

Schedule 2 – Modifications to Standard Special Conditions in Part D of the gas transporter licence

Note for readers - anything in square brackets is an explanation and not part of the licence condition.

**Standard Special Condition D9: ~~Distribution Network~~
~~Transportation Activity Incentive Scheme and Performance~~
Reporting Not Used**

[Delete entire condition]

Standard Special Condition D10: Quality of service standards

1. This condition applies to the following activities undertaken by the licensee:
 - (a) connections to the pipe-line system to which this licence relates, in respect of:
 - (i) the provision of quotations for obtaining a new or altering an existing gas connection;
 - (ii) responding to land enquiries;
 - (iii) providing a date for commencement of works; and
 - (iv) substantial completion of works within timescales agreed with the customer;
 - (b) the telephone service which the licensee operates or procures the operation of pursuant to Standard Special Condition A8 (Emergency Services and Enquiry Service Obligations) of the licence ("the emergency telephone service"), ~~the dedicated enquiry line~~ and meter point reference number helpline; and
 - (c) attendance at gas emergencies including gas escapes, emissions of carbon monoxide, fumes or other hazardous situations.
2. For each relevant period, the licensee shall procure that:
 - (a) 90 per cent of standard quotations for obtaining a new gas connection or altering an existing gas connection up to and including rates of flow of 275 kWh per hour are issued within six working days of receipt of the request unless the customer requests a deferral;
 - (b) 90 per cent of non-standard quotations for:
 - (i) obtaining a new gas connection or altering an existing gas connection up to and including rates of flow of 275kWh per hour are issued within eleven working days of receipt of the request unless the customer requests a deferral; and
 - (ii) obtaining a new gas connection or altering an existing gas connection where rates of flow exceed 275kWh per hour are issued within twenty one working days of receipt of the request unless the customer requests a deferral;

- (c) 90 per cent of new or altered gas connections are substantially completed within the timescales agreed with the customer;
- (d) 90 per cent of replies to land enquiries are issued within five working days of receipt of the request unless the customer requests a deferral;
- (e) in 90 per cent of cases, provide within twenty working days dates for commencement and substantial completion of works from the receipt of acceptance of a quotation provided under paragraph 2 (a) or (b) unless the customer requests a deferral;
- (f) when responding to telephone calls:
 - (i) 90 per cent of calls to the :
 - (a) the emergency telephone service; and
 - ~~(b) the dedicated enquiry line; and~~
 - (b) ~~(c)~~ the meter point reference number helpline,

which are made during the hours that the licensee operates or procures the operation of such lines, will, in aggregate, be answered within 30 seconds; and
 - (ii) in the case of the emergency telephone service, the calls must be answered by persons adequately trained to process such calls.
- (g) in 97 per cent of cases, where a report of a gas emergency including a gas escape, an emission of carbon monoxide, fumes or other hazardous situation is received through the emergency telephone service, or by any other means, the licensee shall attend or procure the attendance of an emergency service provider at the site of the incident promptly and in either event:
 - (i) in respect of an uncontrolled gas escape or other uncontrolled gas emergency, within 1 hour of the full emergency details being received by the telephone service, or by any other means; or
 - (ii) in respect of a controlled gas escape or other controlled gas emergency, within 2 hours of the full emergency details being received on the telephone service, or by any other means.

3. The licensee shall from time to time submit to the Authority for its agreement an accuracy review scheme through which customers can require the licensee to review the accuracy of quotations for obtaining a new gas connection or altering an existing gas connection and, in the event that the licensee provides an

inaccurate quotation, the licensee shall adjust any charge made to the customer to the amount due under an accurate quotation.

4. In relation to requests received by the licensee relating to activities referred to in sub-paragraph 1(a), where a request is received after 5pm on any day it shall be deemed for the purposes of this condition as having been received on the next working day.
5. For the purpose of sub-paragraph 2(f) where the licensee operates or procures the operation of these telephone services in conjunction with other gas transporters, performance shall be measured by aggregating all calls relating to those services.
6. The licensee shall, once in each formula year, provide specified information to the Authority.
7. The licensee shall, once in each formula year:
 - (a) undertake an audit in respect of the provision by the licensee of services under paragraph 1(a);
 - (b) inform the Authority of the nature and scope of such audit; and
 - (c) when requested by the Authority in writing, review such audit and the manner in which it is being operated with a view to determining whether any modification should be made to such audit or to the manner of its operation.
8. This condition shall not apply to requests for gas connections:
 - (a) to new build domestic developments of at least 5 domestic premises where there is no existing gas connection to the pipe-line system to which this licence relates;
 - (b) to new build non domestic developments of at least 5 non-domestic premises where there is no existing gas connection to the pipe-line system to which this licence relates;
 - (c) to premises to which gas will be conveyed at a pressure of more than 7 bar gauge;
 - (d) classed as complex gas connections in a statement issued from time to time by the licensee and agreed with the Authority after such consultation as the Authority directs;

