# UNIFORM NETWORK CODE – OFFTAKE ARRANGEMENTS DOCUMENT

# SECTION M

# INFORMATION FLOWS

## 1 Offtake Communications Document

### 1.1 Introduction

1.1.1 For the purposes hereof, the "**Offtake Communications Document**" is the document of that title established and from time to time modified by the Offtake Committee in accordance with Section N1.2.

1.1.2 The Offtake Communications Document:

(a) sets out or summarises or otherwise refers to the requirements for certain flows of information between Parties:

(i) for the purposes of this Document (being Offtake Communications); and

(ii) (as provided in paragraph 1.2.1(a)) for the purposes of the Transportation Principal Document; and

(b) specifies the means by which such information flows are to take place.

1.1.3 In some cases the Offtake Communications Document repeats or summarises (for completeness) requirements for information flows which are provided elsewhere in the Code; in other cases the requirement for a given information flow originates in the Offtake Communications Document.

### 1.2 Requirements for information flows

1.2.1 The Parties acknowledge that:

(a) the Transportation Principal Document contemplates, and/or the implementation of the Transportation Principal Document requires, certain operational information flows (in addition to information flows provided for in the JGAA) between the Parties (as 'Transporters' under the Transportation Principal Document); and

(b) except as provided in paragraph 1.2.2, the provisions of the Transportation Principal Document are not made binding between the Parties in relation to such information flows;

and accordingly the Offtake Communications Document provides for such information flows.

1.2.2 For the avoidance of doubt, information flows referred to in paragraph 1.2.1 do not include any Code Communications to be given (under the Transportation Principal Document) between a Transporter and a DNO in its capacity as DNO User.

1.2.3 A requirement pursuant to any other provision of the Transportation Principal Document or this Document for a Party to provide information to another Party shall not be affected or prejudiced by the omission to include a reference to such requirement in the Offtake Communications Document.

### 1.3 Information

1.3.1 In this Section M "**information**" includes any operational notice, data, report, information or other communication to be made or provided by one Party to another pursuant to or for the purposes of this Document or (as provided in paragraph 1.2.1) the Transportation Principal Document.

## 2 Content of Offtake Communications Document

### 2.1 Information flows

2.1.1 The Offtake Communications Document will specify (in relation to each information flow):

(a) the information to be provided;

(b) the requirement (as provided in or otherwise arising under this Document or the Transportation Principal Document) for the information to be provided;

(c) the Party by which the information is to be provided;

(d) the Party(ies) to which the information is to be provided;

(e) the means by which (and in some cases, standby means by which) the information is to be provided, as further detailed in paragraph 2.2;

(f) in some cases, the format in which the information is to be provided;

(g) the period to which the information relates;

(h) the time by and/or frequency with which the information is to be provided;

(i) in some cases, whether the information is required en-ante for operational purposes, or is provided by way of ex-post reporting.

2.1.2 The Offtake Communications Document may (without limitation) specify any of the matters in paragraph 2.1.1:

(a) in relation to any category of information, generically by reference to a part of this Document or the Transportation Principal Document, or function or activity pursuant to this Document or the Transportation Principal Document, or specification (provided such specification is available to all Parties) of a system provided by a Party or Parties in connection with the implementation of this Document or the Transportation Principal Document; and/or

(b) by reference to any provision of any agreement to which the Parties are party, including without limitation the Agency Services Agreement; and/or

(c) in the form of a process diagram or other procedure.

2.1.3 The omission to specify (in the Offtake Communications Document) any particular matter in paragraph 2.1.1 shall not invalidate the requirement to provide the relevant information to the extent such requirement can be determined in the absence of such matter.

### 2.2 Means of providing information

2.2.1 (Unless otherwise provided elsewhere in the Transportation Principal Document or this Document) the means by which information may be provided by a Party are as follows:

(a) by telemetry as provided in Section E;

(b) by or through the Agency, or by means of systems provided by the Agency, pursuant to the Agency Services Agreement;

(c) by fax in accordance with GT Section B5.2;

(d) by telephone in accordance with GT Section B5.3;

(e) by any other specific medium and/or communications system described in the Offtake Communications Document; and/or

(f) any combination of the above.

2.2.2 The specific means by which particular information is to be provided is specified in the Offtake Communications Document.

2.2.3 The Offtake Communications Document may provide:

(a) requirements as to the logging of sending or receipt, and/or the acknowledgment of receipt, of information;

(b) in relation to any such means of communication as is referred to in paragraph 2.2.1(f):

(i) requirements for Parties to procure, install, maintain and operate equipment for the purposes of giving and receiving information by such means;

(ii) security and other requirements which Parties are to comply with in order to have access to and use of such means of communication; and

(iii) rules as to whether, and the time by which, information provided by such means is to be treated as received.

2.2.4 The Offtake Communications Document may provide that, while there is a System Operation Managed Service Agreement (SOMSA) in force between Transco NTS and a DNO, particular information is treated as having been given or received by either such Party by virtue of that Agreement.

### 2.3 Data retention

2.3.1 The Offtake Communications Document may contain requirements (in addition to those contained in this Document) for Parties:

(a) to record and retain (for a specified period and in a given format) information received or provided by them pursuant to the Offtake Communications Document; and

(b) to make available such retained information to another Party.

## 3 Information requirements

### 3.1 Provision of information

Each Party shall provide information to the other Parties in accordance with (and at the times and by the means provided in) the Offtake Communications Document.

**3.2 Compliance with the Offtake Communications Document**

3.2.1 Each Party agrees to comply with the requirements of the Offtake Communications Document, and in particular to comply with any requirements contained in the Offtake Communications Document pursuant to paragraph 2.2.3(a) and (b)(i) or paragraph 2.3.1.

3.2.2 Each Party acknowledges that, where it does not comply with applicable requirements of the Offtake Communications Document:

(a) it may not be able to; and

(b) in such a case it will not be entitled to and may be in breach of an obligation to;

provide and receive information to and from other Parties.

3.2.3 The Parties agree that where (in relation to a particular means of communication) the Offtake Communications Document provides such rules as are referred to in paragraph 2.2.3(b)(iii), any question as to whether and/or the time at which any information provided (by such means of communication) by one Party is treated as received by another Party shall be determined in accordance with such rules.