

Item	Clause	Change/area for discussion	Relevant objectives	Commentary (rationale, options, proposal, route for change)	Status
1		Cap on number of concurrent review and development groups	a, b, c, f	To reduce burden on code parties and focus work. SEE ITEM 16	CLOSED
2		How can we ensure that IT impacts are dealt with at an early enough stage. These costs can be fundamental to decision making and responses to DMRs, for example.	f	Highlight in the mod template and/or make explicit in the rules? The group proposes that the mod template should add a section to cater for this, and should ask for a change marked document where file formats are involved. In addition, a template for consultation responses would be very helpful, particularly for Ofgem. Supporting information for these aspects should be contained in the best practice document for mod proposals.	CLOSED see actions
3		Decision making within review and development groups		Do Chairman's Guidelines provide guidance already? The group agreed to include in the chairman's guidelines the requirement to record views in cases where views are sought. Polarised views may still result in multiple mods, so this will not impose any restriction, but will add transparency.	CLOSED see actions
4		Appeals process		Awaiting a view from DTI as to whether the iGT UNC may be subject to such a process. The group agreed to park this until an Ofgem consultation has gone out.	ON HOLD
5		Inclusion of new entrants and representation of their views	b	The group suggests an area on the iGT-UNC website for new entrants, or a new entrants pack, but are confident that Gemserv are able to guide new entrants through the process. Ofgem will contact Gemserv as soon as new licences are granted to ensure that new entrants are included on relevant distribution lists.	CLOSED see item 14
6	3	Composition of mod Panel		Shippers do not believe this is currently reflective of the shipper community. After discussion, iGTs and shippers were happy to continue with current panel composition. We agreed to look at ways to overcome stalemate situations, and it was indicated that the deferral element of the panel decisions was not helpful, and that it may be better for the default situation to be 'refer to standing group'.	CLOSED
7	4	2 year period of appointment seems onerous		Discuss along with Item 9. After discussion, it was felt that this is not a major issue.	CLOSED

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8	4	Rules for appointing mod panel members. Do mod rules need to state how the vote is conducted?		Should this sit in the mod rules or remain outside? The group agreed there is no need to look at this any further.	CLOSED
9	5	Is the transition between panel members who may move on within the industry adequately catered for?		Possible paper by the Representative? After discussion, the group felt that further clarity on this is required. If a panel member changes company, they would be required to step down from the panel and be re-elected if appropriate. This prevents conflicts of interest, where for example a transporter panel member went to work for a shipper. Addition to mod rules required.	CLOSED see actions
10	5.9	Quoracy and voting		At Panel or at review and development groups? When is a meeting readjourned if a meeting is not quorate? No further action required on this at this time. Recommendation for final report - put this issue on the Panel's topic log to maintain visibility.	CLOSED see actions
11		Production of legal text. When else can this be procured, APART FROM for DMR? If it is not required for DMR, when should it be procured?	f	Clarification required here and possible mod. There was discussion as to whether the default position should be that text is produced but no consensus was reached. However, the group agreed that there should be a mechanism for the Authority to request legal drafting at any point, and for the panel to agree that it should be procured at a stage other than DMR if necessary. Following lengthy discussion, the group does not feel it necessary to make changes to the default position on the production of legal text, but should include a summary of discussions in the final report. A mod should however be raised to allow for the procurement of legal text other than before DMR, and to allow the Authority to request it at any point.	CLOSED see actions
12		GEMSERV PAPER QUESTIONS		Is there anything in Gemserv's paper that is not covered by this matrix? <b>Action:</b> Rosie to go over these papers and identify any areas the group has missed.	CLOSED
13	6.4	Prohibit teleconferencing?		Is there really scope for this, even in a Best Practice document? The group agreed that whilst teleconferencing is on occasion disruptive, its benefits outweigh this. It is for the Chairman to manage if problematic.	CLOSED