- (e) classed as excluded gas connections in a statement issued from time to time by the licensee and agreed with the Authority; or
 - (f) where the customer has failed to provide to the licensee such information as the licensee requires from the customer in order to provide a quotation.
- 9. The licensee shall prepare and from time to time revise a statement describing the performance standards required under paragraph 2(f) and 2(g) of this condition and the level of performance achieved in respect of those standards in a form and having a content which the licensee could reasonably expect would be within the understanding of customers to whom the statement relates and shall:
 - (a) give a copy of the statement and of any revision of the statement to the Authority and to the [National Consumer](#) Council, before he sends it to the gas suppliers referred to in sub-paragraph (b);
 - (b) at least once in any period of 12 months dispatch to each gas supplier which supplies gas to customers connected to the pipe-line system to which this licence relates for onward transmission to the gas supplier's customers a copy of the statement (in the form current at the time it is provided);
 - (c) make a copy of the statement (in its current form) available for inspection by any person at any offices fixed as appropriate by the licensee for the purposes of section 46(3) of the Act or, if none, at any premises of or occupied by the licensee open to the public in the normal course of the licensee's business during the normal opening hours of the premises;
 - (d) send a copy of the statement (in its current form) to any person who asks for one, and
 - (e) publish a copy of the statement on the licensee's website.
- 10. The statement prepared under paragraph 9 shall be published in the form of a single document that also includes the statement referred to in paragraph 2 of regulation 15 of the Gas (Standards of Performance) Regulations 2005 (as amended).
- 11. For the purposes of this condition only:

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| “accurate quotation” | means a correct charge in accordance with the licensee’s published gas connection charging statement; |
| “gas connection” | means the gas connection of a service (or any part thereof) under sections 9(1)(b) and 10(2) of the Act for the establishment of a new gas connection or alteration of an existing gas connection to premises on the transportation system where a service means a pipe (if any) installed or to be installed between any main and any emergency control valve at the relevant premises; |
| “controlled gas escape or other controlled gas emergency” | means a gas escape or other gas emergency where the person reporting the escape or other emergency, after carrying out (or causing to be carried out) the actions advised <u>by</u> the telephone service, advises the operator that the escape of gas or other emergency appears to have ceased; |
| “customer” | means domestic and non-domestic customers and prospective customers of licensed gas suppliers, gas shippers, gas suppliers, independent gas connection providers, licensed gas transporters or any other person requesting gas connection services specified under paragraph 1(a); |
| “emergency service provider” | shall have the same meaning as in the Gas Safety (Management) Regulations 1996; |
| “independent gas connection provider” | means any person that provides consultancy and/or engineering services in relation to gas connections on behalf of customers, gas shippers, gas suppliers and gas transporters; |
| “land enquiry” | means an indication of the availability of gas, an estimate of pressure that is or may become available, an estimate of the cost of the relevant gas connection and, where appropriate, the approval of a design for the provision of a new or alteration of an existing gas connection; |
| “non-standard quotation” | means a quotation other than a standard quotation (but excluding a self-quote); |
| “relevant period” | means the period from 1 April 2008 until 31 March 2009 and thereafter each succeeding period of 12 months |

starting on 1 April;

“self-quote”

means a quotation produced by the customer for the provision of a new or alteration of an existing gas connection in accordance with any conditions published by the licensee to enable the customer to calculate the cost of the relevant works;

“specified information”

means as a minimum:

- (a) the number of requests which the licensee has received for each of the services referred to in paragraph 1(a);
- (b) the number of requests for each of the services referred to in paragraph 1(a) in respect of which the licensee has provided the requested service within the timescales set out in paragraph 2(a)-(e);
- (c) the number of requests for each of the services referred to in paragraph 1(a) in respect of which the licensee has not provided the requested service within the timescales set out in paragraph 2(a)-(e);
- (d) the amount (if any) paid for the purposes of refunding customers for failure to provide an accurate quotation;
- (e) the amount of compensation (if any) paid by the licensee for the purpose of compensating customers entitled to compensation under regulations made under section 33AA of the Act;
- (f) the number of times any payment caps specified under regulations made under section 33AA of the Act have been reached;
- (g) the results of any audit carried out under paragraph 7 above;
- (h) the number of gas connection requests under paragraph 1(a) that the licensee has identified as falling within the categories set out in paragraph 8;

- (i) the number of calls received under paragraph 1(b) and the number of calls in respect of which the licensee has provided the requested service within the timescales set out in paragraph 2(f)(i) and 2(f)(ii);
- (j) the number of reports received under paragraph 1(c) that the licensee has identified as falling within the category set out in paragraph 2(g)(i) or 2(g)(ii) and the number of reports in respect of which the licensee has provided the requested service within the timescales set out in paragraph 2(g)(i) and 2(g)(ii) respectively;

“standard quotation”

means a standard quotation (excluding a self-quote) that does not require a site visit; and

“substantial completion”

means that the gas connection and the emergency control valve to the premises has been installed and commissioned.

