

UNIFIED CODE OF OPERATIONS  
PART A

DEFINITIONS  
INTERPRETATION

---

VERSION ~~1.0~~1.01  
~~DRAFT FOR POST-CONSULTATION~~ DRAFT  
~~22 DECEMBER 2004~~ 18 FEBRUARY 2005

---

## IMPORTANT NOTE

~~The Commission directed Bord Gáis Éireann to develop legal drafting of the Unified Code of Operations ("UCOP") to reflect the Business Rules published by the Commission on 23 July 2004 and the underlying principles of the GMOWG Business Models, and to publish the legal drafting so developed for consultation with industry. The consultation legal drafting has been published in two phases. The Phase One and Phase Two sections of the UCOP were published for consultation by the Commission on 8 October 2004 and 19 November 2004 respectively. An Interim [Consultation Legal Drafting in respect of](#) Part A (*Definitions and Interpretation*) section was published with both the Phase One and Phase Two documents, containing the key definitions not otherwise defined in the consultation legal drafting which were considered helpful to understanding the Phase One and Phase Two sections. The attached Part A (*Definitions and Interpretation*) comprises the defined terms used within the Phase One and Phase Two sections of the UCOP including all terms defined in the Interim Part A (*Definitions and Interpretation*) sections previously published. For the avoidance of doubt, the definitions reflect the drafting of the Phase One and Phase Two sections as published on 8 October 2004 and 19 November 2004 and have not been updated to reflect developments arising out of consultations with the Commission and industry participants that have taken place in the interim period. The attached represents [consultation was published on the 22<sup>nd</sup> December 2004.](#) The attached represents the legal drafting of Part A (*Definitions and Interpretation*) of the UCOP ~~and is being circulated for consultation with all~~ [re-drafted by Bord Gáis Éireann in accordance with directions of the Commission, following consultation with](#) industry participants including the Commission, Shippers and the Transporter. ~~The Transporter, therefore, reserves its position accordingly.~~~~

## Part A

1.	Definitions.....	4
2.	Interpretation.....	<u>383</u>
	<u>7</u>	

1. **DEFINITIONS**

1.1 In this Code:

"**Act**" means the Gas (Interim) (Regulation) Act 2002;

"**Active Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.14;

"**Active Back-Up Entry Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.16;

"**Active DM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.18;

"**Active Entry Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.15;

"**Active Exit Capacity**" means Active LDM Exit Capacity, Active DM Exit Capacity and/or Active NDM Exit Capacity (as the case may be);

"**Active LDM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.17;

"**Active LDM Supply Point Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.19;

"**Active NDM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.18;

"**Active Supply Point Capacity**" means that part of a Shipper's Supply Point Capacity which comprises Active Capacity on a Day;

"**ADT Request**" has the meaning given to it Part E (*Balancing and Shrinkage*) Section 1.9.4;

["Affected Party" has the meaning given to it in Part I \(Legal and General\) Section 3.2.1\(a\);](#)

"**Affiliate**" in relation to either the Transporter or a Shipper means:

- (a) a company or corporation which is either a holding company or a subsidiary of such party; or
- (b) a company or corporation which is a Subsidiary of a holding company of which such party is also a subsidiary,

and the words "**holding company**" and "**subsidiary**" shall have the same meaning assigned to them, regardless of the place of incorporation of the Party, as in Section 155 of the Companies Act 1963;

"**After Day Trade**" or "**ADT**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.9.1;

"**After Day Trade Buy**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.9.3;

"**After Day Trade Sell**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.9.2;

"**Aggregate Primary DM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.6;

"**Aggregate Primary NDM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.8;

"**Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(a);

"**Ancillary Agreement**" means an agreement between the Transporter and one or more Shippers providing for certain arrangements which are ancillary to the provision of transportation services under this Code and which is entered into pursuant to any provision of this Code which contemplates that such an arrangement may be entered into or which expressly provides that it constitutes an "Ancillary Agreement for the purposes of this Code" and shall include a LDM Agreement and a BGT Systems Access Agreement;

"**Annual Capacity Days**" has the meaning given to it in Part C (*Capacity*) Section 5.2.1(b);

"**Annual Consumption**" means, in respect of each Shipper's offtake at an Offtake Point, the Shipper's actual offtake for the previous Gas Year(s) or the anticipated offtake by the Shipper for the following Gas Year;

"**Annual Disbursements Account Deficit**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.10;

