

IGT-UNC 172 – proposer’s explanatory table - draft legal text version 2 to replicate TPD Section I as IGT UNC Part Q

Introduction

This document should be considered alongside the mark up of UNC TPD Section I ‘Entry Requirements’, which the proposed IGT UNC Part Q aims to replicate.

Blue highlight indicates linkage with existing IGT UNC concepts and defined terms. Red font indicates IGT-UNC mod 172 Business Rule references.

Purple font indicates key UNC mod 0842 ‘marry’ provisions.

	‘ENTRY REQUIREMENTS’ Notes for material changes from TPD Section I
1 GENERAL	Introduction BR 1. a. i.
1.1	The UNC defined umbrella term ‘ System Entry Point ’ is proposed to be replaced by a new IGT-UNC term ‘ Pipeline Entry Point ’.
1.1.1 to 1.1.3	22nd January 2024 The new defined term was initially proposed to be introduced in Part Q paragraph 1.4.1, however as the UNC has the equivalent term in TPD Section A, after further consideration it is now proposed that the definition goes into IGT-UNC Part M. The previously suggested wording ‘...as defined in paragraph 1.4.1’ is no longer needed.
1.1.4	The UNC provision relates to NTS to DN Inter-System Offtakes. The IGT UNC equivalent term (DNO to IGT, or IGT to IGT) is ‘Connection Point’ . 19th Jan 2024 Further clarified by the addition of ‘...or to any Upstream System or Pipeline as defined in Part M’
1.2	Pipeline Delivery Facility BR 1. a. ii.
1.2.1 and 1.2.2	1.2.1 introduces a new key term ‘ Pipeline Delivery Facility ’. 1.2.2 Note proposed changes to limbs: ‘(c)’ is now subject to amended paragraph 1.1.4 which recognises that existing IGT UNC term ‘Connection Point’ and the associated provisions in that code and IGTAAD already cover unmetered flows from DNO to IGT at such points and are therefore outside this proposed new Part. 19th Jan 2024 addition of ‘...that is not a Pipeline as defined in Part M’ ‘(e)’ 19th Jan 2024 addition of ‘subject to amended paragraph 1.1.4...’ and ‘...that is not a Pipeline as defined in Part M’ ‘(g)’ relates to a Scottish Independent Undertaking, which is a Large Transporter Network, not a Pipeline. ‘(h)’ is a new provision to be added: <u>a facility for processing gas produced (and transported to such facility) from biomethane and/or bio-synthetic natural gas from renewable gas sources;</u>

1.2.3	Introduces a new key term ‘ Pipeline Delivery Facility Operator ’. BR 1. a. ii.
1.2.4	<p>If any Pipeline Delivery Facility is to deliver gas and offtake gas, the flow at the interface will be bi-directional, as at System Entry Points under UNC. BR 2.</p> <p>Note: consider putting an equivalent provision in IGT UNC against Downstream System Exit Point</p>
<p>1.3</p> <p>1.3.1</p>	<p>Pipeline Entry Agreement BR 1. a. iii. 1. Key provision has the ‘marry’ that UNC mod 0842 requires i.e. ‘an agreement’.</p> <p>TPD I 3.11.1 (c), added by UNC mod 154 over-rides I 1.3.1 so has been adopted and amended and put in its place. The provisions mentioned are:</p> <p><i>3.11.1 (c) an "LDZ System Network Entry Agreement" is a Network Entry Agreement between a DNO and a Delivery Facility Operator of a Connected Delivery Facility at an LDZ System Entry Point containing Network Entry Provisions, including those to determine the quantities of gas which may be delivered and operation of gas flows to an LDZ System Entry Point.</i></p> <p><i>1.3.1 Subject to paragraphs 1.3.7 and 1.6, a User may not deliver gas to the Total System at any System Entry Point unless there is in force an Agreement ("Network Entry Agreement") to which the parties include both the Transporter and the Delivery Facility Operator, containing Network Entry Provisions and (if not incorporated into the Network Entry Provisions) Local Operating Procedures applicable in respect of the System Entry Point.</i></p> <p>References to non-relevant provisions 1.3.7 and 1.6 have been removed.</p>
1.3.2	Pipeline Entry Provisions introduced BR 1. a. iii. 1. Key provision for UNC 0842 ‘marry’ i.e. it creates ‘provisions equivalent’.
1.3.3	Pre-UNC legacy and complicated beach gas facilities are not relevant..
1.3.4	This provision enables provisions between the DFO and Transporter(s) that are outside code governance. BR 1. a. iii. 4.
1.3.5	The DNO is not a party to IGT UNC, but is a party to the agreement. the DNO’s interests have been included alongside the IGT’s. BR 1. a. iii. 3.
1.3.6	This provision enables the Large Transporter/DNO to be an additional party to what would otherwise be a bilateral agreement. BR 1. a. iii.
1.3.7	Pre 1996 UNC legacies are not relevant.

