

**National Gas Transmission plc**

**Gas Transporter Licence**

**Special Conditions**

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

# Contents

<b>Chapter 1: Interpretation and definitions</b>	<b>6</b>
Special Condition 1.1 Interpretation and definitions	6
Special Condition 1.2 Variations to the standard special conditions for the purposes of this licence	57
<b>Chapter 2: Revenue restriction</b>	<b>60</b>
Special Condition 2.1 Transportation owner revenue restriction (AR <sub>t</sub> )	60
Special Condition 2.2 Transportation owner tax allowance adjustment (TAXA <sub>t</sub> )	66
Special Condition 2.3 System operator revenue restriction (SOAR <sub>t</sub> )	67
Special Condition 2.4 System operator tax allowance adjustment (SOTAXA <sub>t</sub> )	72
Special Condition 2.5 Return Adjustment (RTNA <sub>t</sub> )	73
<b>Chapter 3: Totex Allowance adjustments</b>	<b>76</b>
Special Condition 3.1 Baseline Network Risk Outputs (NARM <sub>t</sub> and NARMAH <sub>t</sub> )	76
Special Condition 3.2 Cyber resilience operational technology Re-opener, Price Control Deliverable and use it or lose it adjustment (CROT <sub>t</sub> and CROTRE <sub>t</sub> )	81
Special Condition 3.3 Cyber resilience information technology Re-opener and Price Control Deliverable (CRIT <sub>t</sub> and CRITRE <sub>t</sub> )	88
Special Condition 3.4 Physical security Re-opener and Price Control Deliverable (PSUP <sub>t</sub> and PSUPRE <sub>t</sub> )	94
Special Condition 3.5 Net Zero And Re-opener Development Fund use it or lose it allowance (RDF <sub>t</sub> )	97
Special Condition 3.6 Net zero Re-opener and Price Control Deliverable (NZ <sub>t</sub> )	99
Special Condition 3.7 Non-operational IT Capex Re-opener and Price Control Deliverable (NOITRE <sub>t</sub> )	102
Special Condition 3.8 Coordinated adjustment mechanism Re-opener (CAM <sub>t</sub> )	106
Special Condition 3.9 Net Zero Pre-construction Work and Small Net Zero Projects Re-opener (NZP <sub>t</sub> )	108
Special Condition 3.10 Bacton terminal site redevelopment Re-opener and Price Control Deliverable (BTR <sub>t</sub> and BTRE <sub>t</sub> )	111
Special Condition 3.11 Compressor emissions Re-opener and Price Control Deliverable (CEP <sub>t</sub> and CEPRE <sub>t</sub> )	115

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

<u>Special Condition 3.12 King's Lynn subsidence Re-opener and Price Control Deliverable (KLS<sub>t</sub> and KLSRE<sub>t</sub>)</u>	<u>119</u>
<u>Special Condition 3.13 Funded incremental obligated capacity Re-opener and Price Control Deliverable (FIOC<sub>t</sub> and FIOCRE<sub>t</sub>)</u>	<u>122</u>
<u>Special Condition 3.14 Asset health Re-opener (AH<sub>t</sub>)</u>	<u>127</u>
<u>Special Condition 3.15 Asset health – non-lead assets Price Control Deliverable (NLA<sub>t</sub> and NLA AH<sub>t</sub>)</u>	<u>130</u>
<u>Special Condition 3.16 Redundant Assets Price Control Deliverable (RA<sub>t</sub>)</u>	<u>132</u>
<u>Special Condition 3.17 Uncertain Costs Re-opener (QL<sub>t</sub> and PD<sub>t</sub>)</u>	<u>133</u>
<u>Special Condition 3.18 Opex escalator (OE<sub>t</sub>)</u>	<u>135</u>
<b><u>Chapter 4: Output delivery incentives</u></b>	<b><u>137</u></b>
<u>Special Condition 4.1 Total output delivery incentive performance (ODI<sub>t</sub>)</u>	<u>137</u>
<u>Special Condition 4.2 Customer satisfaction survey output delivery incentive (CSI<sub>t</sub>)</u>	<u>137</u>
<u>Special Condition 4.3 Environmental scorecard output delivery incentive (ESI<sub>t</sub>)</u>	<u>139</u>
<b><u>Chapter 5: Other revenue allowances</u></b>	<b><u>147</u></b>
<u>Special Condition 5.1 Transportation owner other revenue allowance (ORA<sub>t</sub>)</u>	<u>147</u>
<u>Special Condition 5.2 RIIO-2 network innovation allowance (NIA<sub>t</sub>)</u>	<u>147</u>
<u>Special Condition 5.3 Carry-over Network Innovation Allowance (CNIA<sub>t</sub>)</u>	<u>150</u>
<u>Special Condition 5.4 System operator other revenue allowance (SOORA<sub>t</sub>)</u>	<u>153</u>
<u>Special Condition 5.5 Entry Capacity and Exit Capacity Constraint Management (CM<sub>t</sub>)</u>	<u>153</u>
<u>Special Condition 5.6 System operator external incentives, revenues and costs (SOIRC<sub>t</sub>)</u>	<u>159</u>
<u>Special Condition 5.7 The strategic innovation fund (SIF<sub>t</sub>)</u>	<u>175</u>
<b><u>Chapter 6: Pass-through expenditure</u></b>	<b><u>178</u></b>
<u>Special Condition 6.1 Transportation owner pass-through items (PT<sub>t</sub>)</u>	<u>178</u>
<u>Special Condition 6.2 Gas conveyed to Independent Systems (IS<sub>t</sub>)</u>	<u>181</u>
<u>Special Condition 6.3 System operator pass-through items (SOPT<sub>t</sub>)</u>	<u>184</u>
<b><u>Chapter 7: Legacy adjustments</u></b>	<b><u>185</u></b>
<u>Special Condition 7.1 Transportation owner legacy adjustments (LAR<sub>t</sub>)</u>	<u>185</u>
<u>Special Condition 7.2 Transportation owner legacy pass-through (LPT<sub>t</sub>)</u>	<u>186</u>

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

<u>Special Condition 7.3 Transportation owner legacy MOD (LMOD<sub>t</sub>)</u>	<u>186</u>
<u>Special Condition 7.4 Transportation owner legacy K correction (LK<sub>t</sub>)</u>	<u>188</u>
<u>Special Condition 7.5 Transportation owner legacy TRU term (LTRU<sub>t</sub>)</u>	<u>189</u>
<u>Special Condition 7.6 Close out of the RIIO-1 Network Outputs (NOCO<sub>t</sub>)</u>	<u>190</u>
<u>Special Condition 7.7 RIIO-GT1 network innovation competition (NICF<sub>t</sub>)</u>	<u>192</u>
<u>Special Condition 7.8 Close out of the RIIO-GT1 stakeholder satisfaction output (SSCO<sub>t</sub>)</u>	<u>194</u>
<u>Special Condition 7.9 Legacy net RAV additions (LRAV<sub>t</sub>)</u>	<u>195</u>
<u>Special Condition 7.10 System operator legacy adjustments (SOLAR<sub>t</sub>)</u>	<u>196</u>
<u>Special Condition 7.11 System operator legacy MOD (SOLMOD<sub>t</sub>)</u>	<u>196</u>
<u>Special Condition 7.12 System operator legacy K correction (SOLK<sub>t</sub>)</u>	<u>198</u>
<u>Special Condition 7.13 System operator legacy TRU term (SOLTRU<sub>t</sub>)</u>	<u>198</u>
<u>Special Condition 7.14 Close out of the RIIO-GT1 Entry Capacity and Exit Capacity Constraint Management incentive revenue (LCMIR<sub>t</sub>)</u>	<u>200</u>
<u>Special Condition 7.15 Close out of the RIIO-GT1 Constraint Management cost adjustment (LCMCA<sub>t</sub>)</u>	<u>201</u>
<u>Special Condition 7.16 Close out of the RIIO-GT1 Transportation Support Services adjustment (LTSS<sub>t</sub>)</u>	<u>202</u>
<u>Special Condition 7.17 System operator legacy net RAV additions (SOLRAV<sub>t</sub>)</u>	<u>202</u>
<b><u>Chapter 8: Governance</u></b>	<b><u>204</u></b>
<u>Special Condition 8.1 Governance of the GT2 Price Control Financial Instruments</u>	<u>204</u>
<u>Special Condition 8.2 Annual Iteration Process for the GT2 Price Control Financial Model</u>	<u>206</u>
<b><u>Chapter 9: General obligations</u></b>	<b><u>211</u></b>
<u>Special Condition 9.1 Annual Environmental Report</u>	<u>211</u>
<u>Special Condition 9.2 Network Asset Risk Metric methodology</u>	<u>212</u>
<u>Special Condition 9.3 Price Control Deliverable assessment and reporting requirements</u>	<u>215</u>
<u>Special Condition 9.4 Re-opener Guidance and Application Requirements Document</u>	<u>219</u>
<u>Special Condition 9.5 Digitalisation</u>	<u>220</u>

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

<u>Special Condition 9.6 Disapplication of Relevant Special Conditions</u>	<u>223</u>
<u>Special Condition 9.7 Directly Remunerated Services</u>	<u>225</u>
<u>Special Condition 9.8 Tax Reconciliation assurance statement</u>	<u>228</u>
<u>Special Condition 9.9 Allocation of revenues and costs for calculations under the price control in respect of the NTS Transportation Owner Activity and NTS System Operation Activity</u>	<u>230</u>
<u>Special Condition 9.10 Long term network planning</u>	<u>232</u>
<u>Special Condition 9.11 Transmission Planning Code</u>	<u>234</u>
<u>Special Condition 9.12 Licensee's Network Model</u>	<u>236</u>
<u>Special Condition 9.13 Capacity Requests, Baseline Capacity and Capacity Substitution</u>	<u>238</u>
<u>Special Condition 9.14 Prohibited procurement activities</u>	<u>254</u>
<u>Special Condition 9.15 NTS shortfall contribution obligations</u>	<u>255</u>
<u>Special Condition 9.16 Restriction of prices in respect of Tariff Capped Metering Activities</u>	<u>259</u>
<u>Special Condition 9.17 Entry Capacity and Exit Capacity obligations and methodology statements</u>	<u>261</u>
<u>Special Condition 9.18 Methodology to determine the release of Entry Capacity and Exit Capacity volumes</u>	<u>265</u>
<u>Special Condition 9.19 System Management Services</u>	<u>269</u>
<u>Special Condition 9.20 Independent market for balancing</u>	<u>274</u>
<u>Special Condition 9.21 Provision of information</u>	<u>275</u>
<u>Special Condition 9.22 Implementing and maintaining the Demand Side Response Methodology for use after a Gas Balancing Notification</u>	<u>275</u>
<b>Chapter 1: Interpretation and definitions</b>	<b>6</b>
Special Condition 1.1 Interpretation and definitions	6
Special Condition 1.2 Variations to the standard special conditions for the purposes of this licence	57
<b>Chapter 2: Revenue restriction</b>	<b>60</b>
Special Condition 2.1 Transportation owner revenue restriction (ARt)	60
Special Condition 2.2 Transportation owner tax allowance adjustment (TAXAt)	66
Special Condition 2.3 System operator revenue restriction (SOARt)	67

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Special Condition 2.4 System operator tax allowance adjustment (SOTAXAt)	72
Special Condition 2.5 Return Adjustment (RTNAt)	73
<b>Chapter 3: Totex Allowance adjustments</b>	<b>76</b>
Special Condition 3.1 Baseline Network Risk Outputs (NARMt and NARMAHt)	76
Special Condition 3.2 Cyber resilience operational technology Re-opener, Price Control Deliverable and use it or lose it adjustment (CROTt and CROTREt)	81
Special Condition 3.3 Cyber resilience information technology Re-opener and Price Control Deliverable (CRITt and CRITREt)	88
Special Condition 3.4 Physical security Re-opener and Price Control Deliverable (PSUPt and PSUPREt)	94
Special Condition 3.5 Net Zero And Re-opener Development Fund use it or lose it allowance (RDFt)	97
Special Condition 3.6 Net zero Re-opener and Price Control Deliverable (NZt)	99
Special Condition 3.7 Non-operational IT Capex Re-opener and Price Control Deliverable (NOITREt)	102
Special Condition 3.8 Coordinated adjustment mechanism Re-opener (CAMt)	106
Special Condition 3.9 Net Zero Pre-construction Work and Small Net Zero Projects Re-opener (NZPt)	108
Special Condition 3.10 Bacton terminal site redevelopment Re-opener and Price Control Deliverable (BTRt and BTREt)	111
Special Condition 3.11 Compressor emissions Re-opener and Price Control Deliverable (CEPt and CEPREt)	115
Special Condition 3.12 King's Lynn subsidence Re-opener and Price Control Deliverable (KLSt and KLSREt)	119
Special Condition 3.13 Funded incremental obligated capacity Re-opener and Price Control Deliverable (FIOct and FIOCREt)	122
Special Condition 3.14 Asset health Re-opener (AHt)	127
Special Condition 3.15 Asset health – non-lead assets Price Control Deliverable (NLAt and NLAAHt)	130
Special Condition 3.16 Redundant Assets Price Control Deliverable (RAt)	132
Special Condition 3.17 Uncertain Costs Re-opener (QLt and PDt)	133
Special Condition 3.18 Opex escalator (OEt)	135
<b>Chapter 4: Output delivery incentives</b>	<b>137</b>

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Special Condition 4.1 Total output delivery incentive performance (ODIt)	137
Special Condition 4.2 Customer satisfaction survey output delivery incentive (CSIt)	137
Special Condition 4.3 Environmental scorecard output delivery incentive (ESIt)	139
<b>147</b>	
Special Condition 5.1 Transportation owner other revenue allowance (ORAt)	147
Special Condition 5.2 RHO-2 network innovation allowance (NIAt)	147
Special Condition 5.3 Carry-over Network Innovation Allowance (CNIAIt)	150
Special Condition 5.4 System operator other revenue allowance (SOORAt)	153
Special Condition 5.5 Entry Capacity and Exit Capacity Constraint Management (CMt)	153
Special Condition 5.6 System operator external incentives, revenues and costs (SOIRct)	159
Special Condition 5.7 The strategic innovation fund (SIFt)	175
<b>Chapter 6: Pass-through expenditure</b>	<b>178</b>
Special Condition 6.1 Transportation owner pass-through items (PTt)	178
Special Condition 6.2 Gas conveyed to Independent Systems (ISIt)	181
Special Condition 6.3 System operator pass-through items (SOPt)	184
<b>Chapter 7: Legacy adjustments</b>	<b>185</b>
Special Condition 7.1 Transportation owner legacy adjustments (LARt)	185
Special Condition 7.2 Transportation owner legacy pass-through (LPTt)	186
Special Condition 7.3 Transportation owner legacy MOD (LMOdt)	186
Special Condition 7.4 Transportation owner legacy K correction (LKt)	188
Special Condition 7.5 Transportation owner legacy TRU term (LTRUt)	189
Special Condition 7.6 Close out of the RHO-1 Network Outputs (NOCot)	190
Special Condition 7.7 RHO-GT1 network innovation competition (NICFt)	192
Special Condition 7.8 Close out of the RHO-GT1 stakeholder satisfaction output (SSCOt)	194
Special Condition 7.9 Legacy net RAV additions (LRAVt)	195
Special Condition 7.10 System operator legacy adjustments (SOLARt)	196
Special Condition 7.11 System operator legacy MOD (SOLMODt)	196

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Special Condition 7.12 System operator legacy K correction (SOLKt)	198
Special Condition 7.13 System operator legacy TRU term (SOLTRUt)	198
Special Condition 7.14 Close out of the RHIO-GT1 Entry Capacity and Exit Capacity Constraint Management incentive revenue (LCMIRt)	200
Special Condition 7.15 Close out of the RHIO-GT1 Constraint Management cost adjustment (LCMCAt)	201
Special Condition 7.16 Close out of the RHIO-GT1 Transportation Support Services adjustment (LTSSt)	202
Special Condition 7.17 System operator legacy net RAV additions (SOLRAVt)	202
<b>Chapter 8: Governance</b>	<b>204</b>
Special Condition 8.1 Governance of the GT2 Price Control Financial Instruments	204
Special Condition 8.2 Annual Iteration Process for the GT2 Price Control Financial Model	206
<b>Chapter 9: General obligations</b>	<b>211</b>
Special Condition 9.1 Annual Environmental Report	211
Special Condition 9.2 Network Asset Risk Metric methodology	212
Special Condition 9.3 Price Control Deliverable assessment and reporting requirements	215
Special Condition 9.4 Re-opener Guidance and Application Requirements Document	219
Special Condition 9.5 Digitalisation	220
Special Condition 9.6 Disapplication of Relevant Special Conditions	223
Special Condition 9.7 Directly Remunerated Services	225
Special Condition 9.8 Tax Reconciliation assurance statement	228
Special Condition 9.9 Allocation of revenues and costs for calculations under the price control in respect of the NTS Transportation Owner Activity and NTS System Operation Activity	229
Special Condition 9.10 Long term network planning	232
Special Condition 9.11 Transmission Planning Code	233
Special Condition 9.12 Licensee's Network Model	235
Special Condition 9.13 Capacity Requests, Baseline Capacity and Capacity Substitution	238

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



Special Condition 9.14 Prohibited procurement activities	254
Special Condition 9.15 NTS shortfall contribution obligations	255
Special Condition 9.16 Restriction of prices in respect of Tariff Capped Metering Activities	259
Special Condition 9.17 Entry Capacity and Exit Capacity obligations and methodology statements	261
Special Condition 9.18 Methodology to determine the release of Entry Capacity and Exit Capacity volumes	265
Special Condition 9.19 System Management Services	269
Special Condition 9.20 Independent market for balancing	273
Special Condition 9.21 Provision of information	274
Special Condition 9.22 Implementing and maintaining the Demand Side Response Methodology for use after a Gas Balancing Notification	275

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

# Chapter 1: Interpretation and definitions

## Special Condition 1.1 Interpretation and definitions

### Introduction

- 1.1.1 The purpose of this condition is to provide for the special conditions of this licence:
- (a) some provisions of general interpretation; and
  - (b) the meaning of the defined terms, which are capitalised throughout the special conditions.

### Part A: Interpretation

- 1.1.2 Wherever the subscript 't' is used, without further numerical notation, the value to be used is the one for the Regulatory Year in question.
- 1.1.3 A positive or negative numerical notation indicates that the value to be used is for a year after or before the Regulatory Year in question and the number indicates how many years after or before.
- 1.1.4 In some cases, other subscripts may also be used to denote the value for a specific Regulatory Year and are explained in those special conditions.
- 1.1.5 Any values derived by reference to the value of revenues accrued, received or paid by or to the licensee will be the actual sum accrued, received or paid by or to the licensee on the date of such accrual, receipt or payment without any adjustment for inflation or interest after deduction of value added tax (if any) and any other taxes charged directly by reference to the amounts so accrued, received or paid.
- 1.1.6 Unless otherwise stated, any reference in these special conditions to the Authority giving a direction, consent, derogation, approval or designation includes:
- (a) giving it to such extent, for such period of time, and subject to such conditions as the Authority thinks reasonable in all the circumstances of the case; and
  - (b) revoking or amending it after consulting with the licensee.
- 1.1.7 Unless otherwise stated, any reference in these special conditions to the Authority making a determination includes making it subject to such conditions as the Authority thinks reasonable in all the circumstances of the case.
- 1.1.8 Any direction, consent, derogation, approval, designation or determination by the Authority will be given or made in writing.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 1.1.9 Any reference in these special conditions to a numbered appendix is, unless otherwise stated, to the relevant numbered appendix to that special condition.
- 1.1.10 Where these special conditions provide for the Authority to issue or amend a document by direction, the steps required to achieve this may be satisfied by action taken before, as well as by action taken on or after, 1 April 2021.
- 1.1.11 Any monetary values in these special conditions are in sterling in a 2018/19 price base unless otherwise indicated.
- 1.1.12 The price base for each PCFM Variable Value is denoted in the GT2 Price Control Financial Model "Input" sheet. Where a PCFM Variable Value is listed as a "£m nominal" value, the GT2 Price Control Financial Model will convert these values in accordance with Part F of Special Condition 2.1 (Transportation owner revenue restriction), so that the component terms of Calculated Revenue and SO Calculated Revenue are in a 2018/19 price base.

## **Part B: Definitions**

- 1.1.13 In these special conditions the following defined terms have the meanings given in the table below.
- 1.1.14 Where these special conditions state that the outputs, delivery dates and allowances for a Price Control Deliverable are located in another document, the following defined terms also have the meanings given in the table below in that document.
- 1.1.15 Where the table below states that a defined term has the meaning given to it by:
- (a) another condition of this licence;
  - (b) the GT2 Price Control Financial Instruments;
  - (c) the RIGs;
  - (d) an Associated Document;
  - (e) the Uniform Network Code; or
  - (f) the Network Code
- the defined term is to have the meaning given in that provision or document as amended from time to time.

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the Act	means the Gas Act 1986.
Actual NTS Throughput	means the total offtake of gas from the NTS on each day (in mcm) including gas offtakes by DN Operators, Storage Facilities, interconnectors and Very Large

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	Daily Metered Consumers connected to the NTS, plus the physical elements of NTS Shrinkage.
Adjustment Neutrality Amount	has the meaning given to that term in the Uniform Network Code.
Advice Notice Day	means any Maintenance Plan Day in relation to which the licensee has formally notified the customer of a Maintenance activity to be carried out in alignment with that customer's maintenance programme as agreed following bilateral discussions between the customer and the licensee.
Affiliate	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Aggregate Overrun	has the meaning given to that term in the Uniform Network Code.
Allocation	means any process by which Entry Capacity or Exit Capacity may be allotted by or on behalf of the licensee in accordance with the Network Code.
Allowed Revenue	is the amount the licensee should aim to recover through its NTS Transportation Owner Charges, derived in accordance with the formula in Part C of Special Condition 2.1 (Transportation owner revenue restriction).
Annual Environmental Report	means a document prepared and published by the licensee in accordance with Part A of Special Condition 9.1 (Annual Environmental Report).
Annual Iteration Process	means in relation to the GT2 Price Control Financial Model, the process set out in Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model), which is to be read and given effect subject to any further applicable explanation or elaboration within the GT2 Price Control Financial Handbook.
Annual Network Capability Assessment Report	means a report prepared by the licensee in accordance with Part B of Special Condition 9.10 (Long term network planning).
Appropriate Auditor	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Appropriately Qualified Independent Examiner	means a qualified tax accountant from a firm regulated by a relevant professional body, who may be an employee of the licensee's Appropriate Auditors.
Asset Data	means the data on the condition, location, operating environment, function, duty, and other relevant characteristics of NARM Assets, which is necessary for the calculation of Monetised Risk.
Asset Health Non-Lead Assets Baseline Allowances Table	means the table of that name in the document identified in Appendix 1 to Special Condition 3.15 (Asset health – non-lead assets Price Control Deliverable) by its title and publication date.
Asset Health Non-Lead Assets PCD Tables	means the tables of that name in the document identified in Appendix 2 to Special Condition 3.15 (Asset health – non-lead assets Price Control Deliverable) by its title and publication date.
Asset Intervention	means a deliberate action, on the part of the licensee, that improves or maintains the Monetised Risk of an asset or group of assets.
Asset Management Systems	means the set of interrelated and interacting elements, including those IT systems used for the collecting, storing and interrogating of Asset Data, that the licensee has in place to establish its asset management policy and asset management objectives and the processes needed to achieve those objectives.
Asset Risk	means the estimated average expected impact of a Network Asset with given characteristics (such as those referred to in the definition of Asset Data) failing over a given time period, so that when scaled up to a sufficiently large population of identical Network Assets, the sum of the individual Asset Risks will equate to the total expected impact of asset failure for the population over the same time period.
Associated Document	means a document issued and amended by the Authority by direction in accordance with the special conditions of this licence and any reference to an Associated Document is to that document as amended from time to time unless otherwise specified.

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Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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the Authority	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Authority's Website	means <a href="http://www.ofgem.gov.uk">www.ofgem.gov.uk</a>
Bad Debt	means the expense incurred by the licensee when NTS Transportation Owner Charges owed to the licensee are not considered recoverable and which crystallises when normal payment terms have been exceeded, and the licensee has made all reasonable efforts to collect the debt but is unable to recover the amounts owed.
Balancing Neutrality Charges	has the meaning given to that term in the Uniform Network Code.
Baseline Allowed NARM Expenditure	means the allowed expenditure associated with the Baseline Network Risk Outputs as set out in Appendix 1 to Special Condition 3.1 (Baseline Network Risk Output).
Baseline Network Risk Output	means the cumulative total of Network Risk Outputs for all items allocated to 'NARM Funding Category A1' for a given Risk Sub-Category in the licensee's Network Asset Risk Workbook.
Basic Net Neutrality Amount	has the meaning given to that term in the Uniform Network Code.
Basic PCD Report	has the meaning given to that term in the PCD Reporting Requirements and Methodology Document.
Between	in the context of something being done, or occurring, between two dates, means on or after the first date and on or before the second date.
Biodiversity Net Gain	means measurable net improvement to biodiversity for a defined area of land compared to the biodiversity before intervention by the licensee.
Bulk Price Differential	means the volume of LPG conveyed to consumers who are connected to each relevant Independent System in the relevant Regulatory Year, multiplied by the difference between:  (a) the reasonable estimate (made by the licensee) of the actual delivered price of LPG supplied to

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	consumers connected to the relevant Independent System; and
	(b) the average price of gas consisting principally of methane supplied to large industrial customers in Great Britain.
Business Plan	means a plan of the sort that the licensee was invited to submit by paragraph 2.25 of the document titled “RIIO-2 Sector Specific Methodology – Core document”, published by the Authority on 24 May 2019.
CAF Outcomes	means the outcomes set out under the cyber security and resilience principles set out in the document titled “CAF Guidance”, version 3.0, published by the National Cyber Security Centre on 30 September 2019 as amended from time to time.
Calculated Revenue	has the value given to $R_t$ in Part E of Special Condition 2.1 (Transportation owner revenue restriction).
CAM Activity	means an output, activity or deliverable that the licensee is applying to reallocate under Special Condition 3.8 (Coordinated adjustment mechanism Re-opener).
Capacity Auctions	means auctions operated by the licensee at which users can secure capacity to access the NTS.
Carry-over Network Innovation Allowance	means the allowance provided by Special Condition 5.3 (Carry-over Network Innovation Allowance) to extend the RIIO-1 Network Innovation Allowance for an additional Regulatory Year.
CDSP Costs	means costs incurred or expected to be incurred by the licensee for the purposes of meeting its obligations under Standard Special Condition A15 (Central Data Services Provider).
Compressor	means gas and electrically powered gas compression equipment forming part of the pipeline system to which this licence relates that is used by the licensee to increase the pressure of gas in that part of that pipeline system.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Compressor Cab	means the enclosures, air circulation, exhaust and fire suppression systems necessary for the protection and safe functioning of the compressor fleet.
Constrained Storage Facilities	has the meaning given to that term in the Network Code.
Constraint Management	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Consumer Prices Index Including Owner Occupiers' Housing Costs	means the monthly values of the "CPIH All Items", series ID "L522", published by the Office for National Statistics (or any other public body acquiring its functions).
Consumer Outcome	<p>means:</p> <p>(a) the expected benefits to existing and future consumers in terms of maintenance of existing levels of, or improvements in the NTS's capability or resilience; or</p> <p>(b) the expected benefits to consumers in terms of service quality over what would have been the whole life of the output specified in the relevant special condition had it been delivered as specified. In the context of works delivered by the licensee, this means the benefits to customers or consumers in terms of maintenance of existing levels of, or improvements in the NTS's capability or resilience, or benefits to consumers in terms of service quality, that can be attributed to, and reasonably expected from, the works delivered by the licensee over the whole life of the works delivered.</p>
Cost And Output Adjusting Event	<p>means:</p> <p>(a) an Extreme Weather Event;</p> <p>(b) the imposition of additional terms or conditions by any statutory consent, approval or permission (including but not limited to planning consent);</p> <p>(c) unforeseen ground or sea-bed conditions; and</p> <p>(d) for the purposes of a particular output, any event that the Authority directs is a Cost And Output Adjusting Event in the FIOC Project Direction issued under Part D of Special Condition 3.13</p>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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	(Funded incremental obligated capacity Re-opener).
Cost-Benefit Analysis	means any analysis that considers, as appropriate, both the tangible costs (for example, the cost of replacement) and intangible costs (for example, costs associated with injury or loss of life) associated with, and benefits delivered by, an investment option or range of options.
COVID-19 Defaulting Gas Shipper	means a Gas Shipper who participated in the COVID-19 Scheme and whose insolvency has resulted in the licensee incurring Bad Debt or SO Bad Debt. The timing and meaning of insolvency is as per the Insolvency Act 1986.
COVID-19 Scheme	means the COVID-19 Liquidity Relief Scheme for Shippers as established by the Uniform Network Code (UNC) modification 726: "COVID-19 Liquidity relief scheme for Shippers".
COVID-19 System Operator Bad Debt	means SO Bad Debt owed to the licensee by one or more COVID-19 Defaulting Gas Shippers.
COVID-19 Transportation Owner Bad Debt	means Bad Debt owed to the licensee by one or more COVID-19 Defaulting Gas Shippers.
Critical National Infrastructure	<p>means those critical elements of infrastructure (namely assets, facilities, systems, networks or processes and the essential workers that operate and facilitate them), the loss or compromise of which could result in:</p> <p>(a) major detrimental impact on the availability, integrity or delivery of essential services – including those services whose integrity, if compromised, could result in significant loss of life or casualties – taking into account significant economic or social impacts; or</p> <p>(b) significant impact on national security, national defence, or the functioning of the state.</p>
Current Monetised Risk	means the Monetised Risk of an existing asset or group of assets, based on the most recently gathered or derived Asset Data.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Customer Impacting Work	means Maintenance Plan Days that would impact Maintenance Relevant Parties during the Regulatory Year, whether aligned to customers' maintenance plans or not.
CVS	is calorific value shrinkage and has the meaning given to that term in the Uniform Network Code.
CVS Statement	means a statement produced by the licensee under Part J of Special Condition 5.6 (System operator external incentives, revenues and costs).
Cyber Resilience IT Baseline Allowances Table	means the table of that name in the document identified in Appendix 1 to Special Condition 3.3 (Cyber resilience information technology Re-opener and Price Control Deliverable) by its title and publication date.
Cyber Resilience IT PCD Table	means the table of that name in the document identified in Appendix 2 to Special Condition 3.3 (Cyber resilience information technology Re-opener and Price Control Deliverable) by its title and publication date.
Cyber Resilience IT Plan	means a plan of the sort that the licensee was invited to submit at bullet point 1 of paragraph 6.99 of the document titled "RIIO-2 Sector Specific Methodology – Core document", published by the Authority on 24 May 2019.
Cyber Resilience OT Baseline Allowances Table	means the table of that name in the document identified in Appendix 1 to Special Condition 3.2 (Cyber resilience operational technology Re-opener, Price Control Deliverable and use it or lose it allowance) by its title and publication date.
Cyber Resilience OT PCD Table	means the table of that name in the document identified in Appendix 2 to Special Condition 3.2 (Cyber resilience operational technology Re-opener, Price Control Deliverable and use it or lose it allowance) by its title and publication date.
Cyber Resilience OT Plan	means a plan of the sort that the licensee was invited to submit at bullet point 2 of paragraph 6.99 of the document titled "RIIO-2 Sector Specific Methodology – Core document", published by the Authority on 24 May 2019.

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Daily Metered Supply Meter Points	means a supply meter point which is read on a daily basis in accordance with paragraph 1.3.1 of section M (Supply Point Metering) or paragraphs 1.5.1(b) or 1.5.3 of section G (Supply Points) of the Network Code having effect on 1 April 2002.
Data Best Practice Guidance	means the guidance document issued by the Authority in accordance with Part D of Special Condition 9.5 (Digitalisation).
Day	has the meaning given to that term in the Uniform Network Code.
Delayed	means where the licensee has not delivered the output set out in the relevant special condition in full by the relevant delivery date, but intends to deliver the output in full or in part at a later date.
De Minimis Business	has the meaning given to that term in Standard Special Condition A36 (Restriction on Activity and Financial Ring Fencing).
Decommission	means to Disconnect one or more assets or sites from all supplies of energy, removing all process fluids and de-pressurising. When a full site is in scope, all assets are removed from the site and the site is returned to its original or enhanced environmental state. For below ground assets on operational sites, decommission means to Disconnect assets from all supplies of energy and secure with a suitable fill material e.g. nitrogen.
Defaulting Gas Shippers	means a Gas Shipper, which has failed to make payments to the licensee in accordance with the Uniform Network Code.
Demand Side Response	means the provision of gas to the licensee by a contracting party in respect of a DMC Supply Point Component.
Demand Side Response Methodology	means a methodology maintained pursuant to and in accordance with the principles set out in part A of Special Condition 9.22 (Implementing and maintaining the Demand Side Response Methodology for use after a Gas Balancing Notification).
Demand Side Response Offer	means an offer to provide Demand Side Response.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Digitalisation	means using Energy System Data and digital technology to generate benefits for consumers and stakeholders.
Digitalisation Action Plan	means a document prepared and published by the licensee in accordance with Part B of Special Condition 9.5 (Digitalisation).
Digitalisation Strategy	means a document prepared and published by the licensee in accordance with Part A of Special Condition 9.5 (Digitalisation).
Directly Attributable Costs	means costs relating to the maintenance and management of intellectual property, generated through Eligible NIC Projects (whether undertaken by the licensee or any other Gas Transporter Licensees) that have not been otherwise funded through NTS Transportation Owner Charges or NTS System Operation Charges or as services under Special Condition 11C (Services treated as Excluded Services) of this licence as in force on 31 March 2021 or the NIC Funding Mechanism.
Directly Remunerated Services	has the meaning given to that term in Part A of Special Condition 9.7 (Directly Remunerated Services).
Disaggregated Network Risk Output	means a disaggregated component of the Baseline Network Risk Outputs or Outturn Network Risk Outputs into units appropriate for investment planning or delivery assessment purposes. Disaggregation may, for example, be at project, asset category, or intervention level, or combinations of these.
Disallowed Expenditure	means revenue received (whether by the licensee or any other Gas Transporter Licensee) under the NIC Funding Mechanism that the Authority determines has not been spent in accordance with the applicable provisions of the NIC Governance Document or the terms of the relevant Project Direction.
Disapplication Date	means the date proposed by the licensee under a Disapplication Request on and after which the specified Relevant TO Special Conditions or Relevant SO Special Conditions (or any part or parts of them) would cease to have effect.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Disapplication Notice	means the notice under Special Condition 9.6 (Disapplication of Relevant Special Conditions) that terminates the application of the Relevant TO Special Conditions or Relevant SO Special Conditions (or any part or parts of them) specified in that request.
Disapplication Request	means a request under Special Condition 9.6 (Disapplication of Relevant Special Conditions) to consent to the disapplication of the Relevant TO Special Conditions or Relevant SO Special Conditions (in whole or in part).
Disconnect	has the meaning given to that term in the Act.
Distribution Network	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
DMC Supply Point Component	has the meaning given to that term in the Uniform Network Code.
DN Operator	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Domestic Credit Meter Installation	means a Domestic Sized Meter and associated equipment and installations (excluding housing) within the definition of a Supply Meter Installation as Supply Meter Installation is defined by paragraph 1.2.2(a) of section M (Supply Point Metering) of the Network Code and is not a Prepayment Meter Installation.
Domestic Sized Meter	means designated for a maximum rate of gas flow which does not exceed 6m <sup>3</sup> /hr.
DSAP Guidance	means the guidance document issued by the Authority in accordance with Part C of Special Condition 9.5 (Digitalisation).
Efficiency	means expenditure decision making by the licensee that resulted in lower costs than could have been reasonably expected at the time of submitting the Business Plan. This does not include:  (a) where lower costs have been achieved by delivering a lower Consumer Outcome than would have been achieved if the licensee had delivered the

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	output as specified in the relevant special condition; or  (b) where expenditure decisions were the result of factors beyond the reasonable control of the licensee including, but not limited to, growth in demand for the licensee's services or government policy.
Electric Compressor	means electrically powered gas compression equipment forming part of the pipeline system to which this licence relates that is used by the licensee to increase the pressure of gas in part of that pipeline system.
Eligible Balancing Action	has the meaning given to that term in the Uniform Network Code.
Eligible CNIA	means the amount of expenditure spent or accrued by the licensee in respect of Eligible CNIA Projects.
Eligible CNIA Internal Expenditure	means the amount of Eligible CNIA spent or accrued on the internal resources of the licensee.
Eligible CNIA Projects	means RIIO-1 Network Innovation Allowance projects on which work commenced prior to 31 March 2021, pursuant to the requirements of the RIIO-1 NIA Governance Document.
Eligible NIC Project	means a project undertaken by the licensee or any other Gas Transporter Licensee that appears to the Authority to satisfy such requirements of the NIC Governance Document as are necessary to enable the project to be funded under the NIC Funding Mechanism.
Eligible SIF Project	means a project undertaken by the licensee or any other Gas Transporter Licensee that the Authority assess as satisfying such requirements of the SIF Governance Document as are necessary to enable the project to be funded under the SIF Funding Mechanism.
Energy System Data	means facts and statistics collected together that describe the energy system (current, historic and forecast), including: the presence and state of infrastructure, its operation, associated market agreements and their operations, policy and regulation.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Entry and Exit Zones	means such zones as are specified in the licensee's Business Plan (subject to any revisions proposed by the licensee and approved by the Authority in writing).
Entry Capacity	means capacity in the NTS which a Relevant Shipper is treated as utilising in delivering gas to the NTS (and the total system) at an NTS Entry Point.
Entry Capacity Constraint Management	means Constraint Management undertaken by the licensee in respect of Entry Capacity in the NTS.
Entry Capacity Substitution	is the process by which unsold Non-Incremental Obligated Entry Capacity is moved from one or more NTS Entry Points to meet the demand for Incremental Obligated Entry Capacity at another NTS Entry Point in accordance with the obligations set out in Special Condition 9.17 (Entry and Exit Capacity obligations and methodology statements).
Entry Capacity Trade	means the process by which sold Firm Entry Capacity is moved from one or more NTS Entry Points to meet the demand for Firm Entry Capacity at another NTS Entry Point, in accordance with the obligations set out in Special Condition 9.17 (Entry and Exit Capacity obligations and methodology statements).
Entry Capacity Transfer	means the process by which unsold Obligated Entry Capacity is moved from one or more NTS Entry Points to meet the demand for Firm Entry Capacity at another NTS Entry Point where all Obligated Entry Capacity has been sold, in accordance with the obligations set out in Special Condition 9.17 (Entry and Exit Capacity obligations and methodology statements).
Entry Close-out Date	has the meaning given to that term in the Uniform Network Code.
Environmental Action Plan	means the document of that name that the licensee submitted as part of its Business Plan.
Environmental Action Plan Commitments	means the actions and initiatives that the licensee proposed in their Environmental Action Plan to undertake over the course of the Price Control Period.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Environmental Net Gain	means achieving Biodiversity Net Gain first and going further to achieve net increases in the capacity of affected natural capital to deliver ecosystem services.
Environmental Reporting Guidance	means the document of that name issued by the Authority in accordance with Part B of Special Condition 9.1 (Annual Environmental Report).
Environmental Value	means a measure of the level of biodiversity and the value of the ecosystem services from the natural capital assets associated with a particular land area.
Equally Challenging	means presenting equal or higher challenge to the licensee compared to the Baseline Network Risk Outputs, where challenge relates to the scope for a licensee to over-deliver by carrying out the same volume of interventions but selecting different assets for intervention from those assumed in the setting of the Baseline Network Risk Outputs, and the proportionate levels of over-delivery and under-delivery of Baseline Network Risk Outputs resulting from higher or lower level of intervention volumes.
Evaluative PCD	means a Price Control Deliverable where the relevant licence condition states that the Authority will consider making an adjustment to allowances where an output has not been Fully Delivered.
Ex-Ante Base Revenue	has the value of £729m for each Regulatory Year.
Exit Capacity	means capacity in the NTS which a Relevant Shipper or DN Operator is treated as utilising in off-taking gas from the NTS at an NTS Exit Point.
Exit Capacity Constraint Management	means Constraint Management undertaken by the licensee in respect of Exit Capacity in the NTS.
Exit Capacity Revision	means the process by which the level of Licence Baseline Exit Capacity is modified in accordance with the obligations set out in Special Condition 9.17 (Entry and Exit Capacity obligations and methodology statements), which takes place as a result of the release of Funded Incremental Obligated Entry Capacity.
Exit Capacity Substitution	means the process by which unsold Non-Incremental Obligated Exit Capacity is moved from one or more

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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	NTS Exit Points to meet the demand for Incremental Obligated Exit Capacity at another NTS Exit Point in accordance with the obligations set out in Special Condition 9.17 (Entry and Exit Capacity obligations and methodology statements).
Extreme Weather Event	means a weather event with worse than one in ten years probability.
Failure To Interrupt	has the meaning given to that term in the Network Code.
Final Option Selection Report	means a report for a specific site produced by the licensee setting out the options selection process and proposed Final Preferred Option signed off as meeting the requirements of gas network development process stage 4.2 as set out further in the Re-opener Guidance and Application Requirements Document Associated Documents.
Final Preferred Option	means the option selected by the licensee for a specific site following updated flow forecast and cost benefit analysis, agreed upon by both the licensee and the Authority.
FIOC Guidance and Submissions Requirements Document	means the document of that name issued by the Authority in accordance with Part G of Special Condition 3.13 (Funded incremental obligated capacity Re-Opener and Price Control Deliverable).
FIOC Project Direction	means a direction by the Authority, following a submission from the licensee in accordance with Special Condition 3.13 (Funded incremental obligated capacity Re-Opener and Price Control Deliverable) justifying its costs for releasing Funded Incremental Obligated Entry Capacity or Funded Incremental Obligated Exit Capacity, and specifying an output, delivery date and allowance.
Firm Entry Capacity	has the meaning given to that term in the Uniform Network Code.
Firm Exit Capacity	has the meaning given to that term in the Uniform Network Code.
Forecast Monetised Risk	means the Monetised Risk of an asset or group of assets expected to be in operation on a network in a

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	given future scenario, based on the forecast view of Asset Data for the given scenario.
Forecast Total System Demand	has the meaning given to that term in the Uniform Network Code.
Front End Engineering Design	means a fully detailed engineering design for the site in question, including the layout and installation plan and a tendered quote, which meets the requirements to pass gas network development process stage 4.3 sign-off as set out further in the Re-opener Guidance and Application Requirements Document.
Full PCD Report	has the meaning given to that term in the PCD Reporting Requirements and Methodology Document.
Fully Delivered	means where the output specified in the relevant licence condition has been delivered in full on or before the delivery date specified in that licence condition.
Fully Delivered With An Alternative Specification	means where the licensee has delivered a different specification to that set out in the relevant special condition, while achieving a Consumer Outcome that is materially equivalent or better than what would have been achieved if the licensee had delivered the output as set out in the relevant special condition.
Funded Incremental Obligated Entry Capacity	is Incremental Obligated Entry Capacity, the release of which has been funded under Special Condition 3.13 (Funded incremental obligated capacity Re-Opener and Price Control Deliverable).
Funded Incremental Obligated Exit Capacity	is Incremental Obligated Exit Capacity, the release of which has been funded under Special Condition 3.13 (Funded incremental obligated capacity Re-Opener and Price Control Deliverable).
Funding Return	is the total amount, in respect of the licensee, of any amounts arising under the Funding Return Mechanism.
Funding Return Mechanism	means the mechanism that provides for the recovery from the licensee and from other Gas Transporter Licensees, in each case to such extent (if any) as may be relevant, of:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	<p>(a) Halted Project Revenues;</p> <p>(b) Disallowed Expenditure;</p> <p>(c) Returned Royalty Income; and</p> <p>(d) Returned Project Revenues.</p>
Gas Balancing Notification	has the meaning given to that term in the Uniform Network Code.
Gas Deficit Emergency	has the meaning given to that term in the Uniform Network Code.
Gas Shipper	has the meaning given to that term in section 7A(11) of the Act.
Gas Transporter Licensee	means the holder of a licence granted under section 7 of the Act.
Gas Volumes Methodology	means a methodology provided under part K of Special Condition 5.6 (System operator external incentives, revenues and costs).
GHG Independent Examiner	means a person nominated by and independent of the licensee with the skills and knowledge of accepted greenhouse gas accounting and audit principles so as to be qualified to undertake an examination of the Greenhouse Gas Emissions Calculation Methodology for calculating the mass of Natural Gas Vented and verification of the application of this methodology.
Great Britain	means the landmass of England, Wales and Scotland, including internal waters.
Greenhouse Gas Emissions Calculation Methodology	is the methodology required under part E of Special Condition 5.6 (System operator external incentives, revenues and costs).
GT Asset Health Plan	means the document of that name prepared by the licensee and submitted to the Authority in December 2019.
GT1 Price Control Financial Model	has the meaning given to that term in Special Condition 1A (Definitions and Interpretation) of this licence as in force on 31 March 2021.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

GT2 Price Control Financial Handbook	means the document of that name that was first published by the Authority to come into effect on 1 April 2021 and includes specific information and advice about the operation of the Annual Iteration Process and the GT2 Price Control Financial Model, as modified from time to time in accordance with the provisions of Special Condition 8.1 (Governance of the GT2 Price Control Financial Instruments).
GT2 Price Control Financial Instruments	means the GT2 Price Control Financial Handbook and the GT2 Price Control Financial Model.
GT2 Price Control Financial Model	<p>means the model of that name (<del>with a suffix referring to the month of November in Regulatory Year t-1</del>) that was first published by the Authority to come into effect on 1 April 2021:</p> <p>(a) that is represented by a workbook in Microsoft Excel® format maintained under that name (<del>with a Regulatory Year suffix</del>) on the Authority's Website; and</p> <p>(b) that the Authority will use to determine the value of the term <math>AR_t</math> through the application of the Annual Iteration Process in accordance with the provisions of Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model) and as modified from time to time in accordance with the provisions of Special Condition 8.1 (Governance of the GT2 Price Control Financial Instruments).</p>
GT2 Price Control Financial Model Working Group	means the working group identified in and whose terms of reference are set out in Chapter 2 of the GT2 Price Control Financial Handbook.
Halted Project Revenues	means revenues received (whether by the licensee or any other Gas Transporter Licensee) under the NIC Funding Mechanism in respect of an Eligible NIC Project which have not yet been spent, or otherwise committed, at the time that the Authority requires that project to be halted in accordance with the applicable provisions of the NIC Governance Document or the terms of the relevant Project Direction.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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ILI Report	is a report undertaken by the licensee detailing the length of time taken by the licensee to complete both Short ILIs and Long ILIs and comparing this against previous annual reporting figures and any other relevant benchmarks.
Improvement Plan	means a plan of the sort that the licensee was invited to submit at bullet point 2 on page 7 of the document titled “Ofgem Competent Authority Guidance for Downstream Gas and Electricity in Great Britain”, published by the Authority on 30 November 2018.
In Line Inspection	means the internal inspection of pipelines through the use of pipeline inspection gauges.
Incremental Entry Capacity	means Firm Entry Capacity other than Non-Incremental Obligated Entry Capacity.
Incremental Entry Capacity Services	means the undertaking of engagements relating to the provision of Entry Capacity other than Non-Incremental Obligated Entry Capacity.
Incremental Exit Capacity	means Firm Exit Capacity other than Non-Incremental Obligated Exit Capacity.
Incremental Exit Capacity Services	means the undertaking of engagements relating to the provision of Exit Capacity other than Non-Incremental Obligated Exit Capacity.
Incremental Obligated Entry Capacity	means the volume of Firm Entry Capacity which the licensee is required to offer for sale at an NTS Entry Point that is above the level of Non-Incremental Obligated Entry Capacity, and is derived in accordance with the methodology statements which the licensee must have in place under Special Condition 9.18 (Methodology to determine the release of Entry Capacity and Exit Capacity volumes).
Incremental Obligated Exit Capacity	means the volume of Firm Exit Capacity which the licensee is required to offer for sale at an NTS Exit Point that is above the level of Non-Incremental Obligated Exit Capacity, and is derived in accordance with the methodology statements which the licensee must have in place under Special Condition 9.18 (Methodology to determine the release of Entry Capacity and Exit Capacity volumes).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Independent Examiner	means a person nominated by and independent of the licensee with the skills and knowledge to undertake an examination.
Independent System	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation), except that for the purposes of Special Condition 6.2 (Gas conveyed to Independent Systems) only, it means independent systems (as defined in Standard Special Condition A3) through which the gas conveyed to consumers consists wholly or mainly of LNG or LPG.
Innovation	means:  (a) solutions that have been trialled by any Network Licensee as part of a RIIO-1 Network Innovation Allowance project pursuant to the requirements of the RIIO-1 NIA Governance Document or a RIIO-2 NIA Project; or  (b) involves the application of technology, systems or processes that were not proven as at the time of submission of the Business Plan.
Interruptible Entry Capacity	means Entry Capacity that may be subject to curtailment by the licensee under the provisions relating to interruption in the Uniform Network Code.
IP Completion Day	has the meaning given to that term in Standard Condition 1 (Definitions and Interpretation).
IT	means a licensee's information technology for business systems that relate to the use of computers, software, hardware and other systems and devices to perform business operations.
LDZ	has the meaning given to that term in the Network Code.
Licence Baseline Entry Capacity	means the volume of Entry Capacity as set out in Appendix 1 of Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution) and any Funded Incremental Obligated Entry Capacity from five years after the contractual delivery date of that capacity.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Licence Baseline Exit Capacity	means the volume of Exit Capacity as set out in Appendix 2 of Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution) and any Funded Incremental Obligated Exit Capacity from five years after the contractual delivery date of that capacity.
Licensed Activity	has the meaning given to the term "Transportation Business" in Standard Special Condition A3 (Definitions and Interpretation).
Licensee's Offices	means the licensee's offices located in Derby, Eakring, London, Solihull, Warrington, Warwick and Wokingham. Where the sites are shared with multiple parties, the metrics achieved at the overall site will be attributed in proportion with the capex allocation (as notified by the licensee to the Authority) for each entity residing at the site
LNG	means liquefied natural gas.
Local Area Energy Plan	means a plan that is the product of a process: <ul style="list-style-type: none"> <li>(a) through which a range of stakeholders including Network Licensees and local authorities agree on the optimal long-term energy solutions for an area; and</li> <li>(b) that has been conducted in the context of enabling energy systems with net zero carbon emissions.</li> </ul>
Locational Action	means any action taken by the licensee where the action was taken in respect of a specific location and would therefore be coded with a locational reason code on the On-the-day Commodity Market, and where locational buys will be treated as a cost to the licensee and locational sells will be treated as a revenue.
Locational Sell Actions	means a Locational Action treated as a revenue for the licensee.
Long ILI	is work necessary to undertake an In Line Inspection of a section of the pipeline system to which this licence relates where the length of pipeline concerned is more than 10km and requiring one or more Maintenance Plan Days.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Long Term Development Statement	means a statement prepared by the licensee in accordance with Part A of Special Condition 9.10 (Long term network planning).
Long-term Monetised Risk	means the Monetised Risk measured over a defined period of time greater than one year from a given start date and equal to the cumulative Single-year Monetised Risk values over the defined period.
LPG	means a mix of hydrocarbon gases including propane and butane in accordance with the engineering standard titled “British Standard European Norm 589:2018 Automotive Fuels. LPG. Requirements and test methods”.
Maintenance	includes: <ul style="list-style-type: none"> <li>(a) maintenance, inspection, repair, replacement, reinstatement and recommissioning of the pipeline system to which this licence relates or any part or parts of it;</li> <li>(b) works for the expansion, reinforcement or extension of the pipeline system to which this licence relates , including works in relation to existing parts of that pipeline system (including any part of the system which is out of service, whether on a temporary or permanent basis) to enable such works to be carried out; and</li> <li>(c) any inspection, testing and commissioning of works within paragraphs (a) and (b), and works preparatory thereto, and any works required for bringing any new or existing part of the pipeline system to which this licence relates into, or back into, service.</li> </ul>
Maintenance Change Day	means any Maintenance Plan Day, where the licensee has initiated a change compared to the Maintenance Plan, unless: <ul style="list-style-type: none"> <li>i. the licensee has requested the change to facilitate the requirements of another Maintenance Relevant Party;</li> <li>ii. in the case of where the customer has cancelled an Advice Notice Day, the licensee deemed it reasonably necessary to initiate another</li> </ul>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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	<p>Maintenance Plan Day for the same Maintenance activity;</p> <p>iii. in the case of an Advice Notice Day, the licensee has requested the change to align its Maintenance activities with a customer and the change continues to align with the same customer Maintenance programme or another Maintenance programme agreed with the customer; or</p> <p>iv. in the case of an Advice Notice Day, the Advice Notice Day includes more than one Maintenance activity and the licensee has requested the change to move some of the Maintenance activity to another Maintenance programme agreed with the customer.</p> <p>Changes for the purposes of this definition are changes that result in:</p> <p>(a) a change in date, including a change to the number of days that one or more Maintenance Relevant Parties are affected by a Maintenance Plan Day; and</p> <p>(b) a cancellation of a Maintenance Plan Day.</p>
Maintenance Day	has the meaning given to that term in the Uniform Network Code.
Maintenance Plan	means the year ahead plan that is made up of the notifications of Maintenance Plan Days that the licensee sends to Maintenance Relevant Parties on or before 1 April for the Regulatory Year in respect of the Maintenance Plan Days.
Maintenance Plan Day	means any planned Maintenance Day included within the Maintenance Plan or any planned Maintenance Day subsequently added to the Maintenance Plan after 1 April in the relevant Regulatory Year that is related to one or more of the following Maintenance activities (for the avoidance of doubt (a) where a single Maintenance activity affects multiple Maintenance Relevant Parties on a day, this will be construed as a single Maintenance Plan Day; and (b) this includes Advice Notice Days):

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	<p>(a) routine maintenance (e.g. routine Valve Operations);</p> <p>(b) planned asset replacement and reinforcements, including but not limited to boiler replacements, work to facilitate the replacement of Compressors to enable compliance with emissions related legislation and incremental capacity requirements; and</p> <p>(c) in-line inspections, where these activities affect one or more Maintenance Relevant Parties and where this party is an NTS Supply Point or an NTS Connected System Exit Point. For the avoidance of doubt, this does not include activities that cannot reasonably be planned in advance of the draft Maintenance Plan in respect of Regulatory Year t including work following a network gas supply emergency or force majeure, work following a fault or defect, pipeline feature inspections or any activities carried out on behalf of one or more third parties.</p>
Maintenance Relevant Party	has the meaning given to that term in the Uniform Network Code.
Maintenance Workload	is the sum in Days of the licensee's overall Maintenance work and is equal to the number of Maintenance Plan Days in Regulatory Year t.
Market Offer Price	has the meaning given to that term in Uniform Network Code.
Materiality Threshold	has the value £10.7m.
Measurement Equipment	has the meaning given to that term in the Uniform Network Code.
Minor Works Agreement	means the services offered by the licensee which enable Maintenance Relevant Parties to pay the incremental costs of the licensee working flexibly outside normal working practices where possible in respect of Maintenance.
Monetised Risk	means an estimation of Asset Risk as derived in accordance with the NARM Methodology as well as the similarly derived estimated risks associated with

