

UNIFORM NETWORK CODE - TRANSITION DOCUMENT

PART IIC – TRANSITIONAL RULES

1. UNIFORM NETWORK CODE

1.1 TPD Section G: Supply Point Administration

1.1.1 TPD Section G7.1

- (a) Notwithstanding TPD Section G7.1.1(b)(iii) and (c)(i) and (ii) (which specifically does not include work relating to the Supply Meter Installation) until 12 July 2005 but not thereafter, for the purposes of TPD Section G7, "**Siteworks**" includes works undertaken by the Transporter:
- (i) at the request of a Registered User or other person in connection with the System for the purposes of installing, modifying, removing or replacing a Sub-deduct Supply Meter Installation at a Supply Meter Point;
 - (ii) at the request of the Registered User for the purposes of ceasing or enabling the flow of gas at a Sub-deduct Supply Meter Point in which a relevant meter (as defined by TPD Section G1.8.1(e)(i)) is comprised;
 - (iii) at the request of a Registered User or other person in connection with the System for the purposes of installing, modifying, removing, or replacing a Supply Meter Installation at a Special Metering Supply Point;
 - (iv) at the request of the Registered User for the purposes of ceasing or enabling the flow of gas at a Special Metering Supply Point;
- (b) the Transporter shall not be obliged to undertake work requested in accordance with:
- (i) paragraph (a)(i) or (a)(ii), unless by no later than the date of such request the Registered User has notified the Transporter that it has obtained from those Users at the dependent meters (as defined by TPD Section G1.8.1(e)(ii)) their agreement to undertake such work;
 - (ii) paragraph (a)(iii) or (a)(iv), unless by no later than the date of such request the Registered User has notified the Transporter that it has obtained from those Users at a Shared Supply Meter Point their agreement to undertake such work.

1.1.2 TPD Section G7.1

"Special Metering Supply Point" is any Supply Point:

- (a) comprising a Supply Meter Point in respect of which a Supply Meter Installation is provided and installed by the Transporter; and
- (b) such Supply Meter Point:
 - (i) is a Shared Supply Meter Point; or
 - (ii) is comprised within a System Exit Point which is subject to a Special Offtake

Arrangement; or

- (iii) which is comprised in an LDZ Specified Exit Point identified within a Supply Point Nomination in respect of which a Supply Point Registration has occurred; or
- (iv) which is comprised in a Notional NTS Connection Point identified within a Supply Point Offer in respect of which a Supply Point Registration has occurred; or
- (c) such Supply Meter Installation comprises a Supply Meter to which telemetered equipment has been installed in accordance with TPD Section M4.9.1; or
- (d) which the Transporter and the User at such Supply Point have agreed shall be a Special Metering Supply Point.

1.2 TPD Section J: Exit Requirements

1.2.1 TPD Section J3.11:

- (a) Unless the CSEP Network Exit Agreement provides otherwise, the CSEP Liability Sharing Proportion in respect of each LDZ Connected System Exit Point to which TPD Section J3.11 applies shall (notwithstanding TPD Section J3.11.7) be:
 - (i) until such time, not earlier than 1 May 1997, at which another proportion is determined under paragraph (c), one;
 - (ii) with effect from such time, the proportion (applicable to the relevant LDZ Connected System Exit Point) so determined.
- (b) All relevant CSEP Users and the Transporter agree to meet, commencing reasonably promptly after the date of the Code, and review together on a mutually agreeable basis (in consultation with relevant Connected System Operators and with the Authority) what principles are appropriate to determine CSEP Liability Sharing Proportions.
- (c) In respect of each LDZ Connected System Exit Point to which TPD Section J3.11 applies, the proportion referred to in paragraph (a) shall be such proportion, or the proportion determined by such mechanism, as following the review under paragraph (b) the Transporter shall with Condition [A11(18)] Approval of the Authority determine and notify to the relevant CSEP Users and Connected System Operator.

1.3 TPD Section M: Supply Point Metering

1.3.1 TPD Section M2

Where the Transporter is providing the Supply Meter Installation or any part of it and which is comprised within:

- (a) a Special Metering Supply Point (a "**Special Metering Supply Meter Installation**"); or
- (b) a Sub-deduct Arrangement ("**Sub-deduct Supply Meter Installation**");

then until 12 July 2005 but not thereafter, the provisions of paragraph 1.3.3 will continue to apply.

