

**STANDARD SPECIAL CONDITIONS APPLICABLE TO ALL DN LICENSEES:**  
**PART D**

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### **Standard Special Condition D3. Long Term Development Statement**

1. The licensee shall comply with a direction given by the Authority to prepare an annual statement, in respect of each Distribution Network (as defined in Special Condition 1A (Restriction of revenue in respect of the Distribution Network Transportation Activity: definitions)) in such form and at such a time as may be specified in the direction giving, with respect to each of the 10 succeeding years beginning with 1 October, such information by way of forecasts of -
  - (a) the use likely to be made of the pipe-line system to which this licence relates; and
  - (b) the likely developments of that system and those facilities which the licensee expects from time to time to be taken into account in determining the charges for making connections to that system and in pursuance of transportation arrangements,as it is reasonably practicable for the licensee to provide and which will assist a person who contemplates -
  - (i) seeking the connection of a pipe-line of his to the pipe-line system to which this licence relates;
  - (ii) entering into transportation arrangements with the licensee; or
  - (iii) seeking the connection of the pipe-line system to which this licence relates to premises which would reasonably be expected to be supplied with gas at a rate exceeding 2,196,000 kilowatt hours a year,in identifying and evaluating the opportunities for doing so.
2. Except in so far as the Authority consents to the licensee not doing so, the licensee shall use its reasonable endeavours to prepare a revision of any statement prepared under paragraph 1 so as to ensure that the information in the statement is up to date.
3. The licensee shall, subject to any requirement to comply with the listing rules (within the meaning of the Financial Services and Markets Act 2000) and with paragraph 4 below -

- (a) furnish the Authority with a copy of each statement prepared under paragraph 1 and of each revision of the statement prepared under paragraph 2;
  - (b) furnish such other gas transporter as the Authority may direct with a copy of each statement prepared under paragraph 1 and of each revision of the statement prepared under paragraph 2;
  - (c) in such form and manner as the Authority may direct, publish such a summary of each statement or, as the case may be, of a revision of the statement as will assist a person in deciding whether to ask for a copy of the version mentioned in sub-paragraph (d); and
  - (d) prepare a version of each statement or revision which excludes, so far as is practicable, any such matter as is mentioned in paragraph 4 and send a copy thereof to any person who asks for one and makes such payment to the licensee in respect of the cost thereof as it may require not exceeding such amount as the Authority may from time to time approve for the purposes hereof.
4. In complying with the requirements of paragraph 3(c), the licensee shall have regard to the need for excluding, so far as is practicable, any matter which relates to the affairs of a person where the publication of that matter would or might seriously and prejudicially affect his interests.
5. Any question arising under paragraph 4 as to whether the publication of some matter which relates to the affairs of a person would or might seriously and prejudicially affect his interests shall be determined by the Authority.

#### **Standard Special Condition D4. Prohibited Procurement Activities**

1. Subject to paragraph 2, the licensee shall not either on its own account or on behalf of:
  - (a) any affiliate or related undertaking of the licensee; and/or
  - (b) any other business operated by the holder of this licence or its affiliates or related undertakings under a separate gas transporter licence for a relevant gas transporter,  
  
purchase, enter into agreements for or otherwise acquire capacity rights, gas or gas derivatives with the intention of subsequently selling, assigning or otherwise disposing of such assets to third parties, and the licensee shall procure that anyone specified in sub-paragraphs (a) and (b) shall not undertake such transactions on its own account, or on behalf of the licensee, or of anyone specified in sub-paragraphs (a) and (b).
2. The prohibition in paragraph 1 of this condition shall not apply if the transactions referred to in paragraph 1 are undertaken:
  - (a) by an affiliate or related undertaking of the licensee each on its own account or on behalf of affiliates or related undertakings specified in paragraphs 1(a) and 1(b) other than the licensee, provided that, in respect of each case, such affiliate or related undertaking holds a relevant licence, issued by the Authority, or is otherwise exempted from the requirement to hold such a licence, and that such licence or exemption does not prohibit such transactions;
  - (b) with the prior written consent of the Authority;
  - (c) in accordance with the licensee's functions under the network code; or
  - (d) by:
    - (i) the licensee on its own account,
    - (ii) the licensee on behalf of any DN operator that is an affiliate of the licensee,
    - (iii) any DN operator that is an affiliate of the licensee on behalf of the licensee, or

(iv) the licensee and any DN operator that is an affiliate of the licensee acting on a joint basis,

for the purpose of facilitating shrinkage procurement and/or constraint management provided that such transactions:

(aa) are conducted on economic and efficient terms; and

(bb) facilitate the economic and efficient operation of the transportation system.