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14	5	What is the purpose of the mod panel? Does this need further clarification? What does UNC say?		UNC seems concise on this matter. After discussion, it was agreed that nothing needs to be changed in Code, but there is scope for a section on the iGT UNC website for 'new entrants', or a short paragraph making clear the role of the panel. <b>Action:</b> David to follow up and discuss with Gemserv if required.	CLOSED see actions
15		Quoracy - is this required for review and development groups? Is it the chair's role to ensure enough participants at a review or development group?		Can/should the Chairman postpone a meeting if very low attendance? The chairman's guidelines are currently silent on this. It may be useful to make this explicit to allow the chairman to make the call if very low attendance is expected.	CLOSED see actions
16	6.8	Is there a requirement to make the Chairman's guidelines more explicit to ensure that the Panel can express a view on whether an invitee attends a panel meeting?	f	Chairman's guidelines should cover this for panel business and ToR for the standing group(s) No further discussion required here.	CLOSED
17	7.1	Should the rules be more specific about the content of the minutes. E.g. context around decisions taken?		Must remember that the mod panel is purely a decision making body	CLOSED
18	9	More detail is required. Suggestion to produce best practice guidelines, as referred to in 9.5.	f	Where should this detail actually sit - mod rules or Best Practice document? After discussion it was agreed that no change to Code is required, but best practice document should contain detail.	CLOSED
19	9.7	Timescales for submitting proposals. It may be good practice to publish calendar dates, and have a monthly timetable.	f	This would be supporting information. Where would this best be placed? Update: this has already been implemented	CLOSED
20		Constituency representation. Do the rules need to be more explicit that the Member is a representative, and how they should go about carrying this out?	b, d	Group agreed no change to Code required.	CLOSED

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21	10	Publication and timescales 10 days/5 days		5 days may not allow time to canvas constituency. Do monthly meetings provide comfort on this? After discussion, it was felt that the ten day window must remain and that in fact it would provide further clarity to remove the option for late modifications to be discussed at next panel meeting. This will either require a mod to Code (9.7), or simply ensuring everyone is aware that late mods will not be considered until the subsequent panel meeting.	CLOSED
22	11	Does/should this clause refer to review proposals as well?		Ensure consistency with Clause 16.8. The group agreed that this should relate to ALL proposals and that 'shall' should be replaced by 'may' in 11.1, since it is recognised that not all proposals will require presenting, but if they do, it is in the proposer's interest to ensure that it is.	CLOSED see actions
23	12.1	When should the clock start for alternative proposals?		The group agreed that Alternative proposals need considering as a whole Agreement to check CUSC and BSC is 5 days too tight to allow the adequate development of an alternative proposal? Can this be extended? Suggestion is that the window for alternative proposals could be extended to the point at which the proposal is sent out for consultation, or the even when the DMR is published Chair will check whether JM is aware of the reasons behind the current alternative proposal timescales Group agreed that the area of alternative proposals should be put on hold until the change pack system is up and running. To be placed on issues log and revisited in 12 months.	CLOSED on hold
24	12.2	Clarification needed - is the same route followed?		Pending work on change pack	CLOSED
25	12	Alternative modifications. Perhaps requires consideration and clarification as to what is an alternative mod (can you implement one and not the other?)		Best Practice document or mod rules? Group had a lengthy discussion on alternative mods. The difficulties identified are mostly when the (original) mod proceeds direct to consultation. When the mod is sent to development, there are no practical difficulties with raising alternatives. But there is no way to draft the rules to allow for this, since nobody knows which route a proposal may take before it reaches the mod panel.	CLOSED on hold

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26	13.2	Should the period of time be defined here, since it has been in some other cases.	f	5 days? Is this issue significant enough to raise a mod? The group agreed that 2 business days is not unreasonable as this is not a major piece of work and not dissimilar from other tasks that the Representative carries out within 2 days. This timescale will tie in with the change pack system.	CLOSED see actions
27		Best practice guidelines on what a mod proposal should contain. Template has all headings but is not resulting in well written mods. (A good indication of a well written mod is asking "can legal text be written for this?")		Ofgem document exists as useful starting point Some parts of this document may need to be stronger than just guidelines	CLOSED see actions
28	14	Best Practice guidelines for urgency?		Ofgem document exists as useful starting point	CLOSED see actions
29	14.3	Drafting - why do Operators and Authority determine implementation date?		Operator because they will know implementation implications and Authority because they oversee potential enforcement? The group has agreed that dates are set 'up front' in the case of the urgent mod. Urgency is almost always because of an approaching date, and so there is really no flexibility for the Operator to set unworkable implementation dates. No need to proceed any further with this.	CLOSED
30	15	The procedures section contains information relevant to many other clauses. Should some of this be elsewhere?		Don't want to get into change for the sake of change. Better to leave this for the moment and concentrate on adding clarity and workability. Once the change pack is up and running, it may be worthwhile revisiting the whole of section 15.	CLOSED
31	15.1 (15.3)	Needs looking at and further clarity.	f	This may be hangover from when monthly panel meetings were not envisaged. HM has raised a mod to address this	CLOSED see actions