1.3.2 TPD Section M2

- (a) Except as the Transporter may otherwise agree in an Ancillary Agreement with the Registered User:
 - (i) subject to sub paragraph (a)(iii) and (iv) and to paragraphs (c) and (d), the Transporter will be responsible for securing (on behalf of the Registered User) the provision, installation (in accordance with TPD Section M2.1.2), maintenance, repair, exchange and replacement of the Special Metering Supply Meter Installation or Sub deduct Supply Meter Installation or relevant part of it provided by the Transporter within a reasonable time after a request to do so and subject to payment of appropriate charges in accordance with the Metering Charges Statement;
 - (ii) the Registered User shall secure that there are made available (without charge to the Transporter) at the Supply Point Premises:
 - (1) a suitable site (at a location complying with TPD Section M2.1.3) at the Supply Point Premises, and suitable support, protection and security, for the Special Metering Supply Meter Installation or Sub deduct Supply Meter Installation;
 - (2) supplies of power, water and drainage as appropriate for the Special Metering Supply Meter Installation or Sub deduct Supply Meter Installation;
 - (3) such access, at all reasonable times and in any event between 08:00 and 17:00 hours on any Business Day, to the Supply Point Premises as shall be required to enable the Transporter to carry out all Meter Installation Works required pursuant to sub paragraph (a)(i);
 - (iii) the Registered User shall take all reasonable steps to secure that the Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation is not damaged or otherwise mistreated;
 - (iv) ownership of the Special Metering Supply Meter Installation or Sub deduct Supply Meter Installation shall remain with the Transporter (or any person to whom the Transporter may transfer ownership); and the Registered User shall take all reasonable steps to secure that any notice to that effect affixed thereto by the Transporter shall not be removed or defaced;
- (b) nothing in paragraph (a) requires the Transporter:
 - (i) to replace any part of a Special Metering Supply Meter Installation or Sub deduct Supply Meter Installation other than where such replacement is necessary as a result of the failure (including by reason of damage, normal wear or tear or defective design or manufacture) thereof;
 - (ii) to carry out any Meter Installation Works other than for the purposes of maintaining or repairing or (where required under sub paragraph (b)(i))

replacing a Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation or part thereof provided by the Transporter;

- (iii) except in the case of routine maintenance, to carry out any Meter Installation Works until reasonable notice has been given to the Transporter of the requirement for such works;
- (c) Meter Installation Works carried out by the Transporter for the purposes of maintaining, repairing or (where required having regard to sub paragraph (b)(i)) replacing any part of a Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation to which this paragraph 1.3.4 applies will not be Siteworks for the purposes of Part IIC paragraph 1.1.1;
- (d) any Meter Installation Works which any person may request the Transporter to carry out in respect of a Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation other than as required under sub paragraph (a), including:
 - (i) the provision of a Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation at a New Supply Meter Point;
 - (ii) the provision of a Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation at a Supply Meter Point where by reason of a change in the nature or extent of the consumer's requirements for the supply of gas the existing Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation no longer complies with the requirements of TPD Section M2.1.2 and 2.1.3

will be Siteworks subject to and in accordance with Part IIC paragraph 1.1.1;

- (e) nothing in this paragraph 1.3.4 prevents the Transporter from providing at the request of the consumer or supplier a Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation which conforms to higher standards than are (or provides any function in addition to what is) required pursuant to TPD Section M2.1.2, provided that (unless the Registered User has otherwise agreed) the amount of the relevant charge payable by the Registered User will not thereby be increased;
- (f) where as a result of any failure or defect in any Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation provided by the Transporter gas cannot be offtaken from the System at the relevant Supply Meter Point and except where TPD Section J4.4.5(b) applies, the Transporter will not be in breach (by reason thereof) of its obligation to make gas available for offtake from the Total System until:
 - (i) written notice of such failure, defect or requirement has been given to the Transporter; and
 - (ii) the expiry after such notice of a reasonable period for the Transporter to carry out the required Meter Installation Works;
- (g) for the purposes of this TPD Section M "**Meter Installation Works**" means the installation testing, maintenance, repair, exchange or replacement of a Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation or any part thereof;

- (h) any Code Communication in respect of any activities performed in relation to a Special Metering Supply Meter Installation shall only be made by Conventional Notice;
- (i) where as a result of any Meter Installation Works undertaken by the Transporter in relation to Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation, the relevant Meter Information recorded in the Supply Point Register ceases to be accurate, the Transporter will after completing such Meter Installation Works:
 - (i) amend the Supply Point Register so as to record the change in relevant Meter Information required as a result of such works; and
 - (ii) provide to the Registered User(s) details of the amendment made pursuant to the above.

