

Modification P63 – draft legal text

Section J

4.2.5 Subject to paragraph 4.2.6, paragraph 4.2.7 applies where:

- (a) a Supplier proposes to carry out, on any day, the replacement of any Supplier Agent(s) appointed in relation to Non Half Hourly SVA Metering Systems (an "**agent replacement**");
- (b) the PAB has for the time being determined a threshold number, in relation to Non Half Hourly SVA Metering Systems, for the purposes of paragraph (c)(i) or of paragraph (c)(ii);
- (c) the number of Non Half Hourly SVA Metering Systems subject to the proposed agent replacement, either:
 - (i) in aggregate, or
 - (ii) in any one SMRS,exceeds the applicable threshold number for the time being determined by the PAB.

4.2.6 Paragraph 4.2.7 shall not apply if:

- (a) the appointment of a replacement Supplier Agent(s) is to be made in consequence of the termination of the appointment of the existing Supplier Agent(s) either:
 - (i) pursuant to paragraph 4.2.2, or
 - (ii) as a result of the doing by, or occurrence in relation to, the existing Supplier Agent(s) of any of the things or events set out in Section H3.1.1(g) (construed as if references to the Defaulting Party were to the Supplier Agent); and
- (b) the Supplier gives a certificate to the PAB to the effect that the case falls within paragraph (a).

4.2.7 Where this paragraph applies:

- (a) the Supplier shall submit to the PAB, in accordance with BSCP 513, an application for approval to carry out the agent replacement, including:
 - (i) a proposed timetable and methodology for carrying out the agent replacement;
 - (ii) such confirmation as the PAB may require, from the Supplier, the existing Supplier Agent(s), the proposed replacement Supplier Agent(s) and each relevant SMRA, as to their respective abilities to manage and carry out the agent replacement;
 - (iii) such further details as may be required in accordance with BSCP 513;

and the Supplier shall not carry out the agent replacement without the prior approval of the PAB;

- (b) the Supplier shall discuss its application with the PAB, and/or provide such further information to the PAB, as the PAB may require in connection with its consideration of the application;
- (c) the PAB may require changes to the proposed timetable and methodology and/or may impose additional requirements for the agent replacement as a condition of giving its approval therefor;
- (d) the PAB shall consider the application and notify the Supplier whether it is approved as soon as reasonably practicable;
- (e) if the application is approved, the Supplier (if it decides to proceed) shall so notify BSCCo and shall carry out the agent replacement in accordance with the proposed timetable and methodology with such changes, and in accordance with such other requirements, as the PAB may have required under paragraph (c);
- (f) if the Supplier decides to proceed, BSCCo shall place on the BSC Website a statement to the effect that an agent replacement within paragraph 4.2.5 is to be carried out, specifying the date on which it is to be carried out and the SMRSs affected;

4.2.8 For the purposes of paragraphs 4.2.5 to 4.2.7, references to carrying out on a day the replacement of a Supplier Agent are to [implementing on that day the procedures under the Code for such replacement], irrespective of the date(s) from which such replacement is to be effective.

Section S

2.7.9 Each Supplier shall at all times hold the following data in relation to each SVA Metering System for which it is responsible:

- (a) the Meter Technical Details;
- (b) in the case of a Non Half Hourly SVA Metering System, the valid meter readings obtained for each relevant Settlement Register on each of the latest two occasions on which meter readings were obtained, and the latest valid values of Estimated Annual Consumption and Annualised Advance¹.

2.7.10 If a Supplier appoints a replacement Supplier Agent in relation to any SVA Metering System in the circumstances set out in Section J4.2.6(a)(i) or (ii) the Supplier shall provide to the replacement Supplier Agent the following data:

- (a) in the case of the replacement of a Meter Operator Agent, the data held by the Supplier pursuant to paragraph 2.7.9(a);
- (b) in the case of a Non Half Hourly Data Collector, the data held by the Supplier pursuant to paragraph 2.7.9(b).

¹ It should be noted that the volume of data to be transferred is being presented to SVG for consideration on 6 August 2002 (SVG/19/237), therefore the precise data transfer requirements may change.