

**John Saunders**  
**Pullman House, Mill Lane**  
**Wheaton Aston, Stafford, ST19 9NL**

**Tel: 01785 840553 Fax: 01785 841511**  
**E-mail: Saunders.John@ukgateway.net**  
**VAT Registration No. 747 4465 04**

Mr David Edward  
Head of Electricity Code Development  
Ofgem

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Dear Mr Edward

**NGC's Transmission Licence: Modification Proposal**

Your recent consultation paper proposes a modification to Condition C3.4 (c) of NGC's licence which will have two effects:

- (1) It enables the timetable in question to be shortened, after consultation.
- (2) It introduces, for the first time, an obligation to consult before extending the timetable.

It is not clear to me that (2) is intentional. The reasons for it are not set out in the Notice under Section 11A. This may simply mean that the Notice is, arguably, deficient. However, it is not that legal point which concerns me. Rather, the absence of any explanation for this aspect of the modification reinforces my view that (2) might not be intended.

Requiring a consultation exercise before extending the timetable may not be desirable on grounds of efficiency. Neither might it be practicable where a problem emerges late in the process and common sense dictates that the timetable should be swiftly extended.

If the obligation to consult is intended to apply only where the timetable is to be shortened, this could be delivered by redrafting the modification on the following lines:

**"...and for that timetable to be extended or, after those persons likely to be affected by the revision of the timetable have been consulted, shortened, with the consent of or as directed by the Authority."**

I hope this is helpful.

Yours sincerely,

John Saunders