1.3.3 TPD Section M2

From 1 October 2003 until the Metering Separation Date, the following shall apply:

- (a) where as a result of any Meter Installation Works undertaken by the Transporter in relation to an applicable Supply Meter Point, the relevant Meter Information recorded in the Supply Point Register ceases to be accurate, the Transporter will after completing such works:
 - (i) amend the Supply Point Register so as to record the change in relevant Meter Information required as a result of such works; and
 - (ii) provide to the Registered User details of the amendment made pursuant to paragraph (i);
- (b) For the purposes of this paragraph 1.4:
 - (i) an "**applicable**" Supply Meter Point is a Supply Meter Point, other than an NTS Supply Meter Point or Supply Meter Point comprised in a VLDMC Supply Meter Point Component, in relation to which the Transporter provides the Supply Meter Installation;
 - (ii) references to a Supply Meter Point include a New Supply Meter Point, and accordingly references to a change in relevant Meter Information includes the creation of initial relevant Meter Information;
 - (iii) relevant Meter Information is such Meter Information as is specified in the UK Link Manual;
 - (iv) in relation to any calendar month and any User, a "**relevant**" Supply Meter Point is an applicable Supply Meter Point of which the User is Registered User and in relation to which the Meter Installation Works referred to in paragraph (a) were completed in that month;
 - (v) a relevant Supply Meter Point will not be treated as one in relation to which the Transporter did not comply with paragraph (a) where the Transporter was unable to comply with paragraph (a) by reason of

Force Majeure;

- (vi) in relation to any relevant Supply Meter Point, any period within which the Transporter is to comply with paragraph (a) runs from the Business Day after the relevant Meter Installation Works (therein referred to) were completed,
- (c) paragraphs (d) and (e) shall apply separately in relation to relevant Supply Meter Points whose Annual Quantities exceed, and do not exceed, 293,000 kWh (10,000 therms);
- (d) the Transporter will comply with paragraph (a) within 5 Business Days in respect of at least 95% of relevant Supply Meter Points in relation to each User, in relation to each calendar month;
- (e) if, in relation to any calendar month and any User, the Transporter does not comply with the requirement in paragraph (d), the Transporter will pay to the User an amount calculated as:

$$((0.95 * M) - N) * Q$$

where for the relevant month and the relevant User:

- M is the number of relevant Supply Meter Points;
- N is the number of relevant Supply Meter Points in respect of which Transco did not comply with paragraph (d);
- Q is the relevant percentage of £10 in relation to relevant Supply Meter Points whose Annual Quantities exceed 293,000 kWh (10,000 therms), and of £2 in relation to relevant Supply Meter Points whose Annual Quantities do not exceed 293,000 kWh (10,000 therms);
- (f) if, in relation to a Supply Meter Point which is a relevant Supply Meter Point in any calendar month and of which the User continues to be the Registered User until the end of such 20 Business Day period, the Transporter does not comply with paragraph (a) within 20 Business Days, the Transporter will pay to the User the relevant percentage of £30 in relation to relevant Supply Meter Points whose Annual Quantities exceed 293,000 kWh (10,000 therms), and of £5 in relation to relevant Supply Meter Points whose Annual Quantities do not exceed 293,000 kWh (10,000 therms);
- (g) for the purposes of TPD Section V10, the rules in paragraph (e) and (f) are Compensation Rules within Compensation Group L and in relation thereto the 'payment month' is the second month following that in which the Meter Installation Works were completed;
- (h) where in any month the aggregate amount payable by the Transporter under this paragraph 1.3.1 would exceed the relevant amount provided in paragraph (e), the amounts payable to Users in respect of that month shall be reduced pro rata;
- (i) the provisions of TPD Section G4.9.1 and 4.11 (in each case after the application of paragraphs (e) and (f)) apply for the purposes of this paragraph 1.3.1, which is subject to those provisions.