3. In this condition:

**“shrinkage  
procurement”**

means the balancing of the pipe-line system to which this licence relates through the acquisition or disposal of gas to replace gas lost from the pipe-line system to which this licence relates or from the pipe-line system of a DN operator that is an affiliate of the licensee in respect of shrinkage (having the meaning given to that term in the network code).

**Standard Special Condition D5. Licensee's procurement and use of constraint management services**

[removed]

**Standard Special Condition D6. Provision of First Call Emergency Response to the NTS operator**

1. The licensee shall provide the NTS operator with a first call emergency response service in the event of an emergency on the NTS which involves an actual or suspected release of gas.
2. The licensee shall not be required to carry out any work on, or exercise any control over, any part of the NTS under the obligation contained in paragraph 1 unless requested and/or authorised to do so by the NTS operator.
3. The licensee shall make arrangements which shall ensure that the provision by it of a first call emergency response service to the NTS operator is effected by a competent person or persons who have been adequately trained and possess appropriate expertise to provide that service on behalf of the licensee.
4. Nothing in this condition shall require the licensee to employ more staff or to maintain any stock of spares or equipment more extensive than it would otherwise employ or maintain for the purposes of its transportation business.
5. Any dispute over obligations of the licensee pursuant to this condition may be referred to the Authority for determination at the request of the licensee or the NTS operator.

6. In this condition:

**“First call emergency response”** means a response by the licensee to attend at the site of an emergency on the NTS which involves an actual or suspected release of gas and to act in a manner best designed to minimize the risk to life and property subject to paragraph 2;

**Standard Special Condition D9. Not Used**

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**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 Gas Connection, an alteration of an existing Gas Connection, Diversion or Disconnection services;
    - (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”), 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 Regulatory Period , the licensee must procure that:
  - (a) 90 per cent of Standard Quotations for:
    - (i) obtaining a new Gas Connection or an alteration of an existing Gas Connection up to and including rates of flow of 275 kWh per hour, or a Disconnection where the pressure is less than 2 bar gauge, are issued within four Working Days of receipt of the request unless the Customer requests a deferral; and
  - (b) 90 per cent of Non-Standard Quotations for:
    - (i) obtaining a new Gas Connection or an alteration of an existing Gas Connection up to and including rates of flow of 275kWh per hour, or obtaining other Disconnections where the pressure is less than 2 bar

gauge, are issued within 11 Working Days of receipt of the request unless the Customer requests a deferral;

- (ii) obtaining a new Gas Connection or an alteration of an existing Gas Connection where rates of flow exceed 275kWh per hour, Disconnections where the pressure is greater than or equal to 2 bar gauge, or obtaining a Diversion, are issued within 21 Working Days of receipt of the request unless the Customer requests a deferral;
- (c) 90 per cent of new Gas Connections or alterations to existing 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 17 Working Days dates for commencement and substantial completion of works from the receipt of acceptance of a quotation for obtaining a new Gas Connection or altering an existing Gas Connection up to and including rates of flow of 275 kWh per hour as provided under paragraphs 2 (a)(i) and 2(b)(i), unless the Customer requests a deferral;
- (f) in 90 per cent of cases, provide within 20 Working Days dates for commencement and substantial completion of works from the receipt of acceptance of a quotation for obtaining a new Gas Connection or altering an existing Gas Connection where rates of flow exceed 275kWh per hour as provided under paragraph 2 (b)(ii), unless the Customer requests a deferral;
- (g) when responding to telephone calls:
  - (a) 90 per cent of calls to the:
    - (i) the emergency telephone service; and
    - (ii) 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
  - (b) in the case of the emergency telephone service, the calls must be answered by persons adequately trained to process such calls.

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- (h) 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:
    - (i) in 97 per cent of cases, the licensee shall attend or procure the attendance of an Emergency Service Provider at the site of the incident promptly:
      - (a) 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
      - (b) 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;
    - (ii) the persons attending must have completed sufficient training to be able to competently and appropriately deal with the situations described in paragraphs 2(h)(i)(a) and (b);
    - (iii) the licensee must be able to demonstrate that the persons attending are able to competently and appropriately deal with the situations described in paragraphs 2(h)(i)(a) and (b).
3. The licensee must 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(g) 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 must, once in each formula year, provide Specified Information to the Authority.