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	aggregated asset groupings, and disaggregated sub-components, as relevant.
Monetised Risk Benefit	<p>means the risk benefit delivered or expected to be delivered by an asset intervention, which:</p> <ul style="list-style-type: none"> <li>(a) is the difference between without intervention and with intervention Monetised Risk;</li> <li>(b) can be measured over one year or over a longer period of time; and</li> <li>(c) includes both direct (i.e. on the asset itself) and indirect (i.e. on adjacent assets or on the wider system) risk benefits.</li> </ul>
NARM Asset	means an asset specified within the NARM Methodology where its associated Monetised Risk can be estimated by applying the NARM Methodology.
NARM Asset Category	means a group of assets with similar functions and design as specified in the NARM Methodology.
NARM Handbook	<p>means the document of that name issued by the Authority and maintained under Special Condition 3.1 (Baseline Network Risk Outputs) that:</p> <ul style="list-style-type: none"> <li>(a) sets out the methodology for calculating relevant funding adjustments and penalties as a result of Outturn Network Risk Outputs being different to Baseline Network Risk Outputs; and</li> <li>(b) provides guidance to the licensee on providing justification for over-delivery and under-delivery; the treatment of Non-Intervention Risk Changes and the meaning and treatment of 'clearly identifiable over-delivery' and 'clearly identifiable under-delivery'.</li> </ul>
NARM Methodology	means the methodology established pursuant to Special Condition 9.2 (Network Asset Risk Metric methodology).
NARM Objectives	means the objectives set out in Part B of Special Condition 9.2 (Network Asset Risk Metric methodology).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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National Forecast Flow Data Item or Report	means an hourly data item or report published by the licensee showing, for each Day, aggregate forecast flows of gas into the NTS based on delivery flow nominations.
National Physical Flow Data Item or Report	means an hourly data item or report published by the licensee showing, for each Day, aggregate forecast flows of gas into the NTS based on actual (aggregate) physical flows into the NTS.
Natural Gas Vented	means the release of natural gas from a Compressor as a result of: <ul style="list-style-type: none"> <li>(a) starting a Compressor;</li> <li>(b) purging a Compressor;</li> <li>(c) depressurising a Compressor; or</li> <li>(d) the leakage of gas through a seal around the shaft of a Compressor.</li> </ul>
Net Margins WACOG	has the meaning given to that term in the Uniform Network Code.
Net Zero Advisory Group	means a group set up by the Authority with the objective to strengthen strategic coordination among key government departments and public sector organisations involved in the energy system transition, including around the heat, power, and transport sectors.
Net Zero And Re-opener Development Fund	means a use-it-or-lose-it allowance provided by Special Condition 3.5 (Net Zero And Re-opener Development Fund use it or lose it allowance).
Net Zero and Re-opener Development Fund Governance Document	means the document of that name issued by the Authority in accordance with Special Condition 3.5 (Net Zero And Re-opener Development Fund use it or lose it allowance).
Net Zero Carbon Targets	means the targets set out in: <ul style="list-style-type: none"> <li>(a) section 1 of the Climate Change Act 2008;</li> <li>(b) section A1 of the Climate Change (Scotland) Act 2009; and</li> <li>(c) section 29 of the Environment (Wales) Act 2016.</li> </ul>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Net Zero Development	<p>means a change in circumstances related to the achievement of the Net Zero Carbon Targets that is:</p> <ul style="list-style-type: none"> <li>(a) a change in national government policy (including policies of the devolved national parliaments);</li> <li>(b) a change in local government policy;</li> <li>(c) the successful trial of new technologies or other technological advances;</li> <li>(d) a change in the pace or nature of the uptake of low carbon technologies; or</li> <li>(e) a new obligation arising from the agreement of a Local Area Energy Plan or an equivalent arrangement.</li> </ul>
Net Zero Innovation Board	<p>means the board established by the government to ensure a co-ordinated approach to innovation funding across public sector bodies in the United Kingdom.</p>
Net Zero Pre-construction Work	<p>means:</p> <ul style="list-style-type: none"> <li>(a) surveys, assessments and studies;</li> <li>(b) project design;</li> <li>(c) engineering development;</li> <li>(d) stakeholder engagement and consultation;</li> <li>(e) tasks associated with wayleaves;</li> <li>(f) planning applications; and</li> <li>(g) any other relevant necessary activities to progress to final investment decision.</li> </ul>
Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document	<p>means the document issued by the Authority in accordance with Part B of Special Condition 3.9 (Net Zero Pre-construction Work and Small Net Zero Projects Re-opener).</p>
Network Asset	<p>means the assets that collectively form the pipeline system to which this licence relates, and includes the principal components of those assets.</p>
Network Asset Risk Metric	<p>means the Monetised Risk associated with a NARM Asset or the Monetised Risk Benefit associated with a NARM Asset Intervention.</p>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Network Asset Risk Workbook	<p>means the workbook of that name in Microsoft Excel<sup>®</sup> format issued by the Authority and maintained under Special Condition 3.1 (Baseline Network Risk Outputs) that contains the following data:</p> <ul style="list-style-type: none"> <li>(a) Baseline Network Risk Outputs;</li> <li>(b) Disaggregated Network Risk Outputs;</li> <li>(c) the baseline funding associated with the Disaggregated Network Risk Outputs;</li> <li>(d) Asset Intervention underlying the Disaggregated Network Risk Outputs; and</li> <li>(e) records of results from Rebasing exercise.</li> </ul>
Network Code	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Network Licensee	means the holder of a licence granted under section 7 of the Act or section 6(1)(b) or (c) of the Electricity Act 1989.
Network Model	means a computer simulation used to predict the behaviour of the NTS under different supply and demand scenarios.
Network Risk Output	means the risk benefit delivered or expected to be delivered by an Asset Intervention and is calculated as the difference between Monetised Risk values associated with the "without intervention scenario" and the "with intervention scenario", measured over a period equal to the assumed intervention lifetime from the end of the Price Control Period, which can vary for asset category or specific assets and intervention types.
NIA	means the network innovation allowance provided by Special Condition 5.2 (RIIO-2 network innovation allowance).
NIC	means the arrangements known as the network innovation competition established by Special Condition 2F (The Network Innovation Competition) of this licence as in force on 31 March 2021.
NIC Funding	means the total amount of funding authorised by the Authority for the Licensee and other Gas Transporter

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	Licensees, in accordance with the provisions of the NIC Governance Document, for the purpose of funding Eligible NIC Projects.
NIC Funding Mechanism	means the mechanism by which the licensee recovers the amount of authorised NIC Funding and apportions that amount between the licensee and other Gas Transporter Licensees as appropriate in accordance with the NIC Governance Document.
NIC Governance Document	means the document of that name maintained by the Authority in accordance with Special Condition 7.7 (RIIO-GT1 network innovation competition).
NOMs Incentive Methodology	means the document entitled "Network Output Measures (NOMs) Incentive Methodology" published by the Authority on 6 December 2018.
NOMs Methodology	means the methodology approved under Special Condition 7D (Methodology for Network Output Measures) of this licence as in force on 31 March 2021.
Non-Incremental Obligated Entry Capacity	is the Licence Baseline Entry Capacity adjusted for Entry Capacity Substitution.
Non-Incremental Obligated Exit Capacity	is the Licence Baseline Exit Capacity adjusted for Exit Capacity Substitution.
Non-intervention Risk Changes	means the factors set out in the NARM Handbook that are unrelated to the licensee's Asset Interventions and impact the licensee's Outturn Network Risk Outputs.
Non-Obligated Entry Capacity	means Firm Entry Capacity other than Obligated Entry Capacity.
Non-Obligated Exit Capacity	means Firm Exit Capacity other than Obligated Exit Capacity.
Non-operational IT Capex	has the meaning given to that term in the RIGs.
Not Delivered	means where the licensee has not delivered the output specified in the relevant special condition in full or in part by the relevant delivery date and does

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	not intend to deliver the output in full or in part at a later date.
NTS	has the meaning given to that term in the Network Code.
NTS Connected System Exit Point	has the meaning given to that term in the Uniform Network Code.
NTS Entry Point	has the meaning given to that term in the Uniform Network Code.
NTS Exit Point	has the meaning given to that term in the Uniform Network Code.
NTS Linepack	has the meaning given to that term in the Uniform Network Code.
NTS Shrinkage	has the meaning given to that term in the Uniform Network Code.
NTS Supply Point	has the meaning given to that term in the Uniform Network Code.
NTS System Entry Point	has the meaning given to that term in the Uniform Network Code.
NTS System Operation Activity	<p>means engagements undertaken by the licensee pursuant to the operation of the NTS, being the procuring and using of balancing services for the purpose of balancing the NTS and the arranging with the NTS Transportation Owner Activity for the delivery of Incremental Entry Capacity and Incremental Exit Capacity, including:</p> <ul style="list-style-type: none"> <li>(a) Incremental Entry Capacity Services;</li> <li>(b) Incremental Exit Capacity Services;</li> <li>(c) residual gas balancing services;</li> <li>(d) balancing management;</li> <li>(e) Constraint Management services; and</li> <li>(f) the provision of services in relation to gas quality.</li> </ul>
NTS System Operation Charges	means charges made or levied, or to be made or levied, by the licensee for the provision of services as part of its NTS System Operation Activity, to any

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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	person for the purpose of recovering its SO Allowed Revenue.
NTS System Operator	means the licensee when carrying out an NTS System Operation Activity.
NTS Throughput Data Item or Report	means a data item or report published by the licensee showing, amongst other data, the forecast level of Actual NTS Throughput.
NTS Transportation Owner Activity	means the activities of the licensee connected with the development, administration and maintenance of the NTS and with the Supply Of NTS Services.
NTS Transportation Owner Charges	means charges made or levied, or to be made or levied, by the licensee for the provision of services as part of its NTS Transportation Owner Activity, to any person, for the purpose of recovering its Allowed Revenue.
Obligated Entry Capacity	is the sum of Non-Incremental Obligated Entry Capacity and Funded Incremental Obligated Entry Capacity (which will become Non-Incremental Obligated Entry Capacity five years after the contractual delivery date of that capacity).
Obligated Exit Capacity	is the sum of Non-Incremental Obligated Exit Capacity and Funded Incremental Obligated Exit Capacity (which will become Non-Incremental Obligated Exit Capacity five years after the contractual delivery date of that capacity).
Off-Peak Exit Capacity	has the meaning given to the term “off-peak daily NTS exit (flat) capacity” in the Uniform Network Code, unless at an NTS Exit Point described in Appendix 2 to Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution) as an interconnector, where it shall have the meaning given to the term “interruptible NTS interconnection point capacity” in the Uniform Network Code.
OM Interested Party	means any party which may be affected by the procurement of Operating Margins by the licensee, including those parties which may be able to provide Operating Margins to the licensee.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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On-the-day Commodity Market	means the on-the-day commodity market in which Relevant Shippers and the licensee can buy and sell gas.
Operating Margins	has the meaning given to that term in the Uniform Network Code.
Operating Margins Report	means a report produced and published by the licensee under part H of Special Condition 5.6 (System operator external incentives, revenues and costs).
Operating Margins Requirements	has the meaning given to that term in the Uniform Network Code.
Operating Margins WACOG	has the meaning given to that term in the Uniform Network Code.
Operational Data	includes, unless otherwise directed by the Authority: (a) the National Forecast Flow Data Item or Report; (b) the National Physical Flow Data Item or Report; (c) the NTS Throughput Data Item or Report; and (d) the Predicted Closing Linepack Data Item or Report.
Operational Performance	is a measure of returns which includes totex and output delivery incentive performance but excludes performance on debt, tax, and the business plan incentive. It also excludes the baseline allowed return on equity.
OT	means a licensee's operational technology and information systems that monitor and control physical devices and processes of operations which relate to gas.
Outturn Network Risk Output	means the Monetised Risk Benefit delivered during the Price Control Period through the licensee's Asset Interventions and derived so as to give a fair and accurate reflection of the licensee's delivery when compared against Baseline Network Risk Outputs as part of the Authority's assessment of the licensee's overall delivery of its Baseline Network Risk Outputs.
PARCA	means any:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	<ul style="list-style-type: none"> <li>i. “PARCA” as that expression is defined in the Uniform Network Code; and</li> <li>ii. agreement between the licensee and a PARCA Applicant relating to the reservation and allocation of Entry Capacity or Exit Capacity under “European Interconnection Document, Section E” of the Uniform Network Code.</li> </ul>
PARCA Applicant	<p>means any:</p> <ul style="list-style-type: none"> <li>i. “PARCA Applicant” as that expression is defined in the Uniform Network Code; and</li> <li>ii. person applying to reserve and then be allocated Entry Capacity or Exit Capacity under “European Interconnection Document, Section E” of the Uniform Network Code.</li> </ul>
PARCA Termination Amount	means the amount of money the licensee is entitled to recover from a PARCA Applicant under the PARCA in the event a PARCA is terminated.
PARCA Termination Costs	means the costs incurred by the licensee in respect of a PARCA that is terminated prior to the allocation of Funded Incremental Obligated Entry Capacity or Funded Incremental Obligated Exit Capacity.
PARCA Termination Value	means an amount equal to the PARCA Termination Costs incurred less PARCA Termination Amounts received from PARCA Applicants.
Partially Delivered	means where the licensee has delivered some, but not all of the output specified in the relevant special condition.
Partially Delivered With Alternative Specification	means where the licensee has delivered a different specification to that set out in the relevant special condition, while achieving only part of the Consumer Outcome that would have been achieved if the licensee had delivered the output as set out in the relevant special condition.
Partner Licensee	means a Network Licensee that has agreed to accept or transfer responsibility for a CAM Activity.

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Special Conditions to National Gas Transmission Plc’s (NTS) Gas Transporter Licence – 10 April 2023

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PCD Reporting Requirements and Methodology Document	means the document of that name issued by the Authority in accordance with Part B of Special Condition 9.3 (Price Control Deliverable Reporting Requirements and Methodology Document).
PCFM Guidance	means the guidance document issued by the Authority in accordance with Part E of Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model).
PCFM Variable Values	means the values in the table of that name in the GT2 Price Control Financial Handbook.
Pension Scheme Established Deficit	means the difference between assets and liabilities, determined at any point in time, attributable to pensionable service up to the end of the 31 March 2012 and relating to the Transportation Business under the Authority's Price Control Pension Principles. The term applies equally if there is a subsequent surplus.
Permitted Administration Fee	means the amount the licensee is permitted to raise and retain for administering the mechanism contained in Special Condition 9.15 (NTS shortfall contribution obligations).
Phase 1 PARCA Works Reports	has the meaning given to that term in the Network Code.
Physical Renomination Incentive Charges	has the meaning given to that term in the Uniform Network Code.
Physical Security Baseline Allowances Table	means the table of that name in the document identified in Appendix 1 to Special Condition 3.4 (Physical security Re-opener and Price Control Deliverable) by its title and publication date.
Physical Security PCD Table	means the table of that name in the document identified in Appendix 2 to Special Condition 3.4 (Physical security Re-opener and Price Control Deliverable) by its title and publication date.
Physical Security Upgrade Programme	means physical security investment at Critical National Infrastructure sites as mandated by government.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Pipeline Diversion Costs	<p>means costs incurred, or expected to be incurred, by the licensee in relation to extant liabilities or other obligations to divert existing pipelines which:</p> <p>(a) arise as a result of existing obligations or liabilities taken on by the Gas Council or British Gas plc. for which the licensee is now responsible; and</p> <p>(b) the licensee can demonstrate it has done everything in its powers to recover from the relevant party requesting the pipeline diversion.</p>
Pipethrough	<p>means the process of the removal of mainline valve and any bypass arrangement and associated assets replacing with a section of line pipe.</p>
Plant And Equipment	<p>means the pipework at compressor stations and above ground installations, coated as a means of primary protection and protected by cathodic protection as a secondary means where it is below ground as well as the equipment associated with maintaining gas quality and pressure.</p>
Policing Costs	<p>means the costs of complying with any requirement arising under sections 85 to 90 of the Counter-Terrorism Act 2008 in respect of the provision of policing services in or around a gas facility.</p>
Predicted Closing Linepack Data Item or Report	<p>means a hourly data item or report published by the licensee showing, for each Day, the opening NTS Linepack, two projected closing NTS Linepack figures, and Forecast Total System Demand.</p>
Prepayment Meter Installation	<p>means a Domestic Sized Meter and associated equipment and installations (excluding housing) comprised in a Supply Meter Installation as Supply Meter Installation is defined by paragraph 1.2.2(a) of section M (Supply Point Metering) of the Network Code through which gas, which is charged for as it is used, is supplied.</p>
Prescribed Rates	<p>means:</p> <p>(a) business rates in England and Wales; and</p> <p>(b) non-domestic rates in Scotland</p>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	or any equivalent tax or duty replacing those rates that is levied on the licensee in respect of its Licensed Activity.
Price Control Deliverable	means the outputs, delivery dates and associated allowances in Special Conditions 3.2 to 3.4, 3.6, 3.7, 3.10 to 3.13, 3.15 and 3.16.
Price Control Pension Principles	means the principles set out in the Authority's guidance note on price control pension principles issued as Appendix 3 to the decision letter, "Decision on the Authority's policy for funding Pension Scheme Established Deficits" dated 7 April 2017.
Price Control Period	means the period of five Regulatory Years commencing on 1 April 2021.
Procurement Guidelines Document	means a statement of that name maintained and revised in accordance with Part B of Special Condition 9.19 (System Management Services).
Project Direction	means a direction issued by the Authority pursuant to the NIC Governance Document setting out the terms to be followed in relation to an Eligible NIC Project as a condition of its funding under the NIC Funding Mechanism.
PSUP Solution	means the site physical security upgrade specified by the government.
Qualifying Project	means a network development project that affects the local environment that has either: <ul style="list-style-type: none"> <li>(a) passed through and been granted external planning approval; or</li> <li>(b) passed through the licensee's internal decision making stage "network development process gate 4".</li> </ul>
Quarry and Loss Development Claim Costs	means the costs reasonably incurred, or expected to be incurred, by the licensee in relation to settling any claims from landowners whose land contains network assets, which relate to: <ul style="list-style-type: none"> <li>(a) loss of land development;</li> <li>(b) sterilised minerals;</li> </ul>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	<p>(c) landfill and tipping;</p> <p>(d) power generation;</p> <p>(e) drainage; or</p> <p>(f) loss of crop</p> <p>where the licensee can demonstrate that it has used reasonable endeavours to challenge both the basis of the claim and the quantum of the compensation sought.</p>
RAV	means regulatory asset value.
Rebased Baseline Network Risk Output	means a Baseline Network Risk Output that has been revised to give effect to a modified NARM Methodology as approved under paragraph 9.2.9 of Special Condition 9.2 (Network Asset Risk Metric methodology) pending the Authority's approval. If approved by the Authority, the Rebased Baseline Network Risk Output will supersede the Baseline Network Risk Output for the purposes of Special Condition 3.1 (Baseline Network Risk Output).
Rebasing	means the process of modifying the Baseline Network Risk Output as set out in Part C of Special Condition 3.1 (Baseline Network Risk Outputs).
Redundant Assets	means equipment or assets which are no longer utilised (either now or in the foreseeable future) by the licensee for the Transportation Business.
Redundant Assets PCD Tables	means the tables of that name in the document identified in Appendix 1 to Special Condition 3.16 (Redundant Assets Price Control Deliverable) by its title and publication date.
<u>Regulatory Financial Performance Reporting</u>	<u>means the reporting template and associated guidance of the same name that the licensee is required to submit to the Authority in accordance with the RIGs.</u>
Regulatory Year	means a period of twelve months commencing on 1 April at 05:00 and ending on the following 1 April immediately before 05:00.
Related Undertaking	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Relevant Gas Transporter	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Relevant Network Model Data	means all the data necessary for the Network Model to satisfy the first two requirements in Part B of Special Condition 9.12 (Licensee's Network Model).
Relevant Point	means a point of the licensee's pipeline system on which the licensee will make information on technical, contracted and available capacities on a numerical basis public, on a regular and rolling basis in a user-friendly and standardised manner, as required by Article 18.3, EC Regulation 715/2009, as it has effect immediately before IP Completion Day as read with any modifications set out in the Act.
Relevant Quarter Year	means a quarter in a Regulatory Year, where a quarter is a continuous period of three calendar months and where q=1 is the period Between 1 April and 30 June, q=2 is the period Between 1 July and 30 September, q=3 is the period Between 1 October and 31 December and q=4 is the period Between 1 January and 31 March (each inclusive).
Relevant Shipper	has the meaning given to the term in Standard Special Condition A3, except that, for the purposes of Special Condition 6.2 (Gas conveyed to Independent Systems) only, means a Gas Shipper that has made arrangements with the DN Operator that operates the LDZ in which that Independent System is situated under which LNG or LPG is to be transported to consumers at the premises.
Relevant SO Special Conditions	means Special Condition 2.3 (System operator revenue restriction), together with such of the Special Conditions of this licence as is ancillary to the operation of the provisions of Special Condition 2.3 to which a Disapplication Request under Special Condition 9.6 (Disapplication of Relevant Special Conditions) relates.
Relevant Supplier	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Relevant System Management Services	means System Management Services other than:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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	<ul style="list-style-type: none"> <li>(a) those that the licensee has acquired through an Eligible Balancing Action (if that trade was not made pursuant to any prior agreement); and</li> <li>(b) those that the Authority directs the licensee not to treat as Relevant System Management Services.</li> </ul>
Relevant TO Special Conditions	means Special Condition 2.1 (Transportation owner revenue restriction), together with such of the Special Conditions of this licence as is ancillary to the operation of the provisions of Special Condition 2.1 to which a Disapplication Request under Special Condition 9.6 (Disapplication of Relevant Special Conditions) relates.
Relevant Valuation Agency	<p>means:</p> <ul style="list-style-type: none"> <li>(a) the Valuation Office Agency in England and Wales; and</li> <li>(b) the Scottish Assessors Association in Scotland.</li> </ul>
Re-opener	<p>means the mechanisms created by:</p> <ul style="list-style-type: none"> <li>(a) Special Conditions 3.5, 3.8, 3.9, 3.14 and 3.17; and</li> <li>(b) Parts Cand D of Special Condition 3.2 (Cyber resilience operational technology Re-opener, Price Control Deliverable and use it or lose it adjustment), Parts Cand D of Special Condition 3.3 (Cyber resilience information technology Re-opener and Price Control Deliverable), Parts C and D of Special Condition 3.4 (Physical security Re-opener and Price Control Deliverable), Part C of Special Condition 3.6 (Net zero Re-opener and Price Control Deliverable), Part C of Special Condition 3.7 (Non-operational IT Capex Re-opener and Price Control Deliverable), Part D of Special Condition 3.10 (Bacton terminal site redevelopment Re-opener and Price Control Deliverable), Part D of Special Condition 3.11 (Compressor emissions Re-opener and Price Control Deliverable), Part C of Special Condition 3.12 (King's Lynn subsidence Re-opener and Price Control Deliverable) and Part C of Special Condition 3.13 (Funded incremental obligated</li> </ul>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	capacity Re-Opener and Price Control Deliverable).
Re-opener Guidance and Application Requirements Document	means the document of that name issued by the Authority in accordance with Part B of Special Condition 9.4 (Re-opener Guidance and Application Requirements Document).
Retail Prices Index	means the monthly values of the “RPI All Items Index”, series ID “CHAW”, published by the Office for National Statistics (or any other public body acquiring its functions).
Returned Project Revenues	<p>means:</p> <p>(a) revenues received (whether by the licensee or any other Gas Transporter Licensee) under the NIC Funding Mechanism in respect of an Eligible NIC Project that the Authority determines have not been spent, where that Eligible NIC Project has been carried out in accordance with the applicable provisions of the NIC Governance Document or the terms of the relevant Project Direction; or</p> <p>(b) revenues earned from Eligible NIC Projects (whether undertaken by the licensee or any other Gas Transporter Licensee) other than Returned Royalty Income that the Authority determines are payable to customers.</p>
Returned Royalty Income	means revenue earned from intellectual property generated through Eligible NIC Projects (whether undertaken by the licensee or any other Gas Transporter Licensee) less Directly Attributable Costs, that is payable to customers under the NIC Funding Mechanism, as calculated in accordance with the provisions of the NIC Governance Document.
RIGs	means the document published by the Authority in accordance with Standard Special Condition A40 (Regulatory Instructions and Guidance).
RIIO-1 Justified Material Over-delivery	means the delivery of a higher level of risk mitigation than a RIIO-1 Network Output or RIIO-1 Materially Equivalent Output, where that higher level of risk mitigation delivery is justified in accordance with the RIIO-1 NOMs Principles.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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RIIO-1 Justified Material Under-delivery	means the delivery of a lower level of risk mitigation than a RIIO-1 Network Output or RIIO-1 Materially Equivalent Output, where that lower level of risk mitigation delivery is justified in accordance with the RIIO-1 NOMs Principles.
RIIO-1 Materially Equivalent Output	means an equivalent level of risk to a RIIO-1 Network Output.
RIIO-1 Network Innovation Allowance	means the arrangements established by Special Condition 2E (The Network Innovation Allowance) of this licence as in force on 31 March 2021.
RIIO-1 Network Output	means the network replacement outputs as set out in Table 1 of Special Condition 7E (Specification of Network Replacement Outputs) of this licence as in effect on 31 March 2021.
RIIO-1 NIA Governance Document	means the document issued by the Authority in accordance with Part E of Special Condition 2E (The Network Innovation Allowance) as in force on 31 March 2021.
RIIO-1 NOMs Principles	means the principles set out in Chapter 2 of the document titled “Network Output Measures (NOMs) Incentive Methodology” published by the Authority on 6 December 2018.
RIIO-2 Final Determinations	means the documents published by the Authority on 8 December 2020 (and subsequently updated on 3 February 2021) setting out the Authority's decisions in relation to the Price Control Period.
RIIO-2 NIA Governance Document	means the document issued by the Authority in accordance with Part B of Special Condition 5.2 (RIIO-2 network innovation allowance).
RIIO-2 NIA Projects	means those projects undertaken by the licensee that appear to the Authority to satisfy such requirements of the RIIO-2 NIA Governance Document as are necessary to enable the projects to be funded under the provisions of Special Condition 5.2 (RIIO-2 network innovation allowance).
RIIO-GT1	means the price control that applied to the licensee for the period of eight Regulatory Years beginning on 1 April 2013.

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RIIO-GT1 Bad Debt	means the Bad Debt incurred during RIIO-GT1.
RIIO-GT1 SO Bad Debt	means the SO Bad Debt incurred during RIIO-GT1.
RPEs	has the meaning given to the term “Real Price Effects” in Appendix 1 to the GT2 Price Control Financial Handbook.
Senior Accounting Officer	has the meaning given to that term in Schedule 46 to the Finance Act 2009, as amended from time to time.
Short ILI	means work necessary to undertake an In Line Inspection of a section of the pipeline system to which this licence relates where the length of pipeline concerned is 10km or less requires one or more Maintenance Plan Days.
Short-Cycle Storage Facility	means a Storage Facility which regularly utilises its capability both to withdraw and inject gas into the facility on the same Day.
Shortfall Direction	<p>means:</p> <ul style="list-style-type: none"> <li>(a) in relation to energy administration, a direction issued by the Secretary of State for the purpose of meeting any “relevant debt”, within the meaning of section 169(4) of the Energy Act 2004;</li> <li>(b) in relation to energy supply company administration, a direction issued by the Secretary of State for the purpose of meeting any "relevant debt" within the meaning of section 99(4) of the Energy Act 2011; or</li> <li>(c) in relation to smart meter communication licensee administration, a direction issued by the Secretary of State for the purpose of meeting any "relevant debt" within the meaning of section 7(4) of the Smart Meters Act 2018 (including any modifications to such a direction made by any subsequent Shortfall Direction and any Shortfall Direction replacing a previous Shortfall Direction).</li> </ul>
Shortfall Payment Recipients	means the persons to whom a payment is to be made under paragraph 9.15.4 of Special Condition 9.15 (NTS shortfall contribution obligations).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Shoulder Months	means the months of October, November, February and March.
Shrinkage Procurement Report	means a report produced by the licensee pursuant to part K of Special Condition 5.6 (System operator external incentives, revenues and costs).
SIF	means the strategic innovation fund established by Special Condition 5.7 (The strategic innovation fund).
SIF Directly Attributable Costs	means costs relating to the maintenance and management of intellectual property generated through Eligible SIF Projects, whether undertaken by the licensee or any other Gas Transporter Licensee, that have not been otherwise remunerated by NTS Transportation Owner Charges, Directly Remunerated Services or the SIF Funding Mechanism.
SIF Disallowed Expenditure	means a project undertaken by the licensee or any other Gas Transporter Licensee that the Authority assess as satisfying such requirements of the SIF Governance Document as are necessary to enable the project to be funded under the SIF Funding Mechanism.
SIF Funding	means the total amount of funding authorised by the Authority for the licensee, other Gas Transporter Licensees and any body administering the SIF, in accordance with the provisions of the SIF Governance Document, for the purpose of funding the administration of the SIF and Eligible SIF Projects.
SIF Funding Mechanism	means the mechanism by which the licensee recovers the amount of authorised SIF Funding in any Regulatory Year and apportions that amount between the licensee, other Gas Transporter Licensees and any body administering the SIF as appropriate in accordance with the SIF Governance Document.
SIF Funding Return	means the total amount, in respect of the licensee, other Gas Transporter Licensees and any body administering the SIF, of any amounts arising under the SIF Funding Return Mechanism.
SIF Funding Return Mechanism	means the mechanism which provides for the recovery from the licensee, from other Gas Transporter Licensees and any body administering

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	<p>the SIF, in each case to such extent (if any) as may be relevant, of:</p> <ul style="list-style-type: none"> <li>a) SIF Halted Project Revenues;</li> <li>b) SIF Disallowed Expenditure;</li> <li>c) SIF Returned Royalty Income;</li> <li>d) SIF Returned Project Revenues; and</li> </ul> <p>funds for administering the SIF.</p>
SIF Governance Document	means the document issued by the Authority under Part C of Special Condition 5.7 (The Strategic Innovation Fund)
SIF Halted Project Revenues	means revenues received, whether by the licensee or any other Gas Transporter Licensee, under the SIF Funding Mechanism in respect of an Eligible SIF Project which have not yet been spent, or otherwise committed, at the time that the Authority requires that project to be halted in accordance with the applicable provisions of the SIF Governance Document or the terms of the relevant SIF Project Direction.
SIF Project Direction	means a direction issued by the Authority pursuant to the SIF Governance Document setting out the terms to be followed in relation to an Eligible SIF Project as a condition of its funding under the SIF Funding Mechanism.
SIF Returned Project Revenues	<p>means:</p> <ul style="list-style-type: none"> <li>a) revenues received, whether by the licensee or any other Gas Transporter Licensee, under the SIF Funding Mechanism in respect of an Eligible SIF Project that the Authority determines have not been spent, and where that project has been carried out in accordance with the applicable provisions of the SIF Governance Document and/or the terms of the relevant SIF Project Direction; or</li> <li>b) revenues earned from an Eligible SIF Project, whether undertaken by the licensee or any other Gas Transporter Licensee, other than SIF Returned</li> </ul>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

	Royalty Income that the Authority determines are payable to customers.
SIF Returned Royalty Income	means revenue earned from intellectual property generated through Eligible SIF Projects, whether undertaken by the licensee or any other Gas Transporter Licensee, less SIF Directly Attributable Costs, and that is payable to customers under the SIF Funding Mechanism, as calculated in accordance with the provisions of the SIF Governance Document.
Single-year Monetised Risk	means the Monetised Risk measured over a given one-year time period.
Small Net Zero Projects	means a project that: (a) is within the scope of paragraphs 3.6.6.(a) to (d) of Special Condition 3.6 (Net zero Re-opener and Price Control Deliverable); and (b) the cost of which is less than £100m.
SO Actual Corporation Tax Liability	means the proportion of the value as shown in the licensee's company tax return (CT600) as submitted to <del>His</del> <sup>Her</sup> Majesty's Revenue and Customs, relating to the licensee's NTS System Operation Activities.
SO Allowed Revenue	is the amount the licensee should aim to recover through its NTS System Operation Charges, derived in accordance with the formula in Part C of Special Condition 2.3 (System operator revenue restriction).
SO Bad Debt	means the expense incurred by the licensee when NTS System Operation Charges owed to the licensee are not considered recoverable and which crystallises when normal payment terms have been exceeded, and the licensee has made all reasonable efforts to collect the debt but is unable to recover the amounts owed.
SO Calculated Revenue	has the value given to $SOR_t$ in Part E of Special Condition 2.3 (System operator revenue restriction).
SO Calculated Tax Allowance	means the value of the $SOTAXA_t$ term as set out in the "Revenue" sheet of the GT2 Price Control Financial Model relating to the licensee's NTS System Operation Activities.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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SO Recovered Revenue	has the value given to SORR <sub>t</sub> in accordance with Part B of Special Condition 2.3 (System operator revenue restriction).
SO Recovered Revenue Billed Basis	has the meaning given to that term in Part B of Special Condition 2.3 (System operator revenue restriction) inclusive of SO Bad Debt as defined Part H of Special Condition 2.3 (System operator revenue restriction).
SONIA	means the daily values of the sterling overnight index average, series ID “IUDSOIA”, published by the Bank of England (or any other public body acquiring its functions).
Statutory Network Security Standard	has the meaning given to the term “Gas Security Standard” in Standard Special Condition A9 (Pipe-line System Security Standards).
Storage Capacity Notice	<p>means a monthly storage capacity statement provided by a Storage Facility operator to the licensee from time to time, detailing on the first day of each month m of year y:</p> <ul style="list-style-type: none"> <li>(a) the physical capacity of the Short-Cycle Storage Facility under the operation of the relevant Storage Facility operator;</li> <li>(b) the capacity of the Short-Cycle Storage Facility allocated to system users (excluding Operating Margins);</li> <li>(c) the quantity of un-booked capacity at the Short-Cycle Storage Facility;</li> <li>(d) the projected available capacity for the period up until the subsequent submitted Storage Capacity Notice, including the projected total physical deliverability and injectability for the period; and</li> <li>(e) any details of non/reduced availability for the period up until the subsequent submitted Storage Capacity Notice.</li> </ul>
Storage Connection Agreement	has the meaning given to that term in the Uniform Network Code.
Storage Facility	has the meaning given to that term in the Uniform Network Code.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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Storage Year	has the meaning given to that term in the Uniform Network Code.
Supply Meter Installation	has the meaning given to that term in the Network Code.
Supply Of NTS Services	<p>means the undertaking and performance for gain and reward of engagements:</p> <p>(a) in connection with the conveyance of gas through the NTS other than engagements in connection with activities within the definition of the NTS System Operation Activity;</p> <p>(b) for the prevention of the escape of gas, which has been taken off the NTS, other than to the Distribution Network or any pipeline system operated by a person holding a gas transporter's licence or who is exempted from holding such a licence which but for such pipeline not being operated by the licensee, would fall within the definition of the Distribution Network; and</p> <p>(c) for the provision of Funded Incremental Obligated Entry Capacity and Funded Incremental Obligated Exit Capacity.</p>
System Average Price	has the meaning given to that term in the Uniform Network Code.
System Clearing Contract	has the meaning given to that term in the Uniform Network Code.
System Entry Overrun Charges	has the meaning given to that term in the Uniform Network Code.
System Management Principles Statement	means a statement of that name established in accordance with Part C and revised in accordance with Part D of Special Condition 9.19 (System Management Services).
System Management Services	means services in relation to the balancing of gas inputs to and gas offtakes from the NTS and includes Eligible Balancing Actions and Eligible Balancing Action derivatives and Constraint Management services.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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System Management Services Adjustment Methodology	means a methodology of that name established in accordance with Part E and revised in accordance with Part F of Special Condition 9.19 (System Management Services).
System Marginal Buy Price	has the meaning given to that term in the Uniform Network Code.
System Marginal Sell Price	has the meaning given to that term in the Uniform Network Code.
Tariff Capped Metering Activities	means those activities provided by the licensee listed in paragraph 3 of Special Condition 9.16 (Restriction of prices in respect of Tariff Capped Metering Activities).
Tax Reconciliation	means the reconciliation between: <ul style="list-style-type: none"> <li>(a) the licensee's TO Calculated Tax Allowance and its TO Actual Corporation Tax Liability; and</li> <li>(b) the licensee's SO Calculated Tax Allowance and its SO Actual Corporation Tax Liability</li> </ul> as reported to the Authority as part of the GT2 Price Control Financial Model.
Tax Strategy	has the meaning given to that term in Schedule 19 to the Finance Act 2016, as amended from time to time.
Time Value of Money Adjustment	has the meaning given to that term in the glossary of the GT2 Price Control Financial Handbook.
TO Actual Corporation Tax Liability	means the proportion of the value as shown in the licensee's company tax return (CT600) as submitted to <del>His</del> <sup>Her</sup> Majesty's Revenue and Customs, relating to the licensee's NTS Transportation Owner Activities.
TO Calculated Tax Allowance	means the value of the $TAX_t$ term as set out the "Revenue" sheet of the GT2 Price Control Financial Model in relation to NTS Transportation Owner Activity.
TO Recovered Revenue	has the value given to $RR_t$ in accordance with Part B of Special Condition 2.1 (Transportation owner revenue restriction).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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TO Recovered Revenue Billed Basis	has the meaning given to that term in Part B of Special Condition 2.1 (Transporter owner revenue restriction) inclusive of Bad Debt as defined Part I of Special Condition 2.1 (Transporter owner revenue restriction).
Total NIA Expenditure	means expenditure that satisfies the requirements of the RIIO-2 NIA Governance Document and is partly recovered by the licensee under Special Condition 5.2 (RIIO-2 network innovation allowance).
Totex Allowance	means the sum of values under the heading “Totex allowance” in the “Input” sheet of the GT2 Price Control Financial Model.
Totex Incentive Mechanism	means the mechanism within the GT2 Price Control Financial Model which provides for the licensee to bear a specified share of any overspend, or retain a specified share of any underspend, represented in either case by a difference between: <ul style="list-style-type: none"> <li>(a) the licensee’s Totex Allowance; and</li> <li>(b) the licensee’s actual totex expenditure.</li> </ul>
Totex Incentive Strength	has the value of 39%.
Transmission Planning Code	means the document maintained by the licensee in accordance with Special Condition 9.11 (Transmission Planning Code).
Transportation Arrangements	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Transportation Business	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Transportation Constraints	has the meaning given to that term in the Uniform Network Code.
Transportation System	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
UAG	is unaccounted for gas and means the amount of gas (GWh) that remains unaccounted for after the Entry Close-out Date following the assessment of NTS

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Special Conditions to National Gas Transmission Plc’s (NTS) Gas Transporter Licence – 10 April 2023

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	Shrinkage performed in accordance with the Uniform Network Code.
UAG Projects	<p>means the projects currently undertaken by the licensee including:</p> <p>(a) the witnessing by the licensee of the validation of Measurement Equipment at NTS System Entry Points or Supply Meter Installations at NTS Exit Points; and</p> <p>(b) investigation and analysis of data in order to seek to identify causes of UAG.</p>
UAGCVS Report	means a report required under Part J of Special Condition 5.6 (System operator external incentives, revenues and costs).
UK Link Gemini	has the meaning given to that term in the Uniform Network Code.
Uncertain Costs	<p>means:</p> <p>(a) Quarry and Loss Development Claim Costs; and</p> <p>(b) Pipeline Diversion Costs.</p>
Uniform Network Code	has the meaning given to that term in Standard Special Condition A3 (Definitions and Interpretation).
Use It Or Lose It Adjustment	<p>means an adjustment to allowances where they have not been spent, or have not been spent in a way that is efficient to:</p> <p>(a) improving cyber resilience in relation to OT, including risk reduction or improved status of the licensee's network and information systems with respect to CAF Outcomes, in relation to Special Condition 3.2 (Cyber resilience operational technology Re-opener, Price Control Deliverable and use it or lose it adjustment); or</p> <p>(b) developing projects in preparation for Re-openers in relation to Special Condition 3.5 (Net Zero And Re-opener Development Fund use it or lose it allowance)</p> <p>which will not exceed the allowance provided.</p>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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User	has the meaning given to that term in the Network Code.
Valve Operations	means the work necessary to undertake an inspection of valves on the pipeline system to which this licence relates or any part or parts of it.
Very Large Daily Metered Consumers	has the meaning given to that term in the Uniform Network Code.
WACC	means the vanilla weighted average cost of capital for the licensee as derived by the Authority in accordance with the GT2 Price Control Financial Handbook.
Zero Licence Baseline Entry Capacity Point	means a NTS Entry Point, which is not contained within Appendix 1 of Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution) at which there is zero Licence Baseline Entry Capacity allocated and which, as a result, does not give rise to any funding allowance.
Zero Licence Baseline Exit Capacity Point	means a NTS Exit Point, which is not contained within Appendix 2 of Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution) at which there is zero Licence Baseline Exit Capacity allocated and which, as a result, does not give rise to any baseline funding allowance.

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## **Special Condition 1.2 Variations to the standard special conditions for the purposes of this licence**

### **Introduction**

- 1.2.1 The purpose of this licence condition is to vary the standard special conditions in their application for the purposes of this licence.

### **Part A: Modifications**

- 1.2.2 For the purposes of this licence the following standard special conditions are to be read in accordance with the following table:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

<b>Standard Special Condition</b>	<b>Provision</b>	<b>Modification</b>
A3 (Definitions and Interpretation)	Sub-paragraph (c)(i) of the definition of “supply of transportation services”	Substitute “(c)(i) facilitating balancing management; and”.
Standard Special Condition A4 (Charging – General)	Paragraph 1(a)	After the words “specified descriptions of gas shippers” insert the words “and/or DN operators as appropriate”.
Standard Special Condition A4 (Charging – General)	Paragraph 2	<p>For the words “NOT USED” substitute the following at sub-paragraphs (a) and (b):</p> <p>“(a) use its reasonable endeavours:</p> <ul style="list-style-type: none"> <li>i. not to make any changes to the charges or reserve prices mentioned in paragraph 1 more frequently than twice in each formula year and for such changes to take place on 1 April and/or 1 October in each formula year or at such other time as the Authority may direct; and</li> <li>ii. not to make any changes to charges or reserve prices in relation to NTS exit capacity (including NTS exit flat capacity and NTS exit flow flexibility) more frequently than once in each formula year and for such changes to take place on 1 October in each formula year or at such other time as the Authority may direct;</li> </ul> <p>(b) subject to sub-paragraph (a) above, if the licensee makes changes to the charges or reserve prices mentioned in paragraph 1 on dates other than those specified in paragraph (a)(i) and (a)(ii), inform the Authority in writing as soon as is reasonably practicable after the decision is made to make such a change to charges, and, in any event, not later than three months after the charge change has been implemented:</p> <ul style="list-style-type: none"> <li>i. stating the reasons for this change; and</li> </ul>

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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		<ul style="list-style-type: none"> <li>ii. clearly identifying whether any of the information provided as part of the statement of reasons for the change is of a confidential nature”.</li> </ul>
Standard Special Condition A5 (Obligations as Regard Charging Methodology)	Paragraph 2A(b)	<p>For the words “NOT USED” substitute:</p> <p>“(b) use its reasonable endeavours:</p> <ul style="list-style-type: none"> <li>i. not to make any changes to the charging methodology more frequently than twice in each formula year and for such changes to take place on 1 April and/or 1 October in each formula year or at such other time as the Authority may direct; and</li> <li>ii. only to make changes to the charging methodology in relation to NTS exit capacity (including NTS exit flat capacity and NTS exit flow flexibility) on 1 October in each formula year or at such other time as the Authority may direct”.</li> </ul>

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Special Conditions to National Gas Transmission Plc’s (NTS) Gas Transporter Licence – 10 April 2023

## Chapter 2: Revenue restriction

### Special Condition 2.1 Transportation owner revenue restriction (AR<sub>t</sub>)

#### Introduction

- 2.1.1 The purpose of this condition is to ensure that NTS Transportation Owner Charges are set to aim to recover no more than Allowed Revenue.
- 2.1.2 This condition also provides for the calculation of the term AR<sub>t</sub> (the Allowed Revenue term) and RR<sub>t</sub> (the TO Recovered Revenue term).

#### Part A: Licensee's obligation when setting NTS Transportation Owner Charges

- 2.1.3 The licensee must, when setting NTS Transportation Owner Charges, use its best endeavours to ensure that TO Recovered Revenue does not exceed Allowed Revenue unless paragraph 2.1.4 applies.
- 2.1.4 This paragraph applies where:
- (a) the licensee deliberately over-recovers TO Recovered Revenue as a result of the applicable charging methodology in the Uniform Network Code; and
  - (b) the Authority has provided its consent to such over-recovery.
- 2.1.5 The published or republished values for the terms ADJR<sub>t</sub> and AR<sub>t</sub> must be used by the licensee when setting Network Charges.

#### Part B: Formula for calculating the TO Recovered Revenue term (RR<sub>t</sub>)

- 2.1.6 The value of RR<sub>t</sub> is derived in accordance with the following formula, net of Bad Debt as derived in accordance with Part I:

$$RR_t = TOREntC_t + TORExC_t + TORCOM_t$$

where:

*TOREntC<sub>t</sub>* means the amount of revenue in respect of NTS Transportation Owner Activity that results from the sale of the following types of Entry Capacity:

- (a) Interruptible Entry Capacity;
- (b) Non-Incremental Obligated Entry Capacity; and
- (c) Funded Incremental Obligated Entry Capacity;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



$TORExC_t$  means the amount of revenue in respect of NTS Transportation Owner Activity that results from the sale of the following types of Exit Capacity:

- (a) Off-Peak Exit Capacity;
- (b) Non-Incremental Obligated Exit Capacity; and
- (c) Funded Incremental Obligated Exit Capacity; and

$TORCOM_t$  means the amount of revenue in respect of NTS Transportation Owner Activity that results from:

- (a) charges levied by the licensee on Gas Shippers and DN Operators pursuant to Standard Special Condition A4 (Charging – General); and
- (b) payments made by the licensee to Gas Shippers and DN Operators other than revenue earned by the licensee through  $TOREntC_t$  and  $TORExC_t$ .

### **Part C: Formula for calculating the Allowed Revenue term ( $AR_t$ )**

2.1.7 The value of  $AR_t$  is derived in accordance with the following formula:

$$AR_t = ADJR_t^* + K_t + LAR_t$$

where:

$ADJR_t^*$  means  $ADJR_t$  most recently published by the Authority pursuant to Part B of Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model) prior to the start of Regulatory Year  $t$ ;

$K_t$  means the K correction term and is derived in accordance with Part H; and

$LAR_t$  is derived in accordance with Special Condition 7.1 (Transportation owner legacy adjustments).

### **Part D: Formula for calculating Adjusted Revenue ( $ADJR_t$ )**

2.1.8 The value of  $ADJR_t$  is derived in accordance with the following formula:

$$ADJR_t = R_t \frac{PI_t}{PI_{2018/19}} + ADJ_t$$

where:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- $R_t$  means the Calculated Revenue term ( $R_t$ ) calculated in accordance with Paragraph 2.1.9 of this condition;
- $PI_t$  means the price index term derived in accordance with Part F; and
- $ADJ_t$  means the transportation owner AIP adjustment term and is derived in accordance with Part G.

## **Part E: Formula for calculating the Calculated Revenue term ( $R_t$ )**

2.1.9 The value of  $R_t$  is derived in accordance with the following formula:

$$R_t = FM_t + PT_t + DPN_t + RTN_t + RTNA_t + EIC_t + DRS_t + BPI_t + ODI_t + ORA_t + TAX_t + TAXA_t$$

where:

- $FM_t$  means fast money and has the value set out in the “Revenue” sheet of the GT2 Price Control Financial Model;
- $PT_t$  is derived in accordance with Special Condition 6.1 (Transportation owner pass-through items);
- $DPN_t$  means depreciation and has the value set out in the “Revenue” sheet of the GT2 Price Control Financial Model;
- $RTN_t$  means return and has the value set out in the “Revenue” sheet of the GT2 Price Control Financial Model;
- $RTNA_t$  means return adjustment and is derived in accordance with Special Condition 2.5 (Return Adjustment);
- $EIC_t$  means equity issuance costs and has the value set out in the “Revenue” sheet of the GT2 Price Control Financial Model;
- $DRS_t$  means Directly Remunerated Services and has the value set out in the “Revenue” sheet of the GT2 Price Control Financial Model;
- $ODI_t$  is derived in accordance with Special Condition 4.1 (Total output delivery incentive performance);
- $BPI_t$  means the business plan incentive term and has the value set out in the “Revenue” sheet of the GT2 Price Control Financial Model;
- $ORA_t$  is derived in accordance with Special Condition 5.1 (Transportation owner other revenue allowance);

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Special Conditions to National Gas Transmission Plc’s (NTS) Gas Transporter Licence – 10 April 2023

$TAX_t$  has the value set out in the “Revenue” sheet of the GT2 Price Control Financial Model; and

$TAXA_t$  means the tax allowance adjustment term and has the value zero, unless the Authority directs otherwise under Special Condition 2.2 (Transportation owner tax allowance adjustment).

## **Part F: Formula for calculating the price index term (PI<sub>t</sub>)**

2.1.10 The value of PI<sub>t</sub> is the arithmetic average value of each of the twelve monthly values of PI<sub>m</sub> from 1 April to 31 March within Regulatory Year t, derived in accordance with the following formula:

$$PI_m = \begin{cases} RPI_m, & \text{if } m < \text{April 2021} \\ PI_{m-1} \left( 0.5 \frac{CPIH_m}{CPIH_{m-1}} + 0.5 \frac{RPI_m}{RPI_{m-1}} \right), & \text{if } m = \text{April 2021} \\ PI_{m-1} \cdot \frac{CPIH_m}{CPIH_{m-1}}, & \text{if } m > \text{April 2021} \end{cases}$$

where:

$m$  refers to a year and month;

$RPI_m$  means the Retail Prices Index for the year and month m; and

$CPIH_m$  means the Consumer Prices Index Including Owner Occupiers' Housing Costs for the year and month m.

## **Part G: Transportation owner AIP adjustment term (ADJ<sub>t</sub>)**

2.1.11 For the Regulatory Year commencing on 1 April 2021, the value of ADJ is zero.

2.1.12 For subsequent Regulatory Years, the value of ADJ<sub>t</sub> is derived in accordance with the following formula:

$$ADJ_t = (ADJR_{t-1} - ADJR_{t-1}^*)(1 + TVM_{t-1})$$

where:

$ADJR_t$  is derived in accordance with Part D;

$ADJR_t^*$  means ADJR<sub>t</sub> most recently published by the Authority pursuant to Part B of Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model) prior to the start of Regulatory Year t; and

$TVM_t$  means the time value of money term derived in accordance with paragraph 2.1.13.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

2.1.13 The value of  $TVM_t$  is derived in accordance with the following formula:

$$TVM_t = (1 + WACC_t) \frac{PI_{t+1}}{PI_t} - 1$$

where:

$WACC_t$  means the vanilla weighted average cost of capital for the licensee as derived by the Authority in accordance with the GT2 Price Control Financial Handbook; and

$PI_t$  means the price index term derived in accordance with Part F.

#### **Part H: Transportation owner correction term ( $K_t$ )**

2.1.14 The value of  $K_t$  is derived in accordance with the following formula:

$$K_t = (AR_{t-1} - RR_{t-1})(1 + I_{t-1} + 1.15\% + PRP_{t-1} \times PRA_{t-1})$$

where:

$AR_t$  for Regulatory Years starting on or after 1 April 2021 is derived in accordance with Part C. For the Regulatory Year starting on 1 April 2020  $AR_t$  has the value of  $MR_t$  derived in accordance with Part C of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021;

$RR_t$  means TO Recovered Revenue derived in accordance with Part B;

$I_t$  means the average value of SONIA;

$PRP_t$  means the penal rate proportion and has the value of 1, unless the Authority has directed a value between 0 and 1 in accordance with paragraph 2.1.16; and

$PRA_t$  means the penal rate adjustment, derived in accordance with paragraph 2.1.15.

2.1.15 The value of  $PRA_t$  is derived in accordance with the following formula:

$$PRA_t = \begin{cases} 1.15\% & \text{if } RR_t/AR_t \geq 1.06 \\ -1.15\% & \text{if } RR_t/AR_t \leq 0.94 \\ 0, & \text{otherwise} \end{cases}$$

where:

$RR_t$  is derived in accordance with Part B; and

$AR_t$  is derived in accordance with Part C.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 2.1.16 The Authority may direct a value for  $PRP_t$  which is not less than zero and not more than 1 if it is satisfied that the difference between TO Recovered Revenue and Allowed Revenue is for reasons outside the reasonable control of the licensee.

**Part I: Formula for calculating the Bad Debt term (BDt)**

- 2.1.15 The value of BDt is derived in accordance with the following formula:

$$BD_t = BDA_t - RBD_t$$

where:

$BDA_t$  means the aggregate value of Bad Debt the licensee has incurred or expects to incur, inclusive of RIIO-GT1 Bad Debt and COVID-19 Transportation Owner Bad Debt, with respect to NTS Transportation Owner Charges owed to the licensee by one or more Defaulting Gas Shippers, less the interest income accrued at the default rate set out in the Uniform Network Code net of WACC with respect to the COVID-19 Scheme; and

$RBD_t$  means the aggregate value of Bad Debt previously recovered, inclusive of RIIO-GT1 Bad Debt and COVID-19 Transportation Owner Bad Debt, by the licensee via the BDA<sub>t</sub> term, where the licensee has received cash through either the Defaulting Gas Shipper or been credited by the administrator or liquidator of a Defaulting Gas Shipper.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Special Condition 2.2 Transportation owner tax allowance adjustment (TAXA<sub>t</sub>)

### Introduction

- 2.2.1 The purpose of this condition is to establish a process for setting the value of~~calculate any adjustment to~~ the term TAXA<sub>t</sub> (the tax allowance adjustment term), which contributes to~~feeds into~~ Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 2.2.2 The effect is to adjust Calculated Revenue, if required following a review of material, unexplained differences between the licensee's TO Calculated Tax Allowance and its TO Actual Corporation Tax Liability, in accordance with Chapter 6 of the GT2 Price Control Financial Handbook.
- 2.2.3 This condition also explains the process the Authority will follow when directing any change as a result of the tax review.

### Part A: Undertaking a tax review

- 2.2.4 The Authority may undertake a tax review of any material, unexplained differences between the licensee's TO Calculated Tax Allowance and its TO Actual Corporation Tax Liability in accordance with Chapter 6 of the GT2 Price Control Financial Handbook.
- 2.2.5 Where the Authority notifies the licensee that it has decided to undertake a tax review and gives the reasons for that decision, the licensee must:
- (a) procure an Appropriately Qualified Independent Examiner to examine the differences between the licensee's TO Calculated Tax Allowance and its TO Actual Corporation Tax Liability and send a report to the Authority;
  - (b) carry out any reasonable steps specified by the Authority for such a procurement and comply with any requirements reasonably specified by the Authority as to the terms of appointment of the Appropriately Qualified Independent Examiner;
  - (c) ensure that the Appropriately Qualified Independent Examiner carries out the work within the scope, and by the date, reasonably specified by the Authority after discussing with the examiner; and
  - (d) send to the Authority a report from the Appropriately Qualified Independent Examiner in the form, and containing the content, specified by the Authority, following discussion with the examiner.
- 2.2.6 Following receipt of the Appropriately Qualified Independent Examiner's report, the Authority will:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

- (a) direct any adjustment to the value of the  $TAXA_t$  term that it considers should be made taking account of the report [in accordance with Chapter 6 of the GT2 Price Control Financial Handbook](#); and
- (b) specify the Regulatory Years to which that adjustment relates.

## **Part B: What process will the Authority follow in making a direction?**

- 2.2.7 Before making a direction under paragraph 2.2.6, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations on the proposed direction may be made, which will not be less than 28 days.

## **Special Condition 2.3 System operator revenue restriction (SOAR<sub>t</sub>)**

### **Introduction**

- 2.3.1 The purpose of this condition is to ensure that NTS System Operation Charges are set to aim to recover no more than SO Allowed Revenue.
- 2.3.2 This condition also provides for the calculation of the term  $SORR_t$  (the SO Recovered Revenue term and the term  $SOAR_t$  (the SO Allowed Revenue term).

### **Part A: Licensee's obligation**

- 2.3.3 The licensee must, when setting NTS System Operation Charges, use its best endeavours to ensure that SO Recovered Revenue does not exceed SO Allowed Revenue.
- 2.3.4 This paragraph applies where:
- (a) The licensee deliberately over-recovers SO Recovered Revenue as a result of the applicable charging methodology in the Uniform Network Code; and
  - (b) The Authority has provided its consent to such over-recovery.
- 2.3.5 The published or republished values for the terms  $SOADJR_t$  and  $SOAR_t$  must be used by the licensee when setting Network Charges.