1.4	<p>Pipeline Entry Point BR 1. a. i.</p>
1.4.1	<p>I 3.11.1 (a), added by UNC mod 154 over-rides TPD I 1.4.1:</p> <p><i>3.11.1 (a) an "LDZ System Entry Point" is a System Entry Point on a DNO's System and that is not listed as an Entry Point in Appendix 1 of Special Condition 9.13 of National Gas Transmission's Gas Transporter's Licence;</i></p> <p><i>1.4.1 Subject to paragraph 1.4.2, a System Entry Point is the Individual System Entry Point or Individual System Entry Points at which a Connected Delivery Facility is connected to the Total System.</i></p> <p>IGT UNC does not require an equivalent of the UNC concept of a 'System Entry Point' (A 2.2) comprising 'Individual System Points' (A 2.2) as there will be a 1:1 relationship between physical connection interface and commercial delivery point.</p> <p>IGT UNC does not require the umbrella term 'Aggregate System Entry Point' (A 2.3), which is used exclusively for NTS connections and 'old' LDZ connections, or the more recent term 'LDZ System Entry Point' (I 3.11.3 (a)) which applies simpler provisions as introduced by UNC mod 154, the legal text for such being self-contained in a new TPD Section I 3.11.</p> <p>There is therefore no requirement to replicate the above in a 'pointed to' TPD section A, or to retain TPD Section I 3.11 as a separate over-ride.</p> <p>A single IGT UNC term 'Pipeline Entry Point', is to be introduced to replace TPD A 2.2 'Individual System Entry Point', A 2.3 'System Entry Point' and I 11.3.1 (a) 'LDZ System Entry Point'. The word 'Individual' is no longer needed, nor is LDZ.</p> <p>The original UNC TPD Section I 3.11.1 (a) if retained would be a duplicate so has been deleted.</p> <p>22nd January 2024 UNC TPD Section I 1.4.1 refers to 'the' ...Entry Point, whereas TPD Section A, which introduces the highest level defined term, refers to 'a' ...Entry Point. This has been replicated by introducing a new high level term in Part M and retaining the TPD Section I 1.4.1 format..</p>
1.4.2	As per 1.4.1 above, the UNC concept of Individual System Entry Point is not used in IGT UNC.
1.4.3	As per 1.4.1 above, references to 'Individual' are not relevant.
1.4.4	Pre 1996 UNC legacies are not relevant.
1.5	<p>Aggregate System Entry Point</p> <p>As per 1.4.1 above, the UNC concept of Aggregate System Entry Point is not used in IGT UNC.</p>
1.6	<p>No Network Entry Agreement</p> <p>Pre 1996 UNC legacies are not relevant.</p>