"**Annual Disbursements Account Excess**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.9;

"**Annual Disbursements Account Payments**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.7(b);

"**Annual Disbursements Account Receipts**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.7(a);

"**Annual Invoice**" has the meaning given to it in Part I (*Legal and General*) Section 11.3.2;

"**Annual Liability Cap**" has the meaning given to it in Part I (*Legal and General*) Section 2.5;

"**Annual Quantity**" means:

- (a) in respect of an Offtake Point at which there has been a Shipper registered for a minimum period of twelve (12) Months, the quantity of Natural Gas offtaken in respect of such Offtake Point over the immediately preceding twelve (12) Month period; or

(b) in respect of a Proposed Offtake Point, the quantity of Natural Gas which is anticipated to be offtaken at the Proposed Offtake Point over the first twelve (12) Month period following a Shipper becoming the Registered Shipper in respect of such [Proposed](#) Offtake Point;

"**Annual Reconciliation Statement**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 3.2.4;

"**Anticipated Offshore Operational Outage**" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(ji);

"**Applicant**" has the meaning given to it in Part I (*Legal and General*) Section 12.1.1;

["Audit Report" has the meaning give to it in Part H \(Operations\) Section 1.12.4;](#)

"**Authorised Overrun**" means an overrun ~~at an Entry Point or LDM Offtake approved by the Commission as specified in~~ [incurred by a Shipper to a power plant which is certified pursuant to the provisions of](#) Part C (*Capacity*) Section ~~10.5.5~~ [10.5](#) (*Authorised Overruns*);

"**Authorised Overrun Charge**" has the meaning given to it in Part C (*Capacity*) Section ~~10.5.11~~ [10.5.10](#);

"**Authorised Overrun Enquiry**" has the meaning given to it in Part C (*Capacity*) Section 10.5.1;

["Authorised Overrun Mechanism" shall mean the rules and requirements as published from time to time by the Commission in respect of the authorisation of an overrun to be incurred by a Shipper to a power plant;](#)

"**Authorised Representative**" means a person or persons with appropriate authority and responsibility within a Shipper's or End User's (as the case may be) organisation who is nominated to act as the primary contact for the Transporter where this Code so requires;

"**Available Active Entry Capacity**" has the meaning given to it in Part H (*Operations*) Section 2.5.2;

"**Available Active Exit Capacity**" means "[Available](#) **Active LDM Exit Capacity**", "**Available Active LDM Supply Point Capacity**", "**Available Aggregate Active DM Capacity**", "**Available DM Exit Capacity**" and/or "**Available DM Supply Point Capacity**", as the case may be;

"**Available Active LDM Exit Capacity**" has the meaning given to it in Part H (*Operations*) Section 2.7.5(a);

"**Available Active LDM Supply Point Capacity**" has the meaning given to it in Part H (*Operations*) Section 2.7.5(c);

"**Available Aggregate Active DM Exit Capacity**" has the meaning given to it in Part H (*Operations*) Section 2.7.5(e);

"**Available DM Exit Capacity**" has the meaning given to it in Part H (*Operations*) Section 2.7.5(b);

"**Available DM Supply Point Capacity**" has the meaning given to it in Part H (*Operations*) Section 2.7.5(d);

"**Back-Up Capacity Booking**" means a Shipper's booking of Back-Up Capacity at an Entry Point arising from the Transporter's acceptance of a Back-Up Capacity Request;

"**Back-Up Capacity Booking Period**" has the meaning given to it in Part C (*Capacity*) Section 4.2.1;

"**Back-Up Capacity Request**" has the meaning given to it in Part C (*Capacity*) Section 4.2.2;

~~"**Back-Up Capacity Requirement**" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(b);~~ "**Back-Up Capacity Reservation Charge**" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(ed);

"**Back-Up Capacity Tariff**" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(eb);

"**Back-Up Entry Capacity**" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(a);

"**Back-Up Entry Point**" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(dc);

"**Balancing Action**" means a Balancing Gas Buy or a Balancing Gas Sell under a Balancing Gas Contract in respect of a Day;

"**Balancing Charges**" means the Daily Imbalance Charge(s) and the System Imbalance Charge(s);

"**Balancing Gas**" means Natural Gas pursuant to a Balancing Gas Contract;

"**Balancing Gas Buy**" means the acquisition by the Transporter of a quantity of Natural Gas pursuant to a Balancing Gas Contract;