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7. The licensee must, 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 does not apply to requests in relation to:
  - (a) 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) 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) premises to which gas will be conveyed at a pressure of more than 7 bar gauge;
  - (d) works classed as complex Gas Connections, Disconnections or Diversions in a statement issued from time to time by the licensee and agreed with the Authority after such consultation as the Authority directs;
  - (e) works classed as excluded Gas Connections, Disconnections or Diversions in a statement issued from time to time by the licensee and agreed with the Authority; or
  - (f) requests 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 must prepare and from time to time revise a statement describing the performance standards required under paragraph 2(g) and 2(h) 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 must:
  - (a) give a copy of the statement and of any revision of the statement to the Authority and to Citizens Advice and Citizens Advice Scotland, before sending it to the gas suppliers referred to in sub-paragraph (b);

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- (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 must 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. Where the licensee is a DN operator that operates more than one Distribution Network (as defined in Special Condition 1.1 (Interpretation and definitions), the obligations of this condition shall apply in respect of each Distribution Network.

**“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;

|  |  |
|--|--|
| <b>“controlled gas escape or other controlled gas emergency”</b> | 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 by the telephone service, advises the operator that the escape of gas or other emergency appears to have ceased; |
| <b>“customer”</b>  | 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);         |
| <b>“emergency service provider”</b>                              | shall have the same meaning as in the Gas Safety (Management) Regulations 1996;  |
| <b>“independent gas connection provider”</b>                     | 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;  |
| <b>“land enquiry”</b>  | 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;   |
| <b>“non-standard quotation”</b>                                  | means a quotation other than a standard quotation (but excluding a self-quote);  |
| <b>“relevant period”</b>   | means the period from 1 April 2008 until 31 March 2009 and thereafter each succeeding period of 12 months starting on 1 April;   |
| <b>“self-quote”</b>  | 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;  |
| <b>“specified information”</b>                                   | means as a minimum:  |

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- (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.



## **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 1A (Restriction of revenue in respect of the Distribution Network Transportation Activity: definitions)), 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, shall not make any changes to the charges or reserve prices mentioned in paragraph 1 more frequently than once in each formula year such that any such change shall take effect on 1 April in each formula year;

(b) subject to sub-paragraph (a) above, if the licensee proposes to make 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:

(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:

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- (a) in paragraph 1, the insertion of “, for each Distribution Network (as defined in Special Condition 1A (Restriction of revenue in respect of the Distribution Network Transportation Activity: definitions)), 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, shall not make any changes to the charging methodology more frequently than once in each formula year such that any such change shall take effect on 1 April in each formula year”

**Standard Special Condition D12. Requirement to offer terms for the provision of gas entry points**

**Purpose of licence condition**

1. The purpose of this condition is to set out the obligations of the licensee relating to entering into gas entry agreements in respect of gas entry points to the pipe-line system to which this licence relates.

**PART A: Requirement to offer terms for gas entry points**

2. The licensee must(subject to paragraph 5) offer to enter into a gas entry agreement (unless the Authority otherwise consents) on receiving an application made by the applicantcontaining all such information as the licensee may reasonably require for the purpose of formulating the terms of the offer.
3. In making an offer pursuant to paragraph 2 of this condition, the licensee must set out the terms on which the licensee shall allow gas to be introduced into the pipe-line system to which this licence relates, including:
  - (a) The date when the licensee must allow gas to be introduced into the pipe-line system to which this licence relates by means of the gas entry point in respect of which the application was made (time being of the essence, unless otherwise agreed by the applicant);
  - (b) Terms that offer the applicant up to the maximum flow rate available from time to time on the pipe-line system to which this licence relates at the time of the offer, unless the applicant requests a lesser flow rate than the maximum available;
  - (c) Terms that require the applicant to pay the licensee's reasonable costs incurred and a reasonable element of profit, so far as the same will not be recoverable by the licensee from elsewhere, through making any necessary reinforcement to the pipe-line system to which this licence relates or carrying out any other activities necessary to enable the gas entry point to be made available;

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- (d) Terms that allow the licensee and the applicant to refer any dispute arising over the variation of the terms of the gas entry agreement to the Authority to be settled pursuant to paragraph 8 of this condition; and
  - (e) Such other detailed terms in respect of each gas entry point as are or may be appropriate for the purposes of the gas entry agreement.
4. The licensee must offer terms for gas entry agreements in accordance with paragraph 2 as soon as reasonably practicable and (except where the Authority consents to a longer period) in any event not more than 6 months after receipt by the licensee of an application containing all such information as the licensee may reasonably require for the purpose of formulating the terms of the offer.
5. The licensee must not be obliged pursuant to this condition to offer to enter into any agreement if to do so would be likely to involve the licensee being in:
- (a) Breach of its duties under section 9 of the Act;
  - (b) Breach either of any regulations made under section 18 of the Act or of any other enactment relating to safety or standards applicable in respect of its transportation business;
  - (c) Breach of the licensee's network code; and
  - (d) Breach of the conditions of this licence or any other licence granted or treated as granted under section 7 of the Act and held by the licensee.