<p>1.7 and 1.8</p>	<p>DNO User and Trader User</p> <p>These UNC concepts are not used in IGT UNC.</p>
<p>2 PIPELINE ENTRY PROVISIONS</p> <p>2.1</p> <p>2.1.1 to 2.1.3</p>	<p>Availability of Pipeline Entry Provisions BR 1. a. iii. 1.</p> <p>The TPD text has been simplified as the only type of connection is the Pipeline Entry Point (based on TPD I LDZ System Entry Point). Provisions relevant to NTS and ‘old’ LDZ entry are not relevant e.g. ‘Section B’ and ‘Aggregate’.</p> <p>Note that 2.1.2 and 3.11.4 are similar.</p>
<p>2.2 throughout</p> <p>2.2.1</p>	<p>Amendment of Pipeline Entry Provisions BR 1. a. iii.</p> <p>Provisions relevant to NTS and ‘old’ LDZ entry have been deleted i.e. ‘NTS Entry Capacity’, ‘NTS’ and ‘Aggregate’.</p> <p>The DNO is not a party to IGT UNC, but is a party to the agreement, so the DNO’s interests have been included alongside the IGT’s.</p>
<p>2.2.2</p>	<p>22nd January 2024 the action from the 11th January 2024 meeting was in part based on a misunderstanding of the UNC Mod 0842 provisions concerning the two new UNC interfaces ‘IGT entry point’ and ‘IGT LDZ SEP’. The disapplication of 2.2 in Mod 0842 legal text is to the IGT LDZ SEP whereas the ‘Pipeline Entry Point’ corresponds to the ‘IGT entry point’. However, the UNC section has complex content relating to NTS entry that is not required in IGT-UNC’, so the opportunity has been taken to simplify the section.</p>
<p>2.2.3</p>	<p>The DNO is not a party to IGT UNC, but is a party to the agreement, the DNO’s interests are included alongside the IGT’s. BR 1. a. iii.</p> <p>Provisions relevant to NTS and ‘old’ LDZ entry have been deleted i.e. ‘Individual’.</p> <p>22nd January 2024 2.2.3 (b) is not relevant as it is a transmission provision introduced in 2006.</p>
<p>2.2.7</p>	<p>22nd January 2024 As 2.2.3 (b) has been removed, 2.2.7 is no longer required.</p>
<p>2.3</p> <p>2.3.1</p>	<p>Pipeline Entry Provisions BR 1. a. iii. Delivers the key ‘marry’, as required by UNC mod 0842, ‘...provisions equivalent...’</p> <p>UNC mod 0842 proposed legal text 3.12.5 (b) (i):</p> <p><i>“equivalent to Network Entry Provisions (including provisions which identify and specify each of the matters referred to in paragraph 2.3.1) ... (as if gas was being delivered to the Total System);”</i></p> <p>The DNO is not a party to IGT UNC, but is a party to the agreement, so the DNO’s interests have been included alongside the IGT’s.</p> <p>22nd January 2024 Note that UNC Mod 0842 provisions introduce two new UNC interfaces ‘IGT entry point’ and ‘IGT LDZ SEP’. The disapplication of 2.3.1 (c) (ii) in Mod 0842 legal text is to the IGT LDZ SEP whereas the ‘Pipeline Entry Point’ corresponds to the IGT entry point. The quoted 0842 text above requires 2.3.1.</p>