"**Balancing Gas Contract**" means an agreement between the Transporter and a supplier of Natural Gas (being a Shipper or a Third Party Shipper) to provide Natural Gas to maintain a safe operation of the Transportation System;

"**Balancing Gas Sell**" means the disposal by the Transporter of a quantity of Natural Gas pursuant to a Balancing Gas Contract;

"**bar**" has the meaning specified or defined in ISO 1000:1981(E);

"**Beattock Measurement Equipment**" means the Measurement Equipment (excluding the Moffat Measurement Equipment) at the Moffat Entry Point

operated and maintained by the Transporter in accordance with the CSA for the Moffat Entry Point;

"Benefiting Shipper" has the meaning given to it in Part H (Operations) Section 1.11.2;

"**BGT Systems**" means the electronic information systems (as modified from time to time) used by the Transporter and Shippers for certain transportation and network related activities and as contemplated by this Code;

"**BGT Systems Access Agreement**" means the agreement of that name as may be entered into by the Transporter and a Shipper in such form as agreed from time to time between the Transporter and the Commission;

"**Business Day**" means any period during which banks are normally open for business on a day (not being a Saturday or Sunday or a day on which banks are generally closed for business in the city of Dublin);

"**Calorific Value**" or "**Gross Calorific Value**" means that number of Mega Joules produced by the complete combustion at a constant absolute pressure of 1.01325 bar of one (1) standard cubic meter of gas at fifteen (15) degrees Celsius with excess air at same temperature and pressure as the gas when the products of combustion are cooled to fifteen (15) degrees Celsius and when the water formed by combustion is condensed to the liquid state and the products of combustion contain the same total mass of water vapor as the gas and air before combustion; and for the avoidance of doubt calorific value shall be REAL as defined in ISO6976:1995;

"**Capacity Booking**" means an Entry Capacity Booking, a Back-Up Capacity Booking and/or the Shipper's registration as the Registered Shipper at a DM Offtake or a NDM Supply Point;

"**Capacity Charges**" means the capacity component of the applicable Tariff;

"**Capacity Overrun**" means an Entry Capacity Overrun, an Exit Capacity Overrun or a Supply Point Capacity Overrun, as the case may be;

"**Capacity Overrun Charges**" means an Entry Capacity Overrun Charge, an Exit Capacity Overrun Charge or a Supply Point Capacity Overrun Charge (as the case may be);

"**Capacity Overruns Disbursements Accounts**" means the Entry and Exit Capacity Overrun Disbursements Account or the Supply Point Capacity Overrun Disbursements Account (as the case may be);

"**Capacity Register**" has the meaning given to it in Part C (*Capacity*) Section 12.1;

"**Cash Neutral**" means, in respect of certain commitments or arrangements as identified within this Code and/or any relevant Ancillary Agreement, such commitments or arrangements as will result in no financial gain or loss for the



Transporter fulfilling its obligations under this Code and/or any relevant Ancillary Agreement;

"**Change of Configuration Request**" has the meaning given to it in Part F (*Administration*) Section 3.1.3;

"**Change of Shipper**" means a change made by the GPRO in accordance with the Change of Shipper Procedures to the Registered Shipper at a DM Offtake ~~point~~ or a NDM Supply Point whereby such Shipper is replaced as the Registered Shipper at such DM Offtake or NDM Supply Point by a different Shipper;

"**Change of Shipper Procedures**" means the Procedures of that name published by the GPRO from time to time with the approval of the Commission (and as incorporated within the GPRO Procedures);

"**Change of Shipper Request**" means a request by a Shipper to become the Registered Shipper in respect of a DM Offtake or a NDM Supply Point in accordance with the Change of Shipper Procedures;

"**Code**" or "**Code of Operations**" means this code of practice for the operation of the Transportation System (as amended, modified or revised) which governs certain aspects of the relationship between the Transporter and the Shippers on the Transportation System;

"**Commission for Energy Regulation**" or "**Commission**" shall mean the body established ~~by pursuant to Section 8 of the Electricity Regulation Act, 1999 as amended by the Gas Act, and having the powers and functions as prescribed in the Act and the Gas~~ Act;

"**Commodity Charges**" means the commodity component of the applicable Tariff;

"**Common Curtilage**" means an enclosed area of land occupied by a single End User;<sup>+</sup>