12. Where the licensee is a DN operator that operates more than one Distribution Network (as defined in Special Condition E1 (Revenue restriction definitions in respect of the Distribution Network)), the obligations of this condition shall apply in respect of each Distribution Network.

Standard Special Condition D11. Charging obligations

1. Amendments to Standard Special Condition A4 (Charging - General)

Standard Special Condition A4 (Charging – General) shall be amended by:-

- (a) in paragraph 1, the insertion of “, for each Distribution Network (as defined in Special Condition E1 (Revenue Restriction Definitions in respect of the Distribution Network)), where applicable,” after the words “the licensee shall”;
- (b) in paragraph 2, the insertion of the following in sub-paragraphs (a) and (b) in substitution for the words “NOT USED”:

“(a) ~~except in so far as the Authority otherwise directs or consents, use its reasonable endeavours shall~~ not ~~to~~ make any changes to the charges or reserve prices mentioned in paragraph 1 more frequently than once in each formula year such that ~~before 31 March 2009 any changes shall take place on 1 October in each formula year and after 31 March 2009~~ any such change shall take ~~place~~effect on 1 April in each formula year ~~or in either case, at such other time as the Authority may by notice in writing direct;~~

(b) subject to sub-paragraph (a) above, if the licensee proposes to make~~s~~ changes to the charges or reserve prices mentioned in paragraph 1 on a date other than that specified in sub-paragraph (a), it must inform the Authority in writing ~~as soon as is reasonably practicable after the decision is made to make such a change to charges, and, in any event, not later than three months after the charge change has been implemented:~~

- (i) stating the reasons for this change; and

- (ii) clearly identifying whether any of the information is of a confidential nature.”

2. Amendments to Standard Special Condition A5 (Obligations as Regards Charging Methodology)

Standard Special Condition A5 (Obligations as Regard Charging Methodology) shall be amended by:

- (a) in paragraph 1, the insertion of “, for each Distribution Network (as defined in Special Condition E1 (Revenue Restriction Definitions in respect of the Distribution Network)), where applicable,” after the words “the licensee shall”;

- (b) in paragraph 2A, the insertion of the following in sub-paragraph (b) in substitution for the words “NOT USED”:

“(b) except in so far as the Authority otherwise directs or consents, use its reasonable endeavours shall not ~~to~~ make any changes to the charging methodology more frequently than once in each formula year such that ~~before 31 March 2009 any changes shall take place on 1 October in each formula year and after 31 March 2009~~ any such change shall take placeeffect on 1 April in each formula year ~~or in either case at such other time as the Authority may by notice in writing direct~~”

Standard Special Condition ~~A10~~D17. Provision and Return of Meters

[Same as current condition SSC A10]

Standard Special Condition ~~A43~~D18. Provision of Metering and Meter Reading Services

[Same as current condition SSC A43 except paragraph 4 which is modified as follows]

4. Except in so far as the Authority accepts otherwise, the licensee shall enter into agreements with suppliers for the provision of:
 - (a) gas meters pursuant to Standard Special Condition ~~A10~~D17 (Provision and Return of Meters);
 - (b) metering services other than the provision of gas meters pursuant to subparagraph (a) above; or
 - (c) meter reading services,without variation to any terms provided in relation to a particular request from a supplier pursuant to paragraph 2.

Standard Special Condition ~~A46~~D19. Non-discrimination in the Provision of Metering Activities

[Same as current condition SSC D19 except paragraph 2 which is modified as follows]

2. Without prejudice to paragraph 1 and subject to paragraph 4 of this condition, the licensee shall not make charges for the provision of metering activities to any supplier or class or classes of supplier which differ in respect of any item separately identified in

the statements referred to in paragraph 5 of Standard Special Condition ~~A43~~D18 (Provision of Metering and Meter Reading Services) from those for the provision of metering activities to any other gas supplier or class or classes of supplier except insofar as such differences reasonably reflect differences in the costs associated with such provision.

