

Appendix 3

DECISION PUBLISHED PURSUANT TO ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATIONS TO LICENCES TO CONVEY GAS

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 (“the Gas Order”) the Northern Ireland Authority for Utility Regulation (“the Authority”) published a notice (“the Consultation Notice”) of its intention to modify the licences to convey gas (granted under Article 8(a) of the Gas Order) as detailed in Annex A of this notice (“the Conveyance Licences”).

In accordance with Article 14(5) of the Gas Order the Authority has considered representations duly made to it in response to the Consultation Notice. The Authority has decided to proceed with the making of modifications of the conditions of the Licence in exercise of its power under Article 14(1) of the Gas Order.

In accordance with Article 14(8) of the Gas Order the Authority gives notice as follows:

1. The modifications are to the conditions of the Licence as set out in chapter 3 of the Notice and Decision on Energy Theft Code of Practice Licence Modifications Paper dated 27 November 2018 (“the Notice and Decision Paper”).
2. Details of the modifications are set out in chapter 3 of the Notice and Decision Paper and in Annex B of this notice.
3. The reasons for the licence modifications are set out in chapter 3 of the Notice and Decision Paper.
4. The effects of the licence modifications are set out in chapter 3 of the Notice and Decision Paper.
5. How the Authority has taken account of the representations made to it in response to the Consultation Notice are set out in chapter 3 of the Notice and Decision Paper.

6. The reason for any differences between the modifications to be implemented and those proposed in the Consultation Notice are set out in chapter 3 of the Notice and Decision paper.
7. The Authority has, pursuant to Article 14(8)(a) of the Gas Order, published this notice on its website. In addition the Authority has sent a copy of this notice to the Licensee, the Department for the Economy and also to the General Consumer Council for Northern Ireland.
8. The modifications shall take effect on 29 January 2019.
9. A copy of the modifications can be obtained in hard copy from:

Richard Hume
Utility Regulator
Queens House
14 Queen Street
Belfast
BT1 6ED
e-mail: richard.hume@uregni.gov.uk



Jenny Pyper

For and on behalf of the Northern Ireland Authority for Utility Regulation

Dated 27 November 2018

Annex A

THE CONVEYANCE LICENCES

	Licensee	Address
1	Phoenix Natural Gas Limited	197 Airport Road West Belfast BT3 9ED
2	Firmus Energy (Distribution) Limited	Units A4 and A5 Kilbegs Business Park Antrim BT41 4LZ
3	Scotia Gas Networks Northern Ireland Ltd	3rd Floor 83/85 Great Victoria Street Belfast BT2 7AF

Annex B

Condition 2.20: Code of Practice for the Theft of Gas

1. The Licensee shall (and shall procure that its Agents or Sub-contractors shall) comply with the obligations applicable to it under, the Code of Practice for the Theft of Gas.
2. The Authority, following consultation with the Licensee, the Consumer Council for Northern Ireland and any other person who in the opinion of the Authority is likely to be interested or affected, may from time to time make such modifications to the Code of Practice for the Theft of Gas, as the Authority considers necessary or expedient.
3. In order to comply with the obligations of the Code of Practice for the Theft of Gas, the Licensee shall establish and comply with Procedures to facilitate the prevention, detection, investigation (and management of the outcome of investigation) of the theft of gas.
4. In this Condition:

Code of Practice for the Theft of Gas means the relevant document of that name, prepared and published from time to time by the Authority, relating to the activities for the prevention, detection, investigation (and management of the outcome of investigation) of the theft of gas;

Procedures means the detailed industry procedures established, maintained, and from time to time amended, which set out the procedures and practices to be followed by the Licensee to ensure its compliance with the Code of Practice for the Theft of Gas.

Agents or Subcontractors means any person directly or indirectly authorised to represent the Licensee in its dealings with gas consumers or other Licensees.