### **Part B: Formula for calculating the SO Recovered Revenue term (SORR<sub>t</sub>)**

- 2.3.6 The value of  $SORR_t$  is derived in accordance with the following formula, net of SO Bad Debt as derived in accordance with Part H:

$$SORR_t = SOREntC_t + SORExC_t + RCOM_t + SOROC_t$$

where:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

*SOREntC<sub>t</sub>* means the amount of revenue in respect of NTS System Operation Activity that results from the sale of Non-Obligated Entry Capacity;

*SORExC<sub>t</sub>* means the amount of revenue in respect of NTS System Operation Activity that results from the sale of Non-Obligated Exit Capacity;

*RCOM<sub>t</sub>* means the amount of revenue in respect of NTS System Operation Activity that results from charges levied by the licensee on Gas Shippers and DN Operators pursuant to Standard Special Condition A4 (Charging – General) in respect of NTS System Operation Activity. This will include revenue from charges to recover costs incurred by the licensee and net payments made to or by the licensee in respect of reducing the costs arising from NTS System Operation Activity other than revenue earned by the licensee through:

(a) *SOREntC<sub>t</sub>*;

(b) *SORExC<sub>t</sub>*;

(c) *SOROC<sub>t</sub>*; and

(d) revenues received by the licensee from the sale of gas purchased by the licensee in respect of its use of Constrained Storage Facilities in order to avoid Transportation Constraints; and

*SOROC<sub>t</sub>* means the amount of revenue derived by the licensee through associated NTS System Operation Charges and is derived in accordance with the following formula:

$$SOROC_t = RNC_t + RCOR_t + FTI_t + RLOC_t + RADD_t$$

where:

*RNC<sub>t</sub>* means net revenue derived by the licensee from Balancing Neutrality Charges;

*RCOR<sub>t</sub>* means the revenue derived by the licensee from System Entry Overrun Charges;

*FTI<sub>t</sub>* means the revenue derived by the licensee from charges levied on Gas Shippers and DN Operators in respect of any Failure To Interrupt;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



$RLOC_t$  means the revenue derived by the licensee from Locational Sell Actions and Physical Renomination Incentive Charges; and

$RADD_t$  has the meaning given in paragraph 5.5.5 of Special Condition 5.5 (Entry Capacity and Exit Capacity Constraint Management).

### **Part C: Formula for calculating the SO Allowed Revenue term (SOAR<sub>t</sub>)**

2.3.7 The value of SOAR<sub>t</sub> is derived in accordance with the following formula:

$$SOAR_t = SOADJR_t^* + SOK_t + SOLAR_t$$

where:

$SOADJR_t^*$  means the value of SOADJR<sub>t</sub> most recently published by the Authority pursuant to Part B of Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model) prior to the start of Regulatory Year t;

$SOK_t$  means the SO K correction term and is derived in accordance with Part G; and

$SOLAR_t$  is derived in accordance with Special Condition 7.10 (System operator legacy adjustments).

### **Part D: Formula for calculating the SO Adjusted Revenue term (SOADJR<sub>t</sub>)**

2.3.8 The value of SOADJR<sub>t</sub> is derived in accordance with the following formula

$$SOADJR_t = SOR_t \frac{PI_t}{PI_{2018/19}} + SOADJ_t$$

where:

$SOR_t$  means the SO Calculated Revenue term (SOR<sub>t</sub>) calculated in accordance with paragraph 2.3.9 of this condition;

$PI_t$  means the price index term derived in accordance with Part F of Special Condition 2.1; and

$SOADJ_t$  means the SO AIP adjustment term and is derived in accordance with Part F.

### **Part E: Formula for calculating the SO Calculated Revenue term (SOR<sub>t</sub>)**

2.3.9 The value of SOR<sub>t</sub> is derived in accordance with the following formula:

$$SOR_t = SOFM_t + SOPT_t + SODPN_t + SORTN_t + SOORA_t + SOTAX_t + SOTAXA_t$$

where:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- $SOFM_t$  means fast money and has the value set out in the “System Operator” sheet of the GT2 Price Control Financial Model;
- $SOPT_t$  is derived in accordance with Special Condition 6.3 (System operator pass-through items);
- $SODPN_t$  means depreciation and has the value set out in the “System Operator” sheet of the GT2 Price Control Financial Model;
- $SORTN_t$  means return and has the value set out in the “System Operator” sheet of the GT2 Price Control Financial Model;
- $SOORA_t$  is derived in accordance with Special Condition 5.4 (System operator other revenue allowance);
- $SOTAX_t$  has the value set out in the “System Operator” sheet of the GT2 Price Control Financial Model; and
- $SOTAXA_t$  means the SO tax allowance adjustment term and has the value zero unless the Authority directs otherwise under Special Condition 2.4 (System operator tax allowance adjustment).

#### **Part F: SO AIP adjustment term (SOADJ<sub>t</sub>)**

- 2.3.10 For the Regulatory Year commencing on 1 April 2021, the value of SOADJ is zero.
- 2.3.11 For subsequent Regulatory Years, the value of SOADJ<sub>t</sub> is derived in accordance with the following formula:

$$SOADJ_t = (SOADJR_{t-1} - SOADJR_{t-1}^*)(1 + TVM_{t-1})$$

where:

- $SOADJR_t$  is derived in accordance with Part D;
- $SOADJR_t^*$  means the value of SOADJR<sub>t</sub> most recently published by the Authority pursuant to Part B of Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model) prior to the start of Regulatory Year t; and
- $TVM_t$  is derived in accordance with paragraph 2.1.13 of Special Condition 2.1 (Transportation owner revenue restriction).

#### **Part G: SO K correction term (SOK<sub>t</sub>)**

- 2.3.12 The value of SOK<sub>t</sub> is derived in accordance with the following formula:

$$SOK_t = (SOAR_{t-1} - SORR_{t-1})(1 + I_{t-1} + 1.15\% + SOPRP_{t-1} \times SOPRA_{t-1})$$

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

where:

$SOAR_t$  for Regulatory Years commencing on or after 1 April 2021  $SOAR_t$  is derived in accordance with Part C. For the Regulatory Year commencing on 1 April 2020  $SOAR_t$  has the value of  $SOMR_t$  derived in accordance with Part C of Special Condition 3A (Restriction of NTS System Operation Revenue) of this licence as in force on 31 March 2021;

$SORR_t$  means SO Recovered Revenue derived in accordance with Part B;

$I_t$  means the average value of SONIA in Regulatory Year  $t$ ;

$SOPRP_t$  means the penal rate proportion and has the value of 1, unless the Authority directs otherwise in accordance with paragraph 2.3.14; and

$SOPRA_t$  means the SO penal rate adjustment, derived in accordance with paragraph 2.3.13.

2.3.13 The value of  $SOPRA_t$  is derived in accordance with the following formula:

$$SOPRA_t = \begin{cases} 1.15\% & \text{if } SORR_t/SOAR_t \geq 1.06 \\ -1.15\% & \text{if } SORR_t/SOAR_t \leq 0.94 \\ 0, & \text{otherwise} \end{cases}$$

where:

$SORR_t$  is derived in accordance with Part B; and

$SOAR_t$  is derived in accordance with Part C.

2.3.14 The Authority will direct a value for  $SOPRP_t$  which is not less than zero and not more than 1, if it is satisfied that differences between SO Recovered Revenue and SO Allowed Revenue were for reasons outside the reasonable control of the licensee.

## **Part H: Formula for calculating the System Operator Bad Debt term (SOBDt)**

2.3.13 The value of SOBDt is derived in accordance with the following formula:

$$SOBD_t = SOBDA_t - SORBD_t$$

where:

$SOBDA_t$  means the aggregate value of SO Bad Debt the licensee has incurred or expects to incur, inclusive of RIIO-GT1 SO Bad Debt and COVID-19 System Operator Bad Debt, with respect to NTS

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

System Operation Charges owed to the licensee by one or more Defaulting Gas Shippers, less the interest income accrued at the default rate set out in the Uniform Network Code net of WACC with respect to the COVID-19 Scheme; and

$SORBD_t$  means the aggregate value of SO Bad Debt previously recovered, inclusive of RIIO-GT1 SO Bad Debt and COVID-19 System Operator Bad Debt, by the licensee via the SOBDA<sub>t</sub> term, where the licensee has been credited by the administrator or liquidator of a Defaulting Gas Shipper.

## **Special Condition 2.4 System operator tax allowance adjustment (SOTAX<sub>t</sub>)**

### **Introduction**

- 2.4.1 The purpose of this condition is to calculate any adjustment to the term SOTAX<sub>t</sub> (the SO tax allowance adjustment term), which ~~contributes~~ feeds into SO Calculated Revenue in Special Condition 2.3 (System operator revenue restriction).
- 2.4.2 The effect is to adjust SO Calculated Revenue, if required, following a review of material, unexplained differences between the licensee's SO Calculated Tax Allowance and its SO Actual Corporation Tax Liability, in accordance with Chapter 6 of the GT2 Price Control Financial Handbook.
- 2.4.3 It also explains the process the Authority will follow when directing any change as a result of the ~~tax~~ review.

### **Part A: Undertaking a tax review**

- 2.4.4 The Authority may undertake a tax review of any material, unexplained differences between the licensee's SO Calculated Tax Allowance and its SO Actual Corporation Tax Liability, in accordance with Chapter 6 of the GT2 Price Control Financial Handbook.
- 2.4.5 Where the Authority notifies the licensee that it has decided to undertake a tax review and given the reasons for that decision, the licensee must:
  - (a) procure an Appropriately Qualified Independent Examiner to examine the differences between the licensee's SO Calculated Tax Allowance and its SO Actual Corporation Tax Liability and submit a report to the Authority;
  - (b) carry out any reasonable steps specified by the Authority for such a procurement and comply with any requirements reasonably specified by

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

the Authority as to the terms of appointment of the Appropriately Qualified Independent Examiner;

- (c) ensure that the Appropriately Qualified Independent Examiner carries out the work within the scope, and by the date, reasonably specified by the Authority after discussing with the examiner; and
  - (d) send to the Authority a report from the Appropriately Qualified Independent Examiner in the form, and containing the content, specified by the Authority, following discussion with the examiner.
- 2.4.6 Following receipt of the Appropriately Qualified Independent Examiner's report, the Authority will:
- (a) direct any adjustment to the value of the SOTAXA<sub>t</sub>, in accordance with Chapter 6 of the GT2 Price Control Financial Handbook term that it considers should be made taking account of said report; and
  - (b) specify the Regulatory Years to which that adjustment relates.

#### **Part B: What process will the Authority follow in making a direction?**

- 2.4.7 Before making a direction under paragraph 2.4.6, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations on the proposed direction may be made, which will not be less than 28 days.

### **Special Condition 2.5 Return Adjustment (RTNA<sub>t</sub>)**

#### **Introduction**

- 2.5.1 The purpose of this condition is to calculate the term RTNA<sub>t</sub> (the return adjustment term), which feeds into Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 2.5.2 The effect of this condition is to adjust the TO Calculated Revenue following a review of Operational Performance after the Price Control Period.
- 2.5.3 It also explains the process the Authority will follow when directing any change as a result of the review.

#### **Part A: Undertaking a review of Operational Performance**

- 2.5.4 After the Price Control Period, the Authority will undertake a review of Operational Performance.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 2.5.5 Following its review, the Authority will direct any adjustment to the value of the term  $RTNA_t$  in accordance with the method set out in Parts B and C and any further applicable explanation or elaboration within the GT2 Price Control Financial Handbook.

**Part B: Formulae for calculating the return adjustment term ( $RTNA_t$ )**

- 2.5.6 The value of  $RTNA_t$  is derived in accordance with the following formula:

$$RTNA_t = RTNR \times \frac{RAVL_t \times (1 - G)}{\sum_{t=2021/22}^{2025/26} RAVL_t \times (1 - G)}$$

where:

$RTNR$  means the return adjustment for the licensee over the Price Control Period, derived in accordance with paragraphs 2.5.7 and 2.5.8;

$RAVL_t$  means the RAV value for the licensee and has the value derived in accordance with the GT2 Price Control Financial Model; and

$G$  means notional gearing, and has the value of 60%.

- 2.5.7 Where Operational Performance is equal to or greater than zero, the value of  $RTNR$  is derived in accordance with the following formula:

$$RTNR = \sum_{t=2021/22}^{2025/26} RAVL_t \times (1 - G) \times$$

$$[ -MAX( MIN(OPP, T2) - T1, 0) \times AR1 - MAX(OPP - T2, 0) \times AR2 ]$$

where:

$RAVL_t$  means the RAV value for the licensee and has the value derived in accordance with the GT2 Price Control Financial Model;

$G$  means notional gearing, and has the value of 60%;

$OPP$  means the Operational Performance value for the licensee, in percentage terms, over the Price Control Period and has the value derived in accordance with the GT2 Price Control Financial Model;

$T1$  means threshold 1, and has the value of 3%;

$T2$  means threshold 2, and has the value of 4%;

$AR1$  means adjustment rate 1, and has the value of 50%; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$AR2$  means adjustment rate 2, and has the value of 90%.

- 2.5.8 When Operational Performance is less than zero, the value of RTNR is derived in accordance with the following formula:

$$RTNR = \sum_{t=2021/22}^{2025/26} RAVL_t \times (1 - G) \times$$

$$[ MAX (MIN(-OPP, T2) - T1, 0) \times AR1 + MAX(-OPP - T2, 0) \times AR2 ]$$

where each term has the meaning given in paragraph 2.5.7.

**Part C: What process will the Authority follow in making a direction?**

- 2.5.9 Before making a direction under paragraph 2.5.5, the Authority will publish on the Authority's Website:

- (a) the text of the proposed direction;
- (b) the reasons for the proposed direction; and
- (c) a period during which representations on the proposed direction may be made, which will not be less than 28 days.

- 2.5.10 A direction under paragraph 2.5.5 will set out the value of the  $RTNA_t$  term and the Regulatory Years to which that adjustment relates.

## Chapter 3: Totex Allowance adjustments

### Special Condition 3.1 Baseline Network Risk Outputs (NARM<sub>t</sub> and NARMAH<sub>t</sub>)

#### Introduction

- 3.1.1 This condition calculates the value of the terms NARM<sub>t</sub> (the Baseline Allowed NARM Expenditure term) and NARMAH<sub>t</sub> (NARM asset health Re-opener term), which contributes to the calculation of the Totex Allowance.
- 3.1.2 The purpose of this condition is to:
- (a) set out the Baseline Network Risk Outputs that the licensee is funded to deliver;
  - (b) provide for a mechanism to adjust funding and for the application of a penalty in certain circumstances;
  - (c) provide for the Rebasing of Baseline Network Risk Outputs; and
  - (d) require the licensee to provide a close out report.
- 3.1.3 This condition also establishes:
- (a) the NARM Handbook;
  - (b) the Network Asset Risk Workbook; and
  - (c) a robust and transparent change control framework for those documents.

#### Part A: Formulae for calculating the Baseline Allowed NARM Expenditure term (NARM<sub>t</sub>) and the NARM asset health Re-opener term (NARMAH<sub>t</sub>)

- 3.1.4 The value of NARM<sub>t</sub> is derived in accordance with the following formula:

$$NARM_t = NARMA_t - NARMR_t$$

where:

*NARMA<sub>t</sub>* means the Baseline Allowed NARM Expenditure in Appendix 1; and

*NARMR<sub>t</sub>* has the value zero unless adjusted by the Authority under section 23 of the Act in accordance with Part B.

- 3.1.5 The value of NARMAH<sub>t</sub> is derived in accordance with the following formula:

$$NARMAH_t = NARMAHO_t - NARMAHR_t$$

where:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



*NARMAHO<sub>t</sub>* means the sum of allowances directed by the Authority in accordance with paragraphs 3.14.4(b), 3.14.8(b) and 3.14.9(b) of Special Condition 3.14 (Asset health Re-opener); and

*NARMAHR<sub>t</sub>* has the value zero unless adjusted by the Authority ~~in accordance with Part B and~~ under section 23 of the Act in accordance with Part B.

## **Part B: Requirement to deliver Baseline Network Risk Outputs**

- 3.1.6 The licensee is funded to deliver, by the end of the Price Control Period, its Baseline Network Risk Outputs as set out in Appendix 1.
- 3.1.7 Where the Outturn Network Risk Outputs are different to the Baseline Network Risk Outputs, any funding adjustments and penalties will be calculated by the Authority in accordance with the NARM Handbook and using the data in the Network Asset Risk Workbook.

## **Part C: Rebasing of Baseline Network Risk Outputs**

- 3.1.8 The licensees must, when submitting Rebased Baseline Network Risk Outputs in accordance with Part C of Special Condition 9.2 (Network Asset Risk Metric methodology), ensure that the Rebased Baseline Network Risk Outputs are:
- (a) calculated using the NARM Methodology approved under paragraph 9.2.9 of Special Condition 9.2;
  - (b) representative of the same assumed volume and type of intervention for each NARM Asset Category as assumed in the setting of the Baseline Network Risk Outputs;
  - (c) Equally Challenging as the Baseline Network Risk Outputs; and
  - (d) in the same format as the Network Asset Risk Workbook.
- 3.1.9 Where the licensee proposes Rebased Baseline Network Risk Outputs in accordance with Part C of Special Condition 9.2, the Authority will consider the proposal and by direction:
- (a) approve it, in cases where the Rebased Baseline Network Risk Outputs meet the criteria in paragraph 3.1.8;
  - (b) approve it with adjustments, in cases where the adjustments are necessary to enable the Rebased Baseline Network Risk Outputs to meet the criteria in paragraph 3.1.8; or
  - (c) reject it, in cases where the Rebased Baseline Network Risk Outputs do not meet the criteria set out in paragraph 3.1.8 and the Authority is unable to adjust them to make them satisfy those criteria.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

- 3.1.10 Before issuing a direction under paragraph 3.1.9, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the date on which the Authority intends the proposed direction to come into effect;
  - (c) the reasons for the proposed direction; and
  - (d) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.1.11 Where the Authority approves Rebased Baseline Network Risk Outputs under paragraph 3.1.9(a) or (b):
- (a) the Rebased Baseline Network Risk Output will supersede the Baseline Network Risk Outputs for the purposes of this condition; and
  - (b) the direction under paragraph 3.1.9(a) or (b) will modify Appendix 1 to reflect this.

**Part D: Requirement to provide a close out report**

- 3.1.12 On or before 31 October 2026, the licensee must provide to the Authority a report, together with detailed supporting evidence, which sets out the following:
- (a) the licensee's Outturn Network Risk Outputs and a breakdown of those Outturn Network Risk Outputs in the manner specified by the Authority by direction under Standard Special Condition A40 (Regulatory Instructions and Guidance);
  - (b) the costs incurred by the licensee in delivering its Outturn Network Risk Outputs and a breakdown of those costs in the manner specified by the Authority by direction under Standard Condition A40 (Regulatory Instructions and Guidance);
  - (c) details of any Non-intervention Risk Changes, including the associated impact on Baseline Network Risk Outputs or Outturn Network Risk Outputs;
  - (d) justification cases for any portions of over-delivery or under-delivery against Baseline Network Risk Outputs that the licensee considers to be justified; and
  - (e) details of any portions of over-delivery or under-delivery against Baseline Network Risk Outputs that the licensee considers qualify as 'clearly identifiable over-delivery' or 'clearly identifiable under-delivery' as per the criteria set out in the NARM Handbook.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

## **Part E: The NARM Handbook**

- 3.1.13 The NARM Handbook forms part of this condition.
- 3.1.14 The Authority will publish the NARM Handbook on the Authority's Website.
- 3.1.15 The Authority may make modifications under this Part at any time during the Price Control Period, but only when it becomes aware of modifications of the type set out in paragraph 3.1.16 that if made would improve the clarity or usefulness to users of the NARM Handbook.
- 3.1.16 The following categories of modifications may be made under this Part:
- (a) formatting changes such as re-numbering of paragraphs, capitalising defined terms, renaming or re-ordering of sections;
  - (b) deleting irrelevant material such as transitional provisions that have expired;
  - (c) updates such as to dates, version numbers of documents, titles of re-enacted legislation and re-named bodies;
  - (d) consequential changes required to reflect modifications made to the special conditions of this licence such as amendments made to Appendix 1 or the Network Asset Risk Workbook;
  - (e) correction of manifest errors; and
  - (f) changes to the guidance provided by the NARM Handbook.
- 3.1.17 Before amending the NARM Handbook by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended NARM Handbook;
  - (b) the date on which the Authority intends the amended NARM Handbook to come into effect;
  - (c) the reasons for the amendments to the NARM Handbook; and
  - (d) a period during which representations may be made on the amendments to the NARM Handbook, which will not be less than 28 days.
- 3.1.18 The Authority will ensure that any modifications of the NARM Handbook, whether under this Part or otherwise, are promptly incorporated into a consolidated version of the NARM Handbook maintained on the Authority's Website.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

## **Part F: The Network Asset Risk Workbook**

3.1.19 The Network Asset Risk Workbook forms part of this condition.

3.1.20 The Authority will:

- (a) send to the licensee the Network Asset Risk Workbook; and
- (b) publish a redacted version of the Network Asset Risk Workbook on the Authority's Website.

3.1.21 The Authority may make modifications under this Part at any time during the Price Control Period, but only when it becomes aware of modifications of the type set out in paragraph 3.1.22 that if made would improve the clarity or usefulness to users of the Network Asset Risk Workbook.

3.1.22 The following categories of modifications may be made under this Part:

- (a) formatting changes such as re-numbering of paragraphs, capitalising defined terms, cell labelling, renaming or re-ordering of sections or worksheets;
- (b) deleting irrelevant material such as transitional provisions that have expired;
- (c) updates such as to dates, version numbers of documents, titles of re-enacted legislation and re-named bodies;
- (d) consequential changes required to reflect modifications made to the special conditions of this licence such as amendments made to Appendix 1 or the NARM Handbook; and
- (e) correction of manifest errors.

3.1.23 Before amending the Network Asset Risk Workbook by direction, the Authority will publish on the Authority's Website:

- (a) the amended Network Asset Risk Workbook;
- (b) the date on which the Authority intends the amended Network Asset Risk Workbook to come into effect;
- (c) the reasons for the amendments to the Network Asset Risk Workbook; and
- (d) a period during which representations may be made on the amendments to the Network Asset Risk Workbook, which will not be less than 28 days.

3.1.24 The Authority will:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) ensure that any modifications of the Network Asset Risk Workbook, whether under this Part or otherwise, are promptly incorporated into a consolidated version of the Network Asset Risk Workbook;
- (b) send the consolidated version to the licensee; and
- (c) maintain a redacted consolidated version on the Authority's Website.

## Appendix 1

Cumulative total of Baseline Network Risk Outputs (R£m*) and Baseline Allowed NARM Expenditure (NARMA <sub>t</sub> ) for delivering Baseline Network Risk Outputs (£m)						
Baseline Network Risk Output (R£m)	Baseline Allowed NARM Expenditure, excluding RPEs (£m)					RIIO-2 Total
	2021/22	2022/23	2023/24	2024/25	2025/26	
200.77	70.56	93.60	79.78	49.85	60.65	354.43

## Special Condition 3.2 Cyber resilience operational technology Re-opener, Price Control Deliverable and use it or lose it adjustment (CROT<sub>t</sub> and CROTRE<sub>t</sub>)

### Introduction

- 3.2.1 The purpose of this condition is to calculate the terms CROT<sub>t</sub> (the cyber resilience OT baseline term) and CROTRE<sub>t</sub> (the cyber resilience OT non-baseline term). These contribute to the calculation of the Totex Allowance.
- 3.2.2 The effect of this condition is to:
- (a) establish the Cyber Resilience OT Baseline Allowances Table;
  - (b) establish the Cyber Resilience OT PCD Table, which specifies the outputs, delivery dates and associated allowances for cyber resilience in relation to OT;
  - (c) require the licensee to take all reasonable steps to deliver in accordance with the Cyber Resilience OT PCD Table;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (d) require the licensee to submit a Cyber Resilience OT Plan at the start of the Price Control Period;
  - (e) establish Re-openers for the licensee and Authority to trigger amendments to the Cyber Resilience OT Baseline Allowances Table and the Cyber Resilience OT PCD Table during the Price Control Period;
  - (f) require the licensee to report regularly to the Authority on cyber resilience OT; and
  - (g) provide for an assessment of delivery under this condition, including a Use It Or Lose It Adjustment.
- 3.2.3 This condition also sets out the process the Authority will follow when directing any changes under paragraph 3.2.8, 3.2.16, or 3.2.18.

**Part A: Formulae for calculating the cyber resilience OT baseline term (CROT<sub>t</sub>) and the cyber resilience OT non-baseline term (CROTRE<sub>t</sub>)**

- 3.2.4 The value of CROT<sub>t</sub> is derived in accordance with the following formula:

$$CROT_t = CROTA_t - CROTRA_t$$

where:

*CROTA<sub>t</sub>* means the allowances in the Cyber Resilience OT Baseline Allowances Table as amended as a result of circumstances set out in paragraph 3.2.11(d)(i); and

*CROTRA<sub>t</sub>* has the value zero unless otherwise directed by the Authority in accordance with Part E.

- 3.2.5 The value of CROTRE<sub>t</sub> is derived in accordance with the following formula:

$$CROTRE_t = CROTO_t - CROTRO_t$$

where:

*CROTO<sub>t</sub>* means the allowances directed by the Authority as a result of circumstances set out in paragraphs 3.2.11(a) to (c) and (d)(ii); and

*CROTRO<sub>t</sub>* has the value zero unless otherwise directed by the Authority in accordance with Part E.

**Part B: Cyber resilience OT outputs**

- 3.2.6 The Cyber Resilience OT PCD Table specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 3.2.7 The licensee must take all reasonable steps to deliver the outputs in accordance with, and by the delivery dates specified in, the Cyber Resilience OT PCD Table.

**Part C: Requirement to submit a Cyber Resilience OT Plan and Re-opener application**

- 3.2.8 The licensee must Between 1 April 2021 and 8 April 2021 submit to the Authority:
- (a) a Cyber Resilience OT Plan; and
  - (b) an application for a direction by the Authority requesting such amendments to the Cyber Resilience OT PCD Table as it considers are warranted by its Cyber Resilience OT Plan.
- 3.2.9 A Cyber Resilience OT Plan submitted under paragraph 3.2.8(a) must be in writing and give details of any proposed activities that the licensee considers would be capable of improving cyber resilience in relation to OT, including risk reduction and improved status of the licensee's network and information systems with respect to CAF Outcomes.
- 3.2.10 An application under paragraph 3.2.8(b) must be made in writing and:
- (a) include statements:
    - i. setting out any amendments requested to the outputs, delivery dates or allowances in the Cyber Resilience OT PCD Table;
    - ii. explaining how any amendments requested would improve cyber resilience in relation to OT, including risk reduction and improved status of the licensee's network and information systems with respect to CAF Outcomes ; and
    - iii. explaining the basis of the calculations for any amendments requested to allowances; and
  - (b) provide such detailed supporting evidence as is reasonable in the circumstances.

**Part D: Cyber resilience OT Re-opener**

- 3.2.11 This Part establishes a Re-opener that may be used where there are:
- (a) new activities, including new technology, capable of improving cyber resilience in relation to OT, including risk reduction and improved status of the licensee's network and information systems with respect to CAF Outcomes;
  - (b) changes to levels of risks or threats relating to cyber resilience in relation to OT, that take the licensee outside of its organisational risk appetite;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (c) changes to statutory or regulatory requirements relating to cyber resilience in relation to OT; or
  - (d) errors to correct or refinements required to:
    - i. existing outputs, delivery dates or allowances set as part of RIIO-2 Final Determinations; or
    - ii. other existing outputs, delivery dates or allowances in order to improve the licensee's cyber resilience in relation to OT.
- 3.2.12 The licensee may only apply to the Authority for changes under this Re-opener Between 25 January 2023 and 31 January 2023, or during such other periods as the Authority may direct.
- 3.2.13 The Authority may instigate changes under this Re-opener at any time during the Price Control Period where it has become aware of circumstances set out in paragraph 3.2.11.
- 3.2.14 An application under paragraph 3.2.12 must be made in writing to the Authority and must:
- (a) give details of the circumstances referred to in paragraph 3.2.11 that the licensee considers exist;
  - (b) set out any amendments requested to the outputs, delivery dates or allowances set out in the Cyber Resilience OT Baseline Allowances Table or the Cyber Resilience OT PCD Table;
  - (c) explain how any amendments requested would improve cyber resilience in relation to OT, including risk reduction and improved status of the licensee's network and information systems with respect to CAF Outcomes;
  - (d) explain the basis of the calculations for any amendments requested to allowances; and
  - (e) provide such detailed supporting evidence as is reasonable in the circumstances.
- 3.2.15 An application under paragraph 3.2.12 must:
- (a) relate to circumstances of the type referred to in paragraph 3.2.11 that have developed since the licensee submitted its Cyber Resilience OT Plan under paragraph 3.2.8;
  - (b) take account of any allowed expenditure which can be avoided as a result of the change; and
  - (c) be confined to costs incurred or expected to be incurred on or after 1 April 2021.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.



- 3.2.16 The Authority may only make changes under this Re-opener by direction:
- (a) where a circumstance in paragraph 3.2.11 exists;
  - (b) if an application was made by the licensee under paragraph 3.2.12, where the requirements in paragraphs 3.2.14 and 3.2.15 have been met;
  - (c) if the relevant circumstance is that set out in paragraphs 3.2.11(a) or (b), where the addition of new outputs would improve the licensee's cyber resilience in relation to OT;
  - (d) if the relevant circumstance is that set out in paragraph 3.2.11(c), where the addition of new outputs would contribute to the licensee's compliance with the relevant statutory or regulatory requirements relating to cyber resilience in relation to OT;
  - (e) if the relevant circumstance is that set out in paragraph 3.2.11(d), where a change to an existing output is justified:
    - i. in order to correct an error; or
    - ii. because the licensee has demonstrated that the refinement would improve the licensee's cyber resilience in relation to OT; and
  - (f) where there is sufficient detail to demonstrate that the proposed allowances are efficient and the change would improve the licensee's cyber resilience in relation to OT.

3.2.17 A direction under this Part:

- (a) may adjust allowances in the Cyber Resilience OT Baseline Allowances Table as a result of circumstances set out in paragraph 3.2.11(d)(i);
- (b) may amend outputs, delivery dates and allowances in the Cyber Resilience OT PCD Table;
- (c) may modify the text in Appendices 1 and 2 to amend the date of publication of the documents containing the Cyber Resilience OT Baseline Allowances Table and the Cyber Resilience OT PCD Table;
- (d) will set out the value of the CROTRAt and CROTROt terms, where these are being adjusted; and
- (e) must be confined to costs incurred or expected to be incurred on or after 1 April 2021.

**Part E: Assessment of delivery under this condition (CROTRAtt and CROTROt))**

- 3.2.18 The Authority will direct a value for CROTRAt and CROTROt where either of the following is appropriate:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) an adjustment in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), where the licensee has not Fully Delivered an output in the Cyber Resilience OT PCD Table; or
- (b) a Use It Or Lose It Adjustment, which will be assessed after any assessment under sub-paragraph (a).

## **Part F: Reporting Requirements**

- 3.2.19 The licensee must send reports to the Authority, in a form approved by the Authority, that include:
- (a) a summary of progress against key milestones contained in the licensee's Improvement Plan;
  - (b) a summary of developments against the outputs in the Cyber Resilience OT PCD Table;
  - (c) the licensee's assessment of the impact of the progress and developments referred to in sub-paragraphs (a) and (b) on improving cyber resilience in relation to OT, including risk reduction and improved status of the licensee's network and information systems with respect to CAF Outcomes;
  - (d) a description of how the licensee has considered any relevant guidance provided by the Authority;
  - (e) a summary of the current status of CAF Outcomes; and
  - (f) detailed supporting evidence as is reasonable in the circumstances.
- 3.2.20 Unless the Authority otherwise directs, the licensee must send reports under paragraph 3.2.19 by no later than the dates, and in relation to the periods, set out in Appendix 3.

## **Part G: What process will the Authority follow in making a direction?**

- 3.2.21 Before making a direction under paragraph 3.2.8, 3.2.16, or 3.2.18 the Authority will send to the licensee:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.2.22 A direction under paragraph 3.2.218 will set out the value of the CROTRA<sub>t</sub> and CROTRO<sub>t</sub> term and the Regulatory Years to which those adjustments relate, and where the direction is under paragraph 3.2.18(a) will set out:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

- (a) the delivery status of the output that has not been Fully Delivered; and
- (b) the methodology and data that has been used to decide the delivery status and value of any adjustments to the CROTRA<sub>t</sub> and CROTRO<sub>t</sub> terms.

### **Appendix 1**

#### **Title and publication date of document containing the Cyber Resilience OT Baseline Allowances Table**

<b>Title</b>	<b>Publication Date</b>
National Grid Gas Transmission (NGGT) Cyber Resilience Operational Technology Re-opener Decision	29 October 2021

### **Appendix 2**

#### **Title and publication date of document containing the Cyber Resilience OT PCD Table**

<b>Title</b>	<b>Publication Date</b>
National Grid Gas Transmission (NGGT) Cyber Resilience Operational Technology Re-opener Decision	29 October 2021

### **Appendix 3**

#### **Report submission dates and the associated periods to be reported on**

<b>Dates each year by which reports must be submitted from 31 January 2022 to 31 July 2026</b>	<b>Associated periods to be reported on</b>
31 July	1 October to 31 March
31 January	1 April to 30 September

## Special Condition 3.3 Cyber resilience information technology Re-opener and Price Control Deliverable (CRIT<sub>t</sub> and CRITRE<sub>t</sub>)

### Introduction

- 3.3.1 The purpose of this condition is to calculate the terms CRIT<sub>t</sub> (the cyber resilience IT baseline term) and CRITRE<sub>t</sub> (the cyber resilience IT non-baseline term) These contribute to the calculation of the Totex Allowance.
- 3.3.2 The effect of this condition is to:
- (a) establish the Cyber Resilience IT Baseline Allowances Table;
  - (b) establish the Cyber Resilience IT PCD Table, which specifies the outputs, delivery dates and associated allowances for cyber resilience in relation to IT;
  - (c) require the licensee to take all reasonable steps to deliver in accordance with the Cyber Resilience IT PCD Table;
  - (d) require the licensee to submit a Cyber Resilience IT Plan at the start of the Price Control Period;
  - (e) establish Re-openers for the licensee and Authority to trigger amendments to the Cyber Resilience IT Baseline Allowances Table and the Cyber Resilience IT PCD Table during the Price Control Period;
  - (f) require the licensee to report regularly to the Authority on cyber resilience IT; and
  - (g) provide for an assessment of the Price Control Deliverable.
- 3.3.3 This condition also sets out the process the Authority will follow when directing any changes under paragraph 3.3.8, 3.3.16, or 3.3.18.

### Part A: Formulae for calculating the cyber resilience IT baseline term (CRIT<sub>t</sub>) and the cyber resilience IT non-baseline term (CRITRE<sub>t</sub>)

- 3.3.4 The value of CRIT<sub>t</sub> is derived in accordance with the following formula:

$$CRIT_t = CRITA_t - CRITRA_t$$

where:

*CRITA<sub>t</sub>* means the allowances in the Cyber Resilience IT Baseline Allowances Table as amended as a result of circumstances set out in paragraph 3.3.11(d)(i); and

*CRITRA<sub>t</sub>* has the value zero unless otherwise directed by the Authority in accordance with Part E.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

3.3.5 The value of  $CRITRE_t$  is derived in accordance with the following formula:

$$CRITRE_t = CRITO_t - CRITRO_t$$

where:

$CRITO_t$  means the allowances directed by the Authority as a result of circumstances set out in paragraphs 3.3.11(a) to (c) and (d)(ii); and

$CRITRO_t$  has the value zero unless otherwise directed by the Authority in accordance with Part E.

### **Part B: Cyber resilience IT outputs**

3.3.6 The Cyber Resilience IT PCD Table specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

3.3.7 The licensee must take all reasonable steps to deliver the outputs in accordance with, and by the delivery dates specified in, the Cyber Resilience IT PCD Table.

### **Part C: Requirement to submit a Cyber Resilience IT Plan and Re-opener application**

3.3.8 The licensee must Between 1 April 2021 and 8 April 2021 submit to the Authority:

(a) a Cyber Resilience IT Plan; and

(b) an application for a direction by the Authority requesting such amendments to the Cyber Resilience IT PCD Table as it considers are warranted by its Cyber Resilience IT Plan.

3.3.9 A Cyber Resilience IT Plan submitted under paragraph 3.3.8(a) must be in writing and give details of any proposed activities that the licensee considers would be capable of improving cyber resilience in relation to IT, including risk reduction on the licensee's network and information systems.

3.3.10 An application under paragraph 3.3.8(b) must be made in writing and:

(a) include statements:

- i. setting out any amendments requested to the outputs, delivery dates or allowances in the Cyber Resilience IT PCD Table;
- ii. explaining how any amendments requested would improve cyber resilience in relation to IT, including risk reduction on the licensee's network and information systems; and
- iii. explaining the basis of the calculations for any amendments requested to allowances; and

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (b) provide such detailed supporting evidence as is reasonable in the circumstances.

#### **Part D: Cyber resilience IT Re-opener**

- 3.3.11 This Part establishes a Re-opener that may be used where there are:
- (a) new activities, including new technology, capable of improving cyber resilience in relation to IT, including risk reduction in respect to the licensee's network and information systems;
  - (b) changes to levels of risks or threats relating to cyber resilience in relation to IT, that take the licensee outside of its organisational risk appetite;
  - (c) changes to statutory or regulatory requirements relating to cyber resilience in relation to IT; or
  - (d) errors to correct or refinements required to:
    - i. outputs, delivery dates or allowances set as part of RIIO-2 Final Determinations; or
    - ii. other existing outputs, delivery dates or allowances in order to improve the licensee's cyber resilience in relation to IT.
- 3.3.12 The licensee may only apply to the Authority for any changes under this Re-opener Between 25 January 2023 and 31 January 2023, or during such other periods as the Authority may direct.
- 3.3.13 The Authority may instigate changes under this Re-opener at any time during the Price Control Period where it has become aware of circumstances set out in paragraph 3.3.11.
- 3.3.14 An application under paragraph 3.3.12 must be made in writing to the Authority and must:
- (a) give details of the circumstances referred to in paragraph 3.3.11 that the licensee considers exist;
  - (b) set out any amendments requested to the outputs, delivery dates or allowances set out in the Cyber Resilience IT Baseline Allowances Table or the Cyber Resilience IT PCD Table;
  - (c) explain how any amendments requested would improve cyber resilience in relation to IT, including risk reduction on the licensee's network and information systems;
  - (d) explain the basis of the calculations for any amendments requested to allowances; and

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

- (e) include such detailed supporting evidence as is reasonable in the circumstances.
- 3.3.15 An application under paragraph 3.3.12 must:
- (a) relate to circumstances of the type referred to in paragraph 3.3.11 that have developed since the licensee submitted its Cyber Resilience IT Plan under paragraph 3.3.8;
  - (b) take account of any allowed expenditure which can be avoided as a result of the change; and
  - (c) be confined to costs incurred or expected to be incurred on or after 1 April 2021.
- 3.3.16 The Authority may only make changes under this Re-opener by direction:
- (a) where a circumstance in paragraph 3.3.11 exists;
  - (b) if an application was made by the licensee under paragraph 3.3.12, where the requirements in paragraphs 3.3.14 and 3.3.15 have been met;
  - (c) if the relevant circumstance is that set out in paragraphs 3.3.11(a) or (b), where the addition of new outputs would improve the licensee's cyber resilience in relation to IT;
  - (d) if the relevant circumstance is that set out in paragraph 3.3.11(c), where the addition of new outputs would contribute to the licensee's compliance with the relevant statutory or regulatory requirements relating to cyber resilience in relation to IT;
  - (e) if the relevant circumstance is that set out in paragraph 3.3.11(d), where a change to an existing output is justified:
    - i. in order to correct an error; or
    - ii. because the licensee has demonstrated that the refinement would improve the licensee's cyber resilience in relation to IT; and
  - (f) where there is sufficient detail to demonstrate that the proposed allowances are efficient and the change would improve the licensee's cyber resilience in relation to IT.
- 3.3.17 A direction under this Part:
- (a) may adjust allowances in the Cyber Resilience IT Baseline Allowances Table as a result of circumstances set out in paragraph 3.3.11(d)(i):
  - (b) may amend outputs, delivery dates and allowances in the Cyber Resilience IT PCD Table;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (c) may modify the text in Appendices 1 and 2 to amend the date of publication of the documents containing the Cyber Resilience IT Baseline Allowances Table and the Cyber Resilience IT PCD Table;
- (d) will set out the value of  $CRITRA_t$  and  $CRITRO_t$  terms, where these are being adjusted; and
- (e) must be confined to costs incurred or expected to be incurred on or after 1 April 2021.

### **Part E: Assessment of the Price Control Deliverable ( $CRITRA_t$ and $CRITRO_t$ )**

- 3.3.18 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for  $CRITRA_t$  and  $CRITRO_t$  where the licensee has not Fully Delivered an output in the Cyber Resilience IT PCD Table.

### **Part F: Reporting Requirements**

- 3.3.19 The licensee must send reports to the Authority, in a form approved by the Authority, that include:
- (a) a summary of progress against key milestones contained in the licensee's Improvement Plan;
  - (b) a summary of developments against the outputs in the Cyber Resilience IT PCD Table;
  - (c) the licensee's assessment of the impact of the progress and developments referred to in sub-paragraphs (a) and (b) on improving cyber resilience in relation to IT, including risk reduction;
  - (d) a description of how the licensee has considered any relevant guidance provided by the Authority; and
  - (e) such detailed supporting evidence as is reasonable in the circumstances.
- 3.3.20 Unless the Authority otherwise directs, the licensee must send reports under paragraph 3.3.19 by no later than the dates, and in relation to the periods, set out in Appendix 3.

### **Part G: What process will the Authority follow in making a direction?**

- 3.3.21 Before making a direction under paragraph 3.3.8, 3.3.16, or 3.3.18, the Authority will send to the licensee:
- (a) the text of the proposed direction;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.3.22 A direction under paragraph 3.3.18 will set out:
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the CRITRA<sub>t</sub> and CRITRO<sub>t</sub> term and the Regulatory Years to which those adjustments relate; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustments to the CRITRA<sub>t</sub> and CRITRO<sub>t</sub> terms.

### **Appendix 1**

#### **Title and publication date of document containing the Cyber Resilience IT Baseline Allowances Table**

<b>Title</b>	<b>Publication Date</b>
RIIO-2 Final Determinations – NG Group Information Technology Cyber Resilience (REVISED)	3 February 2021

### **Appendix 2**

#### **Title and publication date of document containing the Cyber Resilience IT PCD Table**

<b>Title</b>	<b>Publication Date</b>
RIIO-2 Final Determinations – NG Group Information Technology Cyber Resilience (REVISED)	3 February 2021

### **Appendix 3**

#### **Report submission dates and the associated periods to be reported on**

<b>Dates each year by which reports must be submitted from 31 January 2022 to 31 July 2026</b>	<b>Associated periods to be reported on</b>
31 July	1 October to 31 March
31 January	1 April to 30 September

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.  
Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Special Condition 3.4 Physical security Re-opener and Price Control Deliverable (PSUP<sub>t</sub> and PSUPRE<sub>t</sub>)

### Introduction

- 3.4.1 The purpose of this condition is to calculate the terms PSUP<sub>t</sub> (the physical security Price Control Deliverable term) and PSUPRE<sub>t</sub> (the physical security Re-opener term). These contribute to the calculation of the Totex Allowance.
- 3.4.2 The effect of this condition is to:
- (a) establish the Physical Security PCD Table, which specifies the outputs, delivery dates and associated allowances for the Price Control Deliverable;
  - (b) establish a Re-opener for the licensee and Authority to trigger amendments to the Physical Security PCD Table during the Price Control Period; and
  - (c) provide for an assessment of the Price Control Deliverable.
- 3.4.3 This condition also sets out the process the Authority will follow when directing any changes under paragraph 3.4.7, 3.4.11 or 3.4.12.

#### **Part A: Formulae for calculating the physical security Price Control Deliverable term (PSUP<sub>t</sub>) and the physical security Re-opener term (PSUPRE<sub>t</sub>)**

- 3.4.4 The value of PSUP<sub>t</sub> is derived in accordance with the following formula:

$$PSUP_t = PSUPA_t - PSUPRA_t$$

where:

*PSUPA<sub>t</sub>* means the sum of allowances in the Physical Security Baseline Allowances Table; and

*PSUPRA<sub>t</sub>* has the value zero unless otherwise directed by the Authority in accordance with Part E.

- 3.4.5 The value of PSUPRE<sub>t</sub> is derived in accordance with the following formula:

$$PSUPRE_t = PSUPO_t - PSUPRO_t$$

where:

*PSUPO<sub>t</sub>* means the sum of allowances directed by the Authority as a result of Re-openers established by Parts C and D; and

*PSUPRO<sub>t</sub>* has the value zero unless otherwise directed by the Authority in accordance with Part E.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

### **Part B: What is the licensee funded to deliver?**

- 3.4.6 The Physical Security PCD Table specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

### **Part C: Physical Security Re-opener**

- 3.4.7 The licensee may apply to the Authority for a direction amending the Physical Security PCD Table where the scope of work the licensee is required to carry out under the Physical Security Upgrade Programme has changed.
- 3.4.8 The licensee may only apply to the Authority under paragraph 3.4.7 Between 25 January and 31 January in year 2024, or during such later periods as the Authority may direct.
- 3.4.9 An application under paragraph 3.4.7 must be made in writing to the Authority and include statements:
- (a) setting out the changes to the scope of work the licensee is required to carry out under the Physical Security Upgrade Programme to which the application relates;
  - (b) setting out the Critical National Infrastructure classification for each site to which the application relates;
  - (c) setting out any amendments to the outputs, delivery dates or allowances in the Physical Security PCD Table;
  - (d) explaining the basis of the calculations for any amendments requested to allowances; and
  - (e) providing such detailed supporting evidence as is reasonable in the circumstances.
- 3.4.10 An application under paragraph 3.4.7 must:
- (a) relate to changes to the scope of work the licensee is required to carry out under the Physical Security Upgrade Programme on or after 9 December 2019;
  - (b) take account of any allowed expenditure, which can be avoided as a result of the change; and
  - (c) be confined to costs incurred or expected to be incurred on or after 1 April 2021.

### **Part D: Authority triggered Re-opener**

- 3.4.11 The Authority will also consider directing amendments to the outputs, delivery dates or allowances in the Physical Security PCD Table where there have been

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

changes to the scope of work the licensee is required to carry out under the Physical Security Upgrade Programme that:

- (a) have been mandated on or after 9 December 2019; and
- (b) relate to costs incurred or expected to be incurred on or after 1 April 2021.

**Part E: Assessment of the physical security Price Control Deliverable (PSUPRA<sub>t</sub> and PSUPRO<sub>t</sub>)**

- 3.4.12 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for PSUPRA<sub>t</sub> and PSUPRO<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 2.

**Part F: What process will the Authority follow in making a direction?**

- 3.4.13 Before making a direction under paragraph 3.4.7, 3.4.11 or 3.4.12, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.4.14 A direction under paragraph 3.4.7 or 3.4.11 will:
- (a) set out in full the Physical Security PCD Table as amended; and
  - (b) replace the text in Appendix 2 with the title and publication date of the direction.
- 3.4.15 A direction under paragraph 3.4.12 will set out:
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the PSUPRA<sub>t</sub> and PSUPRO<sub>t</sub> terms and the Regulatory Years to which those adjustments relate; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustments to the PSUPRA<sub>t</sub> and PSUPRO<sub>t</sub> terms

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Appendix 1

### Title and publication date of document containing the Physical Security Baseline Allowances Table

Title	Publication Date
NGGT Redacted Information Document	3 February 2021

## Appendix 2

### Title and publication date of document containing the Physical Security PCD Table

Title	Publication Date
NGGT Redacted Information Document	3 February 2021

## Special Condition 3.5 Net Zero And Re-opener Development Fund use it or lose it allowance ( $RDF_t$ )

### Introduction

- 3.5.1 The purpose of this condition is to calculate the term  $RDF_t$  (the Net Zero And Re-opener Development Fund term). This contributes to the calculation of the Totex Allowance.
- 3.5.2 The effect of this condition is to:
- (a) specify the allowance for the Net Zero And Re-opener Development Fund;
  - (b) require the licensee to comply with the Net Zero And Re-opener Development Fund Governance Document; and
  - (c) provide for a Use It Or Lose It Adjustment.
- 3.5.3 This condition also explains the process the Authority will follow when issuing or amending the Net Zero and Re-opener Development Fund Governance Document.

### Part A: Formula for calculating the Net Zero And Re-opener Development Fund term ( $RDF_t$ )

- 3.5.4 The value of  $RDF_t$  is derived in accordance with the following formula:

$$RDF_t = RDFA_t - RDFR_t$$

where:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$RDF A_t$  means the allowances in Appendix 1; and

$RDF R_t$  has the value zero unless otherwise directed by the Authority in accordance with Part D.

### **Part B: Net Zero and Re-opener Development Fund Governance Document**

- 3.5.5 The licensee must comply with the Net Zero and Re-opener Development Fund Governance Document when incurring expenditure in relation to the allowance provided by this licence condition.
- 3.5.6 The Authority will issue and amend the Net Zero and Re-opener Development Fund Governance Document by direction.
- 3.5.7 The Authority will publish the Net Zero and Re-opener Development Fund Governance Document on the Authority's Website.
- 3.5.8 The Net Zero and Re-opener Development Fund Governance Document will make provision about the governance and administration of the Net Zero And Re-opener Development Fund, including:
  - (a) the definition of "allowable RDF expenditure" and "unrecoverable RDF expenditure";
  - (b) the eligibility criteria, which expenditure incurred in relation to the allowance provided by this licence condition must meet; and
  - (c) the reporting obligations in respect of which expenditure incurred in relation to Net Zero And Re-opener Development Fund must meet.
- 3.5.9 Before directing that the Net Zero and Re-opener Development Fund Governance Document comes into effect, the Authority will publish on the Authority's Website:
  - (a) the text of the proposed Net Zero and Re-opener Development Fund Governance Document;
  - (b) the date on which the Authority intends the Net Zero and Re-opener Development Fund Governance Document to come into effect; and
  - (c) a period during which representations may be made on the content of the Net Zero and Re-opener Development Fund Governance Document, which will not be less than 28 days.
- 3.5.10 Before directing an amendment to the Net Zero and Re-opener Development Fund Governance Document, the Authority will publish on the Authority's Website:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) the text of the amended Net Zero and Re-opener Development Fund Governance Document;
- (b) the date on which the Authority intends the amended Net Zero and Re-opener Development Fund Governance Document to come into effect;
- (c) the reasons for the amendments to the Net Zero and Re-opener Development Fund Governance Document; and
- (d) a period during which representations may be made on the amendments to the Net Zero and Re-opener Development Fund Governance Document, which will not be less than 28 days.

### **Part C: Use It Or Lose It Adjustment**

- 3.5.11 The Authority will direct an amendment to the value of  $RDFR_t$  where it considers that a Use It Or Lose It Adjustment is appropriate.

### **Part D: Authority's direction process**

- 3.5.12 Before making a direction under paragraph 3.5.11, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.5.13 The direction will set out the value of the  $RDFR_t$  term and the Regulatory Years to which that adjustment relates.

## **Appendix 1**

### **Net Zero And Re-opener Development Fund allowance ( $RDFA_t$ ) by Regulatory Year (£m)**

<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/2026</b>	<b>Total</b>
1.66	1.66	1.66	1.66	1.66	8.3

## **Special Condition 3.6 Net zero Re-opener and Price Control Deliverable ( $NZ_t$ )**

### **Introduction**

- 3.6.1 The purpose of this condition is to calculate the term  $NZ_t$  (the net zero Re-opener term). This contributes to the calculation of the Totex Allowance.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 3.6.2 The effect of this condition is to:
- (a) specify any Price Control Deliverable relating to Net Zero Developments;
  - (b) establish a Re-opener for the Authority to trigger modifications to any such Price Control Deliverable and the outputs, delivery dates and allowances established by the other special conditions of this licence; and
  - (c) provide for an assessment of the Price Control Deliverable specified in this condition.
- 3.6.3 This condition also explains the process the Authority will follow when making any changes under this condition.

**Part A: Formula for calculating the net zero Re-opener term ( $NZ_t$ )**

- 3.6.4 The value of  $NZ_t$  is derived in accordance with the following formula:

$$NZ_t = NZO_t - NZRO_t$$

where:

$NZO_t$  means the sum of allowances in Appendix 1; and

$NZRO_t$  has the value zero unless otherwise directed by the Authority in accordance with Part D.

**Part B: What is the licensee funded to deliver?**

- 3.6.5 Appendix 1 specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and allowances associated with those outputs.

**Part C: Net Zero Re-opener**

- 3.6.6 This Re-opener may be used where:
- (a) a Net Zero Development has occurred or is expected to occur;
  - (b) the Net Zero Development has caused or is expected to cause the cost of Licensed Activity to increase or decrease during the Price Control Period;
  - (c) the effect of the Net Zero Development on the cost of Licensed Activity is not otherwise provided for in this licence;
  - (d) the effect of the Net Zero Development has not already been assessed under another Re-opener; and
  - (e) the effect, or estimated effect, of the Net Zero Development on the cost of Licensed Activity exceeds the Materiality Threshold.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- 3.6.7 The Authority may make modifications under this Re-opener at any time during the Price Control Period.
- 3.6.8 The following modifications to the licence may be made under this Re-opener:
- (a) modifications to the outputs, delivery dates and allowances in Appendix 1; and
  - (b) modifications to the outputs, delivery dates and allowances in the other special conditions of this licence.
- 3.6.9 Any modifications made under this Re-opener will be made under section 23 of the Act.

#### **Part D: Assessment of the Price Control Deliverable (NZRO<sub>t</sub>)**

- 3.6.10 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for NZRO<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 1.

#### **Part E: What process will the Authority follow in making a direction?**

- 3.6.11 Before making a direction under paragraph 3.6.10 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.6.12 A direction under paragraph 3.6.10 will set out
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the NZRO<sub>t</sub> term and the Regulatory Years to which that value relates; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustment to the NZRO<sub>t</sub> term.

### **Appendix 1**

#### **Net Zero Price Control Deliverable (£m)**

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#### **Regulatory Year**

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Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Output	Delivery date	2021/22	2022/23	2023/24	2024/25	2025/26	Total
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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## Special Condition 3.7 Non-operational IT Capex Re-opener and Price Control Deliverable (NOITRE<sub>t</sub>)

### Introduction

- 3.7.1 The purpose of this condition is to calculate the term NOITRE<sub>t</sub> (the Non-operational IT Capex Re-opener term). This contributes to the calculation of the Totex Allowance.
- 3.7.2 The effect of this condition is to:
- (a) specify the outputs, delivery dates and associated allowances for any Price Control Deliverable relating to Non-operational IT Capex;
  - (b) establish a Re-opener triggered by either the licensee or the Authority for Non-operational IT Capex; and

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

(c) provide for an assessment of the Price Control Deliverables.

3.7.3 This condition also explains the process the Authority will follow when directing any changes as a result of the Re-opener.

**Part A: Formula for calculating the Non-operational IT Capex Re-opener term (NOITRE<sub>t</sub>)**

3.7.4 The value of NOITRE<sub>t</sub> is derived in accordance with the following formula:

$$\text{NOITRE}_t = \text{NOITO}_t - \text{NOITRO}_t$$

\_\_\_\_\_ where:

NOITO<sub>t</sub> means the allowances in Appendix 1; and

NOITRO<sub>t</sub> has the value zero unless otherwise directed by the Authority in accordance with Part D.

**Part B: What is the licensee funded to deliver?**

3.7.5 Appendix 1 specifies the total allowances provided for work relating to Non-operational IT Capex and Appendix 2 specifies the Price Control Deliverables outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

**Part C: Non-operational IT Capex Re-opener**

3.7.6 The licensee may apply to the Authority for a direction amending Appendices 1 and 2 as a result of:

- (a) the licensee identifying further evidence in support of Non-operational IT Capex projects that were included in its Business Plan, but in relation to which no allowance has been provided to date;
- (b) the licensee identifying activities capable of improving the efficiency or performance of its Non-operational IT Capex; or
- (c) any changes to statutory or regulatory requirements relating to Non-operational IT Capex.

3.7.7 The licensee may only apply to the Authority for changes under this Re-opener:

- (a) Between 1 April 2021 and 8 April 2021;
- (b) Between 25 January 2023 and 31 January 2023; and
- (c) during such other periods as the Authority may direct.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

3.7.8 An application under paragraph 3.7.6 must be made in writing to the Authority and:

- (a) give details of the circumstances referred to in paragraph 3.7.6 that the licensee considers exist;
- (b) explain how the adjustment requested would improve its Non-operational IT Capex;
- (c) explain the basis of the calculations for the adjustment requested to allowances;
- (d) give details of anticipated business benefits derived from any risk reduction as a result of the proposed activities; and
- (e) provide such detailed supporting evidence as is reasonable in the circumstances, which must include:
  - i. delivery plans;
  - ii. a prioritisation programme;
  - iii. a market and industry cost comparison; and
  - iv. anticipated business benefits derived as a result of the proposed activities.