Standard Special Condition D20. Distributed Gas: Connections Guide and Information Strategy

Introduction

1. The purpose of this condition is to ensure that the licensee:
 - (a) makes available to the public, including through the publication of the Distributed Gas Connections Guide provided for below, information that will assist any person who might wish to enter into arrangements with the licensee that relate to the connection of distributed gas plant to the licensee's distribution network to understand and evaluate the process for doing so; and
 - (b) implements a distributed gas information strategy in respect of that information and also of other information more generally related to distributed gas connections.

Part A: Scope and contents of the Distributed Gas Connections Guide

2. Where the Authority gives the licensee a direction to do so, the licensee must work collectively with such other licensees as are also subject to a direction under this condition ("relevant licensees") to prepare and maintain a common set of documents, approved by the Authority and to be known as the Distributed Gas Connections Guide, that:
 - (a) is in such form as may be specified in the direction for the purposes of this condition; and
 - (b) contains such information as the licensee can reasonably provide that identifies or relates to the matters specified in paragraph 3 of this condition.
3. Those matters must (without limitation) include:
 - (a) details of the statutory and regulatory framework (including health and safety considerations) that applies to distributed gas connections;
 - (b) the likely cost elements, charges, and timescales involved in the application process typically operated by licensees in respect of such connections;
 - (c) details of the arrangements and opportunities available for competitive activity in the provision or procurement of such connections; and

- (d) engineering and other technical matters relevant to the commissioning, injection of gas, and maintenance of such connections.

Part B: Preparation and revision of the Distributed Gas Connections Guide

- 4. The licensee must, together with the relevant licensees:
 - (a) prepare and issue the Distributed Gas Connections Guide, as approved by the Authority, within a period of three months after the date of the Authority's direction; and
 - (b) except where the Authority otherwise consents, review and where appropriate revise the Distributed Gas Connections Guide in each following formula year to ensure that, so far as is reasonably practicable, the information contained in it is up to date and accurate in all material respects.

Part C: Licensee's distributed gas information strategy

- 5. Where the Authority gives the licensee a direction to do so, the licensee must prepare a distributed gas information strategy, for the approval of the Authority, which sets out how the licensee intends to ensure that all existing and potential users of its distribution network are able to receive an adequate level of information and a satisfactory standard of service in relation to the distributed gas connections process and matters relevant to it.
- 6. The scope and contents of the distributed gas information strategy must cover how the licensee will provide information to all such users, in a form and manner tailored to their particular needs.
- 7. The licensee must submit the distributed gas information strategy for the approval of the Authority within the time period set out in the Authority's direction (which will not be a period of less than 28 days).
- 8. The licensee must implement its distributed gas information strategy, as approved by the Authority, with effect from such date as may be specified by the Authority when it approves the strategy.

Part D: Review and revision of the distributed gas information strategy

- 9. The licensee must review its distributed gas information strategy at least once in each Formula Year with a view to ensuring that it remains fit for the purposes

envisaged by Part C of this condition and, with the consent or at the direction of the Authority, must make any changes to the strategy that may be necessary to enable it to better achieve those purposes.

10. Where any changes to the distributed gas information strategy are proposed the revised distributed gas information strategy must be submitted to the Authority for approval, and the Authority will respond within a reasonable period.

Part E: Procedure for directions under this condition

11. Before the Authority gives a direction under this condition, it will inform the licensee of its intention to do so in a Notice that:
 - (a) states the date on which it is proposed that the direction should take effect;
 - (b) sets out the proposed contents of the direction with respect to the form in which the Distributed Gas Connections Guide or the distributed gas information strategy (as the case may be) is to be prepared and maintained for the purposes of this condition; and
 - (c) specifies the time (which will not be less than a period of 28 days from the date of the Notice) within which representations with respect to the proposed direction may be made.
12. The Authority will consider any representations that are duly made and are not withdrawn.

Part F: Availability of the guide and the strategy

13. The licensee must give the Authority a copy of the Distributed Gas Connections Guide and the distributed gas information strategy and of each approved revision of either document.
14. The licensee must also:
 - (a) give or send a copy of the Distributed Gas Connections Guide to any person who requests one and who makes such payment to the licensee as it may require (which must not exceed such amount as the Authority may from time to time approve for that purpose in respect of the document); and

- (b) publish the Distributed Gas Connections Guide in such manner as the licensee believes will ensure adequate publicity for it (including by making it readily accessible from the licensee's website).

Part G: Interpretation

- 15. The requirements for consultation under Part E of this condition may be satisfied by action taken before, as well as by action taken after, the commencement of this condition.
- 16. For the purposes of this condition:

distributed gas

means gas that is injected into the network by means of a connection to the distribution system of the licensee that is not an NTS exit point (within the meaning of the Uniform Network Code) and the expressions "distributed gas connections", and "Distributed Gas Connections Guide" and "distributed gas information strategy" are to be read in accordance with that meaning.