**PART B: Non-discrimination and determination of disputes**

6. In carrying out the provision of gas entry points the licensee must not unduly discriminate between any persons or class or classes of persons.
7. If, after a period which appears to the Authority to be reasonable for the purpose, the licensee has failed to enter into a gas entry agreement with a particular applicant, the Authority may, on the application of that applicant or the licensee, settle any terms of the

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agreement in dispute between the licensee and that applicant in such manner as appears to the Authority to be reasonable.

8. If either the licensee or any other party to a gas entry agreement proposes to vary the contractual terms of that gas entry agreement entered into pursuant to this condition, in any manner provided for under that gas entry agreement, the Authority may, at the request of either the licensee or other party, settle any dispute relating to such variation in such manner as appears to the Authority to be reasonable.

#### **PART C: Publication of principal terms**

9. The licensee must publish as soon as reasonably practicable but no later than one month from the date on which it enters into a gas entry agreement the principal terms of that agreement, while having regard to the commercial sensitivity of the other party.

#### **Definitions**

10. In this condition:

|                              |  |
|------------------------------|--|
| <b>“gas entry point”</b>     | means a point at which gas may be introduced into the pipe-line system to which this licence relates, but shall not include any point at which such pipe-line system is connected to the pipe-line system of either the NTS operator or a DN operator.   |
| <b>“gas entry agreement”</b> | means an agreement made on or after 1 April 2007 between the licensee and another person for connection to the pipe-line system to which this licence relates at a gas entry point for the purpose of introducing gas into that pipe-line system and/or the delivery of gas onto that pipe-line system on or after 1 October 2007. |
| <b>“flow rate”</b>           | means the rate at which energy is or may be delivered to the pipe-line system to which this licence relates expressed in GW.   |

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|                            |  |
|----------------------------|--|
| <b>“maximum flow rate”</b> | means the highest rate at which energy is or may be delivered to the pipe-line system to which this licence relates expressed in GW. |
| <b>“GW”</b>                | means one million kilowatts.   |

**Standard Special Condition D13. Provision of services for specific domestic customer groups**

**Eligibility for Services**

1. The licensee must set up and maintain practices and procedures to identify domestic customers who may be eligible for assistance under this condition as a result of its customer interaction, and offer these customers specific priority services.
  
2. Customers eligible for assistance under this condition are domestic customers who:
  - (a) are either:
    - (i) of pensionable age, disabled, chronically sick or live with children aged under five; or
    - (ii) otherwise in a vulnerable situation, and require additional services related to their access, communication and safety needs; and
  
  - (b) have:
    - (i) personally approached the licensee to register their details as an eligible customer under this condition;
    - (ii) had a person acting on their behalf ask for their name to be registered; or
    - (iii) had a relevant supplier or relevant distributor ask for their name and any relevant details to be suitably recorded for the purpose of providing additional services as described in this condition.

**Arrangements in respect of meters**

3. Where a relevant supplier or a gas supplier who is about to become such a supplier has-

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(a) pursuant to paragraph 5(d) of standard condition 26 (Priority Services Register) of its supply licence transmitted to the licensee a request for the repositioning of a meter owned by the licensee; and

(b) undertaken to pay the licensee's reasonable expenses in complying with the request,

then, so far as it is reasonably practicable and appropriate for it to do so, the licensee must comply with the request.

#### **Services for vulnerable domestic customers**

4. The licensee must offer, free of charge, to agree a password with any customer who is eligible for assistance (or their representative), that can be used by any representative of the licensee to enable the customer to identify that person for the purpose of carrying out necessary work for which the password was agreed.
5. The licensee must provide facilities, free of charge to domestic customers, which enables any domestic customer who has additional communication needs to ask or complain about any service provided by the licensee.
6. In so far as permitted by any laws relating to data protection and/or privacy, the licensee must, upon becoming aware of a domestic customer who may be eligible for assistance under this condition give the relevant supplier and/or relevant distributor such details of that customer, in such intervals as are relevant to the performance of that supplier or distributor's obligations under its licence.
7. For the purposes of complying with its obligations under this condition (including in respect of obtaining, recording, using and sharing information), the licensee must comply with any laws relating to data protection and/or privacy.

#### **Provision of information**

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8. The licensee must prepare a statement, in plain and intelligible language, that sets out and explains its arrangements for complying with its obligations under this condition.

9. In relation to the statement prepared under paragraph 8, the licensee must:

- (a) publish the statement on and make it readily accessible from its website;
- (b) at least once each year, take all reasonable steps to inform domestic customers whose premises are connected to the pipe-line system to which this licence relates, of the existence of the statement and how to obtain it;
- (c) when asked to do so by a customer with additional communication needs, provide to that customer whose premises are connected to the pipe-line system to which this licence relates, the statement in a manner or a format that is suitable for that customer's needs;
- (d) when asked to do so, provide to a domestic customer whose premises are connected to the pipe-line system to which this licence relates and whose first language is not English, such assistance or advice as will enable that customer to understand the contents of the statement; and
- (e) give a copy of the statement on request and free of charge to any person.