3.7.9 An application under paragraph 3.7.6 must:

- (a) take account of any allowed expenditure, which can be avoided as a result of the adjustment; and
- (b) be confined to costs incurred or expected to be incurred on or after 1 April 2021.

3.7.10 The Authority will also consider amending Appendices 1 and 2 without an application being made under paragraph 3.7.6 where it considers that:

- (a) circumstances of the type referred to in paragraph 3.7.6 exist; and
- (b) costs were incurred or will be incurred on or after 1 April 2021.

#### **Part D: Assessment of the Price Control Deliverable (NOITRO<sub>t</sub>)**

3.7.11 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for NOITRO<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 2.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Part E: What process will the Authority follow in making a direction?

- 3.7.12 Before making a direction under paragraph 3.7.6, 3.7.10 or 3.7.11, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.7.13 A direction under paragraph 3.7.6 or 3.7.10 will set out any amendments to Appendices 1 and 2.
- 3.7.14 A direction under paragraph 3.7.11 will set out
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the NOITRO<sub>t</sub> term and the Regulatory Years to which that value relates; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustment to the NOITRO<sub>t</sub> term.

### Appendix 1

#### Non-operational IT Capex Re-opener allowance (£m)

	2022	2023	2024	2025	2026	Total
<b>Re-opener Allowance</b>	0	0	0	0	0	0

### Appendix 2

#### Non Operational IT Capex Price Control Deliverable (£m)

<u>Regulatory Year</u>								
<u>NOITRE project</u>	<u>Output</u>	<u>Delivery date</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>Total</u>
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## **Special Condition 3.8 Coordinated adjustment mechanism Re-opener (CAM<sub>t</sub>)**

### **Introduction**

- 3.8.1 The purpose of this condition is to calculate the term CAM<sub>t</sub> (the coordinated adjustment mechanism term). This contributes to the calculation of the Totex Allowance.
- 3.8.2 The effect of this condition is to establish a Re-opener triggered by the licensee where an opportunity that delivers greater overall consumer value has been identified to reallocate responsibility for, and revenue associated with, a CAM Activity to or from a Partner Licensee.
- 3.8.3 This condition also explains the process the Authority will follow when directing any changes as a result of the Re-opener.

### **Part A: What is the scope of this Re-opener?**

- 3.8.4 The licensee may apply to the Authority for a direction adjusting the value of the CAM<sub>t</sub> term and the outputs, delivery dates and allowances within the special conditions relating to the CAM Activity for any Regulatory Year during the Price Control Period as a result of reaching agreement to reallocate responsibility and associated revenue for a CAM Activity to or from a Partner Licensee.

### **Part B: When to make an application**

- 3.8.5 The licensee may only apply to the Authority for an adjustment under paragraph 3.8.4 Between 23 May and 29 May in each of the years 2021, 2022, 2023, 2024, 2025, or during such other periods as the Authority may direct.

### **Part C: How to make an application**

- 3.8.6 An application under paragraph 3.8.4 must be made in writing to the Authority and:
- (a) give a description of the engagement between the licensee and the Partner Licensee which has led to the application;
  - (b) explain whether the licensee is applying to have the CAM Activity reallocated to the licensee from the Partner Licensee, or from the licensee to the Partner Licensee;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

- (c) explain why the original allocation of the CAM Activity no longer delivers greater overall consumer value and why the reallocation does deliver greater overall consumer value;
  - (d) give a description of the CAM Activity and associated revenue that the licensee is applying to reallocate;
  - (e) set out any amendments requested to the outputs, delivery dates or allowances established by the special conditions of this licence and that of the Partner Licensee, relating to the CAM Activity;
  - (f) set out the adjustments to the value of the CAM<sub>t</sub> term for both the licensee and the Partner Licensee that the licensee is requesting and the Regulatory Years to which that adjustment relates;
  - (g) explain the basis of the calculation for the proposed adjustments to the value of the licensee and the Partner Licensee's CAM<sub>t</sub> terms or other allowances of the licensee and the Partner Licensee;
  - (h) provide such detailed supporting evidence, including cost benefit analysis, impact assessments, risk mitigation, and engineering justification statements as is reasonable in the circumstances; and
  - (i) provide a copy of the agreement between the licensee and the Partner Licensee to transfer responsibility for and associated revenue of the CAM Activity.
- 3.8.7 An application under paragraph 3.8.4 must:
- (a) take account of any allowed expenditure by both the licensee and the Partner Licensee, which can be avoided as a result of the change; and
  - (b) be confined to costs incurred or expected to be incurred on or after 1 April 2021.

**Part D: What process will the Authority follow in making a direction?**

- 3.8.8 Before making a direction under paragraph 3.8.4 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.8.9 The direction will set out:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) any adjustments to the PCFM Variable Values of this licence and that of the Partner Licensee;
- (b) the Regulatory Years to which those adjustments relate; and
- (c) any amendments to the outputs and delivery dates established by the special conditions of this licence and that of the Partner Licensee.

### **Special Condition 3.9 Net Zero Pre-construction Work and Small Net Zero Projects Re-opener (NZP<sub>t</sub>)**

#### **Introduction**

- 3.9.1 The purpose of this condition is to establish a Re-opener triggered by the Authority where pre-construction work or other projects have been identified that will support the achievement of Net Zero Carbon Targets.
- 3.9.2 The work or projects, may be funded via the NZP<sub>t</sub> term (the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener term) in this licence or, where appropriate, for funding via the pass-through NZPS<sub>t</sub> term in Special Condition 6.1 of this licence. The NZP<sub>t</sub> term contributes to the calculation of the Totex Allowance.
- 3.9.3 This condition also:
  - (a) requires the licensee to comply with funding conditions and directions to return unspent funding under Special Condition 6.1 of this licence;
  - (b) requires the licensee to comply with the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document; and
  - (c) explains the process the Authority will follow when:
    - i. directing any changes as a result of the Re-opener; and
    - ii. issuing or amending the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document.

#### **Part A: The Net Zero Pre-construction Work and Small Net Zero Projects Re-opener**

- 3.9.4 The Authority may use this Re-opener where:
  - (a) there is Net Zero Pre-construction Work or Small Net Zero Projects needed that will support the achievement of Net Zero Carbon Targets;
  - (b) the Net Zero Pre-construction Work or Small Net Zero Project has caused or is expected to cause the cost of Licensed Activity to increase during the Price Control Period;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.



- (c) the effect, or estimated effect, of the Net Zero Pre-construction Work or Small Net Zero Project on the cost of the Licenced Activity is not otherwise provided for in this licence nor under another Re-opener; and
  - (d) the effect, or estimated effect, of the Net Zero Pre-construction Work or Small Net Zero Project on the cost of Licensed Activity exceeds the materiality threshold of £1m but does not exceed £100m.
- 3.9.5 The Authority may issue a direction setting out the following, where the conditions in paragraph 3.9.4 are satisfied:
- (a) the amount of funding for each Net Zero Pre-construction Work or Small Net Zero Project being provided under this Re-opener;
  - (b) whether that funding is to be provided via the NZP<sub>t</sub> term in this licence or via the pass-through term NZPS<sub>t</sub> (Special Condition 6.1) in this licence or a combination of the two;
  - (c) the Regulatory Years in which the funding is to be provided; and
  - (d) any conditions that the licensee must comply with.
- 3.9.6 The licensee must comply with any conditions set under paragraph 3.9.5(d).
- 3.9.7 If the licensee does not spend funding provided under this Re-opener or does not comply with any conditions set under paragraph 3.9.5(d) the Authority may direct as appropriate:
- (a) a reduction to the NZP<sub>t</sub> term; and/or
  - (b) that the licensee return, within a time period specified in the Authority's direction, funding paid to it in accordance with a direction under Part F of Special Condition 6.1 (Transportation owner pass-through items) of this licence.
- 3.9.8 If the licensee does not spend funding provided via the pass-through term NZPS<sub>t</sub> as set out in a direction made under paragraph 3.9.5, the Authority may direct that the licensee returns that funding.
- 3.9.9 The licensee must comply with a direction under paragraph 3.9.7(b) and 3.9.8 to return funding.

### **Part B: Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document**

- 3.9.10 The licensee must comply with the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document in relation to any Net Zero Pre-construction Work and Small Net Zero Projects funded by this Re-opener.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 3.9.11 The Authority will issue and amend the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document by direction.
- 3.9.12 The Authority will publish the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document on the Authority's Website.
- 3.9.13 Before issuing the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document by direction, the Authority will publish on the Authority's Website:
- (a) the text of the proposed Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document;
  - (b) the date on which the Authority intends the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document to come into effect; and
  - (c) a period during which representations may be made on the content of the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document, which will not be less than 28 days.
- 3.9.14 Before amending the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document;
  - (b) the date on which the Authority intends the amended Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document to come into effect;
  - (c) the reasons for the amendments to the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document; and
  - (d) a period during which representations may be made on the amendments to the Net Zero Pre-construction Work and Small Net Zero Projects Re-opener Governance Document, which will not be less than 28 days.

**Part C: What process will the Authority follow in making a direction?**

- 3.9.15 Before making a direction under paragraphs 3.9.5, 3.9.7 or 3.9.8 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (c) a period during which representations may be made on the proposed direction.

### **Special Condition 3.10 Bacton terminal site redevelopment Re-opener and Price Control Deliverable ( $BTR_t$ and $BTRE_t$ )**

#### **Introduction**

- 3.10.1 The purpose of this condition is to calculate the terms  $BTR_t$  (the Bacton terminal redevelopment Price Control Deliverable term) and  $BTRE_t$  (the Bacton terminal redevelopment Re-opener term). These contribute to the calculation of the Totex Allowance.
- 3.10.2 The effect of this condition is to:
- (a) specify the outputs, delivery dates and associated allowances for the Price Control Deliverable;
  - (b) establish a Re-opener for the licensee to trigger amendments to the Price Control Deliverable during the Price Control Period; and
  - (c) provide for an assessment of the Price Control Deliverable.
- 3.10.3 This condition also sets out the process the Authority will follow when directing any changes under paragraph 3.10.11 or 3.10.15.

#### **Part A: Formulae for calculating the Bacton terminal redevelopment Price Control Deliverable term ( $BTR_t$ ) and the Bacton terminal redevelopment Re-opener term ( $BTRE_t$ )**

- 3.10.4 The value of  $BTR_t$  is derived in accordance with the following formula:

$$BTR_t = BTRA_t - BTRRA_t$$

where:

$BTRA_t$  means the baseline allowances in Appendix 1; and

$BTRRA_t$  has the value zero unless otherwise directed by the Authority in accordance with Part E.

- 3.10.5 The value of  $BTRE_t$  is derived in accordance with the following formula:

$$BTRE_t = BTRO_t - BTRRO_t$$

where:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$BTRO_t$  means the sum of allowances directed by the Authority as a result of the Re-opener established by Part D; and

$BTRRO_t$  has the value zero unless otherwise directed by the Authority in accordance with Part E.

### **Part B: What is the licensee funded to deliver?**

- 3.10.6 Appendix 2 specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

### **Part C: Final Option Selection Report**

- 3.10.7 Where specified within Appendix 2, the licensee must submit a Final Option Selection Report to the Authority to review and approve the Final Preferred Option.
- 3.10.8 The Final Option Selection Report must:
- (a) be submitted in writing;
  - (b) be submitted by the delivery date specified in Appendix 2, or such other date directed by the Authority;
  - (c) include a proposed Final Preferred Option; and
  - (d) include such detailed supporting evidence including cost benefit analysis, impact assessments, and engineering justification statements, as is reasonable in the circumstances.
- 3.10.9 The Authority will:
- (a) approve the proposed Final Preferred Option;
  - (b) reject the proposed Final Preferred Option on the basis that the Authority considers no further work should go ahead at this time;
  - (c) reject the proposed Final Preferred Option and approve one of the other options in the Final Option Selection Report; or
  - (d) reject the proposed Final Preferred Option and set out additional information that should be provided to identify the best option before a resubmission of the Final Option Selection Report.
- 3.10.10 Before reaching a decision under paragraph 3.10.9, the Authority will publish on the Authority's Website:
- (a) its proposed decision;
  - (b) the reasons for its proposed decision; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

#### **Part D: Bacton terminal redevelopment Re-opener**

- 3.10.11 The licensee must apply to the Authority for a direction amending the outputs, delivery dates or allowances in Appendix 2 Between 11 September 2023 and 17 September 2023 or during such other periods as the Authority directs.
- 3.10.12 An application under paragraph 3.10.11 must be made in writing to the Authority and include:
  - (a) the actual costs incurred to date in delivering the outputs in Appendix 2;
  - (b) the amendments requested to the outputs, delivery dates or allowances in Appendix 2;
  - (c) the reasons for any amendments requested to Appendix 2;
  - (d) the basis of the calculations for any amendments requested to allowances in Appendix 2; and
  - (e) such detailed supporting evidence including improvement plans, risk mitigation approaches, cost benefit analysis, impact assessments, and engineering justification papers, as is reasonable in the circumstances.
- 3.10.13 An application under paragraph 3.10.11 must also include:
  - (a) details of any fully tendered costs for the approved Final Preferred Option;
  - (b) a Front End Engineering Design for the approved Final Preferred Option; and
  - (c) a full breakdown of development and equipment costs incurred to date for the project.
- 3.10.14 An application under paragraph 3.10.11 must:
  - (a) take account of any allowed expenditure which can be avoided as a result of the amendments requested; and
  - (b) relate to costs incurred or expected to be incurred on or after 1 April 2021.

#### **Part E: Assessment of Price Control Deliverable (BTRRA<sub>t</sub> and BTRRO<sub>t</sub>)**

- 3.10.15 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for BTRRA<sub>t</sub> and BTRRO<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 2.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Part F: What process will the Authority follow in making a direction?

- 3.10.16 Before making a direction under paragraph 3.10.11 or 3.10.15 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.10.17 A direction under paragraph 3.10.11 will set out any amendments to Appendix 2.
- 3.10.18 A direction under paragraph 3.10.15 will set out:
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the  $BTRRA_t$  and  $BTRRO_t$  terms and the Regulatory Years to which those adjustments relate; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustments to the  $BTRRA_t$  and  $BTRRO_t$  terms.

### Appendix 1

#### Bacton terminal site redevelopment baseline allowances ( $BTRA_t$ ) by Regulatory Year

Allowance (£m)					Total Allowance (All years)
21/22	22/23	23/24	24/25	25/26	
7.13	3.37	0.00	0.00	0.00	£10.50m

### Appendix 2

#### Bacton terminal site redevelopment Price Control Deliverable

Site	Output	Delivery date	Re-opener application window	Total allowance (all years) (£m)
Bacton	Final Option Selection Report	28/02/2022	11/09/2023- 17/09/2023	10.50

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Special Condition 3.11 Compressor emissions Re-opener and Price Control Deliverable ( $CEP_t$ and $CEPRE_t$ )

### Introduction

- 3.11.1 The purpose of this condition is to calculate the terms  $CEP_t$  (the compressor emissions Price Control Deliverable term) and  $CEPRE_t$  (the compressor emissions Re-opener term). These contribute to the calculation of the Totex Allowance.
- 3.11.2 The effect of this condition is to:
- (a) specify the outputs, delivery dates and associated allowances for the Price Control Deliverable;
  - (b) establish a Re-opener for the licensee to trigger amendments to the Price Control Deliverable during the Price Control Period; and
  - (c) provide for an assessment of the Price Control Deliverable.
- 3.11.3 This condition also sets out the process the Authority will follow when directing any changes under paragraph 3.11.11 or 3.11.15.

### **Part A: Formulae for calculating the compressor emissions Price Control Deliverable term ( $CEP_t$ ) and the compressor emissions Re-opener term ( $CEPRE_t$ )**

- 3.11.4 The value of  $CEP_t$  is derived in accordance with the following formula:

$$CEP_t = CEPA_t - CEPRAt$$

where:

$CEPA_t$  means the sum of baseline allowances in Appendix 1; and

$CEPRAt$  has the value zero unless otherwise directed by the Authority in accordance with Part F.

- 3.11.5 The value of  $CEPRE_t$  is derived in accordance with the following formula:

$$CEPRE_t = CEPO_t - CEPRO_t$$

where:

$CEPO_t$  means the allowances directed by the Authority as a result of the Re-opener established by Part E; and

$CEPRO_t$  has the value zero unless otherwise directed by the Authority in accordance with Part F.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

### **Part B: What is the licensee funded to deliver?**

- 3.11.6 Appendix 2 specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

### **Part C: Final Option Selection Report**

- 3.11.7 Where specified in Appendix 2, the licensee must submit a Final Option Selection Report to the Authority to review and approve the Final Preferred Option.
- 3.11.8 The Final Option Selection Report must:
- (a) be submitted in writing;
  - (b) be submitted by the delivery date specified in Appendix 2, or such other date directed by the Authority;
  - (c) include a proposed Final Preferred Option; and
  - (d) include such detailed supporting evidence including cost benefit analysis, impact assessments, and engineering justification papers, as is reasonable in the circumstances.
- 3.11.9 The Authority will:
- (a) approve the proposed Final Preferred Option;
  - (b) reject the proposed Final Preferred Option on the basis that the Authority considers no further work should go ahead at this time;
  - (c) reject the proposed Final Preferred Option and approve one of the other options in the Final Option Selection Report; or
  - (d) reject the proposed Final Preferred Option and set out additional information that should be provided to identify the best option before a resubmission of the Final Option Selection Report.
- 3.11.10 Before reaching a decision under paragraph 3.11.9, the Authority will publish on the Authority's Website:
- (a) its proposed decision;
  - (b) the reasons for its proposed decision; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



## **Part D: Compressor Emissions Re-opener**

- 3.11.11 The licensee must apply to the Authority for a direction amending the outputs, delivery dates or allowances in Appendix 1 in the application windows specified in Appendix 2 or during such other periods as the Authority directs.
- 3.11.12 An application under paragraph 3.11.11 must be made in writing to the Authority and include:
- (a) the actual costs incurred to date;
  - (b) the amendments requested to the outputs, delivery dates or allowances in Appendix 2;
  - (c) the reasons for any amendments requested to Appendix 2;
  - (d) the basis of the costs and calculations for any amendments requested to allowances in Appendix 2; and
  - (e) such detailed supporting evidence including improvement plans, risk mitigation approaches, cost benefit analysis, impact assessments, and engineering justification papers, as is reasonable in the circumstances.
- 3.11.13 An application under paragraph 3.11.11 must also include:
- (a) details of any fully tendered costs for the approved Final Preferred Option;
  - (b) a Front End Engineering Design for the approved Final Preferred Option; and
  - (c) a full breakdown of development and equipment costs incurred to date for the project.
- 3.11.14 An application under paragraph 3.11.11 must:
- (a) take account of any allowed expenditure, which can be avoided as a result of the amendments requested; and
  - (b) relate to costs incurred or expected to be incurred on or after 1 April 2021.

## **Part E: Assessment of Price Control Deliverable (CEPRA<sub>t</sub> and CEPRO<sub>t</sub>)**

- 3.11.15 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for CEPRA<sub>t</sub> and CEPRO<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 2.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## **Part F: What process will the Authority follow in making a direction?**

- 3.11.16 Before making a direction under paragraph 3.11.11 or 3.11.15 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.11.17 A direction under paragraph 3.11.11 will set out any amendments to Appendix 2.
- 3.11.18 A direction under paragraph 3.11.15 will set out:
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the  $CEPRA_t$  and  $CEPRO_t$  terms and the Regulatory Years to which those adjustments relate; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustments to the  $CEPRA_t$  and  $CEPRO_t$  terms.

### **Appendix 1**

#### **Compressor emissions baseline allowances ( $CEPA_t$ ) by Regulatory Year**

<b>Allowance (£m)</b>					<b>Total Allowance (All years)</b>
<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>25/26</b>	
<b>8.382</b>	<b>34.51</b>	<b>59.50</b>	<b>20.48</b>	<b>1.01</b>	<b>£123.88</b>

### **Appendix 2**

#### **Compressor emissions Price Control Deliverable**

<b>Site</b>	<b>Output</b>	<b>Delivery date</b>	<b>Re-opener application window</b>	<b>Total allowance (all years) (£m)</b>
Hatton	Emissions compliant compressor procured for	03/2025	N/A	65.40

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

	41MW mechanical output power				
Wormington	Final Option Selection Report	05/2022	11/2024	14.38	
King's Lynn	Final Option Selection Report	10/2022	04/2025	14.38	
St Fergus	Final Option Selection Report	12/2022	06/2025	20.08	
Peterborough and Huntingdon	Final Option Selection Report	12/2022	06/2025	9.65	

### **Special Condition 3.12 King's Lynn subsidence Re-opener and Price Control Deliverable ( $KLS_t$ and $KLSRE_t$ )**

#### **Introduction**

- 3.12.1 The purpose of this condition is to calculate the terms  $KLS_t$  (the King's Lynn subsidence Price Control Deliverable term) and  $KLSRE_t$  (the King's Lynn subsidence Re-opener term). These contribute to the calculation of the Totex Allowance.
- 3.12.2 The effect of this condition is to:
- (a) specify the outputs, delivery dates and associated allowances for the Price Control Deliverable;
  - (b) establish a Re-opener for the licensee to trigger amendments to the Price Control Deliverable during the Price Control Period; and
  - (c) provide for an assessment of the Price Control Deliverable.
- 3.12.3 This condition also sets out the process the Authority will follow when directing any changes under paragraph 3.12.7 or 3.12.11.

#### **Part A: Formulae for calculating the King's Lynn subsidence Price Control Deliverable term ( $KLS_t$ ) and the King's Lynn subsidence Re-opener term ( $KLSRE_t$ )**

- 3.12.4 The value of  $KLS_t$  is derived in accordance with the following formula:

$$KLS_t = KLSA_t - KLSRA_t$$

where:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$KLSA_t$  means the baseline allowances in Appendix 1; and

$KLSRA_t$  has the value zero unless otherwise directed by the Authority in accordance with Part D.

3.12.5 The value of  $KLSRE_t$  is derived in accordance with the following formula:

$$KLSRE_t = KLSO_t - KLSRO_t$$

where:

$KLSO_t$  means the sum of allowances directed by the Authority as a result of the Re-opener established by Part C; and

$KLSRO_t$  has the value zero unless otherwise directed by the Authority in accordance with Part D.

### **Part B: What is the licensee funded to deliver?**

3.12.6 Appendix 2 specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

### **Part C: King's Lynn subsidence Re-opener**

3.12.7 The licensee must apply to the Authority for a direction amending the outputs, delivery dates or allowances in Appendix 1 Between 25 March 2022 and 31 March 2022 or such other periods as the Authority may direct.

3.12.8 Before making an application under paragraph 3.12.7, the licensee must complete a Front End Engineering Design for remedial works to address subsidence at King's Lynn compressor station.

3.12.9 An application under paragraph 3.12.7 must be made in writing to the Authority and:

- (a) set out the amendments requested to the outputs, delivery dates or allowances in Appendix 2;
- (b) give the reasons for any amendments requested to Appendix 2;
- (c) explain the basis of the calculations for any amendments requested to allowances in Appendix 2; and
- (d) include such detailed supporting evidence including options assessment, improvement plans, risk mitigation approaches, cost benefit analysis, impact assessments, and engineering justification papers, as is reasonable in the circumstances.

3.12.10 An application under paragraph 3.12.7 must:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) take account of any allowed expenditure, which can be avoided as a result of the amendments requested; and
- (b) relate to costs incurred or expected to be incurred on or after 1 April 2021.

**Part D: Assessment of Price Control Deliverable (KLSRA<sub>t</sub> and KLSRO<sub>t</sub>)**

3.12.11 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for KLSRA<sub>t</sub> and KLSRO<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 2.

**Part E: What process will the Authority follow in making a direction?**

3.12.12 Before making a direction under paragraph 3.12.7 or 3.12.11 the Authority will publish on the Authority's Website:

- (a) the text of the proposed direction;
- (b) the reasons for the proposed direction; and
- (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

3.12.13 A direction under paragraph 3.12.7 will set out any amendments to Appendix 2.

3.12.14 A direction under paragraph 3.12.11 will set out:

- (a) the delivery status of the output that has not been Fully Delivered;
- (b) the value of the KLSRA<sub>t</sub> and KLSRO<sub>t</sub> terms and the Regulatory Years to which those adjustments relate; and
- (c) the methodology and data that has been used to decide the delivery status and value of any adjustments to the KLSRA<sub>t</sub> and KLSRO<sub>t</sub> terms.

**Appendix 1**

**King's Lynn subsidence baseline allowances (KLSA<sub>t</sub>) by Regulatory Year**

Allowance (£m)					Total Allowance (All years)
21/22	22/23	23/24	24/25	25/26	
1.16	0.00	0.00	0.00	0.00	£1.16m

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Appendix 2

### King's Lynn subsidence Price Control Deliverable

Project	Output	Delivery Date	Re-opener application window	Total Allowance (all years) (£m)
King's Lynn subsidence	Delivery of Re-opener submission	31/03/2022	25/03/2022 - 31/03/2022	1.16

### Special Condition 3.13 Funded incremental obligated capacity Re-opener and Price Control Deliverable ( $FIOC_t$ and $FIOCRE_t$ )

#### Introduction

- 3.13.1 The purpose of this condition is to calculate the terms  $FIOC_t$  (the funded incremental obligated capacity Price Control Deliverable term) and  $FIOCRE_t$  (the funded incremental obligated capacity Re-opener term). These contribute to the Totex Allowance.
- 3.13.2 The effect of this condition is to:
- (a) specify the outputs, delivery dates and associated allowances for the Price Control Deliverable;
  - (b) establish a Re-opener for the licensee to apply for an adjustment to its allowed expenditure required to release Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity that cannot be released by Entry Capacity Substitution or Exit Capacity Substitution;
  - (c) provide for Cost And Output Adjusting Events;
  - (d) provide for an assessment of the Price Control Deliverable; and
  - (e) establish the FIOC Guidance and Submissions Requirements Document.
- 3.13.3 This condition also sets out the process the Authority will follow when directing any changes under paragraph 3.13.8, 3.13.11, 3.13.14 or 3.13.15.

#### **Part A: Formula for calculating the funded incremental obligated capacity Price Control Deliverable term ( $FIOC_t$ ) and funded incremental obligated capacity Re-opener term ( $FIOCRE_t$ )**

- 3.13.4 The value of  $FIOC_t$  is derived in accordance with the following formula:

$$FIOC_t = FIOCA_t - FIOCRA_t$$

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

where:

$FIOCA_t$  means the baseline allowances in Appendix 1; and

$FIOCRA_t$  has the value zero unless otherwise directed by the Authority in accordance with Part E.

3.13.5 The value of  $FIOCRE_t$  is derived in accordance with the following formula:

$$FIOCRE_t = FIOCO_t - FIOCRO_t$$

where:

$FIOCO_t$  means the sum of allowances directed by the Authority in accordance with Parts C and D; and

$FIOCRO_t$  has the value zero unless otherwise directed by the Authority in accordance with Part E.

### **Part B: Outputs and obligation to release capacity**

3.13.6 Appendix 2 specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

3.13.7 The licensee must release the capacity associated with the outputs in Appendix 2 in accordance with the terms of the relevant FIOC Project Direction.

### **Part C: Funded incremental obligated capacity Re-opener**

3.13.8 The licensee may apply to the Authority for a FIOC Project Direction specifying an output, delivery date and associated allowances in Appendix 2 to allow the licensee to release Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity that cannot be provided by Entry Capacity Substitution or Exit Capacity Substitution.

3.13.9 The licensee may only make an application under paragraph 3.13.8:

(a) once it has obtained the Authority's approval of the need for the proposed output to which the application relates; and

(b) once it has secured any material planning consents in relation to the proposed output, unless the Authority otherwise directs.

3.13.10 The licensee may only seek approval under paragraph 3.13.9(a) after the end of the period of twelve months beginning with the date of the provision of the relevant notice to the Authority under Part B of Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution), or such other date as the Authority may direct.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## **Part D: Cost And Output Adjusting Events**

3.13.11 The licensee may apply to the Authority for a direction adjusting the outputs, delivery dates and associated allowances in Appendix 2 where there has been a Cost And Output Adjusting Event if:

- (a) the licensee could not have reasonably foreseen the event;
- (b) the licensee could not have economically and efficiently planned a contingency for the event;
- (c) the event has caused expenditure to increase or decrease by at least 20% relative to the relevant allowance in Appendix 2 or such other percentage as the Authority may direct (calculated before the application of the Totex Incentive Strength); and
- (d) the increase or decrease in expenditure is expected to be efficiently incurred or saved.

3.13.12 The licensee must make the application:

- (a) as soon as is reasonably practicable after the Cost And Output Adjusting Event has occurred; and
- (b) in any event, within the period of three months beginning with the end of the Regulatory Year in which the Cost And Output Adjusting Event occurred

but the Authority may by direction permit a later application.

3.13.13 An application under paragraph 3.13.11 must be made in writing and must include:

- (a) detailed supporting evidence that a Cost And Output Adjusting Event which meets the requirements set out in paragraph 3.13.11 has occurred;
- (b) any amendments requested to the outputs, delivery dates or allowances set out in Appendix 2;
- (c) the basis of the calculation for any amendments requested to allowances, which must be designed, so far as is reasonably practicable, to keep the financial position and performance of the licensee the same as if the Cost And Output Adjusting Event had not occurred; and
- (d) unless the Authority directs otherwise, a statement from a technical adviser, who is external to and independent from the licensee, whether, considered in the context of the value of the output, the proposed adjustments to the output, delivery dates or allowances fairly reflect the effects of the Cost And Output Adjusting Event.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- 3.13.14 The Authority will also consider directing amendments to the outputs, delivery dates and allowances in Appendix 2, without an application being made under paragraph 3.13.11, where it considers there has been a Cost And Output Adjusting Event meeting the requirements set out in paragraph 3.13.11(a) to (c).

**Part E: Assessment of Price Control Deliverable (FIOCRA<sub>t</sub> and FIOCRO<sub>t</sub>)**

- 3.13.15 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for FIOCRA<sub>t</sub> and FIOCRO<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 2.

**Part F: What process will the Authority follow in making a direction?**

- 3.13.16 Before making a direction under paragraphs 3.13.8, 3.13.11, 3.13.14 or 3.13.15, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.13.17 A FIOC Project Direction under paragraph 3.13.8 will set out:
- (a) the amendments to Appendix 2; and
  - (b) any project-specific Cost And Output Adjusting Events.
- 3.13.18 A direction under paragraph 3.13.11 or 3.13.14 will set out any amendments to Appendix 2.
- 3.13.19 A direction under paragraph 3.13.15 will set out:
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the FIOCRA<sub>t</sub> and FIOCRO<sub>t</sub> terms and the Regulatory Years to which those adjustments relate; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustments to the FIOCRA<sub>t</sub> and FIOCRO<sub>t</sub> terms.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## **Part G: FIOC Guidance and Submissions Requirements Document**

- 3.13.20 The licensee must comply with the FIOC Guidance and Submissions Requirements Document when making an application under paragraph 3.13.8 or seeking approval under paragraph 3.13.9(a).
- 3.13.21 The Authority will issue and amend the FIOC Guidance and Submissions Requirements Document by direction.
- 3.13.22 The Authority will publish the FIOC Guidance and Submissions Requirements Document on the Authority's Website.
- 3.13.23 The FIOC Guidance and Submissions Requirements Document will make provision about the detailed requirements for making applications and seeking approvals under Part C, including timings and documentary requirements.
- 3.13.24 Before directing that the FIOC Guidance and Submissions Requirements Document comes into effect the Authority will publish on the Authority's Website:
  - (a) the text of the proposed FIOC Guidance and Submissions Requirements Document;
  - (b) the date on which the Authority intends the FIOC Guidance and Submissions Requirements Document to come into effect; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.13.25 Before directing an amendment to the FIOC Guidance and Submissions Requirements Document, the Authority will publish on the Authority's Website:
  - (a) the text of the amended FIOC Guidance and Submissions Requirements Document;
  - (b) the date the Authority intends the amended FIOC Guidance and Submissions Requirements Document to come into effect;
  - (c) the reasons for the amendments to the FIOC Guidance and Submissions Requirements Document; and
  - (d) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Appendix 1

### Funded incremental obligated capacity baseline allowances (FIOCA<sub>t</sub>) by Regulatory Year

Allowance (£m)					Total Allowance (All years)
21/22	22/23	23/24	24/25	25/26	
0.00	0.00	0.00	0.00	0.00	0.00

## Appendix 2

### Funded incremental obligated capacity Price Control Deliverable

Project	Output	Delivery Date	Total Allowance (all years) (£m)
N/A	N/A	N/A	0.00

## Special Condition 3.14 Asset health Re-opener (AH<sub>t</sub>)

### Introduction

- 3.14.1 The purpose of this condition is to calculate the term AH<sub>t</sub> (the asset health term). This contributes to the calculation of the Totex Allowance.
- 3.14.2 The effect of this condition is to:
- (a) establish a Re-opener triggered by either the licensee or the Authority to adjust allowances for Compressor Cabs and Plant And Equipment for Regulatory Years commencing on 1 April 2023 to 1 April 2025; and
  - (b) provide for the true up of costs incurred in Regulatory Years starting on 1 April 2021 and 1 April 2022.
- 3.14.3 This condition also explains the process the Authority will follow when directing any changes as a result of the Re-opener.

### Part A: What is the scope of this Re-opener?

- 3.14.4 The licensee may apply to the Authority for a direction:
- (a) adjusting the value of the AH<sub>t</sub> term;
  - (b) adjusting the value of the NARMAHO<sub>t</sub> term; or

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (c) amending the outputs, delivery dates and allowances in the Asset Health Non-Lead Assets PCD Tables

where it is seeking allowances for work relating to Compressor Cabs or Plant And Equipment in Regulatory Years commencing on 1 April 2023 to 1 April 2025.

### **Part B: When to make an application**

- 3.14.5 The licensee may only apply to the Authority for an adjustment under paragraph 3.14.4 Between 25 January 2023 and 31 January 2023, or during such later periods as the Authority may direct.

### **Part C: How to make an application**

- 3.14.6 An application under paragraph 3.14.4 must be made in writing to the Authority and include:
  - (a) the changes the licensee is requesting to:
    - i. the value of the  $AH_t$  term and the Regulatory Years to which that adjustment relates;
    - ii. the value of the  $NARMAHO_t$  term and the Regulatory Years to which that adjustment relates; and
    - iii. the Asset Health Non-Lead Assets PCD Tables;
  - (b) the basis of the calculation for the proposed adjustments to any allowances; and
  - (c) such detailed supporting evidence, including justification of unit costs and volumes of work based on historical outturn data, benchmarking, actual condition information, cost benefit analysis, and updated engineering justification papers, as is reasonable in the circumstances.
- 3.14.7 An application under paragraph 3.14.4 must:
  - (a) relate to changes to the licensee's investment plan that have developed since the licensee submitted its GT Asset Health Plan to the Authority in December 2019;
  - (b) relate to costs incurred or expected to be incurred that exceed the Materiality Threshold; and
  - (c) be confined to costs incurred or expected to be incurred on or after 1 April 2021.

### **Part D: Authority triggered Re-opener**

- 3.14.8 The Authority will also consider directing:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) an adjustment to the value of the  $AH_t$  term;
- (b) an adjustment to the value of the  $NARMAHO_t$  term; and
- (c) an amendment to the outputs, delivery dates and allowances in the Asset Health Non-Lead Assets PCD Tables

without an application being made under paragraph 3.14.4, in relation to costs incurred or expected to be incurred relating to Compressor Cabs or Plant And Equipment Between 1 April 2023 and 31 March 2026 that exceed the Materiality Threshold.

#### **Part E: Assessment of Years 1 and 2**

3.14.9 After the Regulatory Year starting on 1 April 2022, the Authority will assess costs relating to Compressor Cabs and Plant And Equipment for Regulatory Years commencing on 1 April 2021 and 1 April 2022 and direct:

- (a) an adjustment to the value of the  $AH_t$  term;
- (b) an adjustment to the value of the  $NARMAHO_t$  term; and
- (c) an amendment to the outputs, delivery dates and allowances in the Asset Health Non-Lead Assets PCD Tables

to reflect actual efficient costs and work volumes.

#### **Part F: What process will the Authority follow in making a direction?**

3.14.10 Before making a direction under paragraph 3.14.4, 3.14.8 or 3.14.9 the Authority will publish on the Authority's Website:

- (a) the text of the proposed direction;
- (b) the reasons for the proposed direction; and
- (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

3.14.11 A direction under paragraph 3.14.4, 3.14.8 and 3.14.9:

- (a) will set out any adjustments to the value of the  $AH_t$  term and the Regulatory Years to which that adjustment relates;
- (b) will set out any adjustments to the value of the  $NARMAHO_t$  term and the Regulatory Years to which that adjustment relates; and
- (c) where any amendments are being made to the outputs, delivery dates or allowances in the Asset Health Non-Lead Assets PCD Tables, will replace the text in Appendix 2 to Special Condition 3.15 (Asset health – non-lead assets Price Control Deliverable).

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Special Condition 3.15 Asset health – non-lead assets Price Control Deliverable ( $NLA_t$ and $NLAAH_t$ )

### Introduction

- 3.15.1 The purpose of this condition is to calculate the terms  $NLA_t$  (the asset health – non-lead assets Price Control Deliverable term) and  $NLAAH_t$  (the asset health – non-lead assets Re-opener term). These contribute to the calculation of the Totex Allowance.
- 3.15.2 The effect of this condition is to specify the outputs, delivery dates and associated allowances for the Price Control Deliverable.
- 3.15.3 This condition also sets out the process the Authority will follow when assessing the Price Control Deliverable.

#### **Part A: Formulae for calculating the asset health – non-lead assets Price Control Deliverable term ( $NLA_t$ ) and the asset health – non-lead assets Re-opener term ( $NLAAH_t$ )**

- 3.15.4 The value of  $NLA_t$  is derived in accordance with the following formula:

$$NLA_t = NLAA_t - NLAR_t$$

where:

$NLAA_t$  means the sum of allowances in the Asset Health Non-Lead Assets Baseline Allowances Table; and

$NLAR_t$  has the value zero unless otherwise directed by the Authority in accordance with Part C.

- 3.15.5 The value of  $NLAAH_t$  is derived in accordance with the following formula:

$$NLAAH_t = NLAHO_t - NLAHR_t$$

where:

$NLAHO_t$  means the sum of allowances directed by the Authority under paragraphs 3.14.4(c), 3.14.8(c) and 3.14.9(c) of Special Condition 3.14 (Asset health Re-opener); and

$NLAHR_t$  has the value zero unless otherwise directed by the Authority in accordance with Part C.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

### **Part B: What is the licensee funded to deliver?**

- 3.15.6 The Asset Health Non-Lead Assets PCD Tables specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

### **Part C: Assessment of Price Control Deliverable (NLAR<sub>t</sub>)**

- 3.15.7 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for NLAR<sub>t</sub> where the licensee has not Fully Delivered an output in the Asset Health Non-Lead Assets PCD Tables.

### **Part D: What process the Authority will follow in making a direction**

- 3.15.8 Before making a direction under paragraph 3.15.7 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.15.9 A direction under paragraph 3.15.7 will set out:
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the NLAR<sub>t</sub> term and the Regulatory Years to which that adjustment relates; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustment to the NLAR<sub>t</sub> term.

## **Appendix 1**

### **Title and publication date of document containing the Asset Health – Non-Lead Assets Baseline Allowances Table**

<b>Title</b>	<b>Publication Date</b>
Final Determinations - RIIO-GT2 Non-lead assets PCD Annex	3 February 2021

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Appendix 2

### Title and publication date of document containing the Asset Health – Non-Lead Assets PCD Tables

Title	Publication Date
Final Determinations - RIIO-GT2 Non-lead assets PCD Annex (REVISED)	3 February 2021

### Special Condition 3.16 Redundant Assets Price Control Deliverable (RA<sub>t</sub>)

#### Introduction

- 3.16.1 The purpose of this condition is to calculate the term RA<sub>t</sub> (the Redundant Asset Price Control Deliverable term). This contributes to the calculation of the Totex Allowance.
- 3.16.2 The effect of this condition is to specify the outputs, delivery dates and associated allowances for the Price Control Deliverable.
- 3.16.3 This condition also sets out the process the Authority will follow when assessing the Price Control Deliverable.

#### Part A: Formula for calculating the Redundant Asset Price Control Deliverable term (RA<sub>t</sub>)

- 3.16.4 The value of RA<sub>t</sub> is derived in accordance with the following formula:

$$RA_t = RAA_t - RAR_t$$

where:

*RAA<sub>t</sub>* means the sum of allowances in the Redundant Assets PCD Tables; and

*RAR<sub>t</sub>* has the value zero unless otherwise directed by the Authority in accordance with Part C.

#### Part B: What is the licensee funded to deliver?

- 3.16.5 The Redundant Assets PCD Tables specifies the outputs that the licensee is funded to deliver, the delivery dates for those outputs and the allowances provided.

#### Part C: Assessment of Price Control Deliverable (RAR<sub>t</sub>)

- 3.16.6 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



reporting requirements), consider directing a value for  $RAR_t$  where the licensee has not Fully Delivered an output in the Redundant Assets PCD Tables.

**Part D: What process will the Authority follow in making a direction?**

- 3.16.7 Before making a direction under paragraph 3.16.6 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 3.16.8 A direction under paragraph 3.16.6 will set out:
- (a) the delivery status of the output that has not been Fully Delivered;
  - (b) the value of the  $RAR_t$  term and the Regulatory Years to which that adjustment relates; and
  - (c) the methodology and data that has been used to decide the delivery status and value of any adjustment to the  $RAR_t$  term.

**Appendix 1**

**Title and publication date of document containing the Redundant Assets PCD Tables**

Title	Publication Date
Final Determinations – RIIO-GT2 Redundant Assets PCD Annex (REVISED)	15 December 2021

**Special Condition 3.17 Uncertain Costs Re-opener ( $QL_t$  and  $PD_t$ )**

**Introduction**

- 3.17.1 The purpose of this condition is to calculate the terms  $QL_t$  (Quarry and Loss Development Claim Costs) and the  $PD_t$  (Pipeline Diversion Costs). These contribute to the calculation of the Totex Allowance.
- 3.17.2 The effect of this condition is to establish a Re-opener triggered by either the licensee or the Authority where Uncertain Costs have resulted in material changes to Quarry and Loss Development Claim Costs and Pipeline Diversion Costs.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 3.17.3 This condition also explains the process the Authority will follow when directing any changes as a result of the Re-opener.

**Part A: What is the scope of the Re-opener?**

- 3.17.4 The licensee may apply to the Authority for a direction adjusting:
- (a) the value of the  $QL_t$  terms in relation to Quarry and Loss Development Claim Costs; or
  - (b) the value of the  $PD_t$  term in relation to Pipeline Diversion Costs.

**Part B: When to make an application**

- 3.17.5 The licensee may only make an application under paragraph 3.17.4:
- (a) Between 25 January 2023 and 31 January 2023 in relation to Quarry and Loss Development Claim Costs; and
  - (b) Between 25 January and 31 January in any Regulatory Year during the Price Control Period in relation to Pipeline Diversion Costs.

**Part C: How to make an application**

- 3.17.6 An application under paragraph 3.17.4 must be made in writing to the Authority and include:
- (a) a statement of the Uncertain Costs to which the application relates;
  - (b) the adjustments to either the  $QL_t$  or  $PD_t$  terms that the licensee is requesting and the Regulatory Years to which those adjustments relate;
  - (c) the basis of the calculation for the proposed adjustments to the value of the  $QL_t$  or  $PD_t$  term; and
  - (d) such detailed supporting evidence, including improvement plans, risk mitigation approaches, cost benefit analysis, impact assessments and engineering justification papers, as is reasonable in the circumstances and relevant to the Uncertain Costs in question.
- 3.17.7 An application under paragraph 3.17.4 must:
- (a) take account of any allowed expenditure that relates to the Uncertain Costs;
  - (b) relate to costs incurred or expected to be incurred that for each of the Uncertain Costs applied for exceed the Materiality Threshold; and
  - (c) be confined to costs incurred or expected to be incurred on or after 1 April 2021.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

### **Part D: Authority triggered Re-opener**

3.17.8 The Authority will also consider directing an adjustment to the  $QL_t$  and  $PD_t$  terms without an application being made under paragraph 3.17.4, where it considers that the licensee has incurred or is likely to incur Uncertain Costs that:

- (a) for each of the Uncertain Costs in question exceed the Materiality Threshold; and
- (b) were incurred or are expected to be incurred on or after 1 April 2021.

### **Part E: True up of actual costs.**

3.17.9 After the Price Control Period, the Authority will direct an adjustment to the  $QL_t$  and  $PD_t$  term to reflect actual efficient costs.

### **Part F: What process will the Authority follow in making a direction?**

3.17.10 Before making a direction under paragraph 3.17.4, 3.17.8 or 3.17.9 the Authority will publish on the Authority's Website:

- (a) the text of the proposed direction;
- (b) the reasons for the proposed direction; and
- (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

3.17.11 The direction will set out any adjustments to the value of the  $QL_t$  and  $PD_t$  terms and the Regulatory Years to which those adjustments relate.

## **Special Condition 3.18 Opex escalator ( $OE_t$ )**

### **Introduction**

3.18.1 The purpose of this condition is to calculate the  $OE_t$  term (the opex escalator term). This contributes to the calculation of the Totex Allowance.

3.18.2 The effect is to provide additional allowance for capital expenditure allowed under particular uncertainty mechanisms.

### **Part A: Formula for calculating the opex escalator term ( $OE_t$ )**

3.18.3 The value of  $OE_t$  is derived in accordance with following formula:

$$OE_t = 73.4\% \times BCAI \times \frac{UMTERM_t}{BCAPEX}$$

where:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$UMTERM_t$	has the value derived in accordance with the formula in paragraph 3.18.4;
$BCAI$	means the baseline allowance for closely associated indirect opex and has the value £239.26m; and
$BCAPEX$	means the baseline allowance for capex and has the value £761.3m.

3.18.4 The value of  $UMTERM_t$  is derived in accordance with the following formula:

$$UMTERM_t = PSUPRE_t + NZ_t + NOIT_t + BTRE_t + CEPRE_t + KLSRE_t + FIOCRE_t + AH_t$$

where

$PSUPRE_t$	has the meaning given in Part A of Special Condition 3.4 (Physical security Re-opener and Price Control Deliverable);
$NZ_t$	has the meaning given in Part A of Special Condition 3.6 (Net Zero Re-opener);
$NOIT_t$	has the value zero unless directed otherwise in accordance with Special Condition 3.7 (Non-operational IT Capex Re-opener);
$BTRE_t$	has the meaning given in Part A of Special Condition 3.10 (Bacton terminal site development Re-opener and Price Control Deliverable);
$CEPRE_t$	has the meaning given in Part A of Special Condition 3.11 (Compressor emissions Re-opener and Price Control Deliverable);
$KLSRE_t$	has the meaning given in Part A of Special Condition 3.12 (King's Lynn subsidence Re-opener and Price Control Deliverable);
$FIOCRE_t$	has the meaning given in Part A of Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable); and
$AH_t$	has the value zero unless directed otherwise in accordance with Special Condition 3.14 (Asset health Re-opener).

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Chapter 4: Output delivery incentives

### Special Condition 4.1 Total output delivery incentive performance (ODI<sub>t</sub>)

#### Introduction

- 4.1.1 The purpose of this condition is to calculate ODI<sub>t</sub> (the output delivery incentives term). This contributes to the calculation of Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 4.1.2 The effect is to produce a total of individual ODI terms.

#### **Part A: Formula for calculating total output delivery incentive performance**

- 4.1.3 The value of ODI<sub>t</sub> is derived in accordance with the following formula:

$$ODI_t = CSI_t + ESI_t$$

where:

$CSI_t$  is derived in accordance with Special Condition 4.2; and

$ESI_t$  is derived in accordance with Special Condition 4.3.

### Special Condition 4.2 Customer satisfaction survey output delivery incentive (CSI<sub>t</sub>)

#### Introduction

- 4.2.1 The purpose of this condition is to provide for the calculation of the term CSI<sub>t</sub> (the customer satisfaction output delivery incentive term). This contributes to the calculation of the term ODI<sub>t</sub> (the output delivery incentives term), which in turn feeds into Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 4.2.2 The effect of the condition is to reward or penalise the licensee in relation to its performance under the customer satisfaction survey output delivery incentive.

#### **Part A: Formula for calculating the customer satisfaction incentive (CSI<sub>t</sub>)**

- 4.2.3 The value of CSI<sub>t</sub> is derived in accordance with the following formula:

$$CSI_t = EABR \times CSAF_t$$

where:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

*EABR* means Ex-Ante Base Revenue; and

*CSAF<sub>t</sub>* means the revenue adjustment factor based on the licensee's customer satisfaction survey performance in Regulatory Year t, derived in accordance with the following formula:

If  $CSP_t > CST$ :

$$CSAF_t = \min \left[ CSUPA, CSUPA \times \left( \frac{CSP_t - CST}{CSCAP - CST} \right) \right]$$

If  $CSP_t < CST$ :

$$CSAF_t = \max \left[ CSDPA, CSDPA \times \left( \frac{CST - CSP_t}{CST - CSCOL} \right) \right]$$

where:

*CSP<sub>t</sub>* is the overall average customer satisfaction survey result in Regulatory Year t;

*CST* is the customer satisfaction survey target, and has the value 7.8;

*CSCAP* is the customer satisfaction survey cap, and has the value 8.5;

*CSUPA* is the customer satisfaction maximum upside percentage adjustment, and has the value 0.5%;

*CSCOL* is the customer satisfaction survey collar, and has the value 7.1; and

*CSDPA* is the customer satisfaction maximum downside percentage adjustment, and has the value -0.5%.

## **Part B: Customer satisfaction surveys**

- 4.2.4 The licensee must, unless the Authority otherwise consents, carry out a survey at least once in each Regulatory Year to assess customer satisfaction with its Licensed Activity.
- 4.2.5 The licensee may include such questions in the survey as it considers appropriate, but:
- (a) the survey must include a question that asks for overall customer satisfaction to be rated on a scale of 1-10, where 1 is low and 10 is high; and
  - (b) the question must be framed as “Based on your experience of the [service touchpoints – see Appendix 1] you received/attended, how satisfied are you with National Grid Gas?”.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 4.2.6 The licensee must share the results of this survey with the Authority.

## **Appendix 1**

### **Service touchpoints**

- 4.2.7 The following service touchpoints may be used in the question in paragraph 4.2.5:
- (a) Planning application service
  - (b) Gas construction service
  - (c) Gas markets policy and change service
  - (d) Connections service
  - (e) Disconnections service
  - (f) Diversions service
  - (g) Gas National Control Centre (GNCC) service
  - (h) Day to day account management
  - (i) Energy balancing services (including allocations, measurements)
  - (j) Maintenance service
  - (k) Specific [Event/Engagement/Forum] name
  - (l) Capacity Auction service

## **Special Condition 4.3 Environmental scorecard output delivery incentive ( $ESI_t$ )**

### **Introduction**

- 4.3.1 The purpose of this condition is to calculate the term  $ESI_t$  (the environmental scorecard output delivery incentive term). This contributes to the calculation of the term  $ODI_t$  (the output delivery incentives term), which in turn feeds into Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 4.3.2 The effect of this incentive is to reward or penalise the licensee for its performance in seven environmental areas as compared to annual improvement thresholds.
- 4.3.3 This condition also sets out the process that the Authority will follow to update the value  $EGI_t$  and the baseline measure for Environmental Net Gain as set out in Appendix 1.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

### **Part A: Process for updating Environmental Net Gain incentive rate ( $EGI_t$ )**

- 4.3.4 The value of  $EGI_t$  will be zero and the Environmental Net Gain baseline will not be set, until such time as the Authority directs otherwise.
- 4.3.5 The licensee may request that the Authority make a direction under paragraph 4.3.4 by submitting an application to the Authority in writing setting out:
- (a) the proposed value for the term  $EGI_t$ ;
  - (b) the proposed baseline measure for Environmental Net Gain; and
  - (c) justification for the proposals under sub-paragraphs (a) and (b).
- 4.3.6 Before making a direction under paragraphs 4.3.4 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 4.3.7 A direction under paragraph 4.3.4 will set out:
- (a) amendments to this condition to set out:
    - i. the value for the term  $EGI_t$ ; and
    - ii. the baseline measure for Environmental Net Gain; and
  - (b) the date from which the direction is to have effect, which will not be before the first day of the Regulatory Year following the making of the direction.