<p>2.3.4 2.3.8</p>	<p>2.3.4 provisions relevant to NTS and ‘old’ LDZ entry have been deleted e.g. references to ‘NTS Entry Capacity’ and ‘Condition A11 (18) Approval’, 2.3.8 provisions relevant to NTS and ‘old’ LDZ entry have been deleted e.g. ‘Interconnected System’.</p>
<p>2.4</p>	<p>Gas Entry Conditions BR 1. a. iii. Delivers the key ‘marry’, as required by UNC mod 0842, ‘...provisions equivalent...’</p> <p>UNC mod 0842 proposed legal text 3.12.5 (b) (i):</p> <p><i>“equivalent to Network Entry Provisions (including provisions which identify and specify each of the matters referred to in paragraph 2.3.1) and (if not incorporated into the such provisions) Local Operating Procedures (as if gas was being delivered to the Total System);”</i></p> <p>The DNO is not a party to IGT UNC, but is a party to the agreement, so the DNO’s interests have been included alongside the IGT’s.</p>
<p>2.5 Note 2.5.3</p>	<p>Measurement Provisions BR 1. a. iii. Delivers the key ‘marry’, as required by UNC mod 0842, ‘...provisions equivalent...’</p> <p>UNC mod 0842 proposed legal text 3.12.5 (b) (i):</p> <p><i>“...equivalent to Network Entry Provisions (including provisions which identify and specify each of the matters referred to in paragraph 2.3.1) and (if not incorporated into the such provisions) Local Operating Procedures (as if gas was being delivered to the Total System);”</i></p> <p>The DNO is not a party to IGT UNC, but is a party to the agreement, so the DNO’s interests have been included alongside the IGT’s. BR 1. a. iii.</p> <p>2.5.3 delivers the key ‘marry’, as required by UNC mod 0842, ...measurement and CV data.... BR 1. a. iii. 5.</p> <p>2.5.3: IGT UNC does not have the concepts of daily balancing, ‘gas flow nominations and scheduling’ or the many complicated allocation provisions that build upon them, however, the proposed 2.5.3 requires an equivalent of UNC ‘Entry Point Daily Quantity Delivered’, which links Section I physical measurement to commercial provisions in TPD. The proposed new IGT UNC equivalent definition is Pipeline Entry Point Daily Quantity Delivered.</p> <p>As the model for this definition is in UNC Section E 1.4.1 and there is no intention of replicating that section, a decision was taken to incorporate it here.</p> <p>For information only, an extract of UNC TPD Section E follows:</p> <p><i>1.4.1 In respect of each System Entry Point, the “Entry Point Daily Quantity Delivered” is the aggregate quantity of gas delivered to the Total System on a Day at that System Entry Point, ascertained as described in Section I2.5 (subject to paragraph 1.7).”</i></p> <p><i>1.4.2 The amount determined to be the Entry Point Daily Quantity Delivered in respect of any System Entry Point for the Gas Flow Day may be revised at any time up to and including the 5th following Day, but no revision will be made to such quantity after the 5th Day after the Gas Flow Day.</i></p> <p>An equivalent of E 1.4.2 is now incorporated in the proposed 3.1.2.</p>

	<p>22nd January 2024 2.5.3 action from IGT-UNC meeting 11th January 2024 - an email was sent to SGN and CDSP seeking their views (see also 3.1.2 which relates to the same) and a telecon with SGN took place. Following this call, the provision was amended. To better reflect the TPD Sections E and I legal text. Limb (a) now introduces the TPD Section E defined term and limb (b) replicates TPD Section I 2.5.3. The detail will be in the Pipeline Entry Agreement.</p>
<p>2.6</p> <p>2.6.4</p> <p>2.6.5</p> <p>2.6.6 & 2.6.7</p>	<p>Local Operating Procedures BR 1. a. iii. 2. and 4 Delivers the key ‘marry’, as required by UNC mod 0842, ...provisions....</p> <p><i>UNC mod 0842 proposed legal text I 3.12.5 (b) ...</i> <i>(i) “equivalent to Network Entry Provisions (including provisions which identify and specify each of the matters referred to in paragraph 2.3.1) and (if not incorporated into the such provisions) Local Operating Procedures (as if gas was being delivered to the Total System);”</i></p> <p>The DNO is not a party to IGT UNC, but is a party to the agreement, so the DNO’s interests have been included alongside the IGT’s.</p> <p>In 2.6.4 the provisions relevant to NTS have been deleted.</p> <p>22nd January 2024 2.6.5 action from IGT-UNC meeting 11th January 2024 - the UNC GTC ‘Transportation Constraint’ defined term has been added into the consolidated document as a new Part Q 3.12 (see related actions 3.9 and 3.11.9)</p> <p>In 2.6.6 and 2.6.7 the provisions relevant to NTS have been deleted.</p>
<p>3 DELIVERY OF GAS TO THE PIPELINE</p>	
<p>3.1</p> <p>3.1.1</p>	<p>Delivering Pipeline Users</p> <p>Relief to IGT where entry provisions are breached. BR 1. a. iii. 3.</p> <p>IGT UNC does not use the UNC concepts of Daily Balancing, Capacity, or Scheduling which uses Input Nominations. To introduce these would require adding extensive additional text and likely IT systems, for little if any benefit. Provisions that require these are not identified for replication.</p>