10. The statement prepared under paragraph 8 may, at the licensee's choice, be published as a single document that may also include the statements referred to in Standard Special Condition D14 (Arrangements for access to premises).

#### **Other domestic customers and other services**

11. Nothing in this condition prevents the licensee from:

- (a) including domestic customers additional to those specified under paragraph 2; or

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- (b) providing services to domestic customers that exceed those required under this condition.

### **Interpretation**

12. For the purposes of this condition:

“pensionable age” has the meaning given in section 48(2B) of the Act.

“relevant distributor” means the licenced electricity distributor to whose electricity distribution network the domestic customer’s premises are connected.

**Standard Special Condition D14. Arrangements for access to premises**

1. The licensee must take all reasonable steps to ensure that each representative of the licensee who visits a customer's premises on its behalf:
  - (a) possesses the skills necessary to perform the required function;
  - (b) can be readily identified as a representative of the licensee by a member of the public;
  - (c) uses any password that the licensee has agreed with the customer in accordance with paragraph 2 of Standard Special Condition D13 (Provision of services for specific domestic customer groups);
  - (d) is a fit and proper person to visit and enter the customer's premises; and
  - (e) is able to inform the customer, on request, of the gas emergency helpline number.
2. The licensee must take all reasonable steps, where a representative exercises the powers of entry conferred by Schedule 2B (the Gas Code) to the Act, to avoid undue disturbance to owners or occupiers of premises as a result of visits being made to their premises by its representatives and the representatives of other licence holders exercising powers of entry for like purposes.
3. The licensee must prepare a statement that sets out, in plain and intelligible language, its arrangements for complying with its obligations under paragraph 1.
4. In relation to the statement prepared under paragraph 3 the licensee must:
  - (a) publish that statement on and make it readily accessible from its website ;
  - (b) at least once each year, take all reasonable steps to inform customers whose premises are connected to the pipe-line system to which this licence relates of the existence of the statement and how to obtain it;
  - (c) when asked to do so, provide to a customer whose premises are connected to the pipe-line system to which this licence relates and, who is blind, partially sighted,

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deaf, or hearing-impaired, the statement in a manner or a format that is suitable for that customer's special communication needs;

- (d) when asked to do so, provide to a customer, whose premises are connected to the pipe-line system to which this licence relates and whose first language is not English, such assistance or advice as will enable that person to understand the contents of the statement; and
- (e) give a copy of the statement on request and free of charge to any person.

5. The statement prepared under paragraph 3 may, at the licensee's choice, be prepared and published as a single document that may also include the statements referred to in Standard Special Condition D13 (Provision of services for specific domestic customer groups)

6. In paragraph 2, the reference to visiting premises includes a reference to entry under the authority of a warrant obtained under the Rights of Entry (Gas and Electricity Boards) Act 1954.

### **Standard Special Condition D16. Reporting on Performance**

1. The licensee must provide the Authority and Citizens Advice and Citizens Advice Scotland with information specified by the Authority relating to matters that it reasonably considers are relevant to the licensee's customers in relation to Standard Special Condition D13 (Provision of services for specific domestic customer groups), Standard Special Condition D14 (Arrangements for access to premises)
2. The information provided by the licensee under paragraph 1 must be in the form of a statistical record having such content and being presented in such a format and at such intervals of time as the Authority may from time to time direct.
3. Prior to issuing a direction under paragraph 2 the Authority must:
  - (a) consult with the licensee and Citizens Advice and Citizens Advice Scotland; and
  - (b) consider any representations received as part of the consultation, including any about the materiality of costs that are likely to be incurred by the licensee in obtaining the information to be specified in the direction.
4. The obligations of this condition shall apply in respect of each Distribution Network (as defined in Special Condition 1A (Restriction of revenue in respect of the Distribution Network Transportation Activity: definitions)).

### **Standard Special Condition D17. Provision and Return of Meters**

1. Subject to paragraph 2, the licensee shall comply with any reasonable request by a relevant supplier (or a gas supplier who is about to become such a relevant supplier) to provide through a meter ~~asset-equipment~~ manager and install at the premises of a domestic customer a gas meter, other than:

- (a) a gas meter capable of forming part of a smart metering system;
- (b) an advanced domestic meter; or
- (c) a prepayment advanced domestic meter

owned by the licensee and of a type specified by the supplier subject, however, to a meter of that type being reasonably available to the licensee and the supplier agreeing to pay its charges in respect of the meter.