### **Part B: Formula for calculating the environmental scorecard output delivery incentive term ( $ESI_t$ )**

- 4.3.8 The value of  $ESI_t$  is derived in accordance with the following formula:

$$ESI_t = [OT_t + BM_t + WR_t + OW_t + WU_t + EV_t + EG_t] \times TIS$$

where:

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$OT_t$	means the value of the operational transport emissions component of the environmental scorecard incentive derived in accordance with the following formula:  = $OTI_t$ , if $OTA_t \leq OTTR_t$ ;  = $-OTI_t$ , if $OTA_t > OTTP_t$ ;
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Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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	otherwise has the value zero;
OTI <sub>t</sub>	means the incentive for operational transport emissions and has the value set out in Appendix 1;
OTA <sub>t</sub>	means the percentage change in the licensee's operational transport emissions compared to baseline levels in Appendix 3;
OTTR <sub>t</sub>	means the reward threshold for operational transport emissions and has the value set out in Appendix 2;
OTTP <sub>t</sub>	means the penalty threshold for operational transport emissions and has the value set out in Appendix 2;
BM <sub>t</sub>	<p>means the value for the business mileage emissions component of the environmental scorecard incentive derived in accordance with the following formula:</p> <p>= BMI<sub>t</sub>, if BMA<sub>t</sub> ≤ BMTR<sub>t</sub>;</p> <p>= -BMI<sub>t</sub>, if BMA<sub>t</sub> &gt; BMTP<sub>t</sub>;</p> <p>otherwise has the value zero;</p>
BMI <sub>t</sub>	means the incentive for business mileage emissions and has the value set out in Appendix 1;
BMA <sub>t</sub>	means the percentage change in the licensee's total business mileage emissions compared to baseline levels in Appendix 3;
BMTR	means the reward threshold for business mileage emissions and has the value set out in Appendix 2;
BMTP	means the penalty threshold for business mileage emissions and has the value set out in Appendix 2;
WR <sub>t</sub>	<p>means the value for the waste recycling component of the environmental scorecard incentive derived in accordance with the following formula:</p> <p>= WRI<sub>t</sub>, if WRA<sub>t</sub> ≥ WRTR<sub>t</sub>;</p> <p>= -WRI<sub>t</sub>, if WRA<sub>t</sub> ≤ WRTP<sub>t</sub>;</p> <p>otherwise has value the zero;</p>
WRI <sub>t</sub>	means the incentive for waste recycling and has the value set out in Appendix 1;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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WRA <sub>t</sub>	means the percentage of the licensee's operational and office waste that is recycled;
WRTR	means the reward threshold for waste recycling and has the value set out in Appendix 2;
WRTP	means the penalty threshold for waste recycling and has the value set out in Appendix 2;
OW <sub>t</sub>	means the value for the office waste reduction component of the environmental scorecard incentive derived in accordance with the following formula: $= OWI_t, \text{ if } OWA_t \leq OWTR_t;$ $= -OWI_t, \text{ if } OWA_t \geq OWTP_t;$ otherwise has the value zero;
OWI <sub>t</sub>	means the incentive for office waste reduction and has the value set out in Appendix 1;
OWA <sub>t</sub>	means the percentage change in the waste generated at the Licensee's Offices compared to baseline levels in Appendix 3, provided that for the Warwick site, the amount of waste generated will be attributed to the licensee and other parties in proportion with the capex allocation (as notified by the licensee to the Authority) for each party residing at the site;
OWTR	means the reward threshold for office waste reduction and has the value set out in Appendix 2;
OWTP	means the penalty threshold for office waste reduction and has the value set out in Appendix 2;
WU <sub>t</sub>	means the value for the water use reduction component of the environmental scorecard incentive derived in accordance with the following formula: $= WUI_t, \text{ if } WUA_t \leq WUTR_t;$ $= -WUI_t, \text{ if } WUA_t \geq WUTP_t;$ otherwise has the value zero;
WUI <sub>t</sub>	means the incentive for water use reduction and has the value set out in Appendix 1;
WUA <sub>t</sub>	means the percentage change in the volume of [scope to be defined eg construction/operational/office] water use compared to the baseline

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	levels in Appendix 3, provided that for the Warwick site, the amount of water use will be attributed to the licensee and other parties in proportion with the capex allocation (as notified by the licensee to the Authority) for each party residing at the site;
WUTR	means the reward threshold for water use reduction and has the value set out in Appendix 2;
WUTP	means the penalty threshold for water use reduction and has the value set out in Appendix 2;
EV <sub>t</sub>	means the value for the Environmental Value component of the environmental scorecard incentive.
	For years 2021/22 to 2024/25, EV <sub>t</sub> is derived in accordance with the following formula: $=EVPC_t + EVCOR_t$
	For the final year of the Price Control Period, 2025/26, it is derived in accordance with the following formula: $= -4 * EVI_t - EVCOR_{t-1}, \text{ if } \sum_{2021/22}^t EVA_t * 100 < 6,$ $= (\text{Min} ( \sum_{2021/22}^t EVA_t * 100, 14 ) - 10) * EVI_t - EVCOR_{t-1} \text{ in all other cases;}$
EVPC <sub>t</sub>	means the valuation of the annual change in Environmental Value and is derived in accordance with the following formula: $=EVI_t * (EVTP_t - EVTT_t) * 100, \text{ if } EVA_t \leq EVTP;$ $=EVI_t * (EVTR_t - EVTT_t) * 100, \text{ if } EVA_t \geq EVTR;$ otherwise has the value of zero;
EVI <sub>t</sub>	means the incentive for Environmental Value and has the value set out in Appendix 1;
EVTT <sub>t</sub>	means the baseline Environmental Value target which is equal to 1% in year 2021/2022 and otherwise has the value of 2.25%;
EVTR <sub>t</sub>	means the reward threshold for Environmental Value and has the value set out in Appendix 2;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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EVTP <sub>t</sub>	means the penalty threshold for Environmental Value and has the value set out in Appendix 2;
EVA <sub>t</sub>	means the annual percentage change in the Environmental Value of the licensee's non-operational land compared to the baseline levels in Appendix 3;
EVCOR <sub>t</sub>	means the correction factor for the Environmental Value component derived in accordance with the following formula:  $= \text{MIN} [-(\text{EVCOR}_{t-1} + \text{EVPC}_t), (\text{EVA}_t - \text{EVTT}_t) * 100 * \text{EVI}_t]; \text{ if } \text{EVCOR}_{t-1} + \text{EVPC}_t < 0 \text{ AND } \text{EVA}_t > \text{EVTT}_t,$ $= \text{MAX} [-\text{EVCOR}_{t-1}, +\text{EVPC}_t, (\text{EVA}_t - \text{EVTT}_t) * 100 * \text{EVI}_t]; \text{ if } (\text{EVCOR}_{t-1} + \text{EVPC}_t) > 0 \text{ AND } \text{EVA}_t < \text{EVTT}_t,$ otherwise has the value zero;
EVCOR <sub>t</sub>	means the cumulative calculated value of the Environmental Value component over the Price Control Period as derived in accordance with the following formula:  $= \sum_{2021/22}^t \text{EV}_t$
EG <sub>t</sub>	means the value for the Environmental Net Gain component of the environmental scorecard incentive derived in accordance with the following formula:  $= \text{EGR}_t + \text{EGP}_t$
EGR <sub>t</sub>	means the value of reward for all Qualifying Projects that have met or exceeded the reward threshold and is derived in accordance with the following formula:  $= \text{NR}_t * \text{EGI}_t$ otherwise has the value zero;
EGP <sub>t</sub>	means the value of penalty for all Qualifying Projects that have achieved equal to or less than the penalty threshold and is derived in accordance with the following formula:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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	$=NP_t * EGI_t$
	otherwise has the value zero;
NR <sub>t</sub>	means the number of Qualifying Projects that have met or exceeded the reward threshold (EGTR <sub>t</sub> ) in the Regulatory Year and otherwise has the value zero;
NP <sub>t</sub>	means the number of Qualifying Projects that have achieved equal to or less than the penalty threshold (EGTP <sub>t</sub> ) in the Regulatory Year and otherwise has the value zero;
EGI <sub>t</sub>	means the incentive for Environmental Net Gain and has the value set out in Appendix 1;
EGTR <sub>t</sub>	means the reward threshold for Environmental Net Gain and has the value set out in Appendix 2;
EGTP <sub>t</sub>	means the penalty threshold for Environmental Net Gain and has the value set out in Appendix 2; and
TIS	means the Totex Incentive Strength.

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## Appendix 1

### Incentive values

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Incentive Rate	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
OTI <sub>t</sub> (£)	13,796	14,134	14,309	14,484	14,659
BMI <sub>t</sub> (£)	879	897	906	1,829	1,847
WRI <sub>t</sub> (£)	302	302	302	302	378
OWI <sub>t</sub> (£)	76	76	76	153	382
WUI <sub>t</sub> (£)	2	2	2	4	11
EVI <sub>t</sub> (£)	329,201	329,201	329,201	329,201	329,201
EGI <sub>t</sub> (£)	0	0	0	0	0

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Appendix 2

### Annual performance thresholds

Annual performance thresholds	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
OTTR	-12%	-14%	-16%	-26%	-38%
OTTP	8%	6%	4%	-6%	-18%
BMTR	-3%	-5%	-7%	-10%	-12%
BMTP	-1%	-3%	-5%	-6%	-8%
WRTR	52%	54%	57%	61%	65%
WRTP	44%	46%	49%	53%	55%
OWTR	-3%	-5%	-7%	-10%	-25%
OWTP	-1%	-3%	-5%	-6%	-15%
WUTR	-3%	-5%	-7%	-10%	-25%
WUTP	-1%	-3%	-5%	-6%	-15%
EVTR	1.40%	3.15%	3.15%	3.15%	3.15%
EVTP	0.60%	1.35%	1.35%	1.35%	1.35%
EGTR	15%	15%	15%	15%	15%
EGTP	5%	5%	5%	5%	5%

## Appendix 3

### Baseline measures

Impact area	Year	Level
Operational transport emissions (tCO <sub>2</sub> e)	2021 forecast	1748
Business mileage (tCO <sub>2</sub> e)	2019/20	1608
Licensee's Office waste generated in tonnes	2019/20	54.60
Licensee's Office water use in m <sup>3</sup>	2019/20	7,380
Environmental Value of licensee's non-operational land (£m)	2020/21	32.92

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Chapter 5: Other revenue allowances

### Special Condition 5.1 Transportation owner other revenue allowance ( $ORA_t$ )

#### Introduction

- 5.1.1 The purpose of this condition is to calculate the term  $ORA_t$  (the other revenue allowance term). This contributes to the calculation of Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).

#### **Part A: Formula for calculating total other revenue allowance ( $ORA_t$ )**

- 5.1.2 The value of  $ORA_t$  is derived in accordance with the following formula:

$$ORA_t = NIA_t + CNIA_t + SIFF_t + PRPN_t$$

where:

$NIA_t$  is derived in accordance with Special Condition 5.2;

$CNIA_t$  is derived in accordance with Special Condition 5.3;

$SIFF_t$  is derived in accordance with Special Condition 5.7 (The strategic innovation fund); and

$PRPN_t$  means the pre-RIIO pension true up and has the value given in the GT2 Price Control Financial Model.

### Special Condition 5.2 RIIO-2 network innovation allowance ( $NIA_t$ )

#### Introduction

- 5.2.1 The purpose of this condition is to calculate the term  $NIA_t$  (the network innovation allowance term). This contributes to the calculation of the term  $ORA_t$  (the other revenue allowance term), which in turn feeds into the calculation of Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 5.2.2 The effect of this condition is to fund investment in innovation by means of the NIA.
- 5.2.3 This condition also establishes a framework for the governance and administration of the NIA.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

**Part A: Formula for calculating the network innovation allowance term ( $NIA_t$ )**

- 5.2.4 Subject to paragraph 5.2.5, the value of the  $NIA_t$  term is derived in accordance with the following formula:

$$NIA_t = 90\% \times NIAE_t$$

where:

$NIAE_t$  means the Total NIA Expenditure.

- 5.2.5 The total value of the network innovation allowance over the RIIO-2 Price Control Period is subject to the following cap:

$$\sum_{t=2021/22}^{2025/26} (NIA_t) \leq (TNIA_t + HYIN_t)$$

where:

$NIA_t$  is derived in accordance with paragraph 5.2.4.

$TNIA_t$  means the value of the licensee's network innovation allowance as set out in Appendix 1.

$HYIN_t$  means hydrogen innovation funding and has the value zero unless otherwise directed by the Authority in accordance with Part B.

- 5.2.6 The licensee must not spend more than 25% of Total NIA Expenditure on internal resources over the Price Control Period.

**Part B: Hydrogen innovation funding ( $HYIN_t$ )**

- 5.2.7 The Authority will direct a positive value for  $HYIN_t$  where it has decided that the value of  $NIAE$  is insufficient to enable the licensee to proceed with hydrogen related innovation that the Authority considers:

- (a) ought to proceed; and
- (b) satisfy the eligibility criteria specified in the RIIO-2 NIA Governance Document.

- 5.2.8 Before making a direction under paragraph 5.2.7 the Authority will:

- (a) engage with the licensee and stakeholders which may include:
  - i. the Net Zero Innovation Board; or
  - ii. the Net Zero Advisory Group; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- (b) publish on the Authority's Website:
- i. the text of the proposed direction;
  - ii. the reasons for the proposed direction; and
  - iii. a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 5.2.9 A direction under paragraph 5.2.7 will set out the value of the HYIN<sub>t</sub> term and the Regulatory Years to which that adjustment relates.

### **Part C: The RIIO-2 NIA Governance Document**

- 5.2.10 The licensee must comply with the RIIO-2 NIA Governance Document.
- 5.2.11 The Authority will issue and amend the RIIO-2 NIA Governance Document by direction.
- 5.2.12 The Authority will publish the RIIO-2 NIA Governance Document on the Authority's Website.
- 5.2.13 The RIIO-2 NIA Governance Document will make provision about the regulation, governance and administration of the NIA, including:
- (a) the definition of "unrecoverable NIA expenditure";
  - (b) the eligibility criteria which RIIO-2 NIA Projects must meet;
  - (c) the information that is to be published by the licensee before RIIO-2 NIA Projects can begin;
  - (d) the circumstances in which the licensee will require approval from the Authority before beginning a RIIO-2 NIA Project, and the processes and procedures for that approval;
  - (e) arrangements for ensuring that learning from RIIO-2 NIA Projects can be captured and disseminated by the licensee to other Gas Transporter Licensees;
  - (f) the reporting obligations in respect of RIIO-2 NIA Projects (which may include reporting in respect of the funding and the completion of such projects, and the provisions of the RIIO-2 NIA Governance Document); and
  - (g) arrangements relating to the treatment of intellectual property rights in respect of RIIO-2 NIA Projects.
- 5.2.14 Before directing that the RIIO-2 NIA Governance Document comes into effect, the Authority will publish on the Authority's Website:
- (a) the text of the proposed RIIO-2 NIA Governance Document;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (b) the date on which the Authority intends the RII0-2 NIA Governance Document to come into effect; and
  - (c) a period during which representations may be made on the content of the RII0-2 NIA Governance Document, which will not be less than 28 days.
- 5.2.15 Before directing an amendment to the RII0-2 NIA Governance Document, the Authority will publish on the Authority's Website:
- (a) the text of the amended RII0-2 NIA Governance Document;
  - (b) the date on which the Authority intends the amended RII0-2 NIA Governance Document to come into effect;
  - (c) the reasons for the amendments to the RII0-2 NIA Governance Document; and
  - (d) a period during which representations may be made on the amendment to the RII0-2 NIA Governance Document, which will not be less than 28 days.

## **Appendix 1**

### **Value of the licensee's network innovation allowance**

<b>Licensee</b>	<b>Value of TNIA<sub>t</sub> (£m)</b>
NGGT	25.00

## **Special Condition 5.3 Carry-over Network Innovation Allowance (CNIA<sub>t</sub>)**

### **Introduction**

- 5.3.1 The purpose of this condition is to calculate the term CNIA<sub>t</sub> (the Carry-over Network Innovation Allowance term). This contributes to the calculation of the term ORA<sub>t</sub> (the other revenue allowance term), which in turn feeds into the calculation of Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 5.3.2 The effect of this condition is to extend RII0-1 Network Innovation Allowance funding.
- 5.3.3 This condition also makes appropriate provision for arrangements relating to the regulation, administration and governance of the Carry-over Network Innovation Allowance.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

**Part A: Formula for calculating the Carry-over Network Innovation Allowance term (CNIA<sub>t</sub>)**

- 5.3.4 For the Regulatory Year commencing on 1 April 2021, the value of CNIA is derived in accordance with the following formula:

$$CNIA_t = (0.9 \times \min[ECNIA_t, CNIAV] - CNIAR_t) \times \frac{PI_{2018/19}}{PI_t}$$

where:

*ECNIA<sub>t</sub>* means the expenditure incurred by the licensee in respect of Eligible CNIA Projects as calculated by the licensee in accordance with the RIIO-1 NIA Governance Document and reported to the Authority in accordance with the RIGs;

*CNIAV* is derived in accordance with Part B;

*CNIAR* means an amount recovered by the licensee in relation to Regulatory Year 2021/22 under the RIIO-1 Network Innovation Allowance which the Authority has directed is unrecoverable in accordance with the RIIO-1 NIA Governance Document; and

$\frac{PI_{2018/19}}{PI_t}$  is the price index derived in accordance with Part F of Special Condition 2.1.

- 5.3.5 For Regulatory Years commencing on or after 1 April 2022, the value of CNIA<sub>t</sub> is equal to zero.
- 5.3.6 Eligible CNIA Internal Expenditure may not exceed 25% of the total Eligible CNIA, unless the Authority otherwise consents.

**Part B: Formula for calculating the Carry-over Network Innovation Allowance Value term (CNIAV)**

- 5.3.7 The value of CNIAV is derived in accordance with the following formula:

$$CNIAV = NIAV_{2020/21} \times BR_{2020/21} - (ENIA_{2020/21} + BPC_{2020/21})$$

where:

*NIAV<sub>2020/21</sub>* is calculated in accordance with Part B of Special Condition 2E (The Network Innovation Allowance) of this licence as in force on 31 March 2021;

*BR<sub>2020/21</sub>* is calculated in accordance with Part B of Special Condition 2E (The Network Innovation Allowance) of this licence as in force on 31 March 2021;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

*ENIA*<sub>2020/21</sub> is calculated in accordance with Part B of Special Condition 2E (The Network Innovation Allowance) of this licence as in force on 31 March 2021; and

*BPC*<sub>2020/21</sub> is calculated in accordance with Part B of Special Condition 2E (The Network Innovation Allowance) of this licence as in force on 31 March 2021.

### **Part C: The RIIO-1 NIA Governance Document**

- 5.3.8 The licensee must comply with the RIIO-1 NIA Governance Document.
- 5.3.9 The Authority will amend the RIIO-1 NIA Governance Document by direction.
- 5.3.10 The RIIO-1 NIA Governance Document makes and will continue to make additional provision in respect of:
- (a) arrangements for ensuring that relevant learning from Eligible CNIA Projects can be captured and disseminated by the licensee to other Gas Transporter Licensees whose licences contain a condition of equivalent effect to this condition;
  - (b) the nature of the reporting obligations in respect of such projects (which may include reporting in respect of the funding and the completion of such projects, as well as reporting on compliance with this condition and the provisions of the RIIO-1 NIA Governance Document);
  - (c) arrangements relating to the treatment of intellectual property rights in respect of Eligible CNIA Projects; and
  - (d) any other matters relating to the regulation, governance or administration of the Carry-over Network Innovation Allowance.

### **Part D: Procedure for amending the RIIO-1 NIA Governance Document**

- 5.3.11 Before amending the RIIO-1 NIA Governance Document by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended RIIO-1 NIA Governance Document;
  - (b) the date on which the Authority intends the amended RIIO-1 NIA Governance Document to come into effect;
  - (c) the reasons for the amendments to the RIIO-1 NIA Governance Document; and
  - (d) a period during which representations may be made on the amendments to the RIIO-1 NIA Governance Document, which will not be less than 28 days.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

## Special Condition 5.4 System operator other revenue allowance (SOORA<sub>t</sub>)

### Introduction

- 5.4.1 The purpose of this condition is to calculate the term SOORA<sub>t</sub> (the other revenue allowance term). This contributes to the calculation of SO Calculated Revenue in Special Condition 2.3 (System operator revenue restriction).

#### **Part A: Formula for calculating total other revenue allowance (SOORA<sub>t</sub>)**

- 5.4.2 The value of SOORA<sub>t</sub> is derived in accordance with the following formula:

$$SOORA_t = CM_t + SOIRC_t + SOPRPN_t$$

where:

$CM_t$  is derived in accordance with Special Condition 5.5;

$SOIRC_t$  is derived in accordance with Special Condition 5.6; and

$SOPRPN_t$  means the pre-RIIO pension true up and has the value given in the GT2 Price Control Financial Model.

## Special Condition 5.5 Entry Capacity and Exit Capacity Constraint Management (CM<sub>t</sub>)

### Introduction

- 5.5.1 The purpose of this condition is to calculate the term CM<sub>t</sub> (the Entry Capacity and Exit Capacity Constraint Management allowed revenue term). This contributes to calculation of SOORA<sub>t</sub> (the other revenue allowance term) in Special Condition 5.4 (SO other revenue allowance).
- 5.5.2 CM<sub>t</sub> is the sum of Exit Capacity buyback costs, revenue from accelerated release of Incremental Obligated Entry Capacity and the incentive revenue from the Constraint Management incentive scheme, that encourages the licensee to minimise its Constraint Management costs net of revenue.

#### **Part A: The Constraint Management allowed revenue (CM<sub>t</sub>)**

- 5.5.3 The value of CM<sub>t</sub> is derived in accordance with the following formula:

$$CM_t = CMIR_t + RAREnCA_t + ExBBCNLRA_t$$

where:

$CMIR_t$  is derived in accordance with paragraph 5.5.4;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$RAREnCA_t$  means the revenue from the accelerated release of Incremental Obligated Entry Capacity from the sale of Non-Obligated Entry Capacity at an NTS Entry Point; and

$ExBBCNLRA_t$  is the Exit Capacity buyback costs incurred by the licensee which users are liable to reimburse to the licensee in accordance with the Uniform Network Code and which arise:

- (a) as a result of the rate of offtake by a User at a particular NTS Exit Point exceeding the maximum permitted offtake rate for that NTS Exit Point;
- (b) as a result of an Aggregate Overrun of Exit Capacity at an NTS Exit Point; or
- (c) in respect of any NTS Exit Point in respect of which the licensee has notified a planned Maintenance Day in accordance with the Uniform Network Code.

**Part B: The Constraint Management incentive revenue (CMIR<sub>t</sub>)**

5.5.4 The value of CMIR<sub>t</sub> is derived in accordance with the following formula:

$$CMIR_t = CMSF \times (CMOpTC_t - CMOpPM_t) - CMInvC_t$$

where:

$CMSF$  is the Constraint Management sharing factor which has the value of the Totex Incentive Strength;

$CMOpTC_t$  is derived in accordance with paragraph 5.5.12;

$CMOpPM_t$  is derived in accordance with part 5.5.5;

$CMInvC_t$  is derived in accordance with paragraph 5.5.9; and

*if  $CMIR_t \leq ANLL_t$  then  $CMIR_t = ANLL_t$ , or if  $CMIR_t > ANLU_t$  then  $CMIR_t = ANLU_t$*

where:

$ANLL_t$  has the value set out in Appendix 2; and

$ANLU_t$  has the value set out in Appendix 3.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

**Part C: The Constraint Management operational performance measure (CMOpPM<sub>t</sub>)**

5.5.5 The value of CMOpPM<sub>t</sub> is derived in accordance with the following formula:

$$CMOpPM_t = CMOpC_t - ExBBCNLRA_t - ((RNOEC_t \times 0.14) - (RAREnCA_t \times 0.14)) - RLOC_t - (RNOExC_t \times 0.14) - RADD_t$$

where:

*CMOpC<sub>t</sub>* is derived in accordance with paragraph 5.5.8;

*ExBBCNLRA<sub>t</sub>* has the meaning set out in paragraph 5.5.3;

*RNOEC<sub>t</sub>* is the revenue derived by the licensee from sales of Non-Obligated Entry Capacity;

*RAREnCA<sub>t</sub>* has the meaning set out in paragraph 5.5.3;

*RLOC<sub>t</sub>* is the revenue derived by the licensee from Locational Sell Actions and Physical Renomination Incentive Charges;

*RNOExC<sub>t</sub>* is the revenue derived by the licensee from the sale of Non-Obligated Exit Capacity;

*RADD<sub>t</sub>* is any further revenues derived by the licensee that the Authority has directed the licensee to include in the Constraint Management operational performance measure CMOpPM<sub>t</sub>.

**Part D: NOT USED**

5.5.6 NOT USED

**Part E: NOT USED**

5.5.7 NOT USED

**Part F: The Constraint Management operational costs (CMOpC<sub>t</sub>)**

5.5.8 The value of CMOpC<sub>t</sub> is derived in accordance with the following formula:

$$CMOpC_t = EnCMOpC_t + ExCMOpC_t$$

where:

*EnCMOpC<sub>t</sub>* means the Entry Capacity operational Constraint Management cost term, incurred by the licensee in respect of Entry Capacity Constraint Management but excluding those included within the EnCMInvC<sub>t</sub> term (as defined in paragraph 5.5.9); and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

*ExCMOpC<sub>t</sub>* means the Exit Capacity operational Constraint Management cost term incurred by the licensee in respect of Exit Capacity Constraint Management but excluding those included within the *ExCMInvC<sub>t</sub>* term (as defined in paragraph 5.5.9).

**Part G: The Constraint Management investment costs (CMInvC<sub>t</sub>)**

5.5.9 The value of *CMInvC<sub>t</sub>* is derived in accordance with the following formula:

$$CMInvC_t = EnCMInvC_t + ExCMInvC_t$$

where:

*EnCMInvC<sub>t</sub>* is the Entry Capacity investment Constraint Management cost term incurred by the licensee in respect of Constraint Management which relates to Funded Incremental Obligated Entry Capacity first released for sale by the licensee on or after 1 April 2021 until such time as that Entry Capacity has been physically delivered; and

*ExCMInvC<sub>t</sub>* is the Exit Capacity investment Constraint Management cost term incurred by the licensee in respect of Constraint Management which relates to Funded Incremental Obligated Exit Capacity first released for sale by the licensee on or after 1 April 2021 until such time as that Exit Capacity has been physically delivered.

5.5.10 In deriving *EnCMInvC<sub>t</sub>* and *ExCMInvC<sub>t</sub>* the licensee must use reasonable endeavours to ensure it does not pay more than 0.52p/kWh/Day in respect of Constraint Management costs for Funded Incremental Obligated Entry Capacity and Funded Incremental Obligated Exit Capacity.

5.5.11 Where the licensee has incurred either Entry Capacity or Exit Capacity costs for Constraint Management in respect of Funded Incremental Obligated Entry Capacity and Funded Incremental Obligated Exit Capacity, the licensee must, no later than 28 days following the last Constraint Management action in respect of *EnCMInvC<sub>t</sub>* and *ExCMInvC<sub>t</sub>*, send a report to the Authority demonstrating how it used reasonable endeavours to satisfy the obligation in paragraph 5.5.10.

**Part H: The Constraint Management operational target (CMOpTC<sub>t</sub>)**

5.5.12 The value of *CMOpTC<sub>t</sub>* is derived in accordance with the following formula:

$$CMOpTC_t = CMOpBT_t + CMOpDT_t$$

where:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



$CMOpBT_t$  is the Constraint Management base target as specified in Appendix 1; and

$CMOpDT_t$  is the variation to the Constraint Management target (which could be positive or negative) as determined in accordance with Part I.

**Part I: Determination of the variation to the Constraint Management operational target**

- 5.5.13 The licensee must apply to the Authority in writing setting out its proposal for  $CMOpDT_t$  where the implementation of the Re-opener in Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable) is likely to cause a variation in the Constraint Management operational target in Part H.
- 5.5.14 Where the licensee makes an application under paragraph 5.5.13 it must include, in sufficient detail to enable the Authority to decide whether the licensee should implement the proposal, the following:
- (a) an explanation of how implementation of the Re-opener will cause a variation in the value of  $CMOpDT_t$  and in turn the variation in the Constraint Management operational target, setting out any proposed amendments to  $CMOpTC_t$ ;
  - (b) the evidence to support the licensee's proposal;
  - (c) the date from which the variation to the Constraint Management operational target would apply and, where relevant, the date to which it would apply; and
  - (d) the value that the licensee proposes the  $CMOpDT_t$  term should take in each relevant Regulatory Year.
- 5.5.15 The licensee must keep a record of each application made under paragraph 5.5.13.
- 5.5.16 The licensee must implement the proposal as set out in the application made pursuant to paragraph 5.5.13 or as modified in accordance with paragraph 5.5.17, unless:
- (a) the Authority has, during the period of 28 days beginning with the date of receipt by the Authority of the application, directed the licensee to suspend implementation of the proposal because in the Authority's opinion the application made pursuant to paragraph 5.5.13 requires further consideration to evaluate whether the proposal, and the supporting information, are consistent with the licensee's duties under the Act and the conditions of its licence; or

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- (b) the Authority has, during the period of 56 days beginning with the date of receipt by the Authority of the application, directed the licensee not to implement the proposal.
- 5.5.17 Where the Authority has notified the licensee in writing to suspend implementation of the proposal in accordance with paragraph 5.5.16(a), the Authority will, during the period of 56 days beginning with the date of receipt by the Authority of the application, direct the licensee either:
- (a) to implement the proposal in accordance with the application made under paragraph 5.5.13; or
  - (b) to implement the proposal in a modified form, subject to the agreement of the licensee, where such modifications relate to:
    - i. the value of  $CMOpDT_t$ ; and
    - ii. the date from which the value of  $CMOpDT_t$  applies.
- 5.5.18 A direction under paragraph 5.5.17 will set out any amendments to Appendix 1.
- 5.5.19 Where a proposal is implemented without the Authority giving a direction, the value of  $CMOpDT_t$  will be that proposed by the licensee, unless and until it is withdrawn under paragraph 5.5.20, when it will revert to the value in the previous proposal or zero, whichever is more recent.
- 5.5.20 The licensee may withdraw a proposal made under paragraph 5.5.13 unless the Authority has given a direction under paragraph 5.5.17.

#### **Part J: Obligation to produce a statement of Constraint Management cost allocation rules**

- 5.5.21 The licensee must have a statement of Constraint Management cost allocation rules, setting out the rules for attributing Constraint Management costs for the purposes of Part F and Part G approved by the Authority.

#### **Part K: Parameters to review Constraint Management**

- 5.5.22 The Authority may review some or all conditions contained within Special Condition 5.5, notifying the licensee of the intent and extent of the review, when:
- (a)  $CMIR_t \leq ANLL_t$  in any Regulatory Year;
  - (b)  $CMIR_t \geq ANLU_t$  for two consecutive Regulatory Years; or
  - (c) where the Authority expects either 5.5.22 (a) or (b) to occur.

## Appendix 1

### Constraint Management target (CMOpBT<sub>t</sub>) by Regulatory Year (£m)

2021/22	2022/23	2023/24	2024/25	2025/26
8.50	8.50	8.50	8.50	8.50

## Appendix 2

### Annual lower limits on Constraint Management incentive revenue (ANLL<sub>t</sub>) by Regulatory Year (£m)

2021/22	2022/23	2023/24	2024/25	2025/26
-5.20	-5.20	-5.20	-5.20	-5.20

## Appendix 3

### Annual upper limits on Constraint Management incentive revenue (ANLU<sub>t</sub>) by Regulatory Year (£m)

2021/22	2022/23	2023/24	2024/25	2025/26
5.20	5.20	5.20	5.20	5.20

## Special Condition 5.6 System operator external incentives, revenues and costs (SOIRC<sub>t</sub>)

### Introduction

- 5.6.1 The purpose of this condition is to calculate the term SOIRC<sub>t</sub> (the system operator incentive revenue and costs term). This contributes to calculation of SOORA<sub>t</sub> (the other revenue allowance term) in Special Condition 5.4 (SO other revenue allowance).
- 5.6.2 This condition also outlines the licensee's obligations in relation to certain gas system operator services.

### Part A: The system operator incentive revenue and costs (SOIRC<sub>t</sub>)

- 5.6.3 The value of SOIRC<sub>t</sub> is derived in accordance with the following formula:

$$SOIRC_t = RBC_t + OMC_t + SC_t + RBIR_t + QDAIR_t + GHGIR_t + MIR_t$$

where:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- $RBC_t$  is an amount (£m) equal to the revenue equivalent to the net residual balancing costs incurred by the licensee in respect of Regulatory Year  $t$  and shall be equal to the sum of the Basic Net Neutrality Amount and the Adjustment Neutrality Amount across all Days in Regulatory Year  $t$ ;
- $OMC_t$  is the total costs incurred by the licensee from the procurement of availability and utilisation of Operating Margins services for the purposes of satisfying Operating Margins Requirements. It includes all capacity fees, gas delivery service fees, standby fees and costs associated with reprofiling, withdrawing and injecting gas into and out of gas Storage Facilities and costs that may arise as a result of the difference between the Operating Margins WACOG and Net Margins WACOG (as calculated in accordance with the Uniform Network Code) in the event of service utilisation multiplied by the relevant utilisation volume;
- $SC_t$  is derived in accordance with Part I.
- $RBIR_t$  is derived in accordance with Part B;
- $QDAIR_t$  is derived in accordance with Part C;
- $GHGIR_t$  is derived in accordance with Part D; and
- $MIR_t$  is derived in accordance with Part F.

### **Part B: The residual balancing incentive (RBIR<sub>t</sub>)**

5.6.4 The value of  $RBIR_t$  is derived in accordance with the following formula:

$$RBIR_t = \min [1.6, \max (STIP_t, -2.8)]$$

where:

$STIP_t$  is the sum of the total daily incentive payments and is derived in accordance with the following formula:

$$STIP_t = \frac{\sum_d DPI_{t,d} + \sum_d DLIP_{t,d}}{1000000}$$

where:

$DPI_{t,d}$  is the daily price incentive payment on Day  $d$  and is derived in accordance with paragraph 5.6.5; and

$DLIP_{t,d}$  is the daily linepack incentive payment on Day  $d$  and is derived in accordance with paragraphs 5.6.7 and 5.6.8.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

5.6.5 The value of  $DPIP_{t,d}$  is derived in accordance with the following table:

$PPM_{t,d}$	$DPIP_{t,d}$
$0 \leq PPM_{t,d} \leq 5$	$1,200 - (PPM_{t,d} \times 800)$
$5 < PPM_{t,d} < 75.667$	$-2,800 - (300 \times (PPM_{t,d} - 5))$
$75.667 \leq PPM_{t,d}$	$-24,000$

5.6.6 The value of  $PPM_{t,d}$  is derived in accordance with the following formula:

$$PPM_{t,d} = \left( \frac{(TMIBP_{t,d} - TMISP_{t,d})}{SAP_{t,d}} \right) \times 100$$

where:

$TMIBP_{t,d}$  is the price (p/kWh) equal to the highest Market Offer Price in relation to an Eligible Balancing Action excluding any Locational Actions taken in respect of Day d of Regulatory Year t. If the licensee took no such eligible action in respect of Day d,  $TMIBP_{t,d}$  equals  $SAP_{t,d}$ ;

$TMISP_{t,d}$  is the price (p/kWh) equal to the lowest Market Offer Price in relation to an Eligible Balancing Action excluding any Locational Actions taken in respect of Day d of Regulatory Year t. If the licensee took no such eligible action in respect of Day d,  $TMISP_{t,d}$  equals  $SAP_{t,d}$ ; and

$SAP_{t,d}$  is the System Average Price (p/kWh) in respect of Day d of Regulatory Year t.

5.6.7 The value of  $DLIP_{t,d}$  is derived for the months that are not Shoulder Months of Regulatory Year t in accordance with the following table:

$LPM_{t,d}$	$DLIP_{t,d}$
$0 \leq LPM_{t,d} \leq 1.5$	3,200
$1.5 < LPM_{t,d} < 2.8$	$3,200 \times \left( \frac{2.8 - LPM_{t,d}}{1.3} \right)$
$LPM_{t,d} = 2.8$	0
$15 > LPM_{t,d} > 2.8$	$-24,000 \times \left( \frac{2.8 - LPM_{t,d}}{-12.2} \right)$
$LPM_{t,d} \geq 15$	$-24,000$

5.6.8 For the Shoulder Months of Regulatory Year t, the value of  $DLIP_{t,d}$  is derived in accordance with the following table:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

<b>LPM<sub>t,d</sub></b>	<b>DLIP<sub>t,d</sub></b>
$0 \leq \text{LPM}_{t,d} \leq 1.5$	3,200
$1.5 < \text{LPM}_{t,d} < 2.8$	$3,200 \times \left( \frac{2.8 - \text{LPM}_{t,d}}{1.3} \right)$
$2.8 \leq \text{LPM}_{t,d} \leq 5.6$	0
$15 > \text{LPM}_{t,d} > 5.6$	$-24,000 \times \left( \frac{5.6 - \text{LPM}_{t,d}}{-9.4} \right)$
$\text{LPM}_{t,d} \geq 15$	-24,000

5.6.9 The value of the LPM<sub>t,d</sub> is derived in accordance with the following formula:

$$\text{LPM}_{t,d} = \max \left[ (OLP_{t,d} - CLP_{t,d}), (CLP_{t,d} - OLP_{t,d}) \right]$$

where:

*OLP<sub>t,d</sub>* is the total NTS Linepack in respect of Day d of Regulatory Year t at 05:00 hours on Day d; and

*CLP<sub>t,d</sub>* is the total NTS Linepack in respect of Day d of Regulatory Year t at 05:00 hours on Day d+1.

### **Part C: Quality of demand forecasting incentive (QDAIR<sub>t</sub>)**

5.6.10 The value of QDAIR<sub>t</sub> is derived in accordance with the table below:

<b>DAFIE<sub>t</sub></b>	<b>QDAIR<sub>t</sub></b>
$0 \leq \text{DAFIE}_t \leq 4.5 + \text{DFA}_t$	1.5
$4.5 + \text{DFA}_t < \text{DAFIE}_t < 12.2 + \text{DFA}_t$	$3.253 - (0.38961 \times (\text{DAFIE}_t - \text{DFA}_t))$
$12.2 + \text{DFA}_t \leq \text{DAFIE}_t$	-1.5

where:

*DAFIE<sub>t</sub>* is the Day ahead demand forecasting incentivised average forecast error (mcm/d) derived in accordance with paragraph 5.6.11; and

*DFA<sub>t</sub>* is the Day ahead demand forecasting adjustment (mcm) derived in accordance with paragraph 5.6.12.

5.6.11 The value of DAFIE<sub>t</sub> is derived in accordance with the following formula:

$$\text{DAFIE}_t = \sum_d \left( |DADF_d - AD_d| \times \frac{AD_d}{\sum_d AD_d} \right)$$

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

where:

$\sum_d x$  is the sum of x for all Days d of Regulatory Year t;

$DADF_d$  is the Day ahead forecast NTS throughput value (mcm) for all Days in Regulatory Year t, published by the licensee (in accordance with the Uniform Network Code) on its website not later than 14:00 hours on the Day preceding Day d of Regulatory Year t. Where the Day ahead 14:00 forecast NTS throughput value is not published by 14:00 hours on the Day preceding Day d, the next forecast published on the licensee's website for the Day concerned shall be used; and

$AD_d$  is the Actual NTS Throughput value (mcm) on a given Day d, calculated five Days following the Day (d+5), on each Day of Regulatory Year t.

5.6.12 The value of  $DFA_t$  is derived in accordance with the following formula:

$$DFA_t = \min [DFSA_t, 1]$$

where:

$DFSA_t$  is the demand forecasting short-cycle storage adjustment derived in accordance with the following formula:

$$DFSA_t = \max [0, (0.038 \times (AIC_t - AIC_{t-1}) + (DFSA_{t-1} \times DFCI_t))]$$

where:

$DFCI_t$  is the demand forecasting adjustment continuous improvement factor and equals 0.5; and

$AIC_t$  is the average annual capability to have gas injected (mcm/d) at Short-Cycle Storage Facilities connected to the NTS and is derived in accordance with the following formula:

$$AIC_t = \left[ \frac{\sum_d ASF_{d,t}}{DIY_t} \right]$$

where:

$ASF_{d,t}$  is the aggregate capability of any relevant Short-Cycle Storage Facilities connected to the NTS to have gas injected (in mcm/d) on Day d of Regulatory Year t as specified in the Storage Capacity Notice submitted by the relevant Storage Facility operator to the licensee (and updated from time to time) pursuant to the relevant Storage Connection Agreements; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$DIY_t$  is the number of Days in Regulatory Year  $t$ .

5.6.13 The licensee must:

- (a) publish on its website, and keep up to date, a list of sites that regularly utilise their capability both to withdraw and inject gas into the Short-Cycle Storage Facility on the same Day; and
- (b) when the list is updated, send a copy of the updated list to the Authority as soon as reasonably practicable.

5.6.14 The licensee must send a report to the Authority on the activities, projects and investments undertaken by the licensee, and the costs of these actions, in respect of its annual efforts to improve its quality of demand forecasting at a Day ahead:

- (a) by 31 July 2022;
- (b) within each succeeding period of twelve months; and
- (c) in respect of the previous Regulatory Year.

5.6.15 The licensee must record and report to the Authority on its annual performance in delivering two to five days ahead demand forecasts (D-2 to D-5), including the licensee's D-2 to D-5 annual average forecast error:

- (a) by 31 August 2021; and
  - (b) by 31 July in each subsequent Regulatory Year
- or by such other date as the Authority may direct.

5.6.16 The two to five days ahead demand forecasting average error ( $TFDE_t$ ) is derived in accordance with the following formula:

$$TFDE_t = \left[ \frac{\sum_{i=2}^5 AFE_{d-i}}{4} \right]$$

where:

$\sum_{i=2}^5 x_{d-i}$  is the sum of  $x_{d-i}$  for  $i$  from  $i = 2$  to  $i = 5$  where for  $i = 2$  the value of  $x_{d-i}$  means the value for two Days ahead of the Day  $d$ , and for  $i = 5$  the value of  $x_{d-i}$  means the value for five Days ahead of the Day  $d$ ; and

$AFE_{d-i}$  is the average forecast error (mcm) as derived in accordance with the following formula:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



$$AFE_{d-i} = \sum_d \left( |DF_{d-i} - AD_d| \times \frac{AD_d}{\sum_d AD_d} \right)$$

For  $i = 2, 3, 4$  and  $5$ , and where:

$\sum_d x$  is the sum of  $x$  for all Days  $d$  of Regulatory Year  $t$ ; and

$DF_{d-i}$  is the demand forecast NTS throughput value (mcm) for all Days in Regulatory Year  $t$  published by the licensee on its website not later than 16:00 hours at two, three, four and five Days ahead ( $d-2, d-3, d-4, d-5$ ) in respect of each Day of Regulatory Year  $t$ . Where the two, three, four or five Days ahead 16:00 forecast NTS throughput values are not published by 16:00 hours at two, three, four or five Days ahead ( $d-2, d-3, d-4, d-5$ ) the next forecast published on the licensee's website for the gas Day concerned shall be used.

#### **Part D: The greenhouse gas emissions incentive (GHGIR<sub>t</sub>)**

5.6.17 The value of GHGIR<sub>t</sub> is derived in accordance with the following formula:

$$GHGIR_t = \min [1.5, \max (VEP_t, -1.5)]$$

where:

$VEP_t$  is derived in accordance with paragraph 5.6.18.

5.6.18 The value of VEP<sub>t</sub> is derived in accordance with the following formula:

$$VEP_t = \frac{[(VIT_t - VIPM_t) \times VIRP_t]}{1,000,000}$$

where:

$VIT_t$  is the venting incentive target (in tonnes of natural gas) and equals 2,897;

$VIPM_t$  means the venting incentive performance measure (in tonnes of natural gas) calculated as the aggregate amount of Natural Gas Vented from all Compressors; and

$VIRP_t$  is derived in accordance with paragraph 5.6.19.

5.6.19 The value of VIRP<sub>t</sub> (in £/tonne of Natural Gas Vented) is derived in accordance with the following formula:

$$VIRP_t = NTCP_t \times VF_t$$

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

where:

$VF_t$  is the venting equivalent factor which equals 25;

$NTCP_t$  is the non-traded carbon price (£/tCO<sub>2</sub>e) as derived in accordance with the following formula:

$$NTCP_t = \frac{\sum_{m=1}^{12} [NTMCP_{m,t,y} \times IF_{m,t,y}]}{12}$$

where:

$\sum_{m=1}^{12} [x_{m,t}]$  is the sum of  $x_{m,t}$  for months  $m = 1$  to  $m = 12$ , where  $m = 1$  is the first month of Regulatory Year  $t$  and  $m = 12$  is the last month of Regulatory Year  $t$ ;

$NTMCP_{m,t,y}$  is the latest non traded central carbon price (£/tCO<sub>2</sub>e) for month  $m$  in Regulatory Year  $t$  as published in advance of month  $m$  by the Department for Business, Energy and Industrial Strategy (or any other government department from time to time taking on this responsibility) in year  $y$  prices; and

$IF_{m,t,y}$  is the inflation factor from year  $y$  prices to month  $m$  in Regulatory Year  $t$  as derived in accordance with the following formula:

$$IF_{m,t,y} = \frac{AI_t}{AI_y}$$

where:

$AI_t$  is equal to the arithmetic average of the monthly retail prices index numbers for July to December (both inclusive) preceding Regulatory Year  $t$ ; and

$AI_y$  is equal to the arithmetic average of the monthly retail prices index numbers for July to December (both inclusive) preceding year  $y$ .

### **Part E: The Greenhouse Gas Emissions Calculation Methodology**

5.6.20 The licensee must have in place and maintain a Greenhouse Gas Emissions Calculation Methodology approved by the Authority.

5.6.21 The Greenhouse Gas Emissions Calculation Methodology must:

(a) calculate the mass of Natural Gas Vented in accordance with accepted greenhouse gas accounting and auditing principles; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (b) unless the Authority otherwise consents, be accompanied by a statement from a GHG Independent Examiner confirming that the examiner has examined and verified the methodology, including an assessment whether the methodology is consistent with accepted greenhouse gas accounting and auditing principles.
- 5.6.22 The licensee must by 31 July 2022, and by 31 July in each subsequent Regulatory Year, send to the Authority:
  - (a) a statement of the mass (in tonnes) of the Natural Gas Vented calculated in accordance with the Greenhouse Gas Emissions Calculation Methodology, both in respect of the previous Regulatory Year; and
  - (b) unless the Authority otherwise consents, a statement from a GHG Independent Examiner confirming that the GHG Independent Examiner has carried out an examination to observe whether the mass calculated by the licensee in respect of the previous Regulatory Year in accordance with paragraph (a) has been determined in accordance with the Greenhouse Gas Emissions Calculation Methodology.
- 5.6.23 The licensee may review, and if appropriate revise, the Greenhouse Gas Emissions Calculation Methodology.
- 5.6.24 Before commencing a review the licensee must:
  - (a) notify the Authority;
  - (b) explain the reasons for the review; and
  - (c) may not conduct the review if during the period of 28 days beginning with the date of the notification the Authority directs the licensee not to conduct the review.
- 5.6.25 Before revising the Greenhouse Gas Emissions Calculation Methodology, and during the period of 28 days beginning with the date of completion of a review, the licensee must send to the Authority:
  - (a) a report on the outcome of the review;
  - (b) a statement of any proposed revisions or modifications to the Greenhouse Gas Emissions Calculation Methodology that the licensee having regard to the outcome of the review reasonably considers would better achieve the principles and criteria set out in paragraph 5.6.21(a); and
  - (c) a statement from a GHG Independent Examiner giving an opinion as to the extent to which any proposed revisions or modifications outlined by the licensee pursuant to paragraph 5.6.25(b) are consistent with accepted greenhouse gas accounting and auditing principles before 31 July in the Regulatory Year in which the modification is proposed to be effective.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

5.6.26 The Authority will within 56 days of receipt of the report and statements under 5.6.25:

- (a) approve the revisions proposed by the licensee;
- (b) reject the proposed revisions; or
- (c) reject the proposed revisions and give recommendations as to alternative revisions that it considers should be made.

5.6.27 Where the Authority takes no action under 5.6.26 the licensee may treat the revisions as approved by the Authority.

#### **Part F: The Maintenance incentive ( $MIR_t$ )**

5.6.28 The value of  $MIR_t$  is derived in accordance with the following formula:

$$MIR_t = MCIR_t + MDI_t + MDIRV_t$$

where:

$MCIR_t$  is the Maintenance change incentive revenue and is derived in accordance with paragraph 5.6.29;

$MDI_t$  is the Maintenance Days incentive revenue for work excluding Valve Operations term and is derived in accordance with paragraph 5.6.31; and

$MDIRV_t$  is the Maintenance Days incentive revenue for Valve Operations term and is derived in accordance with paragraph 5.6.33.

5.6.29 The value of  $MCIR_t$  is derived in accordance with the following formula:

If  $MCICD_t \leq MCITD_t$ , then:

$$MCIR_t = 0$$

otherwise:

$$MCIR_t = \max [MCIPM_t \times 0.05, -0.5]$$

5.6.30 The value of  $MCIPM_t$  (the Maintenance change performance measure term) is derived in accordance with the following formula:

$$MCIPM_t = MCITD_t - MCICD_t$$

where:

$MCICD_t$  is the total number of actual Maintenance Change Days for Regulatory Year  $t$ ; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$MCITD_t$  is the Maintenance change incentive target in Days, as derived in accordance with the following formula:

$$MCITD_t = 0.0725 \times MW_t$$

where:

$MW_t$  is the Maintenance Workload, in Days for Regulatory Year t.

5.6.31 The value of  $MDI_t$  is derived in accordance with the following formulas:

If  $MDA_t \geq MADT_t$  then:

$$MDI_t = \min[0.5, MDINP_t \times 0.05]$$

otherwise:

$$MDI_t = \max [MDINP_t \times 0.05, -0.5]$$

5.6.32 The value of  $MDINP_t$  (the Maintenance Days incentive performance measure for work excluding Valve Operations term) is derived in accordance with the following formula:

$$MDINP_t = MDA_t - MADT_t$$

where:

$MDA_t$  is the number of Advice Notice Days that excludes Valve Operations in Regulatory Year t;

$MADT_t$  is the Advice Notice Day target, excluding Valve Operations, as derived in accordance with the following formula:

$$MADT_t = 0.75 \times TQM_t; \text{ and}$$

$TQM_t$  is the total quantity of Customer Impacting Work in Days d in respect of customers who are offtaking from the NTS, excluding Valve Operations and as derived in accordance with the licensee's Maintenance Plan for Regulatory Year t.

5.6.33 The value of  $MDIRV_t$  (the Maintenance Days incentive revenue for Valve Operations, £m) is derived in accordance with the following formula:

If  $MDV_t \leq 10$ , then:

$$MDIRV_t = 0$$

otherwise:

$$MDIRV_t = \max [MPMV_t \times 0.02, -0.5]$$

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 5.6.34 MPMV<sub>t</sub> (the Maintenance Days performance measure for Valve Operations work, in Days) is derived in accordance with the following formula:

$$MPMV_t = MDT_t - MDV_t$$

where:

*MDT<sub>t</sub>* is the target number of Maintenance Plan Days, other than Advice Notice Days, in respect of Valve Operations, which has the value 11 (unless otherwise directed by the Authority following notification to it by the licensee of a change made to Maintenance and operational policy to comply with new or revised safety regulations, including the Pipeline Safety Regulations 1996 (S.I. 1996/825); and

*MDV<sub>t</sub>* is the total number of Maintenance Plan Days, other than Advice Notice Days, on which the licensee has undertaken Maintenance in respect of Valve Operations in Regulatory Year t.

### **Part G: Maintenance and operational planning**

- 5.6.35 The licensee must use reasonable endeavours to communicate its Maintenance Plan, covering a three year period, to Maintenance Relevant Parties who may be affected by planned Maintenance as soon as is reasonably practicable.
- 5.6.36 The licensee must give adequate publicity of its Maintenance Plan to industry parties who are not likely to be affected by planned Maintenance as soon as is reasonably practicable.
- 5.6.37 The licensee must update its Maintenance Plan at least once in each Regulatory Year.
- 5.6.38 The licensee must include in its Maintenance Plan:
- (a) the type of work the licensee intends to carry out and the reasons for carrying out the work;
  - (b) the location of the work the licensee intends to carry out;
  - (c) an indication of the impact of any work identified on Maintenance Relevant Parties (for example in relation to a requirement for a reduced flow, steady flow or total cessation of the flow of gas);
  - (d) an indication of the dates upon which any work identified will take place; and
  - (e) an indication of the duration of the work identified (number of hours or Days).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 5.6.39 The licensee's communications under this condition must, as far as is practicable, include the publication of Maintenance requirements on the licensee's website and include the appropriate contact details for the licensee.
- 5.6.40 For the avoidance of doubt, this condition does not require the licensee to provide any information that, in the opinion of the licensee, may be commercially sensitive or confidential, or which it would, but for the application of this condition, not be entitled to disclose as a result of the application of section 105 of the Utilities Act 2000 (general restrictions on disclosure of information).
- 5.6.41 The licensee must use reasonable endeavours to agree all changes to its Maintenance Plan with any Maintenance Relevant Parties who may be affected by the Maintenance set out in the Maintenance Plan.
- 5.6.42 The licensee must use reasonable endeavours to ensure all Maintenance Relevant Parties are aware of the Minor Works Agreement.
- 5.6.43 By 1 June 2022, and by 1 June in each subsequent Regulatory Year, the licensee must publish a report on its website that:
- (a) summarises the Maintenance that it undertook in the previous Regulatory Year, and
  - (b) details the changes made to its Maintenance Plan in respect of the previous Regulatory Year.
- 5.6.44 In relation to obligations to report on the length of both Short ILI and Long ILI, the licensee must publish an ILI Report in respect of the preceding Regulatory Year.
- 5.6.45 The report required by paragraph 5.6.44 must be published by 1 August 2022 and by 1 August in each subsequent Regulatory Year.
- 5.6.46 The Authority may, by direction, require a report referred to in paragraphs 5.6.43 or 5.6.44 to be published before the dates set out in paragraphs 5.6.43 and 5.6.45 respectively in each Regulatory Year or at other specified times.

#### **Part H: Procurement of Operating Margins**

- 5.6.47 The licensee must use reasonable endeavours to procure its Operating Margins Requirements in an economic and efficient manner and to promote competition in the provision of Operating Margins to the licensee.
- 5.6.48 To meet its obligations pursuant to paragraph 5.6.47, the licensee must, wherever the licensee considers it is appropriate to do so, consult with OM Interested Parties on the actions it proposes to take to procure Operating Margins and to promote competition in the provision of Operating Margins.

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- 5.6.49 The licensee must:
- (a) provide to the Authority an Operating Margins Report; and
  - (b) publish a non-confidential version of the Operating Margins Report on its website.
- 5.6.50 The Operating Margins Report must be provided and published:
- (a) by 31 August 2021;
  - (b) by 31 August in each subsequent Regulatory Year; and
  - (c) unless the Authority otherwise directs.
- 5.6.51 The Operating Margins Report must set out:
- (a) for the Operating Margins Report provided in respect of the Storage Year ending on 30 April and each Operating Margins Report provided thereafter, the actions the licensee has taken pursuant to its obligations under this condition during the previous Storage Year;
  - (b) the actions the licensee has taken pursuant to its obligations under this condition in the current Storage Year;
  - (c) details of the Operating Margins services it has procured for the current Storage Year;
  - (d) a summary of the purchasing activities and exchange trades the licensee has taken during the previous and current Storage Years; and
  - (e) any such data or information related to Operating Margins that the Authority may reasonably request.

### **Part I: System costs**

- 5.6.52 The value of  $SC_t$  is derived in accordance with the following formula:

$$SC_t = \sum_q [GC_{t,q} + ECC_{t,q}]$$

where:

$\sum_q x$  is the sum of x over all Relevant Quarter Years q in the Regulatory Year t;

$GC_{t,q}$  is the total costs incurred by the licensee less any revenues received from third parties in respect of Relevant Quarter Year q in Regulatory Year t in the management of NTS Shrinkage, excluding payments under  $ECC_{t,q}$ ; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



$ECC_{t,q}$  is the total costs incurred by the licensee in respect of Relevant Quarter Year q in Regulatory Year t in procuring electricity for the purposes of operating Electric Compressors.

#### **Part J: Requirement to undertake work to investigate the causes of UAG and CVS**

- 5.6.53 The licensee must use reasonable endeavours to undertake UAG Projects and compile a CVS Statement for the purposes of investigating the causes of UAG and CVS for each Regulatory Year.
- 5.6.54 The licensee must, unless the Authority otherwise directs, publish the UAGCVS Reports and provide a copy to the Authority by 1 May and 1 November in each Regulatory Year for the preceding six month period ending on 31 March and 30 September respectively.
- 5.6.55 The licensee must outline in the UAGCVS Report:
- (a) the UAG Projects the licensee has undertaken in the previous period;
  - (b) the UAG Projects the licensee proposes to undertake in the next period and its views on whether, and if so how, the findings of the UAG Projects may be taken forward in order to reduce the volume of UAG;
  - (c) the reasons why any UAG Projects that the licensee proposed to undertake have not been undertaken during the Regulatory Year;
  - (d) a CVS Statement outlining the work conducted during the previous period to investigate CVS, and explaining the licensee's understanding of the causes of CVS;
  - (e) any additional activities and inspections undertaken by the licensee to improve metering calibration and accuracy;
  - (f) a summary of any relevant discussions concerning UAG or CVS at industry fora and with interested parties on a one-to-one basis; and
  - (g) any data or information related to UAG or CVS that the Authority may reasonably request.
- 5.6.56 During the period of 28 days beginning with the date of publication of a UAGCVS Report the licensee must, unless the Authority otherwise consents, publish on its website all the relevant data referred to in the UAGCVS Report.

#### **Part K: Management of NTS Shrinkage Costs**

- 5.6.57 The licensee must, by 1 June 2021, have in place a Gas Volumes Methodology, which will remain in place for each Regulatory Year except if modified in

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

accordance with 5.6.59, detailing the calculations by which the licensee determines:

- (a) seasonal forecast gas volumes;
- (b) quarter forecast volumes;
- (c) the prompt daily volumes to be bought and sold; and
- (d) the costs to apply to the volumes referred to in sub-paragraphs 5.6.57(a) to (c).

5.6.58 The licensee must use reasonable endeavours to publish the Gas Volumes Methodology on its website on or before 1 July 2021, and by the commencement of each subsequent Regulatory Year on 1 April.

5.6.59 The licensee may modify the Gas Volumes Methodology in agreement with the Authority.

5.6.60 The licensee must, unless the Authority otherwise consents, by 31 July 2022 and once by 31 July in each subsequent Regulatory Year, provide to the Authority a Shrinkage Procurement Report, which outlines in respect of the previous Regulatory Year:

- (a) best case scenario NTS Shrinkage costs, excluding costs in procuring electricity;
- (b) worst case scenario NTS Shrinkage costs, excluding costs in procuring electricity;
- (c) average NTS Shrinkage costs, excluding costs in procuring electricity;
- (d) actual NTS Shrinkage costs incurred by the licensee, excluding costs in procuring electricity; and
- (e) actual NTS Shrinkage costs for procuring electricity incurred by the licensee;

and which provides any further explanation or elaboration of the licensee's NTS Shrinkage costs that will be set out in the RIGs issued by the Authority under Standard Special Condition A40 (Regulatory Instructions and Guidance).

### **Part L: The NTS Shrinkage Review**

5.6.61 In the Regulatory Year commencing on 1 April 2023, the Authority may review the licensee's management of NTS Shrinkage, including the costs incurred by the licensee as part of this activity.