1.3.4 TPD Section M2.1

Until 12 July 2006 but not thereafter, for the purposes of Section M:

(a) where:

- (i) a Supply Meter Point does not relate to premises covered by Standard Condition [34(2)] of the Supplier's Licence; and
- (ii) any supplier or any User in relation to such Supply Meter Point has provided or requested, or is providing or requesting, another to provide a Supply Meter Installation (other than where the Supply Meter Installation belongs to a consumer, or is lent or hired to a consumer and is the responsibility of a person other than a Gas transporter or supplier) for such Supply Meter Point;

then the Registered User in respect of such Supply Meter Point shall secure that:

- (1) where the Supply Meter Installation at such Supply Meter Point is installed after the 12 July 2004, appropriate approval, appraisal and authorisation will be obtained from the Transporter to the extent required by section 6 of the MAM CoP; and/or
- (2) after 12 July 2004, such Supply Meter Installation at such Supply Meter Point is maintained by a Meter Asset Manager appointed by the supplier or the User; and

(b) where the Transporter discovers after the 12 July 2004 that in respect of such Supply Meter Installation paragraphs (a)(1) and/or (2) have not been complied with then the Transporter shall notify the Registered User accordingly and the Registered User will:

- (i) within fourteen (14) calendar days of receipt of the notice from the Transporter ensure that such Supply Meter Installation is re-installed and/or maintained by a Meter Asset Manager and notify the Transporter of the identity of such Meter Asset Manager; or
- (ii) where it is not practicable to ensure the performance of such reinstallation and/or maintenance within such 14 calendar day period, within 7 calendar days of receipt of the notice from the Transporter notify the Transporter of the reasons for this and the date by which it will ensure such re-installation and/or maintenance is performed by a Meter Asset Manager and promptly notify the Transporter when such work has occurred;

(c) where the Registered User has failed to fully comply with paragraphs (a)(1) or (2) the Transporter, acting reasonably, shall be entitled to take whatever steps it deems necessary (including the inspection, repair, replacement or disconnection of the Supply Meter Installation) to ensure that the Transporter complies with any Legal Requirements imposed upon it, and the Registered User shall reimburse the Transporter in respect of any and all costs, expenses and charges reasonably incurred or expended by or on behalf of the Transporter in taking such steps;

- (d) the Transporter's entitlement in paragraph (c) is without prejudice to the Transporter's entitlement at any time to make safe any Supply Meter Installation (including disconnection) for this purpose;
- (e) for the purposes of paragraph (a) "**Meter Asset Manager**" means:
 - (i) a person approved by the Authority as possessing expertise satisfactorily to provide services in relation to Supply Meter Installations or a class or description of persons so approved; or
 - (ii) an undertaking approved by the Authority as having staff possessing the requisite expertise;

and, for the purposes of this definition, "**approved by the Authority**" means approved by it for the purposes of this paragraph generally and "**staff**" includes officers, servants and agents;

1.3.5 TPD Section M3.8.1

Where a User submits a Supply Point Confirmation with a Supply Point Registration Date which becomes effective up to and including 8 July 2004 and the Supply Point Confirmation records a change only to the supplier identity (but not a change to the User identity or the Supply Point configuration) then the requirement of the User to obtain and provide an Opening Meter Reading (in accordance with TPD Section M3.8.2) shall not apply and where, in the absence of any such Opening Meter Reading, any notional Meter Reading is used by the Transporter as an estimated Meter Reading (in accordance with TPD Section M3.8.5) it shall not be included in the calculation (in accordance with TPD Section M3.8.10(c)) of the number of estimated Meter Readings in respect of which the User is required to pay a charge and the Transporter shall not levy such charge (in accordance with TPD Section M3.8.10 (a)) in respect of such estimated Meter Readings.

1.3.6 TPD Section M5

For the purposes of TPD Section M5, until 12 July 2005 but not thereafter, where:

- (a) the Transporter was unable to provide a Valid Meter Reading solely by reason of failure or unavailability of the Supply Meter Installation which is a Special Metering Supply Meter Installation or a Sub-deduct Supply Meter Installation then the Performance Relevant Supply Meter comprised in such Special Metering Supply Meter Installation or Sub-deduct Supply Meter Installation will be treated as one in relation to which the Transporter did not provide a Valid Meter Reading;
- (b) the Transporter finds that there is a failure or unavailability of a Supply Meter Installation which is a Special Meter Supply Meter Installation or a Sub-deduct Supply Meter Installation and this is the cause of the Daily Read Equipment not functioning correctly then the provisions of TPD Section M5.1.3(a) and (b) will not apply and the Transporter will perform the activities in paragraphs 5.1.3(c)(i) and (ii) and 5.1.3(d).