1A For the purposes of paragraph 1, “~~meter asset-equipment~~ manager” means:

- (a) a person approved in accordance with the ~~Supply Point Administration Agreement~~~~Retail Energy Code~~ as possessing expertise satisfactorily to provide meter-related services or a class or description of persons so approved (the “**relevant expertise**”); or
- (b) an undertaking approved in accordance with the ~~Supply Point Administration Agreement~~~~Retail Energy Code~~ as having staff possessing the relevant expertise and for the purposes of this definition,
  - (i) “**approved in accordance with the ~~Supply Point Administration Agreement~~~~Retail Energy Code~~**” means approved in accordance with it for the purposes of this condition generally and “**staff**” includes officers, servants and agents; and
  - (ii) “**meter-related services**” means the provision, installation, commissioning, inspection, repairing, alteration, repositioning, removal, renewal and maintenance of the whole or part of the Supply Meter Installation as defined in Section M, paragraph 1.2 of the Network Code of Transco plc, as at 12 July 2004, as defined within Amended Standard Condition 9 (Network Code) of Transco plc’s gas transporter licence on that date.

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2. Paragraph 1 shall not apply:-
  - (a) where:
    - (i) the premises in question are secondary sub-deduct premises; and
    - (ii) the owner or occupier of the premises has not agreed that the licensee may enter the premises for the purpose of removing the meter when the owner or occupier no longer requires the meter or the supply of gas; or
  - (b) where the licensee receives a reasonable request from a relevant supplier in accordance with paragraph 1, and the licensee submits that request within 14 days of receiving it to National Grid Gas plc to fulfil.
3. Where any gas meter owned by the licensee is disconnected by, or returned to, the licensee it shall promptly make an appropriate record of the details displayed on the register of the meter at the time of disconnection or return and of such other information in its possession as shall subsequently enable the identity of, and the date of disconnection or return of, the meter and the premises from which it was disconnected to be ascertained, and shall keep such a record for a period of not less than 2 years from the date of the disconnection or return, whichever is the later.
4. Where the licensee has reasonable cause to believe that any gas meter owned by it and disconnected by, or returned to, it is or may be relevant to -
  - (a) any investigation, proceedings or possible proceedings relating to the alleged theft of gas by any person or to an alleged offence under paragraph 10(1) of Schedule 2B to the Act; or
  - (b) any dispute as to the accuracy of the meter,the licensee shall use all reasonable endeavours to keep the meter in safe custody in the standard condition in which it was when disconnected or returned and with the register unaltered -
  - (i) during the period of 6 months beginning with the date on which the meter was disconnected or returned, for as long as the licensee continues to have reasonable cause to believe that the meter is or may be so relevant; and

(ii) thereafter, for as long as, to the licensee's knowledge, the meter is so relevant.

5. When the licensee receives, in connection with a proposed connection or disconnection of a meter, such a notice as is mentioned in sub-paragraph (1) of paragraph 12 of Schedule 2B to the Act or receives information in pursuance of sub-paragraph (3) of that paragraph, it shall promptly give the relevant shipper a copy thereof and furnish it with any further information relating to the meter which is requested by the relevant shipper and which the licensee either has or may readily obtain.
6. Where the record kept by the licensee under paragraph 8 of Standard Special Condition A50 (System Development Obligations) shows that a relevant supplier has supplied gas to particular premises for less than 2 years and that the supplier has not, since it began to supply gas to those premises, secured an inspection of the meter for the purposes of standard condition 12 (Matters relating to Gas Meters) of the standard conditions of the Gas Supply licence as incorporated in its licence, the licensee shall give to the relevant shipper, for transmission to the supplier (except where the recipient of the notice is itself the supplier), not less than 4 months' notice of the date by which the next such inspection should be carried out, being a date falling not more than 2 years after the date shown in the licensee's record as the date of the last such inspection or, if later, 5 months after the licensee is informed that the supplier has begun to supply gas to the premises.
7. Subject to any direction given by the Authority, this condition shall cease to have effect on 31 December 2024.
8. For the purposes of this condition and Standard Special Condition D18 (Provision of Metering and Meter Reading Services):



advanced domestic meter has the same meaning as that provided in Condition 25B.16 (Definitions for the purposes of interoperability of Advanced Domestic Meters) of the standard conditions of the gas supply licence

National Grid Gas plc has the same meaning as that provided in Special Condition 1A (Restriction of revenue in respect of the Distribution Network Transportation Activity: definitions)

prepayment advanced domestic meter has the same meaning as that provided in Condition 25B.16 of the standard conditions of the gas supply licence

Retail Energy Code the Retail Energy Code required to be in place pursuant to Standard Condition 11 of the Gas Supply licence, as from time to time modified

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smart metering system has the same meaning as that provided in Condition 1 (Definition for standard conditions) of the standard conditions of the gas supply licence

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

1. Before attending to any request from a supplier:
  - (a) pursuant to paragraph 1 of Standard Special Condition D17 (Provision and Return of Meters);
  - (b) in relation to the provision of metering services other than those provided pursuant to sub-paragraph (a) above); or
  - (c) in relation to the provision of meter reading services;the licensee shall provide to that supplier the terms provided for in paragraph 2.
  