5.6.62 The review may also include, but not be limited to, review of Parts I, J and K.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 5.6.63 Before commencing any review the Authority will discuss the intent and scope of the review with the licensee before 1 June 2023, including the timescale for undertaking such a review.
- 5.6.64 Upon completion of the review, the Authority will set out any further steps which it considers appropriate in relation to the licensee's management of NTS Shrinkage.

## **Special Condition 5.7 The strategic innovation fund (SIF<sub>t</sub>)**

### **Introduction**

- 5.7.1 The purpose of this condition is to establish arrangements for the SIF and to provide for the calculation of the term SIFF<sub>t</sub>. This contributes to the calculation of the term ORAt (the other revenue allowance term), which in turn feeds into the calculation of Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 5.7.2 The effect of this condition is to provide funding for Eligible SIF Projects and the administration of the SIF by means of revenues collected by the licensee through its NTS Transportation Owner Charges pursuant to the SIF Funding Mechanism (as adjusted, where appropriate, by the SIF Funding Return Mechanism) in accordance with the determination process in Part A.
- 5.7.3 This condition also makes provision for arrangements relating to the regulation, administration and governance of the SIF.

### **Part A: Determination of the value of the SIFF<sub>t</sub> term**

- 5.7.4 The SIFF<sub>t</sub> term is the amount to be recovered by the licensee on behalf of Gas Transporter Licensees and any body administering the SIF, as determined by the Authority under paragraph 5.7.5 in relation to:
- (a) the SIF Funding specified for that Regulatory Year;
  - (b) the SIF Funding specified for that Regulatory Year; and
- 5.7.5 In each Regulatory Year, the Authority will calculate, in accordance with the SIF Governance Document, and then by direction given to the licensee, specify:
- (a) the value for SIFF<sub>t</sub> for the licensee, being the amount (if any) to be recovered by the licensee in order to contribute to its own, other Gas Transporter Licensees' and any body administering the SIF's SIF Funding for that Regulatory Year;
  - (b) the net amounts that are to be transferred between the licensee, other Gas Transporter Licensees and any body administering the SIF in order to

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ensure that each receives an amount (if any) equal to the proportion of the SIF Funding for that Regulatory Year that is attributable to its Eligible SIF Projects or costs of administering the SIF (adjusted to take into account the amount of any SIF Funding Return); and

(c) the manner in which and the timescale over which the net amounts referred to in sub-paragraph (b) are to be transferred.

5.7.6 The licensee must comply with any direction issued by the Authority under paragraph 5.7.5.

### **Part B: The SIF Funding Return Mechanism**

5.7.7 The Authority may direct how SIF Returned Project Revenues should be paid to customers through the SIF Funding Return Mechanism, or where the Authority considers it to be appropriate, how they should be retained by the licensee.

5.7.8 In each Regulatory Year, in accordance with the appropriate provisions of the SIF Governance Document, the Authority will calculate and then, by direction given to the licensee specify:

(a) the amount of any SIF Funding Return that the licensee must return to customers; and

(b) the manner in which and the timescale over which that amount is to be paid.

5.7.9 The licensee must comply with any direction that is issued by the Authority under paragraph 5.7.8.

### **Part C: The SIF Governance Document**

5.7.10 The licensee must comply with the SIF Governance Document.

5.7.11 The Authority will issue and amend the SIF Governance Document by direction.

5.7.12 The Authority will publish the SIF Governance Document on the Authority's Website.

5.7.13 The SIF Governance Document will make provision about the regulation, governance and administration of the SIF, including:

(a) the eligibility criteria to be applied by, and information to be provided to, the Authority in relation to the assessment and approval of proposed SIF projects;

(b) the evaluation criteria against which the funding of proposed SIF projects will be assessed and approved;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (c) the process and procedures that will be in place for the assessment, approval, and financing of proposed SIF projects, including the SIF Funding Mechanism and SIF Funding Return Mechanism;
- (d) arrangements to ensure that relevant matters the licensee has learned from the implementation of Eligible SIF Projects can be captured and disseminated by the licensee to other Gas Transporter Licensees;
- (e) the nature of the reporting obligations in respect of Eligible SIF Projects. which may include reporting in respect of the funding and the completion of such projects, as well as reporting on compliance with this condition and the provisions of the SIF Governance Document; and
- (f) arrangements relating to the treatment of intellectual property rights, including SIF Returned Royalty Income in respect of Eligible SIF Projects.

#### **Part D: Procedure for issuing and revising the SIF Governance Document**

- 5.7.14 Before directing that the SIF Governance Document comes into effect, the Authority will publish on the Authority's Website:
- (a) the text of the proposed SIF Governance Document;
  - (b) the date that the Authority intends the SIF Governance Document to come into effect; and
  - (c) the time within which representations may be made on the content of the SIF Governance Document, which will not be less than 28 days.
- 5.7.15 Before directing an amendment to the SIF Governance Document, the Authority will publish on the Authority's Website:
- (a) the text of the amended SIF Governance Document;
  - (b) the date on which the Authority intends the amended SIF Governance Document to come into effect;
  - (c) the reasons for the amendment to the SIF Governance Document; and
  - (d) a period during which representations may be made on the amendment to the SIF Governance Document, which will not be less than 28 days.
- 5.7.16 Where this special condition provides for the Authority to issue or amend a document by direction, the steps required to achieve this may be satisfied by action taken before or after this licence condition comes into effect.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Chapter 6: Pass-through expenditure

### Special Condition 6.1 Transportation owner pass-through items (PT<sub>t</sub>)

#### Introduction

- 6.1.1 The purpose of this condition is to calculate the term PT<sub>t</sub> (the transportation owner allowed pass-through term). This feeds into Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 6.1.2 The effect of this condition is to ensure that the licensee's Allowed Revenue reflects that certain costs can be passed through to customers.

#### **Part A: Formula for calculating the transportation owner allowed pass-through term (PT<sub>t</sub>)**

- 6.1.3 The value of PT<sub>t</sub> is derived in accordance with the following formula:

$$PT_t = RB_t + LF_t + EDE_t + OPTC_t + IS_t + PTV_t + Hy_t + NZPS_t$$

where:

- RB<sub>t</sub>* means the amount levied on the licensee in respect of the Prescribed Rates or an amount directed under Part B;
- LF<sub>t</sub>* means the net payments made by the licensee in respect of the NTS Transportation Owner Activity under Standard Condition 3 (Payments by the Licensee to the Authority);
- EDE<sub>t</sub>* means the payments in relation to the Pension Scheme Established Deficit repair expenditure for each Regulatory Year that relate to NTS Transportation Owner Activity, as further explained and elaborated upon in the GT2 Price Control Financial Handbook;
- OPTC<sub>t</sub>* means the payments made by the licensee to the Secretary of State in respect of Policing Costs;
- IS<sub>t</sub>* is derived in accordance with paragraph 6.2.3 of Special Condition 6.2 (Gas conveyed to Independent Systems);
- PTV<sub>t</sub>* means the PARCA Termination Value and has the value zero unless directed in accordance with Part D;
- Hy<sub>t</sub>* is derived in accordance with Part E; and
- NZPS<sub>t</sub>* means the sum of:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

(a) the net amount transferred between the licensee and the Distribution Networks in accordance with Part F of this condition and Special Condition 3.9 (Net Zero Pre-construction Work and Small Net Zero Projects Re-opener) of the GDN licence; plus

(b) in respect of the licensee, the value directed by the Authority in accordance with paragraph 6.1.11 (b) of this condition.

**Part B: Review of Prescribed Rates pass-through term (RB<sub>t</sub>)**

- 6.1.4 As part of any periodic revaluation, the licensee must:
- (a) engage with the Relevant Valuation Agency; and
  - (b) use reasonable endeavours to minimise the amount of the Prescribed Rates to which it is liable.
- 6.1.5 The Authority will review the licensee's engagement with the Relevant Valuation Agency with respect to a revaluation.
- 6.1.6 If, after reviewing the licensee's engagement with the Relevant Valuation Agency and requesting any further information required from the licensee with respect to a particular revaluation, the Authority considers that the licensee has not complied with paragraph 6.1.4, the Authority will adjust the value of RB<sub>t</sub> by direction.

**Part C: Not Used**

**Part D: Review PARCA Termination Value pass-through term (PTV<sub>t</sub>)**

- 6.1.7 If the licensee intends to pass-through a PARCA Termination Value, the licensee must send a notice to the Authority setting out the PARCA Termination Costs and the PARCA Termination Amounts received from PARCA Applicants.
- 6.1.8 If, after reviewing the licensee's notice under paragraph 6.1.7, the Authority agrees with the PARCA Termination Value it will direct the value for PTV<sub>t</sub> accordingly. If the Authority considers that an alternative adjustment should be made to the PTV<sub>t</sub> term, the Authority will direct another value for PTV<sub>t</sub>.

**Part E: Adjustment for Cadent Gas Limited's Hynet FEED study (Hy<sub>t</sub>)**

- 6.1.9 The value of Hy<sub>t</sub> is derived in accordance with the following formula:

$$Hy_t = CADENT_t - ALT_t$$

where:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$CADENT_t$  has the value set out in Appendix 1; and

$ALT_t$  has the value zero unless directed otherwise by the Authority, after consulting with the licensee and Cadent Gas Limited.

- 6.1.10 The licensee must pay to Cadent Gas Limited the value of  $Hy_t$  divided equally on a quarterly basis for the relevant Regulatory Year.

**Part F: The Distribution Networks' and NTS' Net Zero Pre-construction Work and Small Net Zero Projects Re-opener (NZPS<sub>t</sub>)**

- 6.1.11 The Authority may direct:

- (a) the licensee to pay a sum to a Distribution Network; or
- (b) the licensee to receive a sum, in relation to decisions made under Special Condition 3.9 (Net Zero Pre-construction Work and Small Net Zero Projects Re-opener) of the Distribution Network's licence or this licence. This sum, set out in Appendix 2, may be net of any returns of funding directed under Special Condition 3.9 of the Distribution Network's licence or this licence.

- 6.1.12 The Authority may make a direction under paragraph 6.1.11 where:

- (a) the funding for Net Zero Pre-construction Work or Small Net Zero Projects is being provided as a result of the operation of the Re-opener established by Special Condition 3.9 (Net Zero Pre-construction Work and Small Net Zero Projects Re-opener) of the Distribution Network's licence or this licence; and
- (b) the Net Zero Pre-construction Work or Small Net Zero Project is to be funded via all gas consumers.

- 6.1.13 Before making a direction under paragraph 6.1.11, the Authority will publish on the Authority's Website:

- (a) the text of the proposed direction;
- (b) the reasons for the proposed direction; and
- (c) a period during which representations may be made on the proposed direction.

- 6.1.14 Where applicable, the licensee must pay the relevant Distribution Network the amounts specified in Appendix 2 divided equally on a quarterly basis for the relevant Regulatory Year, or in such other instalments as agreed between the licensee and the relevant Distribution Network.

- 6.1.15 The Authority may amend Appendix 2 by direction, as a result of an application under Special Condition 3.9 (Net Zero Pre-construction Work and Small Net

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Zero Projects Re-opener) of a Distribution Network's licence or this licensee, after consulting with the licensee and/or the relevant Distribution Network.

#### Payments related to Cadent's Hynet FEED study (£m)

Licensee/Regulatory Year	2021/22	2022/23	2023/24	2024/25	2025/26
Cadent Gas Limited	4.05	4.05	4.05	0.00	0.00

#### Appendix 1

#### Net Licensee Funding and Payments to Distribution Networks for Net Zero Pre-construction Work and Small Net Zero Projects (£m)

Network/Regulatory Year	2021/22	2022/23	2023/24	2024/25	2025/26
Cadent Gas Limited	0.00	3.38	0.00	0.00	0.00
National Grid Gas Limited	0.00	0.00	0.00	0.00	0.00
Northern Gas Networks Limited	0.00	5.74	0.00	0.00	0.00
Scotland Gas Networks plc	0.00	13.36	7.92	2.50	0.00
Southern Gas Networks plc	0.00	0.00	0.00	0.00	0.00
Wales and West Utilities Limited	0.00	0.00	0.00	0.00	0.00

### Special Condition 6.2 Gas conveyed to Independent Systems (IS<sub>t</sub>)

#### Introduction

- 6.2.1 The purpose of this condition is to calculate the term IS<sub>t</sub> (the Independent Systems terms), which feeds into PT<sub>t</sub> (the allowed pass-through term). This feeds into Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 6.2.2 This condition also requires the licensee to recover the costs of connecting Independent Systems from Gas Shippers and then pay those amounts to DN Operators and Relevant Shippers, with any difference between amounts recovered and passed through to consumers.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

**Part A: Formula for calculating the Independent Systems term (IS<sub>t</sub>)**

6.2.3 The value of IS<sub>t</sub> is derived in accordance with the following formula:

$$IS_t = (BPD_t + ACPS_t + ACPW_t) \times \frac{PI_{2018/19}}{PI_t}$$

where:

- BPD<sub>t</sub>* is the Bulk Price Differential in nominal prices;
- ACPS<sub>t</sub>* is the amount the licensee must pay to Scotland Gas Networks plc under paragraph 6.2.5;
- ACPW<sub>t</sub>* is the amount the licensee must pay to Wales & West Utilities Limited under paragraph 6.2.5; and
- PI<sub>t</sub>* means the price index term derived in accordance with Part F of Special Condition 2.1

**Part B: Requirements relating to the Bulk Price Differential (BPD<sub>t</sub>)**

6.2.4 The licensee must, in respect of each Independent System, pay to the Relevant Shipper the Bulk Price Differential divided equally on a quarterly basis for the relevant Regulatory Year or on such other basis as may be agreed with the Relevant Shipper.

**Part C: Requirements relating to DN Operators**

6.2.5 The licensee must pay to Scotland Gas Networks plc the amount derived in accordance with the following formula, divided equally on a quarterly basis for the relevant Regulatory Year or on such other basis as may be agreed with Scotland Gas Networks plc:

$$ACPS_t = SGNACP_t \times \frac{PI_t^*}{PI_{2018/19}}$$

where:

- SGNACP<sub>t</sub>* means the amount in Appendix 1 relating to Scotland Gas Networks plc;
- PI<sub>t</sub><sup>\*</sup>* means the forecast price index term published by the Authority pursuant to Part A of Special Condition 8.2 (Annual Iteration Process for the GT2 Price Control Financial Model) prior to the end of Regulatory Year t-1; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

*PI*<sub>2018-19</sub> means the price index term for the regulatory year 2018/19 derived in accordance with Part F of Special Condition 2.1.

- 6.2.6 The licensee must pay to Wales & West Utilities Limited the amount derived in accordance with the following formula, divided equally on a quarterly basis for the relevant Regulatory Year or on such other basis as may be agreed with Wales & West Utilities Limited:

$$ACPW_t = WWUACP_t \times \frac{PI_t^*}{PI_{2018/19}}$$

where:

*WWUACP*<sub>t</sub> means the amount in Appendix 1 relating to Wales & West Utilities Limited;

*PI*<sub>t</sub><sup>\*</sup> means the forecast price index term published by the Authority pursuant to Part A of Special Condition 8.2 prior to the end of Regulatory Year t-1; and

*PI*<sub>2018-19</sub> means the price index term for the regulatory year 2018/19 derived in accordance with Part F of Special Condition 2.1.

#### **Part D: Recovery and reporting of costs by the licensee**

- 6.2.7 The licensee must use reasonable endeavours to recover an amount equal to *IS*<sub>t</sub> from Gas Shippers in the Regulatory Year in which *BPD*<sub>t</sub>, *ACPS*<sub>t</sub> and *ACPW*<sub>t</sub> are paid.
- 6.2.8 The licensee must by 31 July in each Regulatory Year submit to the Authority a statement that sets out:
- (a) each of the Bulk Price Differential payments made by the licensee to Relevant Shippers in the previous Regulatory Year pursuant to paragraph 6.2.4; and
  - (b) each of the payments made by the licensee to DN Operators in the previous Regulatory Year pursuant to paragraph 6.2.5.
- 6.2.9 The statement sent under paragraph 6.2.7 must be in such form, and provide such detail, as the Authority may direct.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Appendix 1

### Additional costs of serving the customers connected to those Independent Systems operated by the relevant DN Operator (£m)

DN Operator / Regulatory Year	2021/22	2022/23	2023/24	2024/25	2025/26
Scotland Gas Networks plc (SGNACP <sub>t</sub> )	6.64	6.56	6.51	6.58	6.45
Wales & West Utilities Limited (WWUACP <sub>t</sub> )	0.10	0.10	0.10	0.10	0.10

### Special Condition 6.3 System operator pass-through items (SOPT<sub>t</sub>)

#### Introduction

- 6.3.1 The purpose of this condition is to calculate the term SOPT<sub>t</sub> (the system operator allowed pass-through term). This feeds into SO Calculated Revenue in Special Condition 2.3 (System operator revenue restriction).
- 6.3.2 The effect of this condition is to ensure that the licensee's SO Allowed Revenue reflects that certain costs can be passed through to customers.

#### Part A: Formula for calculating the system operator allowed pass-through term (SOPT<sub>t</sub>)

- 6.3.3 The SOPT<sub>t</sub> term is derived in accordance with the following formula:

$$SOPT_t = CDSP_t + SOEDE_t$$

where:

*CDSP<sub>t</sub>* means CDSP Costs, excluding costs incurred in relation to UK Link Gemini; and

*SOEDE<sub>t</sub>* means the payments in relation to the Pension Scheme Established Deficit repair expenditure that relate to NTS System Operation Activity;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

# Chapter 7: Legacy adjustments

## Special Condition 7.1 Transportation owner legacy adjustments (LAR<sub>t</sub>)

### Introduction

- 7.1.1 The purpose of this condition is to calculate the term LAR<sub>t</sub> (the transportation owner legacy adjustments term), which in turn feeds into the Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 7.1.2 The value of LAR<sub>t</sub> and its components are in nominal prices.

### **Part A: Formula for calculating the transportation owner legacy adjustments (LAR<sub>t</sub>)**

- 7.1.3 The value of the LAR<sub>t</sub> term is derived in accordance with the following formula:

$$LAR_t = LPT_t + LMOD_t + LK_t + LTRU_t + NOCO_t + NICF_t + SSCO_t$$

where:

- LPT<sub>t</sub>* is derived in accordance with Special Condition 7.2 (Transportation owner legacy pass-through);
- LMOD<sub>t</sub>* is derived in accordance with Special Condition 7.3 (Transportation owner legacy MOD);
- LK<sub>t</sub>* is derived in accordance with Special Condition 7.4 (Transportation owner legacy K correction);
- LTRU<sub>t</sub>* is derived in accordance with Special Condition 7.5 (Transportation owner legacy TRU term);
- NOCO<sub>t</sub>* is derived in accordance with Special Condition 7.6 (Close out of the RIIO-1 Network Outputs);
- NICF<sub>t</sub>* is derived in accordance with Special Condition 7.7 (RIIO-GT1 network innovation competition); and
- SSCO<sub>t</sub>* is derived in accordance with Special Condition 7.8 (Close out of the RIIO-GT1 stakeholder satisfaction output).

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Special Condition 7.2 Transportation owner legacy pass-through ( $LPT_t$ )

### Introduction

- 7.2.1 The purpose of this condition is to calculate the term  $LPT_t$  (the transportation owner legacy pass-through term). This contributes to the calculation of the  $LAR_t$  (the transportation owner legacy adjustments term), which in turn feeds into the Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 7.2.2 The effect of this condition is to close out the RIIO-GT1 allowed pass-through term such that revenue in the Regulatory Years commencing on 1 April 2021 and 1 April 2022 reflects pass-through item adjustments relating to the Regulatory Years commencing on 1 April 2019 and 1 April 2020 respectively.

### Part A: Formula for calculating the transportation owner legacy pass-through term ( $LPT_t$ )

- 7.2.3 For the Regulatory Years commencing on 1 April 2021 and 1 April 2022, the value of  $LPT_t$  is derived in accordance with the following formula:

$$LPT_t = LRB_t + LLF_t + LOPTC_t$$

where

- $LRB_t$  has the value of  $RB_t$  as determined in accordance with Part B of Special Condition 2B (Calculation of allowed pass-through items) of this licence as in force on 31 March 2021;
- $LLF_t$  has the value of  $LF_t$  as determined in accordance with Part C of Special Condition 2B (Calculation of allowed pass-through items) of this licence as in force on 31 March 2021; and
- $LOPTC_t$  has the value of  $OPTC_t$  as determined in accordance with Part D of Special Condition 2B (Calculation of allowed pass-through items) of this licence as in force on 31 March 2021.

- 7.2.4 The value of  $LPT_t$  for Regulatory Years commencing on or after 1 April 2023 is zero.

## Special Condition 7.3 Transportation owner legacy MOD ( $LMOD_t$ )

### Introduction

- 7.3.1 The purpose of this condition is to set out the process the Authority will follow when directing values for  $LMOD_t$  (the transportation owner legacy MOD term). This contributes to the calculation of the term  $LAR_t$  (the transportation owner

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

legacy adjustments term), which in turn feeds into Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).

- 7.3.2 The effect of this condition is to reflect the close out of the GT1 Price Control Financial Model.

**Part A: Authority Assessment and direction**

- 7.3.3 For Regulatory Years commencing on 1 April 2021 and 1 April 2022, the value of  $LMOD_t$  is derived in accordance with the following formula:

$$LMOD_t = MOD_t \times RPIF_t$$

where:

$MOD_t$  has the value directed by the Authority coinciding with the Annual Iteration Process, related to revisions to the GT1 Price Control Financial Model, performed in accordance with Chapter 8 (legacy) of the GT2 Price Control Financial Handbook; and

$RPIF_t$  has the value of  $RPIF_t$  derived in accordance with Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021.

- 7.3.4 For the Regulatory Year commencing on 1 April 2023, the value of  $LMOD_t$  is derived in accordance with the following formula:

$$LMOD_t = COA \cdot CWACC_t \cdot \frac{PI_t}{PI_{2018/19}}$$

where:

$COA$  means the closeout adjustment in 2018/19 prices, and has the value directed by the Authority in accordance with Chapter 8 (Legacy) of the GT2 Price Control Financial Handbook;

$CWACC_t$  means compound WACC and has the value derived in accordance with Part B;

$PI_t$  has the value given to it by Part F of Special Condition 2.1; and

$PI_{2018/19}$  has the value given to it by Part F of Special Condition 2.1 for the Regulatory Year commencing on 1 April 2018.

For Regulatory Years commencing 1 April 2024 and 1 April 2025 there are no  $LMOD_t$  values.

- 7.3.5 Before making a direction under paragraphs 7.3.3 and 7.3.4 the Authority will publish on the Authority's Website:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) the text of the proposed direction;
- (b) the reasons for the proposed direction; and
- (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

## **Part B: Compound WACC**

- 7.3.6 For the Regulatory Year commencing on 1 April 2021,  $CWACC_t$  has the value of 1.
- 7.3.7 For Regulatory Years commencing on or after 1 April 2022,  $CWACC_t$  is derived in accordance with the following formula:

$$CWACC_t = \prod_{t=2021/22}^{t-1} (1 + WACC_t)$$

where:

$WACC_t$  means vanilla weighted average cost of capital, set out in accordance with the GT2 Price Control Financial Handbook.

## **Special Condition 7.4 Transportation owner legacy K correction ( $LK_t$ )**

### **Introduction**

- 7.4.1 The purpose of this condition is to calculate the term  $LK_t$  (the transportation owner legacy correction term). This contributes to the calculation of the term  $LAR_t$  (the transportation owner legacy adjustments term), which in turn feeds into the Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 7.4.2 The effect of this condition is to close out the RII0-GT1 correction term such that revenue in the Regulatory Year commencing on 1 April 2021 reflects the correction value relating to the Regulatory Year commencing on 1 April 2019.

### **Part A: Formula for calculating the legacy correction term ( $LK_t$ )**

- 7.4.3 For the Regulatory Year commencing on 1 April 2021 the value of  $LK_t$  is derived in accordance with the following formula:

$$LK_t = -K_t$$

where:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



$K_t$  has the value of  $K_t$  as determined in accordance with Part F of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021.

- 7.4.4 The value of  $LK_t$  for the Regulatory Years commencing on or after 1 April 2022 is zero.

## **Special Condition 7.5 Transportation owner legacy TRU term ( $LTRU_t$ )**

### **Introduction**

- 7.5.1 The purpose of this condition is to calculate the term  $LTRU_t$  (the transportation owner legacy TRU term). This contributes to the calculation of the term  $LAR_t$  (the transportation owner legacy adjustments term), which in turn feeds into the Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 7.5.2 The effect of this condition is to close out the RIIO-GT1 TRU term such that revenue in the Regulatory Years commencing on 1 April 2021 to 1 April 2024 reflects TRU adjustments relating to Regulatory Years commencing on 1 April 2017 to 1 April 2020 respectively.

### **Part A: Formula for calculating the transportation owner legacy TRU term ( $LTRU_t$ )**

- 7.5.3 For the Regulatory Years commencing on 1 April 2021 to 1 April 2022, the value of  $LTRU_t$  is derived in accordance with the following formula:

$$LTRU_t = TRU_t \cdot RPIF_t$$

where:

$TRU_t$  is derived in accordance with Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021; and

$RPIF_t$  is derived in accordance with Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021.

- 7.5.4 For the Regulatory Years commencing on 1 April 2023 to 1 April 2024, the value of  $LTRU_t$  is derived in accordance with the following formula:

$$LTRU_t = \left[ \frac{RPIA_{t-2} - RPIF_{t-2}}{RPIA_{t-2}} \right] \cdot LPVF_{t-2} \cdot LPVF_{t-1} \cdot REV_{t-2} \cdot \frac{PI_t}{PI_{2009/10}}$$

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

where:

- $RPIA_t$  has the value given to it by Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021;
- $RPIF_t$  has the value of  $RPIF_t$  as determined in accordance with Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021.
- $REV_{t-2}$  has the value of  $REV_{t-2}$  as determined in accordance with Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021. For this calculation the component PU (Opening Base Revenue Allowance) is zero.
- $LPVF_t$  has the value derived in accordance with paragraph 7.5.5.
- $PI_t$  has the value given to it by Part F of Special Condition 2.1; and
- $PI_{2009/10}$  has the value given to it by Part F of Special Condition 2.1 for the Regulatory Year commencing on 1 April 2009.

7.5.5 The value of  $LPVF_t$  is derived in accordance with the following formula:

$$LPVF_t = 1 + WACC_t$$

where:

- $WACC_t$  means vanilla weighted average cost of capital, set out in accordance with the GT2 Price Control Financial Handbook.

7.5.6 The value of  $LTRU_t$  for Regulatory Years commencing on or after 1 April 2025 is zero.

## **Special Condition 7.6 Close out of the RIIO-1 Network Outputs (NOCO<sub>t</sub>)**

### **Introduction**

7.6.1 The purpose of this condition is to set out the process for deciding the term  $NOCO_t$  (the RIIO-1 Network Outputs close out term). This contributes to the calculation of the  $LAR_t$  term (the transportation owner legacy adjustment term), which in turns feeds into Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 7.6.2 The effect of this condition is to adjust the licensee's revenue to reflect its RIIO-1 Network Outputs delivery.

**Part A: RIIO-1 Network Outputs information to be provided by the licensee**

- 7.6.3 By 31 July 2021, or such later date directed by the Authority, the licensee must provide to the Authority a report consistent with the requirements of the NOMs Incentive Methodology which sets out why it considers that it has delivered:
- (a) any RIIO-1 Network Output in accordance with the relevant specifications; and
  - (b) any RIIO-1 Materially Equivalent Outputs.
- 7.6.4 By 1 December 2021, or such later date directed by the Authority, the licensee must provide to the Authority a report consistent with the requirements of the NOMs Incentive Methodology which sets out why it considers that it has delivered:
- (a) any RIIO-1 Justified Material Over-delivery; or
  - (b) any RIIO-1 Justified Material Under-delivery.

**Part B: Process for modifying the NOMs Incentive Methodology**

- 7.6.5 The Authority will modify the NOMs Incentive Methodology by direction.
- 7.6.6 Before making a direction under paragraph 7.6.5, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations on the proposed direction may be made, which will not be less than 28 days.

**Part C: Process for directing the RIIO-1 Network Outputs term (NOCO<sub>t</sub>)**

- 7.6.7 The Authority will assess the licensee's RIIO-1 Network Outputs delivery in accordance with the principles in Appendix 1, which are further clarified and supplemented by the NOMs Incentive Methodology.
- 7.6.8 Before directing the value of NOCO<sub>t</sub>, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons why it proposes to issue the direction; and

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- (c) a period during which representations may be made on the proposed direction, which will not be less than 56 days.

## Appendix 1

### Treatment of under-delivery and over-delivery of RIIO-1 Network Outputs

Incentives	Justified	Unjustified
Over-delivery	<p>Cost of over-delivery will be included in the licensee's revenue.</p> <p>The financing cost incurred by the licensee in advancing investment will be reimbursed.</p> <p>Reward of 2.5 per cent of the additional costs associated with the material over-delivery.</p>	<p>Cost of over-delivery will be included in the licensee's revenue.</p> <p>The licensee will incur the financing cost of earlier investment.</p>
Under-delivery	<p>Cost of under-delivery will be excluded from the licensee's revenue.</p> <p>The licensee will benefit from the financing cost of delayed investment.</p>	<p>Cost of under-delivery will be excluded from the licensee's revenue.</p> <p>The benefit arising to the licensee from the financing cost of delayed investment will be clawed back.</p> <p>Penalty of 2.5 per cent of the avoided costs associated with the material under-delivery.</p>

### Special Condition 7.7 RIIO-GT1 network innovation competition (NICF<sub>t</sub>)

#### Introduction

- 7.7.1 The purpose of this condition is to set out the process for deciding the term NICF<sub>t</sub> (the network innovation competition term). This contributes to the calculation of the LAR<sub>t</sub> term (the transportation owner legacy adjustment term), which in turn feeds into Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 7.7.2 The NIC ran during the RIIO-GT1 price control period to fund innovative low carbon or environmental projects. Although it will no longer run for the licensee from 1 April 2021, this condition makes provision for arrangements that will enable the Authority to determine the value of NICF<sub>t</sub> and for

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

arrangements relating to the governance and administration of the NIC Funding.

- 7.7.3 Parts A and B are supplemented by the relevant provisions of the NIC Governance Document.

#### **Part A: The Funding Return Mechanism**

- 7.7.4 The Authority may direct how the Returned Project Revenues should be paid to customers through the Funding Return Mechanism, or where the Authority considers it appropriate, how they should be retained by the licensee.

#### **Part B: The network innovation competition term (NICF<sub>t</sub>)**

- 7.7.5 In each Regulatory Year, in accordance with the appropriate provisions set out in the NIC Governance Document, the Authority will calculate, and then by direction given to the licensee, specify:

- (a) the value of NICF<sub>t</sub> for the licensee;
- (b) the net amounts that are to be transferred between the licensee and other Gas Transporter Licensees in order to ensure that each Gas Transporter Licensee receives an amount (if any) equal to the proportion of the NIC Funding for Regulatory Year *t* that is attributable to its Eligible NIC Projects (adjusted to take into account the amount of any Funding Return); and
- (c) the manner in which, and the timescale over which, the net amounts referred to in sub paragraph (b) are to be transferred.

#### **Part C: The NIC Governance Document**

- 7.7.6 The licensee must comply with the NIC Governance Document.
- 7.7.7 The Authority will amend the NIC Governance Document by direction.
- 7.7.8 The Authority will publish the NIC Governance Document on the Authority's Website.
- 7.7.9 The NIC Governance Document makes and will continue to make provision about:
- (a) the process and procedures that will be in place for the assessment, approval and financing of project funding (where necessary);
  - (b) arrangements to ensure that relevant matters the licensee has learned from the implementation of Eligible NIC Projects can be captured and disseminated by the licensee to other Gas Transporter Licensees;
  - (c) the nature of the reporting obligations in respect of such projects (which may include reporting in respect of the funding and the completion of such

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projects, as well as reporting on compliance with this condition and the provisions of the NIC Governance Document);

- (d) arrangements relating to the treatment of intellectual property rights including Returned Royalty Income in respect of Eligible NIC Projects; and
- (e) any other matters relating to the governance of the NIC.

#### **Part D: Procedure for revising the NIC Governance Document**

7.7.10 Before amending the NIC Governance Document by direction, the Authority will publish on the Authority's Website:

- (a) the text of the amended NIC Governance Document;
- (b) the date on which the Authority intends the amended NIC Governance Document to come into effect;
- (c) the reasons for the amendments to the NIC Governance Document; and
- (d) a period during which representations may be made on the amendments to the NIC Governance Document, which will not be less than 28 days.

### **Special Condition 7.8 Close out of the RIIO-GT1 stakeholder satisfaction output (SSCO<sub>t</sub>)**

#### **Introduction**

- 7.8.1 The purpose of this condition is to provide for the value of the term SSCO<sub>t</sub> (the RIIO-GT1 stakeholder satisfaction output close out term). This contributes to the calculation of the term LAR<sub>t</sub> (the transportation owner legacy adjustments term), which in turn feeds into Allowed Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 7.8.2 The effect of this condition is to close out the RIIO-GT1 stakeholder satisfaction output, such that revenue in the Regulatory Years commencing 1 April 2021 and 1 April 2022 reflects the licensee's performance in relation to that output in the Regulatory Years commencing on 1 April 2019 and 1 April 2020 respectively.

#### **Part A: Formula for calculating the RIIO-T1 stakeholder satisfaction output close out term (SSCO<sub>t</sub>)**

- 7.8.3 For Regulatory Years commencing on 1 April 2021 and 1 April 2022 the value of SSCO<sub>t</sub> has the value of the SSO<sub>t</sub> term derived in accordance with Part A of Special Condition 2C (Stakeholder Satisfaction Output) of this licence as in force on 31 March 2021.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 7.8.4 This value of  $SSCO_t$  for the Regulatory Years commencing on or after 1 April 2023 is zero.

### **Part B: Amendment to the Stakeholder Engagement Reward Guidance**

- 7.8.5 The Authority will amend the Stakeholder Engagement Reward Guidance by direction.
- 7.8.6 Before amending the Stakeholder Engagement Reward Guidance by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended Stakeholder Engagement Reward Guidance;
  - (b) the date on which the Authority intends the amended Stakeholder Engagement Reward Guidance to come into effect;
  - (c) the reasons for the amendments to the Stakeholder Engagement Reward Guidance; and
  - (d) a period during which representations may be made on the amendments to the Stakeholder Engagement Reward Guidance, which will not be less than 28 days.

## **Special Condition 7.9 Legacy net RAV additions ( $LRAV_t$ )**

### **Introduction**

- 7.9.1 This condition explains the process the Authority will follow when directing values for the term  $LRAV_t$  (the legacy RIIO-1 net RAV additions term). This contributes to the calculation of the term  $DPN_t$  (the depreciation term as calculated by the GT2 Price Control Financial Model), which in turn feeds into Calculated Revenue in Special Condition 2.1 (Transportation owner revenue restriction).
- 7.9.2 The effect is to reflect the close out of the RIIO-GT1 Price Control Financial Model, in respect of legacy net RAV additions.

### **Part A: Authority assessment and direction**

- 7.9.3 The Authority will direct revisions to  $LRAV_t$ , coinciding with the Annual Iteration Process and following implementation of closeout methodologies set out in the GT2 Price Control Financial Handbook.
- 7.9.4 Before making a direction under paragraph 7.9.3 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and

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- (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

## **Special Condition 7.10 System operator legacy adjustments (SOLAR<sub>t</sub>)**

### **Introduction**

- 7.10.1 The purpose of this condition is to calculate the term SOLAR<sub>t</sub> (the SO legacy adjustments term), which in turn feeds into SO Allowed Revenue in Special Condition 2.3 (System operator revenue restriction).

#### **Part A: Formula for calculating the SO legacy adjustments term (SOLAR<sub>t</sub>)**

- 7.10.2 The value of the SOLAR<sub>t</sub> term is derived in accordance with the following formula:

$$SOLAR_t = SOLMOD_t + SOLK_t + SOLTRU_t + LCMCA_t + LCMIR_t + LTSS_t$$

where:

*SOLMOD<sub>t</sub>* is derived in accordance with Special Condition 7.11 (System operator legacy MOD);

*SOLK<sub>t</sub>* is derived in accordance with Special Condition 7.12 (System operator legacy K correction);

*SOLTRU<sub>t</sub>* is derived in accordance with Special Condition 7.13 (System operator legacy TRU term);

*LCMCA<sub>t</sub>* is derived in accordance with Special Condition 7.15 (Close out of the RIIO-GT1 Constraint Management cost adjustment);

*LCMIR<sub>t</sub>* is derived in accordance with Special Condition 7.14 (Close out of the RIIO-GT1 Entry Capacity and Exit Capacity Constraint Management incentive revenue); and

*LTSS<sub>t</sub>* is derived in accordance with Special Condition 7.16 (Close out of the RIIO-GT1 Transportation Support Services cost adjustment).

## **Special Condition 7.11 System operator legacy MOD (SOLMOD<sub>t</sub>)**

### **Introduction**

- 7.11.1 The purpose of this condition is to set out the process the Authority will follow when directing values for the term SOLMOD<sub>t</sub> (the system operator legacy MOD term). This contributes to the calculation of the term SOLAR<sub>t</sub> (the system

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



operator legacy adjustments term), which in turn feeds into the SO Allowed Revenue in Special Condition 2.3 (System operator revenue restriction).

- 7.11.2 The effect of this condition is to reflect the close out of the GT1 Price Control Financial Model.

### **Part A: Authority Assessment and direction**

- 7.11.3 For Regulatory Years commencing on 1 April 2021 and 1 April 2022 the value of  $SOLMOD_t$  is derived in accordance with the following formula:

$$SOLMOD_t = SOMOD_t \times RPIF_t$$

where:

$SOMOD_t$  has the value directed by the Authority coinciding with the Annual Iteration Process, related to revisions to the GT1 Price Control Financial Model, performed in accordance with Chapter 8 (legacy) of the GT2 Price Control Financial Handbook; and

$RPIF_t$  has the value of  $RPIF_t$  derived in accordance with Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021.

- 7.11.4 For the Regulatory Year commencing 1 April 2023, the value of  $SOLMOD_t$  is derived in accordance with the following formula:

$$SOLMOD_t = SOCOA \cdot CWACC_t \cdot \frac{PI_t}{PI_{2018/19}}$$

where:

$SOCOA$  means the System Operator closeout adjustment in 2018/19 prices, and has the value directed by the Authority in accordance with Chapter 8 (Legacy) of the GT2 Price Control Financial Handbook;

$CWACC_t$  means compound WACC and has the value derived in accordance with Part B of Special Condition 7.3 (Transportation owner legacy MOD );

$PI_t$  has the value given to it by Part F of Special Condition 2.1; and

$PI_{2018/19}$  has the value given to it by Part F of Special Condition 2.1 for the Regulatory Year commencing on 1 April 2018.

For Regulatory Years commencing 1 April 2024 and 1 April 2025 there are no  $LMOD_t$  values.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

7.11.5 Before making a direction under paragraph s 7.11.3 and 7.11.4 the Authority will publish on the Authority's Website:

(a) the text of the proposed direction;

(b) the reasons for the proposed direction; and

(c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

## **Special Condition 7.12 System operator legacy K correction (SOLK<sub>t</sub>)**

### **Introduction**

7.12.1 The purpose of this condition is to calculate the term SOLK<sub>t</sub> (the system operator legacy correction term). This contributes to the calculation of the term SOLAR<sub>t</sub> (the system operator legacy adjustments term), which in turn feeds into the SO Allowed Revenue in Special Condition 2.3 (System operator revenue restriction).

7.12.2 The effect of this condition is to close out the RII0-GT1 correction term such that revenue in the Regulatory Year commencing on 1 April 2021 reflects correction values relating to the Regulatory Year commencing on 1 April 2019.

### **Part A: Formula for calculating the system operator legacy correction term (SOLK<sub>t</sub>)**

7.12.3 For the Regulatory Year commencing on 1 April 2021, the value of SOLK<sub>t</sub> is derived in accordance with the following formula:

$$SOLK_t = -SOK_t$$

where:

*SOK<sub>t</sub>* has the value of SOK<sub>t</sub> as determined in accordance with Part E of Special Condition 3A (Restriction of NTS System Operation Revenue) of this licence as in force on 31 March 2021.

7.12.4 The value of SOLK<sub>t</sub> for the Regulatory Years commencing on or after 1 April 2022 is zero.

## **Special Condition 7.13 System operator legacy TRU term (SOLTRU<sub>t</sub>)**

### **Introduction**

7.13.1 The purpose of this condition is to calculate the term SOLTRU<sub>t</sub> (the system operator legacy TRU term). This contributes to the calculation of the term

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

SOLAR<sub>t</sub> (the system operator legacy adjustments term), which in turn feeds into the SO Allowed Revenue in Special Condition 2.3 (System operator revenue restriction).

- 7.13.2 The effect of this condition is to close out the RIIO-GT1 TRU term such that revenue in the Regulatory Years commencing on 1 April 2021 to 1 April 2024 reflects SOTRU adjustments relating to the Regulatory Years commencing on 1 April 2017 to 1 April 2020 respectively.

**Part A: Formula for calculating the system operator legacy TRU term (SOLTRU<sub>t</sub>)**

- 7.13.3 For the Regulatory Years commencing on 1 April 2021 to 1 April 2022, the value of LTRU<sub>t</sub> is derived in accordance with the following formula:

$$SOLTRU_t = SOTRU_t \cdot RPIF_t$$

where:

*SOTRU<sub>t</sub>* is derived in accordance with Part D of Special Condition 3A (Restriction of NTS System Operation Revenue) of this licence as in force on 31 March 2021; and

*RPIF<sub>t</sub>* has the value of RPIF<sub>t</sub> as determined in accordance with Part D of Special Condition 3A (Restriction of NTS System Operation Revenue) of this licence as in force on 31 March 2021.

- 7.13.4 For the Regulatory Years commencing on 1 April 2023 to 1 April 2024, the value of SOLTRU<sub>t</sub> is derived in accordance with the following formula:

$$SOLTRU_t = \left[ \frac{RPIA_{t-2} - RPIF_{t-2}}{RPIA_{t-2}} \right] \cdot LPVF_{t-2} \cdot LPVF_{t-1} \cdot SOREV_{t-2} \cdot \frac{PI_t}{PI_{2009/10}}$$

where:

*RPIA<sub>t</sub>* has the value given to it by Part C of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021;

*RPIF<sub>t</sub>* has the value of RPIF<sub>t</sub> as determined in accordance with Part D of Special Condition 2A (Restriction of NTS Transportation Owner Revenue) of this licence as in force on 31 March 2021.

*SOREV<sub>t-2</sub>* has the value of SOREV<sub>t-2</sub> as determined in accordance with Part D of Special Condition 3A (NTS System Operation – Revenue Restriction)

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

of this licence as in force on 31 March 2021. For this calculation the component PU (opening base demand revenue allowance) is zero.

$LPVF_t$  has the value derived in accordance with paragraph 7.13.5.

$PI_t$  has the value given to it by Part F of Special Condition 2.1; and

$PI_{2009/10}$  has the value given to it by Part F of Special Condition 2.1 for the Regulatory Year commencing on 1 April 2009.

7.13.5 The value of  $LPVF_t$  is derived in accordance with the following formula:

$$LPVF_t = 1 + WACC_t$$

where:

$WACC_t$  means vanilla weighted average cost of capital, derived in accordance with the GT2 Price Control Financial Handbook.

7.13.6 The value of  $SOLTRU_t$  for Regulatory Years commencing on or after 1 April 2025 is zero.

## **Special Condition 7.14 Close out of the RIIO-GT1 Entry Capacity and Exit Capacity Constraint Management incentive revenue ( $LCMIR_t$ )**

### **Introduction**

7.14.1 The purpose of this condition is to calculate the term  $LCMIR_t$  (the RIIO-GT1 Constraint Management incentive revenue close-out term). This contributes to the calculation of the  $SOLAR_t$  term (the system operator legacy adjustments term), which in turn feeds into SO Allowed Revenue in Special Condition 2.3 (System operator revenue restriction).

7.14.2 The effect of this condition is to close out the RIIO-GT1 incentive in respect of Entry Capacity Constraint Management and Exit Capacity Constraint Management, such that revenue in Regulatory Years commencing 1 April 2021 and 1 April 2022 reflects the licensee's performance under that incentive in the Regulatory Years commencing 1 April 2019 and 1 April 2020 respectively.

### **Part A: Formula for calculating the RIIO-GT1 Constraint Management incentive revenue close-out term ( $LCMIR_t$ )**

7.14.3 For the Regulatory Years commencing on 1 April 2021 and 1 April 2022, the value of  $LCMIR_t$  is derived in accordance with the following formula:

$$LCMIR_t = R1CMIR_t \cdot RPIF_t$$

where:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$R1CMIR_t$  has, for Regulatory Year commencing on 1 April 2021, the value of  $CMIR_t$  derived in accordance with Part F of Special Condition 3B (Entry Capacity and Exit Capacity Constraint Management) of this licence as in force on 31 March 2021. For the Regulatory Year commencing on 1 April 2022 has the value of  $CMIR_t$  derived in accordance with Part F of Special Condition 3B (Entry Capacity and Exit Capacity Constraint Management) of this licence as in force on 31 March 2021 reflecting a  $CMOpPM_{t-2}$  value of £-(minus)2.629m; and

$RPIF_t$  has the value of  $RPIF_t$  as determined in accordance with Part D of Special Condition 3A (Restriction of NTS System Operation Revenue) of this licence as in force on 31 March 2021.

7.14.4 For the Regulatory Years commencing on or after 1 April 2023, the value of  $LCMIR_t$  is zero.

## **Special Condition 7.15 Close out of the RIIO-GT1 Constraint Management cost adjustment ( $LCMCA_t$ )**

### **Introduction**

7.15.1 The purpose of this condition is to calculate the term  $LCMCA_t$  (the RIIO-GT1 Constraint Management cost adjustment close-out term). This contributes to the calculation of the  $SOLAR_t$  term (the system operator legacy adjustments term), which in turn feeds into SO Allowed Revenue in Special Condition 2.3 (System operator revenue restriction).

7.15.2 The effect of this condition is to close out the RIIO-GT1 adjustment in respect of Entry Capacity Constraint Management and Exit Capacity Constraint Management costs, such that revenue in the Regulatory Years commencing 1 April 2021 and 1 April 2022 reflects the appropriate adjustment for costs in Regulatory Years commencing 1 April 2019 and 1 April 2020 respectively.

### **Part A: Formula for calculating the RIIO-GT1 Constraint Management cost adjustment close-out term ( $LCMCA_t$ )**

7.15.3 For the Regulatory Years commencing on 1 April 2021 and 1 April 2022, the value of  $LCMCA_t$  is derived in accordance with the following formula:

$$LCMCA_t = R1CMCA_t \cdot RPIF_t$$

where:

$R1CMCA_t$  has the value of  $CMCA_t$  derived in accordance with Part G Special Condition 3B (Entry Capacity and Exit Capacity Constraint Management) of this licence as in force on 31 March 2021; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

$RPIF_t$  has the value of  $RPIF_t$  as determined in accordance with Part D of Special Condition 3A (Restriction of NTS System Operation Revenue) of this licence as in force on 31 March 2021.

- 7.15.4 For the Regulatory Years commencing on or after 1 April 2023, the value of  $LCMCA_t$  is zero.

## **Special Condition 7.16 Close out of the RIIO-GT1 Transportation Support Services adjustment ( $LTSS_t$ )**

### **Introduction**

- 7.16.1 The purpose of this condition is to calculate the term  $LTSS_t$  (the RIIO-GT1 transportation support services adjustment close out term). This contributes to the calculation of the  $SOLAR_t$  term (the system operator legacy adjustments term), which in turn feeds into SO Allowed Revenue in Special Condition 2.3 (System operator revenue restriction).
- 7.16.2 The effect of this condition is to close out the RIIO-GT1 transportation support services adjustment, such that revenue in the Regulatory Years commencing 1 April 2021 and 1 April 2022 reflects the appropriate adjustment for costs in the Regulatory Years commencing on 1 April 2019 and 1 April 2020 respectively.

### **Part A: Formula for calculating the RIIO-GT1 transportation support services adjustment close-out term ( $LTSS_t$ )**

- 7.16.3 For the Regulatory Years commencing on 1 April 2021 and 1 April 2022, the value of  $LTSS_t$  has the value of  $TSS_t$  as calculated in accordance with Part A of Special Condition 3C (NTS Transportation Support Services) of this licence as in force on 31 March 2021.
- 7.16.4 For the Regulatory Years commencing on or after 1 April 2023, the value of  $LTSS_t$  is zero.

## **Special Condition 7.17 System operator legacy net RAV additions ( $SOLRAV_t$ )**

### **Introduction**

- 7.17.1 This condition explains the process the Authority will follow when directing values for the term  $SOLRAV_t$  (the SO legacy RIIO-1 net RAV additions term). This contributes to the calculation of the term  $SODPN_t$  (the SO depreciation term as calculated by the GT2 Price Control Financial Model), which in turn feeds into the SO Calculated Revenue in Special Condition 2.3 (System operator revenue restriction).

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

- 7.17.2 The effect is to reflect the close out of the RIIO-GT1 Price Control Financial Model in respect of SO legacy net RAV additions.

**Part A: Authority assessment and direction**

- 7.17.3 The Authority will direct revisions to SOLRAV<sub>t</sub>, coinciding with the Annual Iteration Process and following implementation of closeout methodologies set out in the GT2 Price Control Financial Handbook.
- 7.17.4 Before making a direction under paragraph 7.17.3 the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the reasons for the proposed direction; and
  - (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

# Chapter 8: Governance

## Special Condition 8.1 Governance of the GT2 Price Control Financial Instruments

### Introduction

8.1.1 The purpose of this condition is to establish:

- (a) the GT2 Price Control Financial Instruments; and
- (b) a robust and transparent change control framework for the GT2 Price Control Financial Instruments:

### Part A: The GT2 Price Control Financial Instruments

8.1.2 Each of the following GT2 Price Control Financial Instruments forms part of this condition:

- (a) the GT2 Price Control Financial Handbook; and
- (b) the GT2 Price Control Financial Model.

### Part B: Modification of the GT2 Price Control Financial Instruments

8.1.3 The Authority may direct modifications to the GT2 Price Control Financial Instruments under this Part at any time during the Price Control Period where:

- (a) it becomes aware of a modification that will improve the functionality or clarity of the GT2 Price Control Financial Instruments; and

~~(b) the modification will have either:~~

~~i. —no impact; or~~

~~ii. (b) an impact below the Materiality Threshold on the licensee's Allowed Revenue or SO Allowed Revenue.~~

8.1.4 For the purposes of paragraph 8.1.3(b), it is to be presumed that a modification which serves to correct a manifest error will have no impact on the licensee's Allowed Revenue or SO Allowed Revenue. This is without prejudice to the licensee's right to make representations to the Authority that a particular modification will have an impact on the licensee's Allowed Revenue or SO Allowed Revenue.

8.1.5 The following categories of modifications may be made under this Part:

- (a) formatting changes such as re-numbering of paragraphs, capitalising defined terms, cell labelling, renaming or re-ordering of sections or worksheets;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- (b) deleting irrelevant material such as transitional provisions that have expired;
- (c) updates such as to dates, version numbers of documents, titles of re-enacted legislation and re-named bodies;
- (d) consequential changes required to reflect modifications made to the special conditions of this licence such as the addition or removal of PCFM Variable Values; and
- (e) correction of manifest errors; such as discrepancies between the GT2 Price Control Financial Instruments and between the GT2 Price Control Financial Instruments and the other special conditions of this licence.

### **Part C: Circumstances in which a modification may be made**

- 8.1.6 Before making a direction under paragraph 8.1.3, the Authority will:
- (a) consider any views expressed and representations made by the GT2 Price Control Financial Model Working Group in relation to modifications of the type set out in paragraphs 8.1.5(a) to (ed); and
  - (b) publish on the Authority's Website:
    - i. the text of the proposed direction;
    - ii. the reasons for the proposed direction, including why the Authority believes that the modification meets the requirements of paragraphs 8.1.3 and 8.1.5; and
    - iii. a period during which representations may be made on the proposed direction, which will not be less than 28 days.
- 8.1.7 A direction under paragraph 8.1.3 will set out:
- (a) the modifications to the GT2 Price Control Finance Instruments; and
  - (b) the date from which it is to have effect or the mechanism by which that date is to be determined.

### **Part D: Availability and updating of GT2 Price Control Financial Instruments**

- 8.1.8 This Part has effect in relation to the publication and availability of the GD2 Price Control Financial Handbook, and the GT2 Price Control Financial Model.
- 8.1.9 The Authority will ensure that any modifications of the GT2 Price Control Financial Handbook, whether under Part B or otherwise, are promptly incorporated into a consolidated version of the GT2 Price Control Financial Handbook maintained on the Authority's Website.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

~~8.1.10~~8.1.9 The Authority will ensure that any modifications of the GT2 Price Control Financial Model Instruments, whether under Part B or otherwise, are promptly incorporated into a consolidated version of the GT2 Price Control Financial Model Instruments maintained on the Authority's Website.

~~8.1.11~~8.1.10 Without limiting the general effect of paragraph 8.1.10, the Authority will, ~~by no later than 30 November prior to each Regulatory Year:~~

- (a) ~~publish on the Authority's~~ Website, in Microsoft Excel ® format, the version of the GT2 Price Control Financial Model that will be used to calculate and publish the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$  and  $SOAR_t$  in accordance with the calculation set out in Part B of Special Condition 2.1 (Revenue restriction), ahead of each Annual Iteration Process and;
- (b) ~~ensure that~~ publish on its website, the electronic name version of the file is "GT2 PCFM" followed by "November 20XX" where 20XX represents the calendar year containing the month of November prior to the Regulatory Year;
- (c) ~~(b)~~ ensure that the words "GT2 Price Control Financial Model for the used to calculate and publish the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$  and  $SOAR_t$  in accordance with the calculation set out in Part C of Special Condition 2.1 (Revenue restriction), following each Annual Iteration Process , by no later than 31 January prior to each Regulatory Year. ~~that will take place by 30 November" followed by the preceding Regulatory Year expressed in the format 20XX/XX are included as text within the file itself;~~ and
- (d) ~~publish an up-to-date schedule of any modifications that have been made to the GT2 Price Control Financial Model, whether under Part B or otherwise, up to and including the date of such publication.~~

~~8.1.12~~8.1.11 The first Regulatory Year in which the Authority will publish a version of the GT2 Price Control Financial Model on the Authority's Website for the purposes of paragraph 8.1.10~~1~~ will be Regulatory Year 2021/22 and the last Regulatory Year will be 2024/25.

## Special Condition 8.2 Annual Iteration Process for the GT2 Price Control Financial Model

### Introduction

8.2.1 The purpose of this condition is to set out the steps of the Annual Iteration Process that will be carried out by the licensee and the Authority each year in relation to the GT2 Price Control Financial Model, in order to calculate and publish the value of the terms  $ADJR_t$  and  $AR_t$  in accordance with the calculation

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

set out in Special Condition 2.1 (Transportation owner revenue restriction) and  $SOADJR_t$  and  $SOAR_t$  in accordance with the calculation set out in Special Condition 2.3 (System operator revenue restriction).

- 8.2.2 This condition also explains the process the Authority will follow in issuing and amending the PCFM Guidance.

#### **Part A: Steps comprising the Annual Iteration Process**

- 8.2.3 The paragraphs in this Part set out the steps that comprise the Annual Iteration Process.

- 8.2.4 Step 1: The licensee must, by 30 September of~~31 August~~ prior to each Regulatory Year:

- (a) use the version of the GT2 Price Control Financial Model published by the Authority in accordance with paragraph 8.1.1~~a~~<sup>2</sup> or where there has been a republication, the version most recently published to complete the PCFM Variable Values table with the PCFM Variable Values in accordance with the PCFM Guidance;
- (b) run the macro on the “UserInterface” sheet of the GT2 Price Control Financial Model to calculate the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$ ;
- (c) save the GT2 Price Control Financial Model; and
- (d) submit the GT2 Price Control Financial Model to the Authority.

- 8.2.5 Step 2: The Authority will, taking into account any decisions made by it in relation to PCFM Variable Values under Chapters 2 to 7 of this licence:

- (a) review the GT2 Price Control Financial Model submitted by the licensee and confirm or amend any PCFM Variable Values; or
- (b) where the licensee has not complied with Step 1, complete the PCFM Variable Values table.

- 8.2.6 Step 3: The Authority will run the macro on the “UserInterface” sheet of the GT2 Price Control Financial Model to calculate the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$ .