"**Competent Authority**" means the Department, Commission or any local, national or supra-national agency, authority, department, inspectorate, official, court, tribunal or public or statutory person (whether autonomous or not) of the European Union (including [the European Parliament and Council](#) and any Member State ~~thereof~~ [of the European Union](#)) or the Isle of Man (or the respective governments thereof) which has jurisdiction where relevant over the Transporter or the Transportation System in relation to any provision contained herein;

"**Confidential Information**" has the meaning given to it in Part I (*Legal and General*) Section 9.1.1;

"**Connected System**" means a transportation system upstream of the Transportation System (including, for the avoidance of doubt, any

---

<sup>+</sup> ~~Part F (*Administration*) Section 3.1.2 to be amended to include a new sub-section (f) which shall read "be used for a common purpose".~~

transportation systems or facilities upstream of the Transportation System which may not have been constructed or be in operation at the coming into force of this Code);

"**Connected System Agreement**" or "**CSA**" means an agreement of any description entered into by the Transporter and a Connected System Operator containing specific provisions applicable to an Entry Point;

"**Connected System Exit Point**" means an Exit Point on the Transportation System at which a Connected System is connected to the Transportation System;

"**Connected System Operator**" means the operator of a Connected System;

"**Consequential Loss**" means losses, damages and expenses (including legal expenses) whether or not foreseeable in respect of loss of use of property, loss of contract, profit, production (other than unavoidable loss of production directly caused by a party) or revenue, or business interruption, or other economic or consequential losses, or increased costs of working of either party (and/or Third Parties) howsoever caused under or in connection with this Code and/or any Ancillary Agreement;

"**Contract Year**" means the twelve (12) Month period commencing on:

- (a) the Entry Capacity Booking Effective Date with respect to Entry Capacity or any anniversary thereof; and/or
- (b) the LDM Capacity Booking Effective Date with respect to LDM Exit Capacity and/or LDM Supply Point Capacity or any anniversary thereof;

"**Control**" has the meaning given to it in Part I (*Legal and General*) Section 4.6.3;

"**Consumer Price Index**" or "**CPI**" means the consumer price index (all items) of Ireland as published by the Central Statistics Office in Ireland or such other replacement index as may be published from time to time and approved by a Competent Authority. Any reference in this Code to an amount being adjusted in accordance with the CPI shall mean adjustment by multiplying such amount by the following formula:

$$\text{CPI}_Y / \text{CPI}_0$$

where:

$\text{CPI}_Y =$  the average of the monthly values of Consumer Price Index for the twelve (12) months ending three (3) months prior to the start of the last preceding Gas Year; and

$\text{CPI}_0 =$  the average of the monthly values of the Consumer Price Index for the twelve (12) months ending three (3) months prior to the Gas Year starting on 1 October, 1999;

"**Daily Imbalance Charge**" means a charge calculated in accordance with Part E (*Balancing and Shrinkage*) Section 1.6.5 (*Daily Imbalance Charges*);

"**Daily Imbalance Quantity**" means an Initial Daily Imbalance Quantity or a Revised Daily Imbalance Quantity or a Final Daily Imbalance Quantity, as the case may be;

"**Daily Read Equipment**" means equipment that enables Meter Reads to be obtained by the Transporter remotely at set intervals and comprises:

- (a) a device for capturing from the meter, and/or (where installed) a convertor, data which constitutes or permits the derivation of a Meter Read; and
- (b) equipment required for transmitting such data to the Transporter;

"**Day**" means a period beginning at 06:00 hours on any day and ending at 06:00 hours on the following day;

"**day**" means a calendar day;

"**Day D**" or "**D**" means the Day on which ~~any provision of an activity pursuant to this Code is expressed to apply~~ scheduled or requested to occur or should have occurred;

"**Day D+1**" or "**D+1**" means the Day immediately following Day D and references in this Code to "**D +**" or "**D-**" followed by a number shall be construed accordingly;

"**Default Notice**" has the meaning given to it in Part I (*Legal and General*) Section 4.4.1(a);

"**Defaulting Party**" has the meaning given to it in Part I (*Legal and General*) Section 4.4.1;

"**Deferral Request**" has the meaning given to it in Part C (*Capacity*) Section 5.1.12;

"**Delivery Characteristics**" means the actual components and properties of the Natural Gas;

