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Transmission Limited, SP  
Transmission Limited, users of  
the electricity transmission  
system, consumer groups and  
other interested parties

Your Ref:  
Our Ref: NET/ETP/GEN/4  
Direct Dial: 020 7901 7050  
Email: [Robert.hull@ofgem.gov.uk](mailto:Robert.hull@ofgem.gov.uk)

26 April 2007

Dear Colleague,

**Conclusions in respect of proposed modification of standard licence condition (SLC) C9 ('Functions of the Authority') and Notice under Section 11A of the Electricity Act 1989**

On 9 February 2007 Ofgem issued an open letter consultation<sup>1</sup> proposing to modify paragraph 4 of SLC C9 to make it clear that the provisions contained in this paragraph apply to agreements entered into under SLC C8, SLC C9 and SLC C18. The reasons for the proposed modification are set out in the consultation.

We received three responses to the consultation which are available on the Ofgem website ([www.ofgem.gov.uk](http://www.ofgem.gov.uk)). All supported the proposed modification.

The appendix to this letter sets out the notice, required by section 11A of the Electricity Act, of the Authority's intention to make the proposed modification.

Yours sincerely,

Robert Hull  
Director, Transmission

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<sup>1</sup> [www.ofgem.gov.uk](http://www.ofgem.gov.uk), "Proposed modification of standard licence condition (SLC) C9 ('Functions of the Authority')", document reference number 24/07

## Appendix

### Notice under section 11A(3) of the Electricity Act 1989

The Gas and Electricity Markets Authority ("the Authority") hereby gives notice pursuant to section 11A(3) of the Electricity Act 1989 ("the Act") as follows:

1. The Authority proposes to modify paragraph 4 of standard licence condition ("SLC") C9 (Functions of the Authority) of all the electricity transmission licences ("the Licence") treated as granted pursuant section 6(1)(b) of the Act .
2. The Authority proposes to modify paragraph 4 of SLC C9 the Licence to include a reference to SLC C18 (Requirement to offer terms for connection or use of the GB transmission system during the transition period), in the manner set out in the schedule to this Notice.
3. The effect of the proposed modification is to make it clear that the provisions contained in paragraph 4 of SLC C9 apply to agreements entered into under SLC C8 (Requirement to offer terms), SLC C9 and SLC C18.
4. The reasons why the Authority proposes to make the modification are set out in the open letter issued by Ofgem on 9 February 2007 entitled "Proposal to modify standard licence condition (SLC) C9 ('Functions of the Authority')". A copy of this document is available free of charge from the Ofgem Research and Information Centre, 9 Millbank, London, SW1P 3GE (020 7901 7003) or from the Ofgem website<sup>2</sup>.
5. Any representations or objections to the proposed modification made on or before 28 May 2007 and should be sent to Lesley Nugent, Ofgem, 70 West Regent Street, Glasgow, G2 2QZ or by email to [lesley.nugent@ofgem.gov.uk](mailto:lesley.nugent@ofgem.gov.uk).



Robert Hull  
Director – Transmission  
Authorised on behalf of the Authority

26 April 2007

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<sup>2</sup> [www.ofgem.gov.uk](http://www.ofgem.gov.uk), "Proposed modification of standard licence condition (SLC) C9 ('Functions of the Authority')", document reference number 24/07

## **Schedule**

### **Condition C9: Functions of the Authority**

4. If in respect of any bilateral agreement or construction agreement entered into pursuant to standard condition C8 (Requirement to offer terms) or standard condition C18 (Requirement to offer terms for connection or use of the GB transmission system during the transition period) or this condition either the licensee or other party to such agreement proposes to vary the contractual terms of such agreement in any manner provided for under such agreement, the Authority may, at the request of the licensee or other party to such agreement, settle any dispute relating to such variation in such manner as appears to the Authority to be reasonable”