- 8.2.7 Step 4: The Authority will publish the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$  and  $SOAR_t$  on the Authority's Website in accordance with Part B.

- 8.2.8 In relation to Step 1 in paragraph 8.2.4:

- (a) where a PCFM Variable Value is not known at the time of submission, the licensee must calculate that value in accordance with the GT2 Price Control

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Financial Handbook or the PCFM Guidance, as applicable and otherwise provide its best estimate using the information available at the time; and

- (b) where any PCFM Variable Value relies on a third-party publication that ceases to be published or no longer contains the value required, the value from the most recent publication that did contain the value, or an alternate input agreed to by the Authority must be used.

**Part B: Publication of the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$  and  $SOAR_t$**

- 8.2.9 The value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$  will be published by the Authority no later than 31 January~~30 November~~ prior to each Regulatory Year.
- 8.2.10 The Authority may re-publish the values of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$  by the end of May during the Regulatory Year  $t$ .
- 8.2.11 Before publishing or re-publishing the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$ , the Authority will:
- (a) send to the licensee:
- i. a notice stating the values for the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$  that it proposes to publish; and
  - ii. a copy of the GT2 Price Control Financial Model, which will contain the data used to calculate the values proposed for the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$ ; and
- (b) specify a period during which representations may be made, which will not be less than 14 days.

**Part C: What if the Annual Iteration Process is not completed by 31 January~~30 November~~?**

- 8.2.12 If the Authority does not publish values for the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$  by 31 January~~30 November~~ prior to any Regulatory Year, then the Annual Iteration Process will not have been completed and the provisions set out in paragraphs 8.2.13 and 8.2.14 will apply.
- 8.2.13 The Authority will complete the Annual Iteration Process as soon as is reasonably practicable after 31 January~~30 November~~ by publishing values for the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$ .
- 8.2.14 In the intervening period (Between the 31 January~~30 November~~ and the date the values of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$  are published under paragraph 8.2.13), the values of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$  will be held to be equal to a value ascertained by:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) taking a copy of the GT2 Price Control Financial Model in its state following the last completed Annual Iteration Process or re-publication which, for the avoidance of doubt, will exclude the effect of any functional modifications under paragraph 8.1.3 of Special Condition 8.1 (Governance of the GT2 Price Control Financial Instruments) made after the completion of that Annual Iteration Process;
- (b) using the selection facilities on the “UserInterface” sheet contained in that copy of the GT2 Price Control Financial Model to select:
  - i. the name of the licensee;
  - ii. the Regulatory Year equating to the Regulatory Year  $t$ ;
- (c) pressing the “Run for One” macro button on the “UserInterface” sheet; and
- (d) recording the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$ , and  $SOAR_t$  that are shown as output values in the “SavedResults” sheet.

**Part D: The final year of the GT2 Annual Iteration Process and other clarifications**

8.2.15 The last Regulatory Year in which there will be an Annual Iteration Process for the GT2 Price Control Financial Model is 2024/2025 for the purpose of determining the value of the terms  $ADJR_t$  and  $SOADJR_t$  for Regulatory Year 2025/26.

8.2.16 For the avoidance of doubt, neither:

- (a) an Annual Iteration Process for the GT2 Price Control Financial Model carried out in accordance with this condition, including in particular the steps set out in Part A; nor
- (b) a change to the Regulatory Year included in the name of and text within the GT2 Price Control Financial Model ~~(as referred to at paragraphs 8.1.12 (b) and (c)) of Special Condition 8.1 (Governance of the GT2 Price Control Financial Instruments)~~

will constitute a modification of the GT2 Price Control Financial Model within the meaning of Part C of Special Condition 8.1 (Governance of the GT2 Price Control Financial Instruments).

8.2.17 Where any PCFM Variable Values are revised for years earlier than Regulatory Year  $t$ , the effect of using those revised values in the Annual Iteration Process will, subject to a Time Value of Money Adjustment, be reflected in the updated calculation of the value of the terms  $ADJR_t$ ,  $AR_t$ ,  $SOADJR_t$  and  $SOAR_t$  for Regulatory Year  $t$  and, for the avoidance of doubt, it will not have any retrospective effect on a previously published value of the terms  $ADJR_t$ , and  $SOADJR_t$ .

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## **Part E: The PCFM Guidance**

- 8.2.18 The licensee must comply with the PCFM Guidance when completing the Annual Iteration Process.
- 8.2.19 The Authority will issue and amend the PCFM Guidance by direction.
- 8.2.20 The Authority will publish the PCFM Guidance on the Authority's Website by the PCFM functional change cut-off date set out in the GT2 Price Control Financial Handbook.
- 8.2.21 The PCFM Guidance will make provision about:
- (a) instructions and guidance on how to populate the PCFM Variable Values for submission for an Annual Iteration Process;
  - (b) instructions and guidance on the process and timeframe for reporting and submitting the required data; and
  - (c) any requirements for supporting information, documentation or commentary that are to be submitted.
- 8.2.22 Before issuing the PCFM Guidance by direction the Authority will publish on the Authority's Website:
- (a) the text of the proposed PCFM Guidance;
  - (b) the date on which the Authority intends the PCFM Guidance to come into effect; and
  - (c) a period during which representations may be made on the content of the PCFM Guidance, which will not be less than 28 days.
- 8.2.23 Before amending the PCFM Guidance by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended PCFM Guidance;
  - (b) the date on which the Authority intends the amended PCFM Guidance to come into effect;
  - (c) the reasons for the amendments to the PCFM Guidance; and
  - (d) a period during which representations may be made on the amendments to the PCFM Guidance, which will not be less than 28 days.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

# Chapter 9: General obligations

## Special Condition 9.1 Annual Environmental Report

### Introduction

- 9.1.1 This condition requires the licensee to prepare and publish an Annual Environmental Report.
- 9.1.2 The purpose of an Annual Environmental Report is to increase the public transparency and accountability of the licensee in relation to the impacts of its business and network activities on the environment, and in relation to the licensee's progress against its Environmental Action Plan Commitments.
- 9.1.3 This condition also explains the process the Authority will follow in issuing and amending Environmental Reporting Guidance, which the licensee must comply with when preparing its Annual Environmental Report.

### **Part A: Requirement to prepare and publish an Annual Environmental Report**

- 9.1.4 The licensee must prepare an Annual Environmental Report in accordance with the Environmental Reporting Guidance.
- 9.1.5 The licensee must publish an Annual Environmental Report for the preceding Regulatory Year on, or before, the date specified in the Environmental Reporting Guidance.
- 9.1.6 The licensee must ensure its Annual Environmental Report is readily accessible to the public from the licensee's website.

### **Part B: Environmental Reporting Guidance**

- 9.1.7 The Authority will issue and amend Environmental Reporting Guidance by direction.
- 9.1.8 The Authority will publish Environmental Reporting Guidance on the Authority's Website.
- 9.1.9 The Environmental Reporting Guidance will set out how the licensee must prepare its Annual Environmental Report, including the following:
  - (a) the engagement the licensee is required to undertake with stakeholders to help inform the development of its Annual Environmental Report;
  - (b) the requirements for the structure and level of detail to be included in the Annual Environmental Report, including some of the data metrics to be used, as well as expectations about the level of explanatory text to be included; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- (c) the environmental impacts, relevant Environmental Action Plan Commitments, business practices, existing obligations and activities that must be covered in the Annual Environmental Report.
- 9.1.10 Before issuing the Environmental Reporting Guidance by direction, the Authority will publish on the Authority's Website:
- (a) the text of the proposed Environmental Reporting Guidance;
  - (b) the date on which the Authority intends the Environmental Reporting Guidance to come into effect; and
  - (c) a period during which representations may be made on the content of the Environmental Reporting Guidance, which will not be less than 28 days.
- 9.1.11 Before amending the Environmental Reporting Guidance by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended Environmental Reporting Guidance;
  - (b) the date on which the Authority intends the amended Environmental Reporting Guidance to come into effect, , which, unless agreed with the licensee, will not be before three months or the commencement of the next full reporting year, whichever is later;
  - (c) the reasons for the amendments to the Environmental Reporting Guidance;
  - (d) how the proposed reporting requirements provide an appropriate balance on costs of reporting and benefit of information created; and
  - (e) a period during which representations may be made on the amendments to the Environmental Reporting Guidance, which will not be less than 28 days.

## **Special Condition 9.2 Network Asset Risk Metric methodology**

### **Introduction**

- 9.2.1 The purpose of this condition is to set out the requirements on the licensee in respect of the NARM Methodology.
- 9.2.2 It also sets out the process for modifying the NARM Methodology.

### **Part A: Requirement to have a NARM Methodology**

- 9.2.3 The licensee must have in place and act in accordance with a NARM Methodology that facilitates the achievement of the NARM Objectives.
- 9.2.4 The NOMs Methodology in effect on 31 March 2021 is deemed to be the NARM Methodology in effect from 1 April 2021 until superseded.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



## **Part B: The NARM Objectives**

9.2.5 The NARM Objectives are:

- (a) to provide transparent, logical links between:
  - i. the Asset Data that the licensee collects through inspections, maintenance, and other asset management activities;
  - ii. the data that the licensee inputs into its Asset Management Systems;
  - iii. the licensee's asset management decisions; and
  - iv. where relevant, the licensee's whole system investment decisions;
- (b) to enable the Authority to establish the licensee's Baseline Network Risk Outputs and to undertake an objective assessment of the licensee's Baseline Network Risk Output delivery;
- (c) to enable the robust estimation of Current Monetised Risk, Forecast Monetised Risk, Single-year Monetised Risk, and Long-term Monetised Risk of asset failure for:
  - i. each NARM Asset Category;
  - ii. individual NARM Assets within each NARM Asset Category; and
  - iii. the NTS;
- (d) to enable the robust estimation of the Current Monetised Risk and Long-term Monetised Risk benefits delivered, or expected to be delivered, through interventions on specific assets or groups of assets;
- (e) to provide inputs to help explain and justify, through Cost-Benefit Analysis:
  - i. the licensee's investment plans for managing and renewing its NARM Assets; and
  - ii. the licensee's outturn delivery of investment options;
- (f) to enable the identification and quantification of drivers leading to changes in Monetised Risk over time;
- (g) to enable the comparative analysis of Monetised Risk between:
  - i. different NARM Asset Categories and between individual NARM Assets on the NTS;
  - ii. geographic areas of, and NARM Assets within, the NTS;
  - iii. the NTS and other networks within the same sector;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- iv. the NTS and networks outside Great Britain with similar assets should similar approaches as set out in the NARM Methodology be applied to estimate Monetised Risk for those networks; and
  - v. the NTS and Distribution Networks within Great Britain; and
- (h) to enable the communication to the Authority and other interested parties of relevant information about the NTS in an accessible and transparent manner.

### **Part C: Modification of the NARM Methodology**

- 9.2.6 The licensee must, at least once every year, review the NARM Methodology to identify scope for modifications that would better facilitate the achievement of the NARM Objectives.
- 9.2.7 Where the licensee has identified scope for modifications that would better facilitate the achievement of the NARM Objectives, it must notify the Authority of the timeframes within which it will propose the relevant modifications to the NARM Methodology.
- 9.2.8 Where the licensee proposes a modification to the NARM Methodology, it must:
- (a) consult with other Network Licensees to which a condition of equivalent effect to this condition applies and with any other interested parties, allowing them a period of at least 28 days within which to make any representations on the proposed modification; and
  - (b) submit to the Authority a report containing:
    - i. a statement explaining the proposed modification to the NARM Methodology; and
    - ii. an explanation of how, in the licensee's opinion, the proposed modification, if made, would better facilitate the achievement of the NARM Objectives;
  - (c) submit to the Authority a draft NARM Methodology that incorporates the proposed modification;
  - (d) submit to the Authority any relevant subsidiary or supporting documents, data files, or quantitative models;
  - (e) submit to the Authority a full and fair summary of any representations that were made to the licensee pursuant to sub-paragraph (a) and not withdrawn;
  - (f) submit to the Authority an explanation of any changes to the modification proposal that the licensee has made as a consequence of the representations received;

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- (g) submit to the Authority a presentation of the data and any other relevant information (including historical data, which should be provided, where reasonably practicable and relevant, for a period of at least ten years prior to the date of the modification proposal) the licensee has used for the purpose of developing the proposed modification;
  - (h) submit to the Authority a plan setting out how the licensee intends to rebase its Baseline Network Risk Outputs, if Rebasing is a necessary consequence of implementing the proposed modification; and
  - (i) submit to the Authority a timetable for the implementation of the proposed modification, including a date for submission of Rebased Baseline Network Risk Outputs, if necessary.
- 9.2.9 The Authority will by direction:
- (a) approve the proposed modification;
  - (b) approve the proposed modification with amendments; or
  - (c) reject the proposed modification.
- 9.2.10 In the case of paragraph 9.2.9(a) or (b) the Authority may also direct the date by which the licensee must submit Rebased Baseline Network Risk Outputs in accordance with Special Condition 3.1 (Baseline Network Risk Outputs).
- 9.2.11 The licensee must implement the modification directed under paragraph 9.2.9(a) or (b) by such date as may be set out in that direction.
- 9.2.12 Before issuing a direction under paragraph 9.2.9, the Authority will publish on the Authority's Website:
- (a) the text of the proposed direction;
  - (b) the date on which the Authority intends the proposed direction to come into effect;
  - (c) the reasons why it proposes to issue the direction; and
  - (d) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

## **Special Condition 9.3 Price Control Deliverable assessment and reporting requirements**

### **Introduction**

- 9.3.1 The purpose of this condition is to set out the assessment principles the Authority will apply in deciding whether to make a direction where an

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Evaluative PCD has not been Fully Delivered and in deciding the contents of such a direction.

- 9.3.2 This condition requires the licensee to report to the Authority on the delivery of its Evaluative PCDs and provides for the issuing and amending of the PCD Reporting Requirements and Methodology Document.

### **Part A: Evaluative PCD assessment principles**

- 9.3.3 In deciding whether to make a direction to adjust allowances where an Evaluative PCD has not been Fully Delivered and in deciding the contents of such a direction, the Authority will apply the following assessment principles:

- (a) where an output is Fully Delivered With An Alternative Specification and the licensee demonstrates that any underspend against the associated allowances are attributable to Efficiency or Innovation, the Authority will not make any adjustment to the associated allowance;
- (b) where an output is Not Delivered, the Authority may direct a reduction to the associated allowance up to the total amount of the allowance, save that the Authority will allow the licensee the costs of undertaking reasonable and necessary work until the decision to not deliver the output, where the licensee demonstrates that such costs were reasonable, necessary, incurred efficiently and not otherwise funded by the special conditions of this licence;
- (c) where an output is Delayed, the Authority may direct a re-profiling of the associated allowance to match the profile of the actual delivery of work or expenditure, where re-profiling would have a material impact on allowances;
- (d) where the output is Partially Delivered or Partially Delivered With Alternative Specification, and:
  - i. the licensee demonstrates that any underspend against the associated allowances are attributable to Efficiency or Innovation; and
  - ii. the licensee provides a justified estimate of the proportion of the output or Consumer Outcome associated with the work delivered,

the Authority may direct an adjustment to the associated allowances only in accordance with the following formula:

$$\text{Adjustment to allowances} = ((1 - \text{proportion of output or Consumer Outcome delivered}) * \text{associated allowance})$$

- (e) where none of the circumstances described in sub-paragraphs (b) to (d) applies, the Authority may direct an adjustment to the associated allowances such as to allow only the efficient costs of any work carried out

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

that contributes to the delivery of the output. When deciding on the value of any such adjustment, the Authority will:

- i. have due regard to the particular characteristics of the output; and
  - ii. have due regard to any factors that are outside of the licensee's control and that may have affected the ability of the licensee to Fully Deliver the output; and
  - iii. establish efficient costs using the following methods:
    - (AA) where these are available, using benchmarking against historical cost data; or
    - (BB) where historical cost data is not available, using bespoke engineering and cost assessment, employing qualitative techniques to supplement technical methods;
- (f) the Authority will not direct an increase to allowances for an Evaluative PCD that has not been Fully Delivered;
- (g) any adjustment to an associated allowance will proportion that allowance to Regulatory Years in accordance with the profile of actual expenditure reported by the licensee; and
- (h) the split between fast money and the RAV for any adjustments will be as set out in the GT2 Price Control Financial Model.

### **Part B: Reporting requirement**

- 9.3.4 The licensee must by 31 July of each Regulatory Year, or such later date directed by the Authority, send to the Authority a Basic PCD Report on each Evaluative PCD output for which the delivery date specified in the relevant licence condition was in the previous Regulatory Year.
- 9.3.5 On receipt of a Basic PCD Report, the Authority will decide whether to direct the licensee to submit to it a Full PCD Report.
- 9.3.6 The Authority will not direct the submission of a Full PCD Report where the Basic PCD Report demonstrates that the output has been Fully Delivered.
- 9.3.7 Where directed to do so by the Authority the licensee must send to the Authority a Full PCD Report.
- 9.3.8 The Authority will use the Basic PCD Report, Full PCD Report, responses to supplementary questions and any other relevant information to decide the delivery status of the outputs for the purposes of Part A in accordance with the definitions of those terms in Special Condition 1.1 (Interpretation and definitions). The Authority may decide to assign more than one delivery status to any output.

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## **Part C: PCD Reporting Requirements and Methodology Document**

- 9.3.9 The licensee must comply with the PCD Reporting Requirements and Methodology Document when preparing a report required by Part B.
- 9.3.10 The Authority will issue and amend the PCD Reporting Requirements and Methodology Document by direction.
- 9.3.11 The Authority will publish the PCD Reporting Requirements and Methodology Document on the Authority's Website.
- 9.3.12 The PCD Reporting Requirements and Methodology Document will set out:
- (a) how the licensee must prepare the reports required by Part B; and
  - (b) further guidance about, and worked examples of, the methodology the Authority will use when deciding:
    - i. whether to direct a value to reduce allowances for Price Control Deliverables that have not been Fully Delivered; and
    - ii. the value to direct.
- 9.3.13 Before issuing the PCD Reporting Requirements and Methodology Document by direction, the Authority will publish on the Authority's Website:
- (a) the text of the proposed PCD Reporting Requirements and Methodology Document;
  - (b) the date on which the Authority intends the PCD Reporting Requirements and Methodology Document to come into effect; and
  - (c) a period during which representations may be made on the content of the PCD Reporting Requirements and Methodology Document, which will not be less than 28 days.
- 9.3.14 Before amending the PCD Reporting Requirements and Methodology Document by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended PCD Reporting Requirements and Methodology Document;
  - (b) the date on which the Authority intends the amended PCD Reporting Requirements and Methodology Document to come into effect;
  - (c) the reasons for the amendments to the PCD Reporting Requirements and Methodology Document; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (d) a period during which representations may be made on the amendments to the PCD Reporting Requirements and Methodology Document, which will not be less than 28 days.

## **Special Condition 9.4 Re-opener Guidance and Application Requirements Document**

### **Introduction**

- 9.4.1 This condition requires the licensee to prepare applications for Re-openers in accordance with the Re-opener Guidance and Application Requirements Document.
- 9.4.2 This condition also explains the process the Authority will follow in issuing and amending the Re-opener Guidance and Application Requirements Document.

### **Part A: Requirement to comply with the Re-opener Guidance and Application Requirements Document**

- 9.4.3 The licensee must prepare any applications for Re-openers in accordance with any applicable provisions of the Re-opener Guidance and Application Requirements Document.

### **Part B: Re-opener Guidance and Application Requirements Document**

- 9.4.4 The Authority will issue and amend the Re-opener Guidance and Application Requirements Document by direction.
- 9.4.5 The Authority will publish the Re-opener Guidance and Application Requirements Document on the Authority's Website.
- 9.4.6 The Re-opener Guidance and Application Requirements Document will set out how the licensee must prepare its applications for Re-openers, including the following:
- (a) the Re-openers to which the document applies;
  - (b) the level of detail required in the application;
  - (c) any requirement to publish the application;
  - (d) when it is appropriate to make redactions in published applications; and
  - (e) any requirement for assurance.
- 9.4.7 Before issuing the Re-opener Guidance and Application Requirements Document by direction, the Authority will publish on the Authority's Website:
- (a) the text of the proposed Re-opener Guidance and Application Requirements Document;

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- (b) the date on which the Authority intends the Re-opener Guidance and Application Requirements Document to come into effect; and
  - (c) a period during which representations may be made on the content of the Re-opener Guidance and Application Requirements Document, which will not be less than 28 days.
- 9.4.8 Before amending the Re-opener Guidance and Application Requirements Document by direction, the Authority will publish on the Authority's Website:
  - (a) the text of the amended Re-opener Guidance and Application Requirements Document;
  - (b) the date on which the Authority intends the amended Re-opener Guidance and Application Requirements Document to come into effect;
  - (c) the reasons for the amendments to the Re-opener Guidance and Application Requirements Document; and
  - (d) a period during which representations may be made on the amendments to the Re-opener Guidance and Application Requirements Document, which will not be less than 28 days.

## **Special Condition 9.5 Digitalisation**

### **Introduction**

- 9.5.1 The purpose of this condition is to set out the licensee's obligations to:
  - (a) have a Digitalisation Strategy;
  - (b) have a Digitalisation Action Plan;
  - (c) update its Digitalisation Strategy and its Digitalisation Action Plan;
  - (d) comply with the DSAP Guidance; and
  - (e) comply with Data Best Practice Guidance.
- 9.5.2 This condition also sets out the process the Authority will follow when issuing and amending DSAP Guidance and Data Best Practice Guidance.

### **Part A: Requirements of the Digitalisation Strategy**

- 9.5.3 The licensee must publish its Digitalisation Strategy on, or before, 31 March 2022.
- 9.5.4 The licensee must review the progress it has made against its Digitalisation Strategy and update its Digitalisation Strategy at least once every 2 years after 31 March 2022.
- 9.5.5 The licensee must:

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- (a) publish its Digitalisation Strategy, and updates to its Digitalisation Strategy, on the licensee's website where they are readily accessible to the public;
- (b) maintain an archive of all published versions of its Digitalisation Strategy on the licensee's website where they are readily accessible to the public; and
- (c) notify the Authority of any updates to the Digitalisation Strategy.

### **Part B: Requirements of the Digitalisation Action Plan**

- 9.5.6 The licensee must publish its Digitalisation Action Plan on, or before, 30 June 2021.
- 9.5.7 The licensee must review the progress it has made against and update its Digitalisation Action Plan at least once every 6 months after 30 June 2021.
- 9.5.8 The licensee must:
  - (a) publish its Digitalisation Action Plan, and updates to its Digitalisation Action Plan, on the licensee's website where they are readily accessible to the public;
  - (b) maintain an archive of all published versions of its Digitalisation Action Plan on the licensee's website where they are readily accessible to the public; and
  - (c) notify the Authority of any updates to the Digitalisation Action Plan.

### **Part C: DSAP Guidance.**

- 9.5.9 The licensee must comply with the DSAP Guidance when:
  - (a) preparing and updating its Digitalisation Strategy; and
  - (b) preparing and updating its Digitalisation Action Plan.
- 9.5.10 The Authority will issue and amend the DSAP Guidance by direction.
- 9.5.11 The Authority will publish the DSAP Guidance on the Authority's Website.
- 9.5.12 The DSAP Guidance will make provision about:
  - (a) how the licensee should work towards digitalisation;
  - (b) how the licensee should set out in its Digitalisation Strategy and Digitalisation Action Plan how it intends to use Energy System Data to generate benefits for consumers and stakeholders and the specific actions it will take to achieve that outcome;
  - (c) the form and content of the Digitalisation Strategy and the Digitalisation Action Plan, including:
    - i. the structure, content and level of detail of each;

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- ii. the types of activities that should be covered in each; and
  - iii. any required information associated with those activities; and
- (d) the engagement the licensee is required to undertake with stakeholders to help inform the development of its Digitalisation Strategy and its Digitalisation Action Plan.

#### **Part D: Requirement to employ data best practice**

- 9.5.13 The licensee must, when conducting work that involves working with or making decisions about the use of Energy System Data, use its best endeavours to act in accordance with Data Best Practice Guidance.
- 9.5.14 The Authority will issue and amend Data Best Practice Guidance by direction.
- 9.5.15 The Authority will publish Data Best Practice Guidance on the Authority's website.
- 9.5.16 Data Best Practice Guidance will make provision about how the Authority expects the licensee to comply with data best practice to generate benefits for consumers and stakeholders, including but not limited to ensuring services that involve Energy System Data are designed to meet the needs of consumers and those who directly use the services.

#### **Part E: Process for issuing and amending guidance**

- 9.5.17 Before issuing DSAP Guidance or Data Best Practice Guidance by direction, the Authority will publish on the Authority's Website:
- (a) the text of the proposed guidance;
  - (b) the date on which the Authority intends the guidance to come into effect; and
  - (c) a period during which representations may be made on the content of the guidance, which will not be less than 28 days.
- 9.5.18 Before amending DSAP Guidance or Data Best Practice Guidance by direction, the Authority will publish on the Authority's Website:
- (a) the text of the amended guidance;
  - (b) the date on which the Authority intends the amended guidance to come into effect;
  - (c) the reasons for the amendments to the guidance; and
  - (d) a period during which representations may be made on the amendments to the guidance, which will not be less than 28 days.

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## **Special Condition 9.6 Disapplication of Relevant Special Conditions**

### **Introduction**

- 9.6.1 The purpose of this condition is to enable the licensee to make a formal request for the disapplication of the Relevant TO Special Conditions or Relevant SO Special Conditions (in whole or in part) and for such provisions to be disapplied following a request in the circumstances specified.

### **Part A: Procedure for making a Disapplication Request**

- 9.6.2 The licensee may submit a Disapplication Request in writing to the Authority.
- 9.6.3 A Disapplication Request must:
- (a) specify which of the Relevant TO Special Conditions or Relevant SO Special Conditions (or any part or parts of them) the request relates;
  - (b) provide a full statement of the licensee's reasons for making the request;
  - (c) contain such other information or analysis as the licensee considers sufficient to enable the Authority to fully assess the Disapplication Request; and
  - (d) state the Disapplication Date that the licensee proposes (which must not be earlier than the appropriate date mentioned in Part B).
- 9.6.4 A Disapplication Request may be submitted only in respect of a specified geographical area.
- 9.6.5 The Authority may, during the period of 28 days beginning with the date of receipt of a Disapplication Request, give notice to the licensee:
- (a) specifying further information or analysis that the Authority reasonably considers is required in order to fully assess the Disapplication Request; and
  - (b) requesting the licensee to provide that information or analysis.
- 9.6.6 The licensee may withdraw a Disapplication Request at any time.

### **Part B: Date from which a disapplication may take effect**

- 9.6.7 The Disapplication Date specified in a Disapplication Request must be after the period of 18 months beginning with the date of the submission of the Disapplication Request, unless the Authority consents in writing to an earlier date.
- 9.6.8 If paragraph 9.6.5 applies, a Disapplication Request will be treated as submitted when that further information or analysis is received by the Authority and, if in consequence the Disapplication Date set out in the

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Disapplication Request no longer complies with paragraph 9.6.7, the Disapplication Date will be treated as being the earliest date that would comply with that paragraph.

### **Part C: Licensee's right to terminate under a Disapplication Request**

- 9.6.9 If the licensee has submitted to the Authority a Disapplication Request that complies with the requirements of Parts A and B, it may subsequently give the Authority a Disapplication Notice:
- (a) in the circumstance described in Part D; or
  - (b) in the circumstance described in Part E.
- 9.6.10 In either case the Disapplication Notice may not take effect before the Disapplication Date or such earlier date to which the Authority may have consented under Part B.

### **Part D: Termination without involvement of the Competition and Markets Authority**

- 9.6.11 The circumstance referred to in paragraph 9.6.9(a) is that by the beginning of the period of six months ending with the Disapplication Date, the Authority has not in response to the Disapplication Request published a decision under section 23(7) of the Act to modify:
- (a) the Relevant TO Special Conditions or Relevant SO Special Conditions (or any part or parts of them) to which the Disapplication Request applies; or
  - (b) this Condition so as to remove the licensee's right to give the Authority a Disapplication Notice in respect of the relevant Disapplication Request.

### **Part E: Termination after involvement of the Competition Commission**

- 9.6.12 The circumstance referred to in paragraph 9.6.9(b) is that the Authority has published a decision as described in paragraph 9.6.11(a) or 9.6.11(b) and:
- (a) the licensee has exercised its right to appeal to the Competition and Markets Authority against that decision of the Authority as provided for by section 23B of the Act; and
  - (b) the Competition and Markets Authority, acting under section 23E of the Act has, in respect of the provision to which the Disapplication Notice relates:
    - i. quashed the Authority's decision;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- ii. neither remitted the matter back to the Authority under section 23E(2)(b) of the Act nor substituted its own decision for that of the Authority under section 23E(2)(c) of the Act; and
- (c) no more than 30 days have elapsed since the date on which the Competition and Markets Authority quashed the decision in the circumstances described in paragraph 9.6.12(b)(i).

## **Special Condition 9.7 Directly Remunerated Services**

### **Introduction**

- 9.7.1 The purpose of this condition is to set out the basis on which services provided by the licensee will be treated as Directly Remunerated Services under the special conditions of this licence.
- 9.7.2 The effect of this condition is that revenue derived by the licensee from the provision of Directly Remunerated Services is excluded from the calculation of Allowed Revenue and SO Allowed Revenue.
- 9.7.3 This condition also explains the process that the Authority will follow when directing that services provided by the licensee should be treated, or should not be treated, as Directly Remunerated Services.

### **Part A: Licensee's obligation to exclude Directly Remunerated Services**

- 9.7.4 The licensee must exclude revenue derived from Directly Remunerated Services from TO Recovered Revenue and SO Recovered Revenue.
- 9.7.5 Directly Remunerated Services are:
  - (a) services that comply with the general principle set out in Part B; or
  - (b) the services listed in Part C to the extent that they comply with the general principle in Part B; or
  - (c) services that the Authority directs are to be treated as Directly Remunerated Services to the extent that such direction will comply with the general principle in Part B.
- 9.7.6 Services are not to be treated as Directly Remunerated Services if the Authority so directs to the extent that such direction will comply with the general principle in Part B.

### **Part B: Statement of general principle**

- 9.7.7 The general principle is that a service provided by the licensee as part of its Licensed Activity is to be treated as a Directly Remunerated Service if and to

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

the extent that the service is not already remunerated under any of the charges listed in paragraph 9.7.8.

- 9.7.8 The charges referred to in paragraph 9.7.7 are:
- (a) NTS Transportation Owner Charges, under the provisions of Special Condition 2.1 (Transportation owner revenue restriction);
  - (b) NTS System Operation Charges, under the provisions of Special Condition 2.3 (System operator revenue restriction); and
  - (c) charges arising from any activity carried out under the provisions of Special Condition 7.7 (RIIO-GT1 network innovation competition) which results in Returned Royalty Income for the licensee.

### **Part C: Categories of Directly Remunerated Services**

- 9.7.9 The descriptions of categories of Directly Remunerated Services set out at paragraph 9.7.10 are to be read and given effect subject to any further explanation or elaboration of any of those descriptions that might be set out in the RIGs.

- 9.7.10 Directly Remunerated Services include the following services:

DRS1. Connection services: This category consists of the carrying out of works (including any necessary reinforcement works or diversionary works) to install, operate, repair, or maintain gas pipes or plant, meters or other equipment necessary to provide any new connection or modify any existing connection to the Transportation System to which this licence relates, (but only to the extent that the service is not already remunerated under one of the charges set out at paragraph 9.7.8).

DRS2. Diversionary works under an obligation: This category consists of the relocating of any gas pipes or plant (including the carrying out of any associated works) pursuant to any statutory obligation other than one imposed on the licensee under section 9 (Powers and duties of gas transporters) of the Act (for avoidance of doubt Pipeline Diversion Costs are not a Directly Remunerated Service).

DRS3. Works required by any alteration of premises: This category consists of the moving of any electric line or electrical plant that forms part of the licensee's Transportation System to accommodate the extension, redesign, or redevelopment of any premises on which the asset in question is located or to which it is connected.

DRS4. Telecommunications and information technology infrastructure services: This category consists of allowing the use of any electric line or electrical plant that forms part of the licensee's Transportation System to carry,

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

either directly or indirectly (including by the incorporation of third party equipment), electronic information and data.

DRS5. Outage changes: (Not applicable to Gas Transmission).

DRS6. Emergency services: This category consists of the provision of emergency services under contracts entered into pursuant to the provisions of Standard Special Condition A41 (Emergency Services to or on Behalf of Another Gas Transporter) of this licence.

DRS7. PARCA activities: This category consists of the works relating to the initial investigations and assessment of technical options for the provision of Entry Capacity or Exit Capacity carried out by the licensee prior to entering into a PARCA, which may lead to the provision of a Phase 1 PARCA Works Report to the PARCA Applicant, or in the case of the provision of Entry Capacity or Exit Capacity at a point described in the Appendices to Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution) as an interconnector, which may lead to the provision of a joint notice published under “European Interconnection Document Section E” of the Uniform Network Code.

DRS8. Independent System Operation: (Not applicable).

DRS9. Network Innovation Funding: (Not applicable).

DRS10. Value added services: (Not applicable).

DRS11. Top-up, standby, and enhanced system security: (Not applicable).

DRS12. Revenue protection services: (Not applicable).

DRS13. Metering services: (Not applicable).

DRS14. Smart meter roll-out rechargeable services: (Not applicable).

DRS15. Miscellaneous: This category consists of the provision of any other service (including the provision of gas pipes or plant) that:

(a) is for the specific benefit of any third party who requests it; and

(b) is not made available by the licensee as a normal part of its NTS Transportation Owner Activity or NTS System Operation Activity.

#### **Part D: Procedure for issuing directions**

9.7.11 Before issuing a direction under Part A the Authority will consider the general principle in Part B.

9.7.12 Any direction that the Authority issues under Part A will set out the date on which the licensee must start or cease treating services as Directly Remunerated Services.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Special Condition 9.8 Tax Reconciliation assurance statement

### Introduction

- 9.8.1 This condition requires the licensee to send to the Authority an annual assurance statement in relation to the Tax Reconciliation template and sets out the form of that statement.

### Part A: Assurance Statement

- 9.8.2 The licensee must by 30 September~~1 July~~ in each Regulatory Year starting on or after~~from~~ 1 April 2023, send to the Authority an assurance statement, relating to Regulatory Year  $t-2$  that:

- (a) has been approved by resolution of the licensee's board of directors;
- (b) is signed by a director of the licensee pursuant to that resolution in sub-paragraph (a); and
- (c) is set out in the form prescribed in paragraph 9.8.3 or, where paragraph 9.8.4 applies, in the form prescribed in paragraph 9.8.5.

- 9.8.3 The prescribed form for the assurance statement is as follows:

~~9.8.4~~ "In accordance with the requirements of paragraph 9.8.2 of Special Condition 9.8 (Tax Reconciliation assurance statement), the Directors of [*licensee*] ("the licensee") hereby certify that for Regulatory Year [*Regulatory Year  $t-2$* ], in their opinion:

- (a) the values reported~~adjusted notional tax allowance as shown~~ in the Tax Reconciliation template accurately reflect the adjustments captured in the reconciliation~~represents a fair interpretation of the licensee's Actual Corporation Tax Liability~~~~adjusted actual tax liability as shown in the licensee's Company Tax Return (CT600)~~ to the Calculated Tax Allowance;
- (b) the Tax Reconciliation ~~has been~~will be submitted to the ~~Office of Gas and Electricity Markets~~Authority along with a copy of:
  - i. the licensee's most recent CT600 as submitted to ~~His~~Her Majesty's Revenue and Customs;
  - ii. the licensee's most recently submitted Senior Accounting Officer (SAO2) certificate as per (b)i; and
  - iii. the licensee's published Tax Strategy;
- (c) where appropriate, further information has also been provided to support and explain reconciling items in accordance with the RIIO-2 Regulatory Financial Performance Reporting RIGs~~PCFM Guidance~~;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- (d) all adjustments made have been appropriately explained in the Tax Reconciliation supporting commentary; and
- (e) reconciling differences have been appropriately explained and any remaining, unexplained differences are considered immaterial, in aggregate."

9.8.4 Where the licensee anticipates a material, unexplained variance to arise in the Tax Reconciliation as described in Chapter 6 of the GT2 Price Control Financial Handbook, the prescribed form for the assurance statement is set out in paragraph 9.8.5.

9.8.5 Where this paragraph applies, the prescribed form for the assurance statement is as follows:

~~9.8.6~~ "In accordance with the requirements of paragraph 9.8.52 of Special Condition 9.8 (Tax Reconciliation assurance statement), the Directors of [licensee] ("the licensee") hereby certify that for the Regulatory Year [Regulatory Year t-2], in their opinion:

- (a) the values reported ~~adjusted notional tax allowance as shown in the Tax Reconciliation template~~ have resulted in a material, unexplained variance in the reconciliation ~~does not represent a fair interpretation of the Licensee's adjusted~~ Actual Corporation Tax Liability ~~actual tax liability as shown in the licensee's Company Tax Return (CT600)~~ to the adjusted Calculated Tax Allowance;
- (b) the Tax Reconciliation has been submitted to the ~~Office of Gas and Electricity Markets~~ Authority along with a copy of:
  - i. the licensee's most recent CT600 as submitted to ~~His~~ Majesty's Revenue and Customs;
  - ii. the licensee's most recently submitted Senior Accounting Officer (SAO2) certificate as per (b)i; and
  - iii. the licensee's published Tax Strategy;
- (c) where appropriate, further information has also been provided to support and explain reconciling items in accordance with the RIIO-2 Regulatory Financial Performance Reporting RIGs ~~PCFM Guidance;~~
- (d) all adjustments made have been appropriately explained in the Tax Reconciliation supporting commentary, however there remain unexplained differences, which are considered material; and; and
- (e) a notification has been given in writing to the Authority under Chapter 6 of the GT2 Price Control Financial Handbook."

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## **Special Condition 9.9 Allocation of revenues and costs for calculations under the price control in respect of the NTS Transportation Owner Activity and NTS System Operation Activity**

### **Introduction**

- 9.9.1 This condition sets out how the licensee must allocate revenues and costs for the purposes of calculating its Allowed Revenue and SO Allowed Revenue in accordance with the Special Conditions in Chapter 2 (Revenue restriction).
- 9.9.2 This condition also requires the licensee to:
- (a) have in place a methods statement that sets out the methods that the licensee will use in the allocation and attribution of revenues and costs; and
  - (b) prepare and send to the Authority a methods report, which describes the manner in which, and the extent to which, the licensee has complied with the provisions of the methods statement.

### **Part A: General principles of allocation and attribution**

- 9.9.3 Unless the Authority otherwise directs, any allocation or attribution of revenues, costs, assets, and liabilities performed by the licensee in order to calculate any of the values referred to in the Special Conditions contained within Chapter 2 must conform to the principles set out in paragraphs 9.9.4, 9.9.5, and 9.9.6.
- 9.9.4 Principle 1 is that the licensee must, so far as is reasonably practicable, allocate or attribute revenues, costs, assets, and liabilities in accordance with the activities which cause the revenues to be earned, the costs to be incurred, the assets to be acquired, or the liabilities to be incurred.
- 9.9.5 Principle 2 is that the licensee must perform its allocations and attributions on an objective basis and in a manner calculated not to unduly benefit itself or any other licensee or entity, affiliated or otherwise.
- 9.9.6 Principle 3 is that, so far as reasonably practicable, the licensee must perform all allocations and attributions on a consistent basis from one Regulatory Year to the next.

### **Part B: Allocation and attribution as between principal activities**

- 9.9.7 To the extent relevant to its activities, the licensee must in so far as is reasonably practicable allocate or attribute all revenues earned and costs incurred by the Transportation Business to the following activities:
- (a) the NTS Transportation Owner Activity;

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- (b) the NTS System Operation Activity; and
- (c) any Directly Remunerated Services.

**Part C: Statement of the methods to be used by the licensee**

- 9.9.8 Unless the Authority otherwise directs, the licensee must, by no later than 31 July in each Regulatory Year, prepare and send to the Authority a statement in a form approved by the Authority that sets out the methods that the licensee intends to use in the allocation and attribution of revenues and costs.
- 9.9.9 The methods statement must, as a minimum, clearly distinguish between the allocation or attribution of revenues, costs, assets, and liabilities to each of the activities specified in Part B.
- 9.9.10 Where the basis of such allocations or attributions has changed from one Regulatory Year to the next, the methods statement must also indicate and explain how and why that basis has been changed.
- 9.9.11 The licensee must use reasonable endeavours to comply with the methods statement for the time being in force under this condition.

**Part D: Direction to re-allocate and re-attribute**

- 9.9.12 The licensee must re-allocate revenues earned by the licensee or re-attribute costs incurred by the licensee to the activities specified in Part B in accordance with any direction made by the Authority following receipt of the methods statement, so that the licensee's allocations and attributions comply with the principles set out in Part A.

**Part E: Preparation and submission of the methods report**

- 9.9.13 Unless the Authority otherwise consents, the licensee must, before the end of the period of 4 months beginning with the end of each Regulatory Year, prepare and send to the Authority a methods report that:
  - (a) describes the manner in which, and the extent to which, the licensee complied with the provisions of the methods statement and any direction made by the Authority under Part D in respect of that year; and
  - (b) states whether any modification should be made to the methods statement to reflect more closely the practice of the licensee.
- 9.9.14 The methods report must be accompanied by a report from an Appropriate Auditor that:
  - (a) sets out the procedures (which must have been approved by the Authority) that the Appropriate Auditor has carried out for the purposes of demonstrating the extent to which the licensee has properly prepared the

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methods report in accordance with the methods statement and any direction made under Part D; and

(b) gives an opinion as to the extent to which the licensee has properly prepared the methods report.

9.9.15 To the extent that the licensee earns revenues or incurs costs in the undertaking of De Minimis Business under Standard Special Condition A36 (Restriction on Activity and Financial Ring-Fencing), the licensee must report on those revenues and costs in accordance with this condition.

## **Special Condition 9.10 Long term network planning**

### **Introduction**

9.10.1 The purpose of this condition is to set out the licensee's obligations in relation to reporting on its long term network development plan.

9.10.2 Reporting on the long term development plan must take the form of a Long Term Development Statement and an Annual Network Capability Assessment Report.

### **Part A: Long Term Development Statement**

9.10.3 The licensee must prepare a Long Term Network Development Statement in each Regulatory Year.

9.10.4 The Long Term Network Development Statement must include, so far as is reasonably practicable, forecasts of:

- (a) the likely use of the pipeline system to which this licence relates and any other pipeline system specified by the Authority by direction;
- (b) the likely development of the system, facilities and other pipeline systems which the licensee expects from time to time to be taken into account in determining the charges for making connections to the pipeline system to which this licence relates and in pursuance of Transportation Arrangements;

where such information is capable of being applied for the purpose of identifying and evaluating opportunities to:

- i. connect a pipeline to the pipeline system to which this licence relates, or to another Gas Transporter Licensee's pipeline system;
- ii. enter into transportation arrangements with the licensee; or
- iii. connect to the pipeline system to which this licence relates, or another Gas Transporter Licensee's pipeline system, premises which would

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

reasonably be expected to be supplied with gas at a rate exceeding 2,196,000 kilowatt hours a year.

- 9.10.5 The licensee must, subject to any requirement to comply with the listing rules (within the meaning of the Financial Services and Markets Act 2000) and with paragraph 7 below:
- (a) send to the Authority a copy of the Long Term Development Statement by 31st December in each Regulatory Year;
  - (b) publish, in such form and manner as the Authority may direct, a summary of each Long Term Development Statement; and
  - (c) send a copy of the version prepared in accordance with paragraph 9.10.5(b) to any person who asks for one and makes such payment to the licensee in respect of the cost thereof as it may require, not exceeding such amount as the Authority may from time to time approve.
- 9.10.6 In complying with the requirements of paragraph 9.10.5(b) and (c), the licensee must exclude, in so far as is reasonably practicable, any matter which relates to the affairs of a person where the publication of that matter would, or might, seriously and prejudicially affect their interests.
- 9.10.7 Any question arising under paragraph 9.10.6 as to whether the publication of some matter which relates to the affairs of a person would, or would have the potential to, seriously and prejudicially affect their interests is to be determined by the Authority.

### **Part B: Annual Network Capability Assessment Report**

- 9.10.8 The licensee must prepare an Annual Network Capability Assessment Report in each Regulatory Year.
- 9.10.9 The licensee must send its Annual Network Capability Assessment Report to the Authority by 30 June in each Regulatory Year or such other date as the Authority may direct.
- 9.10.10 The Annual Network Capability Assessment Report must include, so far as is reasonably practicable:
- (a) flow forecasts across all network Entry and Exit Zones;
  - (b) the level of physical capability for each of those Entry and Exit Zones;
  - (c) the level of capability that can economically and efficiently be delivered using commercial tools (either that the licensee has in place or where the potential costs of such commercial tools have been revealed to the licensee through a tender process) for each of those Entry and Exit Zones;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (d) an explanation of the changes to the level of physical capability levels resulting from changes to the installed operational assets; and
- (e) a view of the required level of physical capability in 10 years' time.

## **Special Condition 9.11 Transmission Planning Code**

### **Introduction**

- 9.11.1 The purpose of this condition is to set out the licensee's obligations in relation to the Transmission Planning Code.

#### **Part A: Transmission Planning Code obligation**

- 9.11.2 The licensee must have in place, implement and comply with the provisions of a Transmission Planning Code approved by the Authority.

#### **Part B: Transmission Planning Code requirements**

- 9.11.3 The Transmission Planning Code must satisfy the requirements in this Part.
- 9.11.4 The first requirement is that the Transmission Planning Code must cover all material technical aspects relating to the planning and development of the pipeline system to which this licence relates that may have a material impact on persons connected to or using (or intending to connect to or use) that pipeline system.
- 9.11.5 The second requirement is that the Transmission Planning Code must include a methodology for determining the physical capability of the pipeline system to which this licence relates that specifies in detail how the licensee takes into account:
- (a) its Entry Capacity release obligations pursuant to Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable) and its Exit Capacity release obligations pursuant to Special Condition 9.13 (Capacity Requests, Baseline Capacity and Capacity Substitution);
  - (b) the amount of capacity that may technically be transferred or traded between NTS Entry Points;
  - (c) the impact of incremental gas flows on the capability of the pipeline system to which this licence relates at each NTS Entry Point and each NTS Exit Point; and
  - (d) the Statutory Network Security Standard.
- 9.11.6 The third requirement is that the Transmission Planning Code must include the detailed planning assumptions that the licensee uses in respect of:

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- (a) the likely developments it expects in the patterns of the supply of gas to, and the demand for gas from, the pipeline system to which the licence relates;
- (b) the likely developments it expects in the levels of the supply of gas through and the demand for gas from that pipeline system; and
- (c) the likely operation of the pipeline system to which the licence relates for any given pattern or level of supply of gas or demand for gas.

### **Part C: Review and revision of the Transmission Planning Code**

- 9.11.7 The licensee must, if requested by the Authority, and in any event not less than once in every period of two Regulatory Years, review the Transmission Planning Code to ensure it continues to meet the requirements in Part B.
- 9.11.8 The licensee must when carrying out the review required by paragraph 9.11.7 consult with interested parties likely to be materially affected by the review.
- 9.11.9 Before revising the Transmission Planning Code, and during the period of 28 days beginning with the date on which a review is completed, the licensee must send to the Authority:
  - (a) a report on the outcome of the review;
  - (b) a statement of any proposed revisions to the Transmission Planning Code that the licensee having regard to the outcome of the review reasonably considers would lead to the Transmission Planning Code better fulfilling the requirements set out in Part B above; and
  - (c) any written representations, including any proposals for revising the Transmission Planning Code that have not been accepted by the licensee, that were received from interested parties during the consultation process and have not been withdrawn.
- 9.11.10 The Authority will:
  - (a) approve the revisions proposed by the licensee;
  - (b) reject the proposed revisions; or
  - (c) reject the proposed revisions and give recommendations as to alternative revisions that it considers should be made.

### **Part D: Derogations**

- 9.11.11 The licensee may apply to the Authority for derogation relieving the licensee of its obligations to implement or comply with the provisions of the Transmission

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Planning Code in respect of such parts of the pipeline system to which this licence relates as may be specified by the Authority by direction.

## **Special Condition 9.12 Licensee's Network Model**

### **Introduction**

- 9.12.1 The purpose of this condition is to set out the licensee's obligations in relation to the licensee's Network Model.

#### **Part A: Network Model obligations**

- 9.12.2 The licensee must have in place a Network Model approved by the Authority.
- 9.12.3 The licensee must, if requested by the Authority, use reasonable endeavours to provide reasonable access, including remote access so far as necessary and reasonably practicable, to the Network Model that enables the Authority to operate the Network Model.

#### **Part B: Network Model requirements**

- 9.12.4 The Network Model must satisfy the requirements in this Part.
- 9.12.5 The first requirement is that the Network Model must facilitate the licensee's compliance with its duty under section 9(1)(a) of the Act.
- 9.12.6 The second requirement is that the Network Model must be consistent with the Transmission Planning Code.
- 9.12.7 The third requirement is that the Network Model must be designed so as to demonstrate its consistency with the first and second requirements.

#### **Part C: Review and revision of the Network Model**

- 9.12.8 The licensee must, if requested by the Authority, and in any event not less than once in every period of two Regulatory Years, review the Network Model to ensure that it continues to meet the requirements in Part B.
- 9.12.9 Before revising the Network Model and during the period of 28 days beginning with the date of completion of any review, the licensee must send to the Authority a report that sets out:
- (a) the outcome of the review including supporting reasoning and analysis;
  - (b) how any proposed revisions to the Network Model would better achieve the requirements in Part B; and
  - (c) the date on which the licensee plans to implement any proposed revisions to the Network Model.
- 9.12.10 The Authority will:

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- (a) approve the revisions proposed by the licensee;
  - (b) approve the revisions proposed by the licensee and require the appointment of an independent expert to review the implementation of the revisions;
  - (c) reject the proposed revisions; or
  - (d) reject the proposed revisions and give recommendations as to alternative revisions that it considers should be made.
- 9.12.11 Where the Authority requires a review by an independent expert under paragraph 9.12.10(b), the licensee must, within the period of two months beginning with the date on which implementation of the revisions is completed, provide a copy of the independent expert's report to the Authority, confirming that the revisions have been implemented and that the Network Model is in use in its modified form.

**Part D: Provision and modification of Relevant Network Model Data**

- 9.12.12 The licensee must include in the Network Model the Relevant Network Model Data.
- 9.12.13 The licensee must:
- (a) have in place a statement of procedures for modifying or updating the Relevant Network Model Data that is approved by the Authority;
  - (b) keep under review the procedures set out in that statement; and
  - (c) propose any revisions to those procedures that it considers should be made in the light of such review.
- 9.12.14 Before revising the procedures required by paragraph 9.12.13(a), the licensee must send to the Authority a report setting out:
- (a) the proposed revisions; and
  - (b) the reasons for those proposed revisions.
- 9.12.15 The Authority will:
- (a) approve the revisions proposed by the licensee;
  - (b) reject the proposed revisions; or
  - (c) reject the proposed revisions and give recommendations as to alternative revisions that it considers should be made.

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## **Part E: Derogations**

9.12.16 The licensee may apply to the Authority for derogation relieving the licensee of its obligations under this condition.

## **Special Condition 9.13 Capacity Requests, Baseline Capacity and Capacity Substitution**

### **Introduction**

9.13.1 The purpose of this condition is to set out the licensee's obligation to:

- (a) publish a notice of any requests for Firm Entry Capacity or Firm Exit Capacity;
- (b) submit an associated notification to the Authority;
- (c) maintain a table of instances of Entry Capacity Substitution and a table of instances of Exit Capacity Substitution;
- (d) maintain a table of NTS Entry Points and NTS Exit Points along with associated information; and
- (e) maintain a table of Zero Licence Baseline Entry Capacity Points and a table of Zero Licence Baseline Exit Capacity Points.

9.13.2 This condition also:

- (a) sets out a process for approval of Entry Capacity Substitution or Exit Capacity Substitution;
- (b) sets out requirements in relation to the treatment of Zero Licence Baseline Entry Capacity Points and Zero Licence Baseline Exit Capacity Points; and
- (c) sets out Licence Baseline Entry Capacity and Licence Baseline Exit Capacity.

9.13.3 The effect of this condition is:

- (a) to establish the requirements for requests for Firm Entry Capacity and Firm Exit Capacity, and
- (b) to state the Licence Baseline Entry Capacity and Licence Baseline Exit Capacity levels and adjustments.

### **Part A: Publishing notice of request**

9.13.4 Where the licensee receives a request for Firm Entry Capacity or Firm Exit Capacity, some or all of which constitutes Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity, the licensee must publish a notice on its

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

website setting out where it intends to reserve that capacity, subject to the provisions of the appropriate statements maintained by the licensee under Special Condition 9.17 (Entry Capacity and Exit Capacity obligations and methodology statements) and 9.18 (Methodology to determine the release of Entry Capacity and Exit Capacity volumes).

9.13.5 The notice must set out:

- (a) each NTS Entry Point listed in Appendix 1 or NTS Exit Point listed in Appendix 2 at which the Firm Entry Capacity or Firm Exit Capacity respectively has been requested and the quantity of capacity requested there;
- (b) a description of any other location, where there is no NTS Entry Point or NTS Exit Point listed in the licence, where the Firm Entry Capacity or Firm Exit Capacity has been requested and the quantity of capacity requested there; and
- (c) whether any part of the Firm Entry Capacity or Firm Exit Capacity requested cannot be satisfied using Entry Capacity Substitution or Exit Capacity Substitution, and will be the subject of an application by the licensee for a direction under Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable).

**Part B: Notification to the Authority and approval of Entry Capacity Substitution or Exit Capacity Substitution**

9.13.6 Where the licensee has published a notice in accordance with Part A, the licensee must:

- (a) notify the Authority; and
- (b) where relevant, outline with the notification to the Authority any proposal to carry out Entry Capacity Substitution or Exit Capacity Substitution.

9.13.7 The Authority will within 28 days:

- (a) approve the proposal to carry out Entry Capacity Substitution or Exit Capacity Substitution;
- (b) reject the proposal; or
- (c) request more information from the licensee and approve or reject the proposal within 28 days of receipt of information that the Authority considers satisfies its request.

9.13.8 Where the Authority takes no action under paragraph 9.13.7 the licensee may treat the proposals as approved.

9.13.9 The licensee's notification must include statements:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) confirming that the licensee has applied the methodologies in the relevant statements maintained by the licensee under Special Conditions 9.17 (Entry Capacity and Exit Capacity obligations and methodology statements) and 9.18 (Methodology to determine the release of Entry Capacity and Exit Capacity volumes), and, in relation to those methodologies, setting out:
  - i. the input data that the licensee used in applying the methodologies; and
  - ii. the results of applying the methodologies;
- (b) setting out any NTS Entry Point or NTS Exit Point at which the licensee proposes to provide Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity through Entry Capacity Substitution or Exit Capacity Substitution, as well as the volume of this capacity the licensee proposes to provide there, the relevant NTS Entry Points or NTS Exit Points where this capacity is being substituted from, and the volumes of this capacity being substituted away from each relevant NTS Entry Point or NTS Exit Point;
- (c) setting out any NTS Entry Point or NTS Exit Point at which the licensee proposes to provide Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity that is to be the subject of an application by the licensee for a direction under Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable) and the volume of this capacity the licensee proposes to provide there;
- (d) setting out why the Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity referred to in paragraph 9.13.9(c) falls within the scope of paragraph 3.13.7 of Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable);
- (e) setting out the first month in which Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity would be provided under paragraph 9.13.9(b) or (c) at the relevant NTS Entry Point or NTS Exit Point or in which Non-Incremental Obligated Entry Capacity or Non-Incremental Exit Capacity would cease to be provided at the relevant NTS Entry Point or NTS Exit Point; and
- (f) setting out the date when the licensee's obligation to offer for sale any Incremental Obligated Entry Capacity or Incremental Obligated Exit Capacity under paragraph 9.13.9(b) and (c) would commence, and the date on which the licensee's obligation to offer for sale any volume of Non-Incremental Obligated Entry Capacity or Non-Incremental Obligated Exit Capacity being substituted away from the relevant NTS Entry Points or NTS Exit Points would cease.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

### **Part C: Record of Entry Capacity Substitution and Exit Capacity Substitution**

9.13.10 The licensee must maintain and publish on its website:

- (a) a table of instances of Entry Capacity Substitution; and
- (b) a table of instances of Exit Capacity Substitution.