- 1A. Where and to the extent that the licensee is required to provide services under sub-paragraph (a) of paragraph 1 above, it shall be the duty of the licensee to provide the services mentioned in that sub-paragraph on reasonable terms.
  
2. The terms referred to in paragraph 1 are the licensee's terms regarding;
  - (a) the date by which the services required shall be provided (time being of the essence unless otherwise agreed between the parties);
  - (b) the charges to be paid in respect of the services required, such charges (save to the extent set out in any direction under paragraph 10 or unless manifestly inappropriate):
    - (i) to be presented in such a way as to be referable to the statements prepared in accordance with paragraph 5 of this condition, or any revision thereof; and
    - (ii) to be set in conformity with the requirements of paragraphs 4 to 7 of this condition; and
  - (c) such other detailed terms in respect of each of the services required as are or may be appropriate for the purpose of the agreement.

3. The licensee shall provide to the supplier such terms as are referred to in paragraph 2 above as soon as practicable and (save where the Authority consents to a longer period) in any event not more than 28 days after receipt by the licensee from any person of any application containing all such information as may reasonably be required for the purpose of formulating the terms of the agreement.
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 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.
5. The licensee shall as soon as reasonably practicable prepare statements in a form approved by the Authority setting out:
  - (a) the basis upon which charges for the provision of services of a type described in paragraph 1 will be made; and
  - (b) information relating to the other terms that will apply to the provision of each service,in each case in such form and with such detail as shall be necessary to enable any supplier to make a reasonable estimate of the charges to which he would become liable for the provision of such services and of the other terms, likely to have a material impact on the conduct of his business, upon which the service would be provided and (without prejudice to the foregoing) including the information set out in paragraph 6.
6. The statements referred to in paragraph 5 shall include:
  - (a) a schedule of charges for such services; and

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- (b) an explanation of the methods by which and the principles on which such charges will be calculated.
7. The licensee may periodically review the information set out in and, with the approval of the Authority, alter the form of the statements prepared in accordance with paragraph 5 and shall, at least once in every year that this licence is in force, make any necessary revisions to such statements in order that the information set out in the statements shall continue to be accurate in all material respects.
  8. The licensee shall send a copy of the statements in accordance with paragraph 5, and of each revision of such statements in accordance with paragraph 7, to the Authority.
  9. The licensee shall give or send a copy of the statements prepared in accordance with paragraph 5, or (as the case may be) of the latest revision of such statements in accordance with paragraph 7, to any supplier who requests a copy of such statement or statements.
  10. The licensee may make a charge for any statement given or sent pursuant to paragraph 9 of an amount which shall not exceed the amount specified in directions issued by the Authority for the purposes of this condition based on the Authority's estimate of the licensee's reasonable costs of providing such a statement.
  11. The Authority, having regard, in particular, to any representations made to it by the licensee and other persons may issue a direction relieving the licensee of its obligations under paragraphs 1(b), 1(c), 1A, 3 and 5 to such extent and subject to such terms and conditions as it may specify in that direction.
  12. Subject to any direction given by the Authority, this condition shall cease to have effect on 31 December 2024.

**Standard Special Condition D19. Non-discrimination in the provision of metering activities**

1. The licensee shall avoid undue discrimination and undue preference between any persons or class or classes of persons in the provision of metering activities.
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 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.
3. Notwithstanding paragraph 2 of this condition, the licensee shall not make any charges in respect of metering activities in respect of any item of charge separately identified in the statements referred to in paragraph 5 of Standard Special Condition D18 (Provision of Metering and Meter Reading Services) on any supplier whose contract does not provide for him to receive the activity to which such item of charge refers.
4. The licensee shall not in setting charges in respect of metering activities restrict, distort or prevent competition in the supply or conveyance of gas.

**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;

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- (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).

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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:

|                        |   |
|------------------------|---|
| <b>distributed gas</b> | means gas that is injected into the network by means of a connection to the distribution network 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. |
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### **Standard Special Condition D21. Treating Domestic Customers Fairly**

#### **Introduction**

1. The purpose of this condition is for the licensee and any Representative to ensure that it achieves the Standards of Conduct by treating each Domestic Customer, including each Domestic Customer in a Vulnerable Situation, in line with the Customer Objective.