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32	16	Creation of formal review and development work streams	f	Reduce burden on code parties. The group agreed that a standing review group and a standing development group should be set up. Initially, this can be done by panel agreement, but there will probably be a need for this to be reflected in the mod rules as an enduring arrangement. Areas considered significant or complex can be given their own group. The group agreed that each mod will be granted a distinct slot and separate notes and Terms of Reference will be produced. It may also be useful to have different people chairing.	CLOSED see actions
33	16	Review and add detail of process and output of these groups	f	In mod rules or guidelines document? Agreement to add some further detail on the minimum output of the workgroup. HM to draft some detail at which point the group will agree whether it should go into mod rules or a set of guidelines	OPEN see actions
34	16	Proposer of development to facilitate development meetings		What if Proposer wanted to proceed directly to consultation? Group agreed that whilst we will proceed on a cooperative and common sense basis, there is no desire to changes the mod rules in this area at the moment.	CLOSED
35	16	The term "Work Group" may need refining/removing		The term workgroup will be used going forward, with no need to make the distinction between review and development groups. Hence the removal of the term 'Review group' (and 'development group'). The terms review and development will remain, however.	CLOSED see actions
36		Representative to provide secretariat services at Development and review groups	f	Administrative burden vs. financial burden. External contract involved. For the moment, the group is happy to carry on whilst increasing transparency and uniformity of notes/minutes with clear timescales for their production <del>No further action on this for the moment. Recommend to revisit in the</del>	CLOSED
37		Similar section to section 16 would be useful to clarify the area of development	f	The group feels that the mod rules could contain a greater level of detail on what development is and how it is carried out. This may require a mod.	ON HOLD pending actions
38	18	Further definition of the composition of DMR and FMR	f	The group feels that this element may not need any further work once the change packs have been implemented. This area is also pending work on the output of workgroups (HM) since it may be that a workgroup report goes some way to constituting the DMR in certain cases.	ON HOLD pending actions

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39	18.3	Removal of double consultation period. Inclusion of consultation from draft reports to be introduced	f	What was the original purpose of the extra step? Are all parties happy that panel system is sufficient to avoid badly conceived mods? The group agreed that this extra step can be removed to streamline the mod process and associated timescales.	CLOSED see actions
40	18.4	Link this to large transporter or other codes and agreements?		It is important that the impact on other codes and agreements is considered and so it would be useful to flag this on the mod template and DMR/FMR	CLOSED see actions
41	18.5 (D)	draft Final modification report		Links to Item 39	CLOSED
42	18.7	Could be an output of this group to produce this an recommend to the Panel that it is issued		The best practice document will be produced	CLOSED
43	19	Implementation. Should we consider allowing both big bang and phased implementations?	b	Takes into consideration the varying size of iGTs The group discussed at length the option to allow phased implementation, and to allow the proposer/panel to specify a preference, but no agreement was reached. See also item 45. HM to consider what change may be required here and report back	OPEN see actions
44	19	Derogations		Brand new provision? This will be part of the work in item 44. <b>Action:</b> MB to check SPAA paper on derogations	CLOSED
45	19	Lowest common denominator for implementation timescales.	b	Do rules (or Panel) need to consider varying size of Parties and ability to implement when suggesting an implementation date? To be discussed under item 43.	CLOSED
46	19.2	Modifications requiring system changes should have a minimum six month implementation period. (this is implicit in 19.2)	b,d	Should this be made explicit? No further action required	CLOSED

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47	19.3 19.4	Seems inconsistent that in one case the Representative does this and in the other the Pipeline Operators do	f	Can we give the Representative further obligations without contract negotiation? Housekeeping mod - could be "pipeline operator or their representative". Add to housekeeping mod.	CLOSED see actions
48	20.6	This is a duplication. To be removed.		Consent to modify? Check this wasn't picked up for the last consent to modify Include in housekeeping mod	CLOSED see actions
49		Representative to attend relevant UNC meetings to ensure effective liaison between GTs and iGTs	b	Shippers also provide a link No further action here - provide detail of discussion in final report	CLOSED
51		Proposer to recommend implementation date on all mod proposals	f	Change to mod proposal template? Recommendation taken into account when date is chosen. DONE	CLOSED
52		Default arrangement for stalemate at mod panel votes?		Suggestion of sending to standing group rather than delaying for a month. No, group agreed should be left as is.	CLOSED
53		Who provides legal text for alternative mods?		Potentially high number alternative mods is possible. Nothing can be done about this. Transporter responsibility to procure legal text. Normally, there would be very little difference between a mod and its alternative anyway.	CLOSED
54		Consultation response template		This would allow Gemserv and Authority to pick out views of respondent more easily, and reduces the chance of overlooking a particular point. DONE	CLOSED
55		Appeals to the mod panel		How does this work? The group agreed no need to build a complex set of rules for appeals. Common sense will prevail.	CLOSED

