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Queens House
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19th December 2013

Re: Consultation on Gas (Individual Standards of Performance) Regulations (Northern Ireland) 2014

Dear Lesley,

Thank you for the opportunity to respond to the Utility Regulator's (UR) "Consultation on Gas (Individual Standards of Performance) Regulations (Northern Ireland) 2014".

PNGL is cognisant that this consultation only seeks responses regarding the drafting of regulations, however, PNGL remain disappointed that UR seem to have disregarded a number of issues highlighted previously, concerning specific aspects to the guaranteed standards of service. These issues have been detailed in our response to URs consultation "Guaranteed Service Standards in Gas: Final Proposals, April 2012" and remain valid.

PNGL notes the current definition of a "working day" and would advise that this must be extended to include public holidays e.g. Easter Tuesday and 13th July, which are public holidays in Northern Ireland. PNGL suggests that the definition therefore reflects that approved by UR in the Gas Distribution Marketing Code, i.e.

"working day" means any day other than a Saturday, a Sunday, Christmas Eve and any other **"Non Business Day of the Distribution System Operator"**

"Non Business Day of the Distribution Operator" means the bank and public holidays observed by the Distribution System Operator listed below:

- New Year's Day*
- St Patrick's Day*
- Easter Monday
- Easter Tuesday
- Early May Day
- Late May Day
- 12th July*
- 13th July*
- Late August Holiday
- Christmas Day*
- Boxing Day*

*When the usual date falls on a Saturday or Sunday, the 'substitute day' is normally the following Monday. For example in 2013, St Patrick's Day was Sunday 17 March, so the substitute bank holiday was Monday, 18 March.

PNGL would advise that the working hours in Part 2 of Schedule 1 should reflect current practice i.e. 8:30am to 5pm each working day.

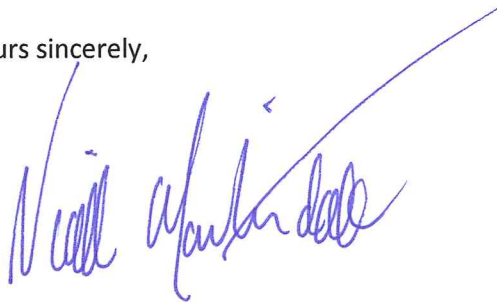
PNGL would also suggest that notifications should exclude those received by post or e-mail to avoid ambiguity with the commencement of the prescribed period, particularly where PNGL is tasked with responding within a matter of hours e.g. individual regulation 5 on pre-payment meters. PNGL would suggest that the words *"other than by post or e-mail"* are included in the appropriate regulations.

Licence Condition 2.13.3 states that PNGL must publish a statement of *"...its best estimate of Forecast Network Capacity Requirement in the following Gas Year which, having regard to historical weather and other data from at least the previous 50 years, is likely to be exceeded only in 1 year out of 20 years"*. This is inconsistent with UR's statement in paragraph 3.3 of the consultation that *"The systems of the gas distribution company are set up and tested to be capable of managing a 1 in 50 winter. Therefore we would not consider this event to be outside the control of the organisation."* PNGL's systems are set up and tested to be capable of managing a **1 in 20** winter. This must be factored into UR's reasoning of what it would consider to be a severe weather event.

Table 1, "Individual Standards of Performance and Payments ...", (Individual) Regulation 11, refers only to "Supply companies", however, within the detailed schedule, item 11 (1) refers to "...the gas supplier or **gas conveyor**...". It would be useful for UR to clarify to whom this standard applies.

I trust you find our comments useful and should you wish to discuss any items further, please do not hesitate to get in touch.

Yours sincerely,



Niall Martindale.