#### **Part A: Achieving the Standards of Conduct**

2. The licensee and its Representatives must achieve the Standards of Conduct in a manner consistent with the Customer Objective.
3. To achieve the Standards of Conduct the licensee must develop approaches to deliver Fair outcomes for Domestic Customers, including through the use of innovative methods.
4. The Standards of Conduct are that the licensee and any Representative must:
  - (a) behave and carry out any actions in a Fair, honest, transparent, appropriate and professional manner;
  - (b) provide information (whether in writing, orally, or visually) to each Domestic Customer with whom the licensee or any Representative interacts, which:
    - (i) is complete, accurate and not misleading (in terms of the information provided or omitted);
    - (ii) is communicated (and, if provided in writing, drafted) in an accessible format in plain and intelligible language with more important information being given appropriate prominence;
    - (iii) relates to products or services which are appropriate to the Domestic Customer to whom that information is directed;
    - (iv) in terms of its content and in terms of how it is presented, does not create a material imbalance in the rights, obligations or interests of the licensee and the Domestic Customer in favour of the licensee; and
    - (v) is sufficient to enable the Domestic Customer to make informed choices about the services provided by the licensee;
  - (c) in relation to customer service arrangements:
    - (i) make it easy for a Domestic Customer to contact the licensee;

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- (ii) act promptly and courteously to put things right when the licensee or any Representative makes a mistake; and
    - (iii) otherwise ensure that customer service arrangements and processes are complete, thorough, fit for purpose and transparent;
  - (d) in relation to the licensee's or any Representative's interactions with Domestic Customers in Vulnerable Situations:
    - (i) seek to identify each Domestic Customer in a Vulnerable Situation, in a manner which is effective and appropriate, having regard to different types of vulnerability including but not restricted to the Priority Services Codes; and
    - (ii) when applying the Standards of Conduct in paragraphs (a) to (c) above, do so in a manner which takes into account any Vulnerable Situation of each Domestic Customer identified in accordance with (d)(i) above or otherwise.
5. The licensee must work with relevant organisations, including but not limited to local government and charities, to support the achievement of paragraph 4(d).

**Part B: The Fair Treatment Guidance**

6. The licensee and any Representative must have regard to the Fair Treatment Guidance in its interactions with Domestic Customers.
7. The Authority will issue and amend the Fair Treatment Guidance by direction.
8. The Authority will publish the Fair Treatment Guidance on the Authority's Website.
9. The Fair Treatment Guidance is intended to inform the licensee's understanding of the Standards of Conduct and will:
- (a) outline the purpose and scope of the Standards of Conduct; and
  - (b) the broad principles the licensee should follow to achieve the Standards of Conduct.
10. Before issuing the Fair Treatment Guidance by direction, the Authority will publish on the Authority's Website:
- (a) the text of the proposed Fair Treatment Guidance;
  - (b) the date on which the Authority intends the Fair Treatment Guidance to come into effect; and

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- (c) a period during which representations may be made on the content of the Fair Treatment Guidance, which will not be less than 28 days.

11. Before amending the Fair Treatment Guidance by direction, the Authority will publish on the Authority's Website:

- (a) the text of the amended the Fair Treatment Guidance;
- (b) the date on which the Authority intends the amended Fair Treatment Guidance to come into effect;
- (c) the reasons for the amendments to the Fair Treatment Guidance; and
- (d) a period during which representations may be made on the amendments to the Fair Treatment Guidance, which will not be less than 28 days.

**Standard Special Condition D22. Modifications to Standard Conditions**

1. For the purpose of these Standard Special Conditions, Standard Condition 7 (Provision of Information Relating to Gas Illegally Taken) should be read as follows:

(a) in sub-paragraph (b) of paragraph 1, after “outcome of that investigation,” insert the following:

“provided that the costs incurred in so doing are not likely to exceed the value of the sums that may reasonably be expected to be recovered.”.

(b) in sub-paragraph (b) of paragraph 2, after “outcome of that investigation,” insert the following: “provided that the costs incurred in so doing are not likely to exceed the value of the sums that may reasonably be expected to be recovered.”.

(c) in paragraph 3, after “the specified amount,” delete all subsequent text up to the end of that paragraph and insert the following text and sub-paragraphs:

“it may also seek to recover any of its costs associated with -

- (i) the costs of any such investigation as is mentioned in paragraph 1;
- (ii) the costs of any such recovery or attempted recovery so mentioned;  
and
- (iii) any costs to the licensee attributable to any gas being acquired, or not being disposed of, by it, by reason of the taking of the gas,

provided that the costs incurred in so doing are not likely to exceed the value of the sums that may reasonably be expected to be recovered.”.