeds at risk as it is based on the assumptions release by Ofgem. The Chair noted that Ofgem had not directed the Code Administrator to remove Metering from the Code, hence it has been kept in and the sufficient points to the REC were necessary for compliance.

## 5. Faster Switching SCR Legal Text

The Review Group were presented with the FS legal text which the Chair noted was a blend of the originally agreed Fast Switching legal text submitted to Ofgem in 2019 and the latest version of the Code which

incorporates the Code re-alignment in version 13.3. The Chair confirmed that the purpose of this review was to re-confirm the assumptions made to the original FS drafting and established whether any elements were left out.

The Chair recapped the amendments made to the original drafting noting large areas that have left the code due to the Switching now being included in the REC and the Central Switching Service (CSS). The Chair also highlight areas that had been added to the Code to incorporate the CSS.

KD noted that there were some phraseology issues with referencing either within the IGT UNC or over to the UNC, in particular in Part C113-19. The Chair acknowledged the challenge and noted to amend that, taking a holistic approach to the phraseology of referencing.

The Chair noted that numerous new terminologies have been brought into the IGT UNC by the REC that was not historically used in gas. KD noted that this was to ensure that there was no fuel bias in a new combined Code. The Chair noted that parties would need to pay particular attention to these new terms.

The Chair highlighted the new arrangements of De-registration which has replaced the Withdrawal process and noted that large scale changes have been made to incorporate this new process.

The Chair noted that there were still some areas of the code that would need to be further scrutinised to ensure that the cross-over with the UNC was accurate.

The Review Group concluded that there were no further comments required.

## 6. AOB

The Chair opened up discussion for any other business in relation to the RG005. KD queried what the next steps and expectation were following this Review Group discussion. The Chair outlined that RG005 would remain on the Workgroup agenda following its submission to the Panel for a decision to ensure any outstanding items under the Review Group had been completed as part of a closure plan. The Chair confirmed that it was to be considered under the Workgroup and not an Adhoc meeting. The Review Group recapped on the discussion regarding the release of metering schedules and the Chair indicated that it was possibly to be discussed in the RDUG meeting from November 2020, however this had not yet been made official.

**Following no further requests for any other business the Chair declared the meeting closed.**