

## MEMORANDUM

TO: GTAC Stakeholders  
FROM: First Gas  
DATE: 27 August 2018  
RE: Block 3 Outputs – 3 Confidentiality

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This memo describes details of the proposed changes to the confidentiality provisions in the GTAC. These proposed terms follow on from discussions at the workshop on Wednesday, 23 August 2018 as documented at that meeting.

The proposed confidentiality drafting changes are provided in Appendix 1 of this memo. Stakeholders will have an opportunity to comment on these provisions and help to shape them during the Drafting Feedback workshops on 4-6 September. Stakeholders will also be able to submit on these provisions once the GTAC is issued for consultation in mid-September.

### **Final Assessment Paper (FAP) findings**

The findings of the FAP relating to confidentiality were summarised in the GTAC work programme as follows:

- Should have ability for other parties to identify material as confidential (106)
- CA should be required for authorised disclosure (106)
- MPOC clearer on obligation on FG not to disclose confidential information (106)
- Shipper should have an ability to appoint an auditor (106)
- Link between confidentiality and termination
- Requirements to publish information

## Positions reached

The following positions were reached during the workshop. The way these points have been addressed is given in the table below.

Item	Addressed by
The GTAC needs to allow parties to identify which information is confidential. First Gas to remove reference to acting reasonably in proposed section 20.3 drafting for consistency with other parts of the GTAC	Changes to section 20.3 to allow parties to identify confidential information prior to disclosure
The confidentiality obligations should be the same on all parties	Change to section 20.3 to make the obligations reciprocal
There should be a clearer obligation to hold confidential information confidential	Changes to section 20.4 to clarify the requirements on all parties
Permitted disclosure to third parties should require confidentiality	New section 20.5 provides for this requirement.
The GTAC should contain a right of audit accepted	New sections 20.6 to 20.8 inserted to provide for an audit right

## Points raised during discussion

The following points were raised during the discussion for further consideration:

- Stakeholders to reflect on whether they could accept publication of the existence of an outage on OATIS for unscheduled outages only.
- Regulatory process to be pursued to improve transparency of outage information.

First Gas proposed that the existence of timing of all outages should be made available to all OATIS users. There was a lack of consensus on this point.

First Gas does require information on outages is provided to First Gas to allow for operation of the transmission system. Requiring this information in the GTAC is a step forward from the current codes.

We would prefer that this information is made available but understand that this position is not accepted by all stakeholders. We therefore seek input from stakeholders as to whether the existence of an unplanned outage can be made public.

While there is some consensus that transparency is desirable, this is a scheme that will require careful consideration and GIC oversight. We are therefore pleased to recommend that outage information be treated as a separate workstream after GTAC is complete.

**We request that stakeholders provide feedback on the first point during the Drafting Feedback workshops on 4-6 September.**