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31st March 2010

THIS LETTER IS SENT BY NATIONAL GRID IN ITS CAPACITY AS NETWORK EMERGENCY CO-ORDINATOR (NEC) (AND NOT AS SYSTEM OPERATOR OR A GAS TRANSPORTER) AND SHOULD BE ACTED UPON ACCORDINGLY

Dear Ian

As the designated Network Emergency Co-ordinator (NEC) I would like to take this opportunity to outline some observations with respect to some of the proposals that draw direct reference to the NEC role and its responsibilities within the UK Gas Industry.

In a network emergency the NEC is responsible for co-ordinating actions across the affected parts of the network to minimise the possibility of a supply emergency developing; and where one develops, for minimising the safety consequences. Industry participants have a duty to co-operate with the NEC as far as is necessary to enable the NEC to comply with its obligations under the Gas Safety (Management) Regulations 1996.

The obligations and responsibilities of the NEC with respect to the management of a Network Gas Supply Emergency (NGSE) are defined within The Gas Safety (Management) Regulations 1996 (GS(M)R), which in turn are derived from the Health and Safety at Work Act 1974. These obligations are separate and distinct from commercial provisions detailed within the Uniform Network Code (UNC). In effect the NEC is an independent body whose primary role is the protection of public safety in the event of an NGSE and it must be allowed to take appropriate action, depending upon the particular circumstances of the case, to minimise the safety consequences of a NGSE.

For the purposes of GS(M)R, a nominated person undertakes the role of duty holder of the NEC. This role currently resides with National Grid Gas (however the NEC can relinquish his role by giving at least 6 months notice in writing) The NEC role, although filled by a member of National Grid staff, is distinct to National Grid as the Gas Transporter/System Operator and has a separate Safety Case with the whole emphasis being on the arrangements for ensuring the overall safe management of the flow of gas in an actual or emerging supply emergency is provided. The NEC has a statutory duty to conform with its Safety Case.

A key element of the successful management of a NGSE is the independence of the NEC from commercial interests, including the interests of National Grid as System Operator of the National Transmission System. The emphasis is on minimising the possibility of a supply emergency developing; and where one develops, minimising the safety consequences.

Two references made within the consultation are suggesting an extension/change to the present role and responsibility of the NEC. These references are in paragraphs 4.51 and 4.52. In addition, in paragraph 5.15 the term "System Operator" appears to be used interchangeably with "NEC".

This does not reflect differing responsibilities of the roles and the fact that the NEC is distinct from National Grid as a Gas Transporter for the purpose of its obligations under the Gas Safety (Management) Regulations 1996

Paragraphs 4.51 and 4.52 would introduce commercial obligations which would undermine the independence of the NEC from commercial interests and fundamentally change its role within the Gas Industry, to the potential detriment of ensuring safety. This would also impact on the NEC's ability to conform with its Safety Case, contrary to Regulation 5 of the Gas Safety (Management) Regulations 1996 which is a criminal offence.

The commercialisation of NEC decision making has far reaching impacts on public safety and the extent of legislative change required to facilitate such a fundamental change in role appears to be outside the scope of Project Discovery.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Train', with a stylized, cursive script.

Chris Train

Network Emergency Co-ordinator (NEC)