

Smell gas?

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Office of Gas and Electricity Markets
Future System Operator Team
10, South Colonnade
Canary Wharf
London, E14 4PU
Email: FSO@ofgem.gov.uk

10th May 2024

Dear Department of Energy Security and Net Zero, & Ofgem

Re: Energy Code Reform: Statutory Consultation on Facilitative Licence Condition - Reasons and effect

Thank you for the opportunity to respond to this consultation. Northern Gas Networks (NGN) is responding only in relation to licence conditions impacting the Gas Distribution Networks and our own Standard Conditions. We have reviewed the proposed amendments to the licence and we are supportive of the majority of the proposed changes which are consistent with the objectives of the Energy Code Reform. Our comments and concerns are listed below.

1. The addition of an additional requirement of one '*not to frustrate*' as an absolute requirement appears to no longer be one of co-operation, but one of doing without question anything asked by the ISOP. This would appear to be not in line with co-operation between parties, and we therefore ask if *Part C: Requirement 'not to frustrate'* can be removed, or amended to limit its scope, before the final determination.
2. We note that the direction will be under Section 169 of the Energy Act 2023, and as such there will not be a 56 day stand still period between final direction and implementation date, instead you intend there to be a period of no less than 28 days. We agree that this should be sufficient time to allow for implementation, however we note that this removes our right for appeal under standard process, and therefore it is imperative that the suggested amendment above is given due consideration.
3. The Schedule shows that the text is to become standard condition 24A of the Gas Transporters licence. Condition 24 is currently switched off in a number of licences, however Condition 14 relates to compliance with core industry documents, including the Retail Energy Code, as such we feel that this text would be better introduced as condition 14A.

I hope these comments will be of assistance and please contact me on details provided below should you require any further information on this response.

Yours sincerely,

Tracey Saunders (via email)
[Northern Gas Networks Ltd](#)
(Interim) Head of Market Regulation and Compliance
Mobile: 07580 215743

**we are
the network**

Northern Gas Networks Limited is registered in England and Wales, no. 5167070.
Registered office: 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU



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w northerngasnetworks.co.uk
t +44 (0) 113 397 0034
a 1100 Century Way, Thorpe Park Business
Park, Colton, Leeds LS15 8TU