### **Part D: NTS Entry Points and NTS Exit Points**

9.13.11 The licensee must maintain and publish on its website a table of the NTS Entry Points and NTS Exit Points listed in Appendix 1 and Appendix 2 respectively, which includes quantities, for each point, of:

- (a) Licence Baseline Entry Capacity and Licence Baseline Exit Capacity;
- (b) Incremental Obligated Entry Capacity and Incremental Obligated Exit Capacity;
- (c) Non-Incremental Obligated Entry Capacity and Non-Incremental Obligated Exit Capacity;
- (d) total monthly capacity release obligation;
- (e) reserved capacity;
- (f) sold capacity; and
- (g) unsold capacity.

### **Part E: Zero Licence Baseline entry and exit capacity points**

9.13.12 The licensee must maintain and publish on its website:

- (a) a table of Zero Licence Baseline Entry Capacity Points; and
- (b) a table of Zero Licence Baseline Exit Capacity Points.

9.13.13 The licensee must promptly inform the Authority of the creation of any new Zero Licence Baseline Entry Capacity Points or Zero Licence Baseline Exit Capacity Points.

9.13.14 Unless otherwise directed by the Authority, after recording the existence of a new Zero Licence Baseline Entry Capacity Point or Zero Licence Baseline Exit Capacity Point, the licensee must:

- (a) conduct a consultation with network users on whether the new Zero Licence Baseline Entry Capacity Point or Zero Licence Baseline Exit Capacity Point should be treated as a Relevant Point on the licensee's pipeline system; and

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

(b) during the period of 14 days beginning with the date of the close of its consultation, submit to the Authority:

- i. a report on the outcome of the consultation; and
- ii. any written representations that were received from interested parties during the consultation process and were not withdrawn.

9.13.15 Following submission of the report the licensee must seek the Authority's approval for either:

- (a) treating the new Zero Licence Baseline Entry Capacity Point or the new Zero Licence Baseline Exit Capacity Point as a Relevant Point on the licensee's pipeline system, or
- (b) not treating it as a Relevant Point on the licensee's pipeline system.

## **Appendix 1**

### **Licence Baseline Entry Capacity**

<b>NTS Entry Point</b>	<b>Type of entry</b>	<b>Baseline capacity (in GWh/d, as of 1 April 2021)</b>
Bacton (IP)	INTERCONNECTOR	1,297.80
Bacton (UKCS)	BEACH TERMINAL	485.60
Barrow	BEACH TERMINAL	340.01
Easington (including Rough)	BEACH TERMINAL	1,407.15
St. Fergus	BEACH TERMINAL	1,500.00
Teesside	BEACH TERMINAL	445.09
Theddlethorpe	BEACH TERMINAL	0.00
Glenmavis	STORAGE SITE	99.00
Partington	STORAGE SITE	201.43
Avonmouth	STORAGE SITE	179.30
Isle of Grain	LNG IMPORTATION TERMINAL	699.68
Dynevor Arms	STORAGE SITE	49.00

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Hornsea	STORAGE SITE	233.10
Hatfield Moor (Storage)	STORAGE SITE	25.00
Hatfield Moor (Onshore)	ONSHORE FIELD	0.30
Cheshire	STORAGE SITE	556.27
Hole House Farm	STORAGE SITE	296.60
Wytch Farm	ONSHORE FIELD	3.30
Burton Point	ONSHORE FIELD	73.50
Milford Haven	LNG IMPORTATION TERMINAL	950.00
Barton Stacey	STORAGE SITE	172.60
Garton	STORAGE SITE	420.00
Burton Agnes (Caythorpe)	STORAGE SITE	90.00
Winkfield	STORAGE SITE	0.00
Blyborough (Welton)	STORAGE SITE	0.00
Tatsfield	STORAGE SITE	0.00
Albury	STORAGE SITE	0.00
Palmers Wood	STORAGE SITE	0.00
Fleetwood	STORAGE SITE	350.00
Portland	STORAGE SITE	0.00
Canonbie	ONSHORE FIELD	0.00
Moffat	INTERCONNECTOR	0.00
Murrow	BIOMETHANE PLANT	0.00

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Appendix 2

### Licence Baseline Exit Capacity

NTS Exit Point	Type of offtake	Baseline capacity (in GWh/d, as of 1 April 2021)
Bacton	GDN (EA)	3.66
Brisley	GDN (EA)	3.11
Cambridge	GDN (EA)	0.00
Great Wilbrahim	GDN (EA)	35.59
Matching Green	GDN (EA)	92.34
Peterborough Eye (Tee)	GDN (EA)	23.35
Roudham Heath	GDN (EA)	25.47
Royston	GDN (EA)	2.70
Whitwell	GDN (EA)	161.87
West Winch	GDN (EA)	10.09
Yelverton	GDN (EA)	72.94
Alrewas (EM)	GDN (EM)	139.91
Blaby	GDN (EM)	13.40
Blyborough	GDN (EM)	79.33
Caldecott	GDN (EM)	11.08
Thornton Curtis (DN)	GDN (EM)	118.19
Drointon	GDN (EM)	74.27
Gosberton	GDN (EM)	15.23
Kirkstead	GDN (EM)	1.21
Market Harborough	GDN (EM)	9.48
Silk Willoughby	GDN (EM)	3.53

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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Sutton Bridge	GDN (EM)	1.08
Tur Langton	GDN (EM)	65.67
Walesby	GDN (EM)	0.97
Asselby	GDN (NE)	4.59
Baldersby	GDN (NE)	1.34
Burley Bank	GDN (NE)	20.31
Ganstead	GDN (NE)	23.15
Pannal	GDN (NE)	148.41
Paull	GDN (NE)	46.86
Pickering	GDN (NE)	9.38
Rawcliffe	GDN (NE)	5.05
Towton	GDN (NE)	80.73
Bishop Auckland	GDN (NO)	62.13
Coldstream	GDN (NO)	2.85
Corbridge	GDN (NO)	0.17
Cowpen Bewley	GDN (NO)	52.12
Elton	GDN (NO)	60.21
Guyzance	GDN (NO)	2.19
Humbleton	GDN (NO)	0.25
Keld	GDN (NO)	1.89
Little Burdon	GDN (NO)	20.92
Melkinthorpe	GDN (NO)	2.43
Saltwick Pressure Controlled	GDN (NO)	9.22
Saltwick Volumetric Controlled	GDN (NO)	69.07

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Thrintoft	GDN (NO)	6.92
Towlaw	GDN (NO)	0.57
Wetheral	GDN (NO)	29.11
Horndon	GDN (NT)	46.41
Luxborough Lane	GDN (NT)	165.30
Peters Green	GDN (NT)	151.86
Peters Green South Mimms	GDN (NT)	197.18
Winkfield (NT)	GDN (NT)	15.91
Audley (NW)	GDN (NW)	12.14
Blackrod	GDN (NW)	166.55
Ecclestone	GDN (NW)	21.14
Holmes Chapel	GDN (NW)	22.20
Lupton	GDN (NW)	16.23
Malpas	GDN (NW)	0.99
Mickle Trafford	GDN (NW)	29.21
Partington	GDN (NW)	87.63
Samlesbury	GDN (NW)	110.99
Warburton	GDN (NW)	110.65
Weston Point	GDN (NW)	30.60
Aberdeen	GDN (SC)	23.54
Armadale	GDN (SC)	16.01
Balgray	GDN (SC)	15.72
Bathgate	GDN (SC)	24.18
Broxburn	GDN (SC)	60.44
Burnhervie	GDN (SC)	22.38

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Careston	GDN (SC)	3.85
Drum	GDN (SC)	82.53
St Fergus	GDN (SC)	1.06
Glenmavis	GDN (SC)	145.79
Hume	GDN (SC)	1.68
Kinknockie	GDN (SC)	3.07
Langholm	GDN (SC)	0.25
Lauderhill	GDN (SC)	1.79
Lockerbie	GDN (SC)	7.44
Netherhowcleugh	GDN (SC)	0.32
Pitcairngreen	GDN (SC)	1.92
Soutra	GDN (SC)	10.73
Stranraer	GDN (SC)	0.93
Farningham	GDN (SE)	135.12
Farningham B	GDN (SE)	117.88
Shorne	GDN (SE)	67.06
Tatsfield	GDN (SE)	221.74
Winkfield (SE)	GDN (SE)	106.26
Braishfield A	GDN (SO)	107.28
Braishfield B	GDN (SO)	58.87
Crawley Down	GDN (SO)	0.00
Hardwick	GDN (SO)	123.70
Ipsden	GDN (SO)	12.39
Ipsden 2	GDN (SO)	15.68
Mappowder	GDN (SO)	44.68

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Winkfield (SO)	GDN (SO)	71.86
Aylesbeare	GDN (SW)	22.68
Cirencester	GDN (SW)	8.97
Coffinswell	GDN (SW)	5.15
Easton Grey	GDN (SW)	29.60
Evesham	GDN (SW)	6.57
Fiddington	GDN (SW)	25.95
Ilchester	GDN (SW)	34.96
Kenn	GDN (SW)	15.43
Littleton Drew	GDN (SW)	2.47
Lyneham (Choakford)	GDN (SW)	50.30
Pucklechurch	GDN (SW)	25.79
Ross (SW)	GDN (SW)	4.53
Seabank (DN)	GDN (SW)	60.74
Alrewas (WM)	GDN (WM)	128.48
Aspley	GDN (WM)	84.65
Audley (WM)	GDN (WM)	21.83
Austrey	GDN (WM)	87.84
Leamington	GDN (WM)	4.26
Lower Quinton	GDN (WM)	29.91
Milwich	GDN (WM)	21.64
Ross (WM)	GDN (WM)	16.52
Rugby	GDN (WM)	80.08
Shustoke	GDN (WM)	44.76
Stratford-upon-Avon	GDN (WM)	4.68

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Maelor	GDN (WN)	57.56
Dowlais	GDN (WS)	105.98
Dyffryn Clydach	GDN (WS)	40.23
Gilwern	GDN (WS)	82.68
Abson (Seabank Power Station phase I)	DC	36.59
Air Products (Teesside)	DC	0.00
Apache (Sage Black Start)	DC	0.00
Bacton (Great Yarmouth)	DC	20.04
Barking (Horndon)	DC	58.59
Barrow (Black Start)	DC	1.00
Billingham ICI (Terra Billingham)	DC	33.64
Bishop Auckland (test facility)	DC	0.00
Blackness (BP Grangemouth)	DC	27.29
Blyborough (Brigg)	DC	16.89
Blyborough (Cottam)	DC	19.30
Brine Field (Teesside) Power Station	DC	0.00
Burton Point (Connaught Quay)	DC	73.21
Caldecott (Corby Power Station)	DC	21.12
Carrington (Partington) Power Station	DC	45.00
Cockenzie Power Station	DC	0.00
Coryton 2 (Thames Haven) Power Station	DC	0.00

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Centrax Industrial	DC	0.09
Deeside	DC	28.48
Didcot	DC	137.76
Drakelow Power Station	DC	0.00
Eastoft (Keadby Blackstart)	DC	2.38
Eastoft (Keadby)	DC	36.06
Eggborough Power Station	DC	0.00
Enron Billingham	DC	116.65
Epping Green (Enfield Energy, aka Brimsdown)	DC	19.60
Ferny Knoll (AM Paper)	DC	1.08
Fordoun CNG Station	DC	0.00
Glasgoforest	DC	0.00
Goole (Guardian Glass)	DC	1.62
Gowkhall (Longannet)	DC	43.32
Grain Power Station	DC	0.00
Grain North Power Station	DC	0.00
Harwarden (Shotton, aka Shotton Paper)	DC	11.59
Hatfield Power Station	DC	0.00
Hirwaun Power Station	DC	0.00
Hollingsgreen (Hays Chemicals)	DC	3.25
Keadby 2 Power Station	DC	0.00
Kinneil CHP	DC	0.00
Langage Power Station	DC	41.62

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Marchwood Power Station	DC	39.84
Medway (aka Isle of Grain Power Station NOT Grain Power)	DC	38.12
Middle Stoke (Damhead Creek, aka Kingsnorth Power Station)	DC	95.34
Millbrook Power Station	DC	0.00
Moffat (Irish Interconnector)	INTERCONNECTOR	530.09
Palm Paper	DC	4.20
Pembroke Power Station	DC	121.20
Peterborough (Peterborough Power)	DC	23.28
Phillips Petroleum, Teesside	DC	3.69
Pickmere (Winnington Power, aka Brunner Mond)	DC	15.38
Rosecote Power Station (Barrow)	DC	14.73
Rosehill (Saltend Power Station)	DC	57.83
Progress Power Station	DC	0.00
Ryehouse	DC	38.66
Saddle Bow (Kings Lynn)	DC	17.98
Saltend BPHP (BP Saltend HP)	DC	9.10
Saltholme Power Station	DC	7.31
Sandy Lane (Blackburn CHP, aka Sappi Paper Mill)	DC	4.55
Seabank (Seabank Power Station phase II)	DC	19.10

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Seal Sands TGPP	DC	0.00
Sellafield Power Station	DC	12.35
Shellstar (aka Kemira, not Kemira CHP)	DC	16.24
Shotwick (Bridgewater Paper)	DC	5.52
Spalding 2 (South Holland) Power Station	DC	0.00
St Fergus Segal	DC	0.00
St. Fergus (Shell Blackstart)	DC	2.58
St. Fergus (Peterhead)	DC	108.30
St. Neots (Little Barford)	DC	35.20
Stallingborough	DC	68.01
Stanford Le Hope (Coryton)	DC	38.60
Staythorpe	DC	82.00
Sutton Bridge Power Station	DC	42.64
Teesside (BASF, aka BASF Teesside)	DC	9.75
Teesside Hydrogen	DC	13.28
Terra Nitrogen (aka ICI, Terra DC Severnside)		13.10
Thornton Curtis (Humber Refinery, aka Immingham)	DC	67.00
Thornton Curtis (Killingholme)	DC	91.00
Tilbury Power Station	DC	0.00
Tonna (Baglan Bay)	DC	48.65
Trafford Power Station	DC	0.00

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



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Upper Neeston (Milford Haven Refinery)	DC	8.30
West Burton Power Station	DC	66.00
Weston Point (Castner Kelner, aka ICI Runcorn)	DC	11.68
Weston Point (Rocksavage)	DC	40.77
Willington Power Station	DC	0.00
Wragg Marsh (Spalding)	DC	37.28
Wyre Power Station	DC	0.00
Zeneca (ICI Avecia, aka "Zenica")	DC	0.11
Bacton (Baird)	STORAGE SITE	0.00
Barrow (Bains)	STORAGE SITE	0.00
Barrow (Gateway)	STORAGE SITE	0.00
Caythorpe	STORAGE SITE	75.00
Deborah Storage (Bacton)	STORAGE SITE	0.00
Hatfield Moor Max Refill	STORAGE SITE	30.21
Hill Top Farm (Hole House Farm)	STORAGE SITE	0.00
Holford	STORAGE SITE	0.00
Hole House Max Refill	STORAGE SITE	119.58
Partington Max Refill	STORAGE SITE	2.41
Saltfleeby Storage (Theddlethorpe)	STORAGE SITE	0.00
Stublach (Cheshire)	STORAGE SITE	0.00
Glenmavis Max Refill	STORAGE SITE	1.62

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

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Barton Stacey Max Refill (Humbly Grove)	STORAGE SITE	100.94
Avonmouth Max Refill	STORAGE SITE	2.30
Dynevor Max Refill	STORAGE SITE	2.61
Garton Max Refill (Aldbrough)	STORAGE SITE	325.51
Hornsea Max Refill	STORAGE SITE	44.79
Rough Max Refill	STORAGE SITE	370.48
Bacton (exit) IP	INTERCONNECTOR	651.68

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## **Special Condition 9.14 Prohibited procurement activities**

### **Introduction**

9.14.1 The purpose of this condition is to set out the restriction on the licensee regarding the acquisition of capacity rights, gas or gas derivatives.

9.14.2 The effect of this condition is to:

(a) specify the prohibited activities that the licensee is not allowed to take regarding the acquisition of gas products; and

(b) specify the conditions and exemptions where the licensee would be allowed to acquire gas products.

### **Part A: Prohibited procurement activities obligation**

9.14.3 Subject to paragraph 9.14.4, the licensee must not either on its own account or on behalf of:

(a) any Affiliate or Related Undertaking of the licensee; or

(b) any other business operated by the holder of this licence or its Affiliates or Related Undertakings under a separate licence under section 7 of the Act for a Relevant Gas Transporter

purchase, enter into agreements for or otherwise acquire capacity rights, gas or gas derivatives with the intention of subsequently selling, assigning or otherwise disposing of such assets to third parties, and the licensee must procure that anyone specified in sub-paragraphs (a) and (b) will not undertake such transactions on its own account, or on behalf of the licensee, or of anyone specified in sub-paragraphs (a) and (b).

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 9.14.4 The prohibition in paragraph 9.14.3 will not apply if the transactions referred to in paragraph 9.14.3 are undertaken:
- (a) by an Affiliate or Related Undertaking of the licensee each on its own account or on behalf of Affiliates or Related Undertakings specified in paragraphs 9.14.3(a) and (b) other than the licensee, provided that, in respect of each case, such Affiliate or Related Undertaking holds a licence under section 7 of the Act, issued by the Authority, or exempted from the requirement to hold such a licence, and that such licence or exemption does not prohibit such transactions;
  - (b) with the prior consent of the Authority;
  - (c) in accordance with the licensee's functions under the Network Code; or
  - (d) by the licensee on its own account for the purpose of facilitating balancing management or Constraint Management provided that such transactions:
    - i. are conducted on economic and efficient terms; and
    - ii. facilitate the economic and efficient operation of the Transportation System.

## **Special Condition 9.15 NTS shortfall contribution obligations**

### **Introduction**

- 9.15.1 The purpose of this condition is to require the licensee, in specified circumstances, to modify the charges imposed by it in carrying on its Licensed Activity to raise such amounts as are specified by the Secretary of State in a Shortfall Direction:
- (a) from the persons; and
  - (b) in the manner
- specified in such Shortfall Direction, and to pay such amounts to the persons specified in the Shortfall Direction.

### **Part A: Licensee's obligations under this condition**

- 9.15.2 Where there is a shortfall during or at the completion of an energy administration, energy supply company administration or smart meter communication licensee administration the Secretary of State, after consultation with the Authority and the licensee, may issue one or more Shortfall Directions to the licensee specifying:
- (a) the amount of the shortfall (including the amount of any interest accruing on the shortfall calculated to the date specified in sub-paragraph (f));

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (b) the amount to be raised by the licensee and applied in making good the shortfall;
  - (c) the Shortfall Payment Recipients;
  - (d) the rate or rates of interest applicable to any part or parts of the amount referred to in sub-paragraph (b), and any other relevant information to enable the licensee to calculate liability (if any) for payment of any interest in respect of any late payment of such amount to or by the licensee;
  - (e) the method or methods by which the licensee may raise the amount referred to in sub-paragraph (b) (including, without limitation, the manner in which and persons from whom it is to be raised and whether such amount is to be raised within or outside the licensee's normal billing cycle);
  - (f) the date by which the licensee is required to pay the Shortfall Payment Recipients the amount referred to in sub-paragraph (b) (or, where payment of the amount is required in instalments, the dates on which the licensee is required to make payment of each instalment);
  - (g) where the shortfall includes relevant debts owed to more than one Shortfall Payment Recipient, the priority in which the amount referred to in sub-paragraph (b) is to be applied in discharging those debts;
  - (h) the extent to which the Shortfall Direction modifies or replaces a previously issued Shortfall Direction;
  - (i) where a Shortfall Direction is to modify or replace any previously issued Shortfall Direction, where appropriate, a requirement not to modify charges further pursuant to paragraph 9.15.6;
  - (j) the Permitted Administration Fee and the manner in which the Permitted Administration Fee is to be raised,
- and the licensee must comply with any such Shortfall Direction.

9.15.3 As soon as reasonably practicable after receiving a Shortfall Direction, the licensee must:

- (a) modify its charges (in accordance with any method or methods specified in the Shortfall Direction) so as to secure that, in its reasonable estimation (such estimate to be approved by the Authority), the change in its revenue resulting from the modification will equal the amount to be raised by it as specified in the Shortfall Direction (including, at the licensee's discretion, any Permitted Administration Fee); and
- (b) notify the persons who are subject to the charges so modified of:
  - i. the modifications made to the charges;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- ii. any modification to the date or time period within which charges shall be paid;
  - iii. the reason for those modifications; and
  - iv. the interest rate applicable to late payment of modified charges.
- 9.15.4 The licensee must on or before the date (or dates) specified in the Shortfall Direction pay the amount raised under paragraph 9.15.3(a), (excluding any Permitted Administration Fee), to the Shortfall Payment Recipients, in accordance (where applicable) with any priority set out in the Shortfall Direction.
- 9.15.5 For the avoidance of doubt the licensee shall not at any time be under any liability:
  - (a) to make any payments to any Shortfall Payment Recipient, to the extent that those payments exceed the amount of additional revenue which the licensee has already received pursuant to the modification of its charges in accordance with this condition (excluding any Permitted Administration Fee); or
  - (b) to pay interest on any amounts due to any Shortfall Payment Recipient in respect of any period for which any payment is late (in whole or in part) where the delay to such payment arises from the late payment of money to the licensee.
- 9.15.6 Save where the Secretary of State specifies otherwise in a Shortfall Direction modifying or replacing a previous Shortfall Direction, if the amount raised by the licensee under paragraph 9.15.3(a) (excluding any Permitted Administration Fee):
  - (a) is less than the amount the licensee is obliged to raise by the Shortfall Direction to be applied in making good the shortfall (other than as a result of late, partial or non-payment of the modified charges by one or more party subject to those charges), the licensee must:
    - i. as soon as is reasonably practicable, modify its charges (in accordance with any method or methods specified in the Shortfall Direction) so as to secure that, in its reasonable estimation (such estimate to be agreed with the Authority), the change in its revenue effected by such modification will equal the amount of that deficit together with any interest as specified in the Shortfall Direction; and
    - ii. pay that amount to the Shortfall Payment Recipients as soon as is reasonably practicable and at the latest by any date specified in the Shortfall Direction; or

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (b) is more than the amount the licensee is obliged to raise by the Shortfall Direction to be applied in making good the shortfall, the licensee must as soon as reasonably practicable, further modify its charges so as to secure that, in its reasonable estimation (such estimate to be approved by the Authority), the change in its revenue effected by such modification will equal the amount of the excess together with any accrued interest thereon.
- 9.15.7 For the purposes of paragraphs 9.15.3(a) and 9.15.6:
- (a) the licensee may modify its charges notwithstanding that it has not given prior notice of such a variation required by any other condition of this licence or the Uniform Network Code and any charges levied by the licensee after modification pursuant to paragraph 9.15.3(a) or 6 will be deemed to be compliant with the licensee's obligations under Standard Special Condition A4 (Charging - General) and Standard Special Condition A5 (Obligations as Regard Charging Methodology);
  - (b) the licensee must not enter into any agreement with another party which does not permit it to vary its charges in pursuance of this condition and must take all steps within its power to amend, where necessary, any existing agreement to permit such variation; and
  - (c) in modifying its charges for the purposes of this condition the licensee must not discriminate between any person or class or classes of person, except in so far as any differences in charges reasonably reflect objective differences between such persons or classes of persons or in so far as any differences in charges are required to give effect to the Shortfall Direction.
- 9.15.8 The licensee must, as soon as is reasonably practicable after making any payment under paragraph 9.15.4 or 9.15.6, send a notice to the Authority and to the Secretary of State specifying the amount of that payment, the Shortfall Payment Recipients to whom it was paid, the date on which it was paid and whether any of the payment was made up of interest resulting from late payment.
- 9.15.9 Any change in the licensee's SO Recovered Revenue or TO Recovered Revenue attributable to the licensee's compliance with this condition will be treated as if it had not occurred.
- 9.15.10 The licensee must prepare, in respect of each period of 12 months ending on 31 March in which its charges are modified in pursuance of paragraph 9.15.3(a) or 6, a statement showing:
- (a) the aggregate amount of its revenue derived from any modification to charges in pursuance of paragraph 9.15.3(a);

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- (b) the aggregate amount of its revenue derived from any modification to charges in pursuance of paragraph 9.15.6(a);
- (c) the aggregate amount of the change in its revenue resulting from any modification to charges in pursuance of paragraph 9.15.6(b);
- (d) the aggregate payments made by the licensee during that period of 12 months ending on 31 March in accordance with paragraph 4 and, where applicable, paragraph 9.15.6(a),

and must send the statement to the Authority during the period of four months beginning with the date on which the period to which it relates ends.

9.15.11 As soon as is reasonably practicable after sending a statement under paragraph 9.15.10 to the Authority, the licensee must also publish it on its website.

9.15.12 In this condition:

- (a) any words or expressions used in Chapter 3 of Part 3 of the Energy Act 2004 shall have the same meaning in this condition as in that Chapter;
- (b) any words or expressions used in Chapter 5 of Part 2 of the Energy Act 2011 shall have the same meaning in this condition as in that Chapter; and
- (c) any words or expressions used in the Smart Meters Act 2018 shall have the same meaning in this condition as they do in that Act.

## **Special Condition 9.16 Restriction of prices in respect of Tariff Capped Metering Activities**

### **Introduction**

9.16.1 The purpose of this condition is to set out the tariff caps on certain metering activities.

### **Part A: Principal restriction**

9.16.2 The licensee in setting its charges for each of its Tariff Capped Metering Activities in any Regulatory Year must not exceed the maximum tariff cap  $M_t^A$  in respect of that metering activity in that Regulatory Year.

### **Part B: Maximum tariff caps ( $M_t^A$ )**

9.16.3 For the Regulatory Year commencing on 1 April 2021, the maximum tariff caps have the values set out in the following table.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

Activity	Description	Maximum tariff caps ( $M^A$ ) for 2021/22 (£ nominal)
$M^{A=1}$	Annual charge for providing and maintaining the assets that form a Domestic Credit Meter Installation, per meter per annum.	£17.70
$M^{A=2}$	Annual charge for providing and maintaining the assets that form a Prepayment Meter Installation, per meter per annum.	£44.27
$M^{A=3}$	Annual charge for providing a daily meter reading for Daily Metered Supply Meter Points, per supply meter point per annum.	£602.71
$M^{A=4}$	Carrying out work to replace a Domestic Credit Meter with a Prepayment Meter, per job undertaken.	£94.81

9.16.4 For each subsequent Regulatory Year, the maximum tariff caps have the value derived in accordance with the following formula:

$$M_t^A = M_{t-1}^A \times RPI_t$$

where

$RPI_t$  means the arithmetic average of the Retail Prices Index with respect to each of the six months from June to November in Regulatory Year t-1 divided by the arithmetic average of the Retail Price Index numbers with respect to the period from June to November in Regulatory Year t-2.

### **Part C: Departure from published statements of charges in respect of Tariff Capped Metering Activities**

9.16.5 This paragraph applies where:

- (a) the licensee proposes to depart from its published statement of charges;
- (b) the departure would include increasing the licensee's charges to a supplier to a level which would in any Regulatory Year result in a breach of the license's obligations under paragraph 9.16.2; and
- (c) the departure arises either:
  - i. because of the supplier having wholly or partly disposed of its meters;
  - or

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



- ii. because the licensee considers the departure necessary to comply with the duty in paragraph 4 of Standard Special Condition B8 (Provision of Terms).
- 9.16.6 Where paragraph 9.16.5 applies the licensee must make a written application to the Authority:
  - (a) specifying why the change is proposed;
  - (b) specifying the metering activities to be provided to the supplier;
  - (c) specifying the proposed level of charges broken down between the different kinds of metering activities to be provided to the supplier; and
  - (d) including such other information to support its application as the Authority may reasonably specify in writing.
- 9.16.7 In paragraph 9.16.5 the reference to the statement of charges is a reference to the statement prepared in accordance with Standard Special Condition B8 (Provision of Terms) in respect of the provision of Tariff Capped Metering Activities.
- 9.16.8 The licensee may, with effect from the date of the application, levy the charges specified in that application in respect of that supplier if:
  - (a) the Authority confirms in writing that it consents to such charges with or without amendment and to such extent, and on the basis of such terms and conditions, as the Authority may specify (in which case the licensee must apply the charges with any such amendment and only to such extent, and must comply with those terms and conditions); or
  - (b) the Authority has not issued a direction to the licensee requiring the licensee not to exceed the maximum tariff cap during the period of 90 days beginning with the date of receipt of the application.
- 9.16.9 Subject to any direction given by the Authority, this condition shall cease to have effect on 31 December 2024.

## **Special Condition 9.17 Entry Capacity and Exit Capacity obligations and methodology statements**

### **Introduction**

- 9.17.1 This condition places the following obligations on the licensee:
  - (a) to maintain and comply with an:
    - i. Entry Capacity Substitution methodology statement;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- ii. Entry Capacity Transfer and Entry Capacity Trade methodology statement;
  - iii. Exit Capacity Substitution methodology statement; and
  - iv. Exit Capacity Revision methodology statement;
- (b) to report to the Authority; and
- (c) to publish the statements referred to in sub-paragraph (a).
- 9.17.2 This condition also sets out:
- (a) the capacity-related objectives which the statements referred to in paragraph 9.17.1(a) must facilitate; and
  - (b) the process for the licensee to revise the statements referred to in paragraph 9.17.1(a).

#### **Part A: The methodology statements**

- 9.17.3 The licensee must have in place the following statements approved by the Authority:
- (a) an Entry Capacity Substitution methodology statement;
  - (b) an Entry Capacity Transfer and Entry Capacity Trade methodology statement;
  - (c) an Exit Capacity Substitution methodology statement; and
  - (d) an Exit Capacity Revision methodology statement;
- 9.17.4 The statements required by paragraph 9.17.3 must facilitate the achievement of the capacity-related objectives set out in Part C.

#### **Part B: Obligation to apply the methodologies in the methodology statements**

- 9.17.5 The licensee must, unless the Authority otherwise directs, use reasonable endeavours to apply the methodology in the Entry Capacity Substitution methodology statement when carrying out Entry Capacity Substitution.
- 9.17.6 The licensee must, unless the Authority otherwise directs, use reasonable endeavours to apply the methodology in the Entry Capacity Transfer and Entry Capacity Trade methodology statement when carrying out Entry Capacity Transfer and Entry Capacity Trade.
- 9.17.7 The licensee must, unless the Authority otherwise directs, use reasonable endeavours to apply the methodology in the Exit Capacity Substitution methodology statement when carrying out Exit Capacity Substitution.

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- 9.17.8 The licensee must, unless the Authority otherwise directs, use reasonable endeavours to apply the methodology in the Exit Capacity Revision methodology statement when carrying out Exit Capacity Revision.

### **Part C: Capacity-related objectives**

- 9.17.9 The capacity-related objectives are:

- (a) ensuring that each of Entry Capacity Substitution, Exit Capacity Substitution, Entry Capacity Transfer, Entry Capacity Trade and Exit Capacity Revision are effected in a manner consistent with the licensee's duties under the Act and, in particular, the duty to develop and maintain an efficient and economical pipeline system, and its obligations under this licence;
- (b) in so far as is consistent with sub-paragraph (a), ensuring that:
  - i. Entry Capacity Substitution is effected in a manner which seeks to minimise the need to make an application under Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable), taking into account the Entry Capacity that shippers and, where relevant DN Operators, have indicated that they will require in the future through making a financial commitment to the licensee; and
  - ii. Exit Capacity Substitution is effected in a manner which seeks to minimise the need to make an application under Special Condition 3.13 (Funded incremental obligated capacity Re-opener and Price Control Deliverable), taking into account the Exit Capacity that shippers and DN Operators have indicated that they will require in the future through making a financial commitment to the licensee;
- (c) in so far as is consistent with sub-paragraph (a), ensuring that Entry Capacity Substitution, Exit Capacity Substitution, Entry Capacity Transfer, Entry Capacity Trade and Exit Capacity Revision are effected in a manner which is compatible with the physical capability of the pipeline system to which this licence relates;
- (d) in so far as is consistent with sub-paragraph (a), avoiding material increases in the costs that are reasonably expected to be incurred by the licensee as a result of Entry Capacity Substitution, Exit Capacity Substitution, Entry Capacity Transfer, Entry Capacity Trade and Exit Capacity Revision, including Entry Capacity Constraint Management and Exit Capacity Constraint Management costs in respect of Obligated Entry Capacity and Obligated Exit Capacity previously allocated by the licensee to Relevant Shippers and, where relevant, to DN Operators; and

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (e) in so far as is consistent with sub-paragraph (a) and, where relevant, sub-paragraphs (b), (c) and (d), facilitating effective competition between:
  - i. Relevant Shippers, and where relevant, DN Operators; and
  - ii. Relevant Suppliers.

**Part D: Review and revision of the methodology statements**

9.17.10 The licensee must, if so directed by the Authority, and in any event not less than once in every period of two Regulatory Years:

- (a) review the statements referred to in paragraph 9.17.3 in consultation with:
  - i. Relevant Shippers;
  - ii. in relation to revisions concerning Exit Capacity Substitution or Exit Capacity Revision, DN Operators; and
  - iii. any other interested parties; and
- (b) notify the Authority of the outcome of its review.

9.17.11 Before revising a statement referred to in paragraph 9.17.3, the licensee must:

- (a) provide a copy of the proposed revisions to the Authority and to any interested party who asks for one;
- (b) consult for a period of not less than 28 days with the parties referred to in paragraph 9.17.10(a);
- (c) during the period of 14 days beginning with the day after the date on which the consultation closes, submit to the Authority a report setting out:
  - i. the revisions originally proposed;
  - ii. any representations made and not withdrawn; and
  - iii. any changes to the revisions proposed as a result of such representations; and
- (d) submit to the Authority, alongside the report under sub-paragraph (c), a statement from an Independent Examiner:
  - i. confirming that the Independent Examiner has carried out an examination, the scope and objectives of which were approved by the Authority; and
  - ii. giving an opinion on whether the statement as revised would be consistent with the licensee's duties under the Act and with the licensee's obligations under this licence.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

9.17.12 During the period of 56 days beginning with the date of receipt of the report and statement referred to in 9.17.11(c) and (d), the Authority will:

- (a) approve any revisions proposed by the licensee;
- (b) reject any proposed revisions; or
- (c) request more information from the licensee and approve or reject the proposed revisions within 28 days of receipt of information that the Authority considers satisfies its request.

9.17.13 Where the Authority takes no action under paragraph 9.17.12 the licensee may treat the proposed revisions as approved.

#### **Part E: Licensee's obligation to report to the Authority**

9.17.14 The licensee must, by 31 May in each Regulatory Year, or by such later date as the Authority may direct, report to the Authority, in such format as the Authority directs, on:

- (a) the application, over the previous Regulatory Year, of the statements referred to in paragraph 9.17.3;
- (b) the licensee's view on the extent to which, over the previous Regulatory Year, the capacity-related objectives in Part C were achieved; and
- (c) the aggregate levels of change in capacity, over the previous Regulatory Year, as a result of Entry Capacity Transfer, Entry Capacity Trade, Entry Capacity Substitution, Exit Capacity Substitution and Exit Capacity Revision.

#### **Part F: Licensee's obligation to publish documents**

9.17.15 The licensee must publish the current versions of the statements in paragraph 9.17.3 on its website.

#### **Part G: Derogations**

9.17.16 The licensee may apply to the Authority for a derogation relieving the licensee of any of its obligations under this condition.

### **Special Condition 9.18 Methodology to determine the release of Entry Capacity and Exit Capacity volumes**

#### **Introduction**

9.18.1 This condition places the following obligations on the licensee:

- (a) to release Obligated Entry Capacity and Obligated Exit Capacity;
- (b) to maintain and comply with capacity release methodology statements;

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (c) to report to the Authority; and
  - (d) to publish the capacity release methodology statements.
- 9.18.2 This condition also sets out the process for the licensee to revise the capacity release methodology statements.

#### **Part A: Release of Obligated Entry Capacity and Obligated Exit Capacity**

- 9.18.3 The licensee must, unless the Authority otherwise directs, use reasonable endeavours to release Obligated Entry Capacity at each NTS Entry Point in all available Allocations up to the end of the day to which the capacity relates, in accordance with the provisions of Standard Special Condition A5 (Obligations as Regard Charging Methodology).
- 9.18.4 The licensee must, unless the Authority otherwise directs, use reasonable endeavours to release Obligated Exit Capacity at each NTS Exit Point in all available Allocations up to the end of the day to which the capacity relates, in accordance with the provisions of Standard Special Condition A5 (Obligations as Regard Charging Methodology).

#### **Part B: Capacity release methodology statements**

- 9.18.5 The licensee must have in place the following capacity release methodology statements approved by the Authority:
- (a) an Entry Capacity release methodology statement; and
  - (b) an Exit Capacity release methodology statement.
- 9.18.6 The Entry Capacity release methodology statement must:
- (a) set out how the licensee decides whether to make Incremental Entry Capacity available for sale to Relevant Shippers and, where relevant, DN Operators;
  - (b) set out how, where the licensee makes Incremental Entry Capacity available, the licensee decides what quantity to make available;
  - (c) unless the Authority otherwise directs, include a net present value test which includes the following parameters:
    - i. the net present value test is considered to have been passed if the outcome of the test is a figure greater than or equal to 0.5;
    - ii. cash flows are discounted by the social time preference rate that is published in accordance with “The Green Book: Central Government Guidance on Appraisal and Evaluation” as amended from time to time; and

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- iii. the net present value test is calculated over a period of 32 quarters;
  - (d) set out how the licensee offers for sale Obligated Entry Capacity to Relevant Shippers and, where relevant, DN Operators; and
  - (e) incorporate the obligation set out in paragraph 9.18.3.
- 9.18.7 The Exit Capacity release methodology statement must:
- (a) set out how the licensee decides whether to make Incremental Exit Capacity available for sale to Relevant Shippers and DN Operators;
  - (b) set out where the licensee makes Incremental Exit Capacity available, how it decides what quantity to make available, and how much capacity is made available;
  - (c) set out how the licensee offers for sale Obligated Exit Capacity to Relevant Shippers and DN Operators; and
  - (d) incorporate the obligation set out in paragraph 9.18.4.

**Part C: Obligation to apply the methodologies in the capacity release methodology statements**

- 9.18.8 The licensee must use reasonable endeavours to apply the methodology in the Entry Capacity release methodology statement when:
- (a) releasing Entry Capacity to Relevant Shippers and, where relevant, to DN Operators; and
  - (b) when offering for sale Obligated Entry Capacity to Relevant Shippers and, where relevant, DN Operators.
- 9.18.9 The licensee must use reasonable endeavours to apply the methodology in the Exit Capacity release methodology statement when:
- (a) releasing Exit Capacity to Relevant Shippers and DN Operators; and
  - (b) when offering for sale Obligated Exit Capacity to Relevant Shippers and DN Operators.

**Part D: Review and revision of the capacity release methodology statements**

- 9.18.10 The licensee must, if so directed by the Authority, and in any event at least once in every period of two Regulatory Years:
- (a) review the capacity release methodology statements required under Part B in consultation with:
    - i. Relevant Shippers;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- ii. in relation to reviewing Exit Capacity release, DN Operators; and
    - iii. any other interested parties; and
  - (b) notify the Authority of the outcome of its review.
- 9.18.11 Before revising a capacity release methodology statement, the licensee must:
- (a) provide a copy of the proposed revisions to the Authority and to any interested party who asks for one;
  - (b) consult for a period of not less than 28 days with the parties referred to in paragraph 9.18.10(a);
  - (c) within 14 days of the close of the consultation, submit to the Authority a report setting out:
    - i. the revisions originally proposed;
    - ii. any representations made and not withdrawn; and
    - iii. any change to the revisions proposed as a result of such representations; and
  - (d) submit to the Authority, alongside the report, a statement from an Independent Examiner:
    - i. confirming that the Independent Examiner has carried out an examination, the scope and objectives of which were approved by the Authority; and
    - ii. giving an opinion on whether the capacity release methodology statement as revised would be consistent with the licensee's duties under the Act and with the licensee's obligations under this licence.
- 9.18.12 During the period of 56 days beginning with the date of receipt of the report and statement referred to in 9.18.11(c) and (d), the Authority will:
- (a) approve the revisions proposed by the licensee;
  - (b) reject the proposed revisions; or
  - (c) request more information from the licensee and approve or reject the proposed revisions within 28 days of receipt of information that the Authority considers satisfies its request.
- 9.18.13 Where the Authority takes no action under paragraph 9.18.12 the licensee may treat the proposed revisions as approved.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023



### **Part E: Licensee's obligation to report to the Authority**

9.18.14 The licensee must, at least once in each Regulatory Year, provide a report to the Authority on:

(a) the levels of:

- i. Obligated Entry Capacity that the licensee is required to release to Relevant Shippers and, where relevant DN Operators, at each NTS Entry Point; and
- ii. Obligated Exit Capacity that the licensee is required to release to Relevant Shippers and to DN Operators at each NTS Exit Point; and

(b) the Incremental Entry Capacity and Incremental Exit Capacity release requests, including requests resulting from PARCA applications, and the progress of those requests during the previous Regulatory Year.

### **Part F: Licensee's obligation to publish documents**

9.18.15 The licensee must publish the current versions of the capacity release methodology statements required under Part B on its website.

### **Part G: Derogations**

9.18.16 The licensee may apply to the Authority for a derogation relieving the licensee of any of its obligations under this condition.

## **Special Condition 9.19 System Management Services**

### **Introduction**

9.19.1 The purpose of this condition is to require the licensee to have in place and maintain:

- (a) a Procurement Guidelines Document;
- (b) a System Management Principles Statement;
- (c) a System Management Services Adjustment Methodology; and
- (d) a statement that complies with the requirements under Part E in respect of that methodology.

### **Part A: General Duties under this Condition**

9.19.2 The licensee must operate the pipeline system to which this licence relates in an efficient, economic and co-ordinated manner.

9.19.3 The licensee must not show undue preference to, or unduly discriminate between, any person or any class or classes of persons when procuring or using System Management Services.

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- 9.19.4 The licensee's obligations under paragraph 9.19.3 include an obligation to ensure that the following persons or undertakings also comply with the prohibitions imposed by that paragraph:
- (a) any Affiliate or Related Undertaking of the licensee; and
  - (b) any other business operated by the holder of this licence, or by any Affiliate or Related Undertaking of the licensee, under a licence under section 7 of the Act for a Relevant Gas Transporter.

#### **Part B: Procurement Guidelines Document**

- 9.19.5 The licensee must have in place before 1 April in each Regulatory Year, a Procurement Guidelines Document which sets out:
- (a) the kinds of System Management Services that the licensee may be interested in purchasing during that Regulatory Year; and
  - (b) the mechanisms by which the licensee envisages purchasing, entering into agreements for the provision of, or otherwise acquiring those services.
- 9.19.6 The licensee must revise its Procurement Guidelines Document within the relevant Regulatory Year if its intentions in relation to the procurement of System Management Services change during that period.
- 9.19.7 During the first month of each Regulatory Year, the licensee must prepare a report, in a form approved by the Authority, about the System Management Services that the licensee has bought or acquired in the preceding Regulatory Year.

#### **Part C: System Management Principles Statement**

- 9.19.8 The licensee must have in place a System Management Principles Statement which sets out the principles and criteria by which the licensee will at different times and in different circumstances determine:
- (a) which System Management Services the licensee will use to assist it in the operation of the NTS; and
  - (b) when and for what purpose the licensee would resort to measures not involving the use of System Management Services in the operation of the NTS.
- 9.19.9 The licensee must comply with the provisions of the System Management Principles Statement.
- 9.19.10 As soon as reasonably practicable after the end of each Regulatory Year, the licensee must prepare a report that:

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) describes the manner in which, and the extent to which, the licensee has, during that year, complied with the provisions of the System Management Principles Statement; and
  - (b) states whether any modification should be made to that statement to reflect more closely the practice of the licensee.
- 9.19.11 The report must be accompanied by a statement from an Independent Examiner that:
  - (a) confirms that the Independent Examiner has carried out an investigation, the scope and objectives of which were established by the licensee and approved by the Authority; and
  - (b) gives the Independent Examiner's opinion on the extent to which the licensee has complied with the provisions of the System Management Principles Statement.
- 9.19.12 The licensee may from time to time revise its System Management Principles Statement in accordance with the requirements under Part D.

#### **Part D: Procedure for revising the System Management Principles Statement**

- 9.19.13 The licensee must, if so directed by the Authority, and in any event at least once in each Regulatory Year, review its System Management Principles Statement in consultation with Gas Shippers, DN Operators, and other persons likely to be materially affected by the licensee's use of System Management Services.
- 9.19.14 The consultation must allow a period of not less than 28 days in which persons can make representations to the licensee.
- 9.19.15 During the period of 7 days beginning with the date on which the consultation is completed, the licensee must send to the Authority:
  - (a) a report on the outcome of the review;
  - (b) a statement of any proposed revisions to the System Management Principles Statement that the licensee (having regard to the outcome of the review) reasonably considers would better achieve the principles and criteria referred to in paragraph 9.19.8; and
  - (c) any written representations (including any proposals for revising the statement that have not been accepted by the licensee) that were received from any of the persons mentioned in paragraph 9.19.13 during the consultation process and have not been withdrawn.
- 9.19.16 The licensee may revise the System Management Principles Statement only in accordance with any revision that falls within the statement of proposed

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revisions under paragraph 9.19.15(b), and only if the Authority consents to that revision.

### **Part E: System Management Services Adjustment Methodology**

- 9.19.17 This Part applies where the Uniform Network Code provides that any charge is to be determined (in whole or in part) by reference to the costs and volumes of Relevant System Management Services.
- 9.19.18 Where this Part applies, the licensee must have in place and comply with a System Management Services Adjustment Methodology approved by the Authority.
- 9.19.19 The licensee must have in place a System Management Services Adjustment Methodology statement that contains a complete and fully documented explanation of its System Management Services Adjustment Methodology.
- 9.19.20 The licensee may from time to time revise its System Management Services Adjustment Methodology in accordance with the requirements of Part F.

### **Part F: Procedure for revising the System Management Services Adjustment Methodology**

- 9.19.21 Whenever the licensee first buys, sells, or acquires any Relevant System Management Service of a kind or under a mechanism that is not already covered by its System Management Services Adjustment Methodology, it must promptly seek to establish a revised methodology, approved by the Authority, which does cover that kind of service or that mechanism.
- 9.19.22 Before revising its System Management Services Adjustment Methodology, the licensee must:
- (a) send a copy of its proposed revisions to the Authority and to any interested party who asks for a copy;
  - (b) consult Gas Shippers and DN Operators and allow them a period of not less than 28 days in which to make representations; and
  - (c) during the period of 7 days beginning with the date on which the consultation is completed, send to the Authority a report that sets out the revisions originally proposed, any representations received by the licensee that were not withdrawn, and any proposed changes to the original proposals.
- 9.19.23 The licensee must not revise its System Management Services Adjustment Methodology:

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

- (a) during the period of 28 days beginning with the date on which the Authority receives the report set out in paragraph 9.19.22(c);
- (b) if within that period the Authority directs the licensee not to make the revision; or
- (c) before any day specified by the Authority in a derogation that the licensee applied for under Part J.

#### **Part G: Availability of licensee's statements and reports**

9.19.24 The licensee must:

- (a) send to the Authority a copy of each statement, report, and revision required by this condition;
- (b) provide a copy of each statement, report or most recent revision to any person who asks for a copy and makes such a payment to the licensee as it may require (which must not exceed such amount as the Authority may from time to time approve for that purpose); and
- (c) publish, by such date and in such form and manner as the Authority may approve, each statement, report and revision.

#### **Part H: Exclusion of certain matters**

9.19.25 In complying with the requirements of paragraphs 9.19.24(b) and (c), the licensee must exclude, in so far as is reasonably practicable, any matter which relates to the affairs of a person where the publication of that matter would, or might, seriously and prejudicially affect their interests.

9.19.26 Any question arising under paragraph 9.19.25 as to whether the publication of some matter that relates to the affairs of a person would or might seriously and prejudicially affect their interests is to be determined by the Authority.

#### **Part I: Retention of particulars and records**

9.19.27 The licensee must maintain for a period of seven years:

- (a) particulars of all System Management Services offered to it;
- (b) particulars of all contracts for System Management Services that it has entered into;
- (c) records of all System Management Services called for and provided; and
- (d) records of the quantities of gas transported through the NTS.

#### **Part J: Derogations**

9.19.28 The licensee may apply to the Authority for a derogation relieving the licensee of any of its obligations under this condition.

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

## Special Condition 9.20 Independent market for balancing

### Introduction

- 9.20.1 The purpose of this licence condition is to modify the standard special conditions in their application for the purposes of this licence.

### Part A: Modifications

- 9.20.2 For the purposes of this licence Standard Special Condition A11 (Network Code and Uniform Network Code) is to be treated as including the following paragraphs after paragraph 22:

“22A. Where the network code makes provision for energy balancing by the licensee, as the energy balancing gas transporter, of the total system through a market established by the operator of the independent market for balancing (as such terms are defined in Standard Special Condition A16 (Independence of the Independent Market for Balancing)) then the following paragraphs 22B, 22C and 22D shall apply.”

“22B. The licensee must, in appointing any such operator as is mentioned in paragraph 22A, use all reasonable endeavours to appoint a person having:

- (a) financial resources,
- (b) skilled and experienced personnel, and
- (c) systems

adequate to ensure that the market is conducted in an orderly and proper manner according to clear and fair rules with a clearing function that enables the licensee and relevant shippers to offset any sale to any one participant in the market against any equivalent purchase from that or any other participant in the market.”

“22C. The requirement in paragraph 22B will be treated as satisfied in respect of any appointment if the licensee appoints as operator of the independent market for balancing a person who, at the time of appointment, is:

- (d) a person recognised by the Financial Conduct Authority under the Financial Services and Markets Act 2000 as an investment exchange; or
- (e) a person designated by the Authority for the purposes of that paragraph and if that designation has not expired or been revoked.”

“22D. If a person appointed by the licensee in reliance on paragraph 22C ceases to be recognised as provided in sub-paragraph (a) or to be designated as provided in sub-paragraph (b) of that paragraph then the licensee must use all reasonable endeavours to terminate the appointment of that person and, if the

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Special Conditions to National Gas Transmission Plc's (NTS) Gas Transporter Licence – 10 April 2023

licensee elects that the market operated by that person shall continue to be established, to appoint another person in place of the first person in accordance with paragraph 22B.”

## **Special Condition 9.21 Provision of information**

### **Introduction**

- 9.21.1 The purpose of this condition is to set out the obligations of the licensee in respect of the publication of information on its website.

#### **Part A: Licensee’s obligations under this condition**

- 9.21.2 The licensee must use reasonable endeavours to publish information on its website as soon as reasonably practicable and which will provide:
- (a) the key assumptions and analysis used by the licensee in its development of future energy scenarios;
  - (b) reports on the licensee’s view on what the outlook will be for the coming summer and winter (as appropriate) for gas, which include forecast levels of demand, forecast levels of supply, information on the NTS and the overall security of supply position; and
  - (c) Operational Data which will aim to reduce market uncertainty, increase transparency and give equal access for stakeholders to the information that is available.

## **Special Condition 9.22 Implementing and maintaining the Demand Side Response Methodology for use after a Gas Balancing Notification**

### **Introduction**

- 9.22.1 This condition sets out the licensee's obligations to:
- (a) have in place and maintain the Demand Side Response Methodology for assessing and accepting Demand Side Response Offers;
  - (b) where directed by the Authority, run a trial of the Demand Side Response Methodology with any revisions proposed under paragraph 9.22.6(b); and
  - (c) following such a trial, send to the Authority a report on the outcome of the trial and a version of the Demand Side Response Methodology amended to address issues identified by the licensee during the trial and, if appropriate, containing any further proposed revisions to the Demand Side Response Methodology following conclusion of the trial.

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Special Conditions to National Gas Transmission Plc’s (NTS) Gas Transporter Licence – 10 April 2023

### **Part A: The Demand Side Response Methodology**

- 9.22.2 The licensee must have in place and maintain a Demand Side Response Methodology approved by the Authority.
- 9.22.3 The licensee must ensure that the Demand Side Response Methodology:
- (a) ensures that any party making a Demand Side Response Offer is a party to the Uniform Network Code;
  - (b) sets out the criteria for determining that particular DMC Supply Point Components are DMC Supply Point Components in respect of which a party may not make Demand Side Response Offers;
  - (c) allows the licensee to accept Demand Side Response Offers only where a Gas Balancing Notification is in place or within stage 1 of a Gas Deficit Emergency;
  - (d) demonstrates compatibility with existing market arrangements by setting out the manner in which any Demand Side Response Offers accepted by the licensee are to be treated as Eligible Balancing Actions and included in the System Clearing Contract, System Marginal Buy Price and System Marginal Sell Price;
  - (e) promotes, and further facilitates, parties making Demand Side Response Offers to the licensee through open and transparent market-based arrangements;
  - (f) does not unduly preclude the emergence of commercial interruption arrangements;
  - (g) minimises distortions and unintended consequences on existing market arrangements and the principle of parties balancing their own positions in the wholesale gas market; and
  - (h) ensures that Demand Side Response is procured in a manner consistent with the licensee's duties under the Act and, in particular, the licensee's obligation to operate the pipeline system to which this licence relates in an efficient, economic and co-ordinated manner.

### **Part B: Revising the Demand Side Response Methodology**

- 9.22.4 The licensee must, at least once in every period of two Regulatory Years, review, and if appropriate revise, the Demand Side Response Methodology in consultation with interested parties.
- 9.22.5 The consultation must allow a period of not less than 28 days in which interested parties can make representations to the licensee.

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- 9.22.6 During the period of 7 days beginning with the date of completion of the consultation, the licensee must send to the Authority:
- (a) a report on the outcome of the review;
  - (b) a statement of any proposed revisions to the Demand Side Response Methodology that the licensee (having regard to the outcome of the review) reasonably considers would better achieve the Demand Side Response Methodology principles; and
  - (c) any written representations (including proposals for revising the statement that have not been accepted by the licensee) that were received from interested parties during the consultation process and have not been withdrawn.
- 9.22.7 The Authority, within 28 days of receiving a report under paragraph 9.22.6(a) and a statement under paragraph 9.22.6(b), will:
- (a) approve any proposed revisions;
  - (b) direct the licensee to conduct a trial of the revised Demand Side Response Methodology to assess the effectiveness of the methodology and any revisions proposed by the licensee under paragraph 9.22.6(b); or
  - (c) reject any proposed revisions.
- 9.22.8 In considering whether to approve the licensee's proposed revisions to the Demand Side Response Methodology, the Authority will have regard to whether they are consistent with the objectives in paragraph 9.22.3.

### **Part C: Trial and implementation**

- 9.22.9 Where the Authority directs the licensee to conduct a trial of the Demand Side Response Methodology comprising the proposed revisions as outlined in paragraph 9.22.7(b), the licensee must during the period of 28 days beginning with the last day of the trial submit to the Authority a report on the outcome of the trial, including any further proposed revisions (having regard to the outcome of the trial) to the Demand Side Response Methodology.
- 9.22.10 Following completion of the trial and during the period of 28 days beginning with the date of receipt of the submissions under paragraph 9.22.9, the Authority will:
- (a) approve any proposed revisions and direct the licensee to:
    - i. develop appropriate modifications to the Uniform Network Code and other processes and systems to enable it to implement the revisions to the Demand Side Response Methodology;

Note: Consolidated conditions are not formal Public Register documents and should not be relied on.

- ii. implement the revisions to the Demand Side Response Methodology as soon as is reasonably practicable and once the modifications, processes and systems under paragraph 9.22.10(a)(i) are complete; and
  - iii. publish the final revised Demand Side Response Methodology on its website and in such other manner as the Authority may direct; or
- (b) reject any proposed revisions to the Demand Side Response Methodology.
- 9.22.11 Where the Authority does not provide a direction under 9.22.7 or 9.22.10, the licensee must not implement the proposed revisions.

**Part D: Exception to compliance with condition**

- 9.22.12 The licensee may apply to the Authority for a derogation relieving the licensee of any of its obligations under this condition.
- 9.22.13 The Authority may, having consulted with the licensee and interested parties, direct that the licensee must temporarily or permanently cease operation of the Demand Side Response Methodology.