<p>3.1.2</p>	<p>I 3.1.2 has been re-written.</p> <p>The proposed new limb (a) uses the definition of Pipeline Entry Point Daily Quantity Delivered, which was introduced in the paragraph 2.5.3, where the term first appears, and to incorporate the remainder of the TPD Section E 1.4 on which it is based:</p> <p><i>The amount determined to be the Entry Point Daily Quantity Delivered in respect of any System Entry Point for the Gas Flow Day may be revised at any time up to and including the 5th following Day, but no revision will be made to such quantity after the 5th Day after the Gas Flow Day..</i></p> <p>The proposed new Limb (b) defined term 'Delivering Pipeline User' is based on the equivalent UNC term in Section E 1.1.2</p> <p><i>(c) in relation to a System Entry Point, a "Delivering User" is a User treated as delivering gas to the Total System at that point on that Day;</i></p> <p>UNC TPD I would ordinarily amend this term (3.11.1 (b) an "LDZ System Entry Point User" is a Delivering User at an LDZ System Entry Point;), so to simplify the legal text the decision has been made to use just the one term proposed here throughout the section.</p> <p>Accordingly, I 3.11.1 is not replicated.</p> <p>22nd January 2024 3.1.2 action from IGT-UNC meeting 11th January 2024 - an email has been sent to SGN and CDSP seeking their views (see also 2.5.3 which relates to the same)</p>
<p>3.2 3.2.2 and 3.2.3</p>	<p>Multi-user provisions are not relevant.</p>
<p>3.3 3.3.1 to 3.3.7</p>	<p>Compliance with Gas Entry Conditions BR 1. a. iii. 3.</p> <p>Relief to IGT where entry provisions are breached.</p>
<p>3.3.8 and 3.3.9</p>	<p>3.3.8 and 3.3.9 'Special Delivery Arrangement' and allocation are NTS concepts.</p>
<p>3.4 3.4.2</p>	<p>Payment in respect of non-compliant gas BR 1. a. iii. 3.</p> <p>Relief to IGT where entry provisions are breached.</p> <p>Note that IGT UNC does not have an Applicable Liability Gas Price definition.</p> <p>22nd January 2024 3.4.2 action from IGT-UNC meeting 11th January 2024 - the UNC GTC 'Applicable Liability Gas Price' defined term has been added into the consolidated document as a new Part M defined term.</p>
<p>3.4.3</p>	<p>The multi-user limb (a) has been removed.</p>
<p>3.4.4</p>	<p>The multi-user limb (a) (iv) has been removed.</p>
<p>3.4.7 to 3.4.9</p>	<p>These are NTS provisions.</p>
<p>3.5</p>	<p>Special Delivery Arrangement is an NTS provision.</p>