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56		Should there be an additional mention of 'cost' in 18.4?		Ofgem have indicated that this would be very useful in a lot of cases. Addition to drafting - modification required Addition to mod template recommended This will at least prompt consideration of cost at an early stage. It may <del>be that parties adopt a high/medium/low approach rather than indicating</del> Addition to drafting - modification required	CLOSED see actions
57		Panel to make a recommendation with reference to the relevant objectives			CLOSED see actions
58		Stalemate situations - what should be the default panel action upon non-agreement.		The group considered that the default situation should be 'send to standing workgroup' rather than delaying the mod for a month.	CLOSED
59	18.5	Currently states that panel will recommend an implementation date. In fact, it is the panel which <b>determines</b> the implementation date. Ofgem does not overrule this when accepting/rejecting a mod.		Requirement to rework this clause, otherwise it is not clear where the responsibility lies. But what if mod panel cannot agree? This should be recorded in the FMR and it should be left for Ofgem to determine one from a number of options? <del>For clarity, housekeeping mod could change 'recommend' to determine</del>	CLOSED
60		Appeals		Can an appeal be launched on the basis of an implementation date? Action: HM to produce paper on options for implementation dates, including discussion of other governance mechanisms such as MRA, the concept of majority within constituency, derogation as an option, big <del>bang and phased implementations, seeking Authority view or asking</del> Output of the development group goes back to panel. It is up to the proposer to issue the modification to the panel after development. HM is doing some work in this area.	CLOSED see actions
61		Development group output			CLOSED
62	18.5	Abstension		Is this a valid vote, for example if not enough information has been provided? Should never get to this stage, so this is not a valid way to vote	CLOSED
63	18.5(a)	"whether or not"		The group agreed it would be cleaner to remove "or not" in this clause, as it serves no purpose. Housekeeping mod	CLOSED see actions

Actions log

Item	Action	Responsible	Status
2	Add section to mod template to highlight IT implications	Unassigned	CLOSED
	Create mod response template	Unassigned	CLOSED
27	Create best practice document	David	open
3	Make addition to chairman's guidelines	Unassigned	CLOSED
5 and 14	Liaise with Gemserv re. process/guidelines for new entrants	David	open
9	Raise mod re. panel members changing company	Martin	open
12	Double check nothing has been missed from the issues identified in the Gemserv papers	Rosie	CLOSED
15	Addition to chairman's guidelines (UPDATE - no longer necessary as this will be in template)	Unassigned	CLOSED
22	Mod required for clarity (housekeeping mod)	Unassigned	open
32	Panel discussion and possible mod	David	open
23	Check history of alternative proposal timescales - speak to Joint Office	David	CLOSED
26	Raise mod to Clause 13.2 to make timescale specific	Colette	open
	Work up a structure for the Change Pack - consult with Gemserv who already run a similar system	Colette	open
33	Add some detail to the output of workgroups	Heidi	In progress
35	Raise a mod to remove all references to the term 'Review group' as the distinction serves no useful purpose going forward	Unassigned	on hold
36	iGTs to discuss and agree production of uniform documentation from workgroups	David	In progress
37	Consider further detail to the sections about review and development and report back to group	Rosie	In progress
39	Raise a mod to remove the concept of the draft final modification report	Lorraine	open
40	Add a section to the DMR/FMR and mod template to ensure consideration of these elements	Lorraine/David	open
43	Consider what, if anything, can be changed with regard to phased and big bang implementation	Heidi	In progress
10	Recommendation for final report	Chair	open
11	Mod required to increase opportunity to procure legal text	Unassigned	
28	Include section in Best Practice Guidelines on urgency	David	open
44	Check SPAA paper on derogations	Martin	open
47	Check all instances that need changing. Raise housekeeping mod.	Unassigned	open
48	Add to housekeeping mod	Unassigned	open
56	Raise a mod to make an addition to 18.4	Unassigned	open
56	Make an addition to the mod template to mention cost	Unassigned	open
57	Raise a mod to make an addition to 18.5 (b) to reference relevant objectives	Unassigned	open
	Recommend a further review after 12 months - to be included in final report	Chair	open
60	Produce paper on implementation dates	Heidi	open
	Recommend all mod documentation goes into the ancillary documentation repository	Chair	open
	Check SPAA schedules for any possible timescale matters (?)	Colette	open