1.4 TPD Section R: Storage

1.4.1 TPD Section R4.1.4

For the purposes of TPD Section R4.1.4, in relation to the Storage Year commencing 1 May

2003, where any Storage Facility is to be a Constrained Storage Facility for that Storage Year, Transco will, not later than 1 April before the start of that Storage Year, publish a document (the "**Constrained Storage Statement**") containing the following details for each Constrained Storage Facility:

- (a) the "**Constrained Point(s)**", being a point or points on the NTS as identified by Transco NTS as being relevant, for the purposes of TPD Section R4, to a Constrained Storage Facility;
- (b) the rate of flow ("**Constrained Threshold Demand Flow**") at a Constrained Storage Point at which Transco may make Constrained Storage Renominations in respect of the relevant Constrained Storage Facility;
- (c) the System Entry Capacity Charges in respect of the relevant Storage Connection Point;
- (d) a percentage for each Week in the Winter Period for the purposes of TPD Section R4.6.3.

1.4.2 TPD Section R1.4

In respect of the LNG Facility which is from time to time operated by Transco and is located at Isle of Grain (the "**Transco LNG Isle of Grain Storage Facility**"), the Storage Year 2004/5 shall be the period from 1 May 2004 until the earlier of:

- (a) 30 April 2005; or
- (b) the effective date determined in accordance with paragraph 1.4.5 below.

1.4.3 TPD Section R1.7.1

For the duration of Storage Year 2004/5 relating to the Transco LNG Isle of Grain Storage Facility, the Transco LNG Isle of Grain Storage Facility shall be a 'Transco LNG Storage Facility'.

1.4.4 TPD Section R4.1.1

For the duration of Storage Year 2004/5 relating to the Transco LNG Isle of Grain Storage Facility, the Transco LNG Isle of Grain Storage Facility shall be a 'Constrained Storage Facility'.

1.4.5 TPD Section R

For the purposes of paragraph 1.4.2, the effective date shall be a date not earlier than the date notified by Transco LNG Storage for these purposes in the Annual Storage Invitation issued by Transco LNG Storage pursuant to TPD Section Z in respect of Storage Year 2004/5, and shall be 0600 hours on a date falling between 1 January 2005 and 1 June 2005 (the "**First Window Period**") and established by Transco LNG Storage in accordance with the following procedure:

- (a) Transco LNG Storage shall give at least 180 days notice, before the commencement of the First Window Period, of a 100 day period falling within the First Window Period (the "**Second Window Period**") during which the effective date shall fall; and

- (b) Transco LNG Storage shall give at least 90 days notice, before the commencement of the Second Window Period, of a 45 day period falling within the Second Window Period (the "**Third Window Period**") during which the effective date shall fall; and
- (c) Transco LNG Storage shall give at least 30 days notice, before the commencement of the Third Window Period, of the day falling within the Third Window Period, which shall be the effective date,

and if Transco LNG Storage does not so notify any such period or day, the relevant period or day shall be the latest day or period possible in accordance with the foregoing.

- 1.4.6 For the purposes of the Code, there shall be deemed to be no 'Isle of Grain LNG Importation Facility' until the effective date established in accordance with paragraph 1.4.3.

1.5 TPD Section S: Invoicing and Payment

1.5.1 TPD Section S2.1

From the Reconciliation by Difference Date the Invoice Items to be comprised in a Reconciliation Invoice for the purposes of Aggregate NDM Reconciliation may be contained in an Ad-hoc Invoice.

2. TRANSPORTATION CONSTRAINTS

- 2.1 The provisions of paragraphs 2.2 to 2.5 (inclusive) shall not apply until such time as by way of Code Modification this paragraph 2.1 no longer applies.
- 2.2 Where after 24:00 hours on the Preceding Day it appears to Transco NTS that a Transportation Constraint is likely to arise or has arisen at a System Entry Point, Transco NTS may take (at such time as it judges operationally appropriate), but shall not be required to, Market Balancing Sell Actions at the relevant System Entry Point with a view to gas flow rates at such point being reduced so as to avoid such Transportation Constraint.
- 2.3 Nothing in paragraph 2.2 shall prejudice TPD Section I3.7.
- 2.4 In TPD Section D1.3 references to Operational Balancing shall be construed as including steps taken by Transco NTS under paragraph 2.2 in respect of a Transportation Constraint or anticipated Transportation Constraint, and references to Operational Balancing Steps and Operational Balancing Requirements shall be construed accordingly.
- 2.5 Where Transco NTS takes a Market Balancing Sell Action pursuant to this paragraph 2 the relevant User's Available System Entry Capacity (determined as Adjusted pursuant to TPD Sections B2.7.10, 2.8.3 and 2.8.5) at the relevant System Entry Point on the Day in respect of which such Market Balancing Sell Action was taken shall for the purposes of TPD Section B2.10 be reduced by an amount equivalent to the Market Balancing Action Quantity in relation thereto.