<p>3.6</p>	<p>Delivery of gas <i>Delivers key ‘marry’ provisions. Note the similarity to existing IGT UNC ‘Connection Point’ below. 172 BR 1. b.</i></p> <p><u>PART J - DELIVERY AND OFFTAKE OF GAS</u></p> <p><u>1 Delivery of gas into Pipeline</u></p> <p><i>1.1 Title and risk in gas delivered to the Pipeline at the Connection Point shall pass to the Pipeline Operator at the Connection Point.</i></p> <p><i>1.2 Each Pipeline User warrants to the Pipeline Operator:</i></p> <p style="padding-left: 40px;"><i>(a) that such Pipeline User will have title (at the point of delivery) to all gas delivered or tendered for delivery to the Pipeline at the Connection Point by that Pipeline User; and</i></p> <p style="padding-left: 40px;"><i>(b) that all such gas will (at such point) be free of any lien, charge, encumbrance or adverse claim (as to title or otherwise), including any claim for any tax, royalty or other charge in respect of the production, gathering, processing and tendering of gas arising on or before delivery thereof to the Pipeline.</i></p> <p><i>1.3 Each Pipeline User shall indemnify the Pipeline Operator and hold it harmless against any loss, liability, damage, claim, action, proceeding, cost and expense suffered or incurred by or made or brought against the Pipeline Operator in consequence of any breach of the warranties in Clause 1.2.</i></p>
<p>3.7 and</p> <p>3.8</p>	<p>Acceptance of gas delivered to the Total System</p> <p>ISEP capability</p> <p>I 3.11.3 turns these provisions off for LDZ entry.</p>
<p>3.9</p>	<p>Restricted delivery of gas BR 1. a. iii. 3.</p> <p>I 3.11.3 turns this provision off for LDZ entry, however it appears to be useful, so is marked for replication with amendment.</p> <p>As the reference to I 3.7.1 does not work due to disapplication within I 3.11.3 (a), a reference to I 3.11.5 which performs a similar function has been substituted.</p> <p>22nd January 2024 3.9 action from IGT-UNC meeting 11th January 2024 - the UNC GTC ‘Transportation Constraint’ defined term has been added into the consolidated document as a new Part Q 3.12 (see related actions 2.6.5 and 3.11.9)</p>
<p>3.10</p>	<p>Rates of delivery</p> <p>3.10 is an NTS and ‘old’ LDZ ‘Daily Balancing’ provision.</p>

<p>3.11</p> <p>3.11.1</p>	<p>Further provisions in respect of Pipeline Entry Points</p> <p>I 3.11.1 will not be replicated for the following reasons:</p> <ul style="list-style-type: none"> (a) would duplicate I 1.4.1 as amended (b) would duplicate I 3.1.2 (b) as amended (c) would duplicate I 1.3.1 as amended
<p>3.11.2</p>	<p>I 3.11.2 would duplicate I 1.3.1 as amended.</p>
<p>3.11.3</p>	<p>Limb (a) disappplies capacity provisions that do not exist in IGT UNC, and turn off other provisions which similarly do not exist in IGT UNC and are therefore not intended to be replicated, so this provision will not be replicated.</p>
<p>3.11.4</p>	<p>Note that I 2.1.2 and I 3.11.4 perform similar functions.</p>
<p>3.11.5</p>	<p>Note that TPD I 3.11.5 performs a similar function to I 3.7.1, which is turned off for LDZ entry by I 3.11.3.</p>
<p>3.11.6 and 3.11.7</p>	<p>IGT UNC does not use the UNC concepts of Daily Balancing, Capacity, or Scheduling which uses Input Nominations. To introduce these would require adding extensive additional text and likely IT systems, for little if any benefit. Without Input Nominations and associated additional provisions and systems, the formula does not work, so these provisions are not identified for replication.</p>
<p>3.11.8</p>	<p>22nd Jan 2024 As 3.11.6, which this relates to, has not been marked for replication, this provision does not work.</p>
<p>3.11.9</p>	<p>Relief to IGT where entry provisions are breached. BR 1. a. iii. 3.</p> <p>22nd Jan 2024 3.11.9 action from IGT-UNC meeting 11th January 2024 - the UNC GTC ‘Transportation Constraint’ defined term has been added into the consolidated document as a new Part Q 3.12 (see related actions 2.6.5 and 3.9).</p>