



# Code Governance Review (Phase 3) Licence Modifications

*Northern Powergrid's response to Ofgem's consultation on licence modifications associated with its Code Governance Review (Phase 3).*

## KEY POINTS

- **Northern Powergrid does not wish to make any formal representation in respect of these proposed licence modifications.**
- However, in reviewing the proposals, we have identified a number of minor drafting points, which are detailed below.

---

## 1. Summary

We have detailed below some minor drafting points that we feel sure Ofgem would wish to correct, together with a few similar issues in the existing wording of these particular licence conditions that could usefully be corrected at the same time.

## 2. Minor Drafting Points

### **Condition 21**

- In subparagraph 21.11A(b)(ii), the inserted words “or made by” don’t seem to make sense. The sense of the original wording (“proposals ..... may not be made ..... except ..... at the direction of the Authority”) is fine, but the new alternative (“proposals ..... may not be made ..... except ..... made by the Authority”) is clearly not. This can be remedied easily by removing the word “made” from the proposed insertion (i.e. change the inserted words from “or made by” to “or by”);
- In the first line of paragraph 21.11AA the word “that” should be deleted. The required sense is “must provide for the licensee to ....”, not “must provide that for the licensee to ....”;
- In the second line of subparagraph (c) of paragraph 21.11B, the word “has” should be changed to “have”: the first of the alternative subjects of the verb (“Directions”) is plural, so the verb must also be plural;
- In paragraph 21.11B the inseting of new subparagraphs (ba) and (bb) should match that of existing subparagraphs (a), (b) and (c);
- At the end of the fourth line of paragraph 21.11C the word “either” should be deleted – it adds nothing to the meaning and potentially detracts from it, since it can properly only be applied in situations where there are two options: there are, of course, three options here; and
- In the final line of paragraph 21.11F, there should not be a hyphen in the word “recommence”.

### **Condition 22**

- In the first line of paragraph 22.9A, “paragraph 9” should be “paragraph 22.9” (this is an error in the existing text);
- In subparagraph 22.9C(b), the inserted words “or made by” should be changed to “or by” (as per the first comment on SLC21 above);
- In the final line of paragraph 22.9ED, there should not be a hyphen in the word “recommence”; and

- 
- In the sixth line of subparagraph 22.10(c), the word “with” should be inserted immediately after “accordance”.

**Condition 22A**

- In the second line of paragraph 22A.10, the word “facilities” should be changed to “facilitates” (this is an error in the existing text);
- In the third line of paragraph 22A.12, the word “incorporation” should be changed to “incorporating” (this is an error in the existing text); and
- Paragraph 22A.19 is completely redundant and could usefully be removed.

**Condition 23**

- In subparagraph 23.5(g)(ii), the inserted words “or made by” should be changed to “or by” (as per the first comment on SLC21 above);
- In the first line of subparagraph 23.5(i), a comma should be inserted after the opening word “that” (this is an error in the existing text); and
- In the final line of subparagraph 23.5(j), there should not be hyphen in the word “recommence”.

In addition to the above, there are a number of issues with the left-hand alignment of text in these conditions.