

Dora Ianora
Industry Codes and Licensing Manager
Ofgem
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26 April 2011

Dear Dora,

Re: **Open letter consultation on Code Modification Urgency Criteria – 30/11**

Thank you for the opportunity to respond to this consultation.

Northern Gas Networks (NGN) is an active participant on the Uniform Network Code (UNC) Modification Panel and SPAA, both of which utilise urgency criteria as part of their change process. In particular the UNC has recently had several Modifications raised which have requested urgency and NGN is keen to ensure that the process for establishing the criteria for urgency is robust and defensible. In this respect NGN agrees with the suggestions outlined in your open letter consultation of 11 March.

Clear, transparent and consistent guidance on this is welcomed to ensure that the urgent procedures are used in an appropriate manner by market participants. While an imminent date related event can be cited as being in place when urgency procedures are requested, this does not always mean that urgency is appropriate, especially where the date related event has been known for a reasonable time. The addition of a second characteristic to justify the use of urgent procedures on grounds of significant impact applies a reasonable materiality test is welcomed. This should help to prevent frivolous claims and ensure that only matters which justify the additional administrative burden will follow the tightened timescales of an urgent Modification.

NGN agrees that the use of urgency procedures should not be compatible with Self Governance procedures in the UNC. The Authority should have the ability to use send back powers if further development or justification is required to enable them to make an appropriate determination for an urgent Modification.

I hope you find these comments useful and please contact me should you require further information.

Yours sincerely,



Joanna Ferguson
Network Code Manager