"**Department**" shall mean the Department of Communications Marine and Natural Resources or such other government department as shall have jurisdiction over the Transporter from time to time;

"**Deregistration Application**" has the meaning given to it in Part F (*Administration*) Section 1.8.2;

"**Difficult Day**" has the meaning given to it in Part H (*Operations*) Section 2.2.1;

"**Directive**" means any present or future directive, regulation, request, requirement, instruction, code of practice, the Transportation Licences,

Shipping Licence, direction or rule of any Competent Authority (but only, if not having the force of law, if it is reasonable in all the circumstances for it to be treated as though it had legal force), and any modification, extension or replacement thereof;

"**Disbursements Account**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.1;

"**Disclosing Party**" has the meaning given to it in Part I (*Legal and General*) Section 9.1.3;

"**Discontinuing Shipper**" has the meaning given to it in Part I (*Legal and General*) Section 9.5.2;

"**Dispute**" has the meaning given to it in Part I (*Legal and General*) Section 6.1.1~~(a)~~;

"**Dispute Notice**" has the meaning given to it in Part I (*Legal and General*) Section ~~6.1.3~~6.3;

"**Distribution Licence**" means the Natural Gas Distribution Licence granted to the Transporter by the Commission pursuant to Section 16 (1) (b) of the Act on 7 October 2004;

"**Distribution System**" means the Transporter's distribution pipelines (as that term is defined in the Act) that are designed to operate at a pressure of sixteen (16) bar or below, and all associated and ancillary facilities to such pipeline system owned and/or operated by the Transporter;

"**Distribution System Shrinkage Costs**" means Shrinkage Costs attributed to the Distribution System;

"**Distribution System Shrinkage Factor**" means a factor expressed as a percentage, approved by the Commission and published by the Transporter from time to time;

"**Distribution System Shrinkage Gas**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.1.1;

"**DM**" or "**Daily Metered**" has the meaning given to it in Part F (*Administration*) Section 2.1.2(b);

"**DM Exit Allocation**" means an Exit Allocation for a Shipper at or in respect of DM Offtakes at which the Shipper is a Registered Shipper made in accordance with the provisions of Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.7.2;

"**DM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.5;

"**DM Exit Capacity Overrun**" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(f);

"**DM Exit Capacity Overrun Quantity**" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(i);

"**DM Exit Capacity Revision Request**" has the meaning given to it in Part C (*Capacity*) ~~section~~[Section](#) 6.6.1;

"**DM Exit Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(m);

"**DM Offtake**" means either a DM Supply Point or a TCDM Exit Point;

"**DM Supply Point**" means a point at which Natural Gas is offtaken from the Distribution System and comprises one or more DM Gas Points within a Common Curtilage serving a single End User;

"**DM Supply Point Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.10;

"**DM Supply Point Capacity Overrun**" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(m);

"**Due Date**" has the meaning given to it in Part I (*Legal and General*) Section 11.4.1;

"**Effective Date**" has the meaning given to it in Part C (*Capacity*) Section 6.6.2(a);

"**Electricity Act**" means the Electricity Regulation Act 1999;

"**Emergency**" has the meaning given to it in Part H (*Operations*) Section 1.1.1;

["Emergency Report" has the meaning given to it in Part H \(Operations\) Section 1.12.1;](#)

"**Emergency Steps**" has the meaning given to it in Part H (*Operations*) Section 1.2.1;

"**End of Day Quantity**" or "**EODQ**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(f);

"**End User**" means any third party which has entered into an agreement with a Shipper to purchase and/or utilise Natural Gas to be offtaken from the Transportation System by that Shipper at an Offtake Point. [For the avoidance of doubt, an End User shall not include a Connected System Operator or a person offtaking Natural Gas for onward delivery through a Connected System;](#)

"**End User's Facilities**" means any facilities, equipment or other property of an End User, or of a Shipper downstream of an Offtake Point, in respect of which Natural Gas is offtaken from the Transportation System at such Offtake Point(s), which Natural Gas is to be used in respect of such End User's Facilities (including any plant or equipment in which Natural Gas is compressed or otherwise treated before being consumed);

**"Entry Allocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(b);

**"Entry Allocation Agent"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(w);

**"Entry and Exit Capacity Overrun Disbursements Account"** means an account of that name established by the Transporter pursuant to Part C (*Capacity*) Section 11.1;

**"Entry Capacity"** has the meaning given to it in Part C (*Capacity*) Section 1.1.1;

**"Entry Capacity Booking"** has the meaning given to it in Part C (*Capacity*) Section ~~2.2.5~~2.2.6;

**"Entry Capacity Booking Period"** has the meaning given to it in Part C (*Capacity*) Section 2.2.1(b);

**"Entry Capacity Booking Reference"** has the meaning given to it in Part C (*Capacity*) Section 12.4;

**"Entry Capacity Charges"** has the meaning given to it in Part C (*Capacity*) Section 2.3.1;

**"Entry Capacity Effective Date"** has the meaning given to it in Part C (*Capacity*) Section 2.2.1(a);

**"Entry Capacity Overrun"** has the meaning given to it in Part C (*Capacity*) Section 10.2.1(b);

**"Entry Capacity Overrun Charge"** has the meaning given to it in Part C (*Capacity*) Section 10.3.3;

**"Entry Capacity Overrun Quantity"** has the meaning given to it in Part C (*Capacity*) Section 10.2.1(c);

**"Entry Capacity Quantity"** has the meaning given to it in Part C (*Capacity*) Section ~~2.2.5~~2.2.6;

**"Entry Capacity Request"** has the meaning given to it in Part C (*Capacity*) Section 2.2.1;

**"Entry Capacity Trade"** has the meaning given to it in Part C (*Capacity*) Section 3.1.2;

**"Entry Capacity Trade Quantity"** has the meaning given to it in Part C (*Capacity*) Section 3.1.4(d);

**"Entry Capacity Trade Reduction Request"** has the meaning given to it in Part C (*Capacity*) Section 3.3.1;

**"Entry Capacity Trade Reference"** has the meaning given to it in Part C (*Capacity*) Section 12.7(a);

**"Entry Capacity Trade Registration Request"** has the meaning given to it in Part C (*Capacity*) Section 3.1.4;

**"Entry Capacity Trade Update Request"** has the meaning given to it in Part C (*Capacity*) Section 3.2.1;

**"Entry Nomination"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(g);

**"Entry Overrun Tolerance"** has the meaning given to it in Part C (*Capacity*) Section 10.3.1(a);

**"Entry Point"** means a point at which Natural Gas is (or may in the future be) transferred from a Connected System (including, for the avoidance of doubt, any systems or facilities which may be constructed after the coming into force of this Code) to the Transportation System including the Moffat Entry Point and the Inch Entry Point;

**"Entry Point Adjustment Quantity"** has the meaning given to it in Part G (*Technical*) Section 4.5.4;

**"Entry Point Measurement Provisions"** has the meaning given to it in Part H (*Operations*) Section 3.1.2(c);

**"Entry Point Procedures"** has the meaning given to it in Part H (*Operations*) Section 3.5.1;

**"Entry Point Requirements"** has the meaning given to it in Part H (*Operations*) Section 3.1.2;

**"Entry Point Transfer"** has the meaning given to it in Part C (*Capacity*) Section 5.1.1;

**"Entry Point Transfer Cancellation Request"** has the meaning given to it in Part C (*Capacity*) Section 5.1.15;

**"Entry Point Transfer Effective Date"** has the meaning given to it in Part C (*Capacity*) Section 5.1.2;

**["Entry Point Transfer Reference" has the meaning given to it in Part C \(Capacity\) Section 12.7\(b\);](#)**

**"Entry Point Transfer Request"** has the meaning given to it in Part C (*Capacity*) Section 5.1.6;

**"Entry Point Variance Percentage"** means the percentage variance between the MeDQ and EODQ at an Entry Point on a Day calculated in accordance with Part E (Balancing and Shrinkage) Section 1.8.2;

**"Entry Point Variance Tolerance"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.7.7;

**"Entry Reallocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(d);

**"Entry Renomination"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(h);

**"Entry Scheduling Charge"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.10.1(a)(i);

**"Entry Scheduling Charge Quantity"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.10.1(a)(iv);

**"Entry Scheduling Quantity"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.10.1(a)(ii);

**"Entry Scheduling Tolerance"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.10.1(a)(iii);

**"Entry Specification"** means has the meaning given to it in Part G (*Technical*) Section 1.1.1;

**"Entry Tolerance"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.7.2;

**"Estimated Distribution System Shrinkage Gas"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.1(a);

**"Estimated Transmission System Shrinkage Gas"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.1(b);

**"Estimated Transportation System Shrinkage Gas"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.1(c);

**"EURIBOR"** means, in relation to any amount to be advanced to, or owing by either the Transporter or a Shipper hereunder on which interest for a given period is to accrue:

- (a) the percentage rate per annum equal to the offered quotation which appears on the page of the Telerate Screen which displays an average rate of the European Banking Federation for the Euro (being currently pages 248 & 249) for such period at or about 11:00 a.m. (Central European Time) on the quotation date for such period or, if such page or such service shall cease to be available, such other page or such other service for the purpose of displaying an average rate of the Banking Federation of the European Union as the Transporter shall select; or
- (b) if no quotation for the Euro for the relevant period is displayed and the Transporter has not selected an alternative service on which a quotation is displayed, the arithmetic mean (rounded upwards to four decimal places) of the rates (as notified to the Transporter) at which each of the Reference Banks was offering to prime banks in the European interbank market deposits in the Euro of an equivalent amount for such period at or above 11:00 a.m. (Central European Time) on the quotation date;



"Euro" or "€" means the single currency of participating member states of the European Union (as described in any EMU legislation);

"Exit Allocation" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(f);

"Exit Capacity" has the meaning given to it in Part C (*Capacity*) Section 1.1.2;

"Exit Capacity Booking Reference" has the meaning given to it in Part C (*Capacity*) Section 12.5;

"Exit Capacity Charges" has the meaning given to it in Part C (*Capacity*) Section 6.9.1;

"Exit Capacity Overrun" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(d);

"Exit Capacity Overrun Charge" has the meaning given to it in Part C (*Capacity*) Section 10.4.5(a);

"Exit Capacity Transfer" has the meaning given to it in Part C (*Capacity*) Section 8.1.1(a);

~~"Exit Capacity Transfer Period" has the meaning given to it in Part C (*Capacity*) Section 8.3.2(f);~~

"Exit Capacity Transfer Reduction Request" has the meaning given to it in Part C (*Capacity*) Section 8.6.1;

"Exit Capacity Transfer Reference" has the meaning given to it in Part C (*Capacity*) Section 12.7(c);

"Exit Capacity Transfer Request" has the meaning given to it in Part C (*Capacity*) Section 8.1.1(b);

"Exit Capacity Transfer Update Request" has the meaning given to it in Part C (*Capacity*) Section 8.5.1;

"Exit Nomination" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(j);

"Exit Point" means a LDM Exit Point or a TCDM Exit Point;

"Exit Reallocation" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(k);

"Exit Renomination" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(k);

"Exit Scheduling Charges" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.10.3(a)(i);

"Exit Scheduling Charge Quantity" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.10.3(a)(iii);

"**Exit Scheduling Tolerance**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.10.3(a)(ii);

"**Exit Tolerance**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.7.3;

~~"**Expert**" means the person appointed in accordance with Part I (*Legal and General*) Section 6.3 (*Expert Determination*);~~

"**Final Daily Imbalance Quantity**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.5.3;

"**Final Distribution System Shrinkage Gas Attribution**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.3(d);

"**Final DM Exit Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(m);

"**Final Entry Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(e);

"**Final Exit Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(l);

"**Final Inputs**" means the quantity calculated pursuant to Part E (*Balancing and Shrinkage*) Section 1.5.3;

"**Final LDM Exit Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(n);

"**Final NDM Exit Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(o);

"**Final Outputs**" means the quantity calculated pursuant to Part E (*Balancing and Shrinkage*) Section 1.5.3;

"**Final Supply Point Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(s);

"**Final Transmission System Shrinkage Gas Attribution**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.3(e);

"**Financial Security Policy**" means the Policy of that name published by the Transporter from time to time approved by the Commission; ~~"**First Commercial Gas**" means Natural Gas (other than commissioning gas) produced from a New Gas Source and available for delivery to the Transmission System at an Entry Point;~~

"**First Commercial Gas Date**" means the Day on which Natural Gas (other than commissioning gas) is first produced from a New Gas Source and made available for delivery to the Transmission System at an Entry Point;

"**First Shipper**" has the meaning given to it in Part H (Operations) Section 1.11.2;

"**First Tier Imbalance Price**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.6.1(c);

"**First Tier Imbalance Quantity**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.6.1(a);

"**Flow Rate**" means the rate of flow of Natural Gas expressed in kW;

"**Force Majeure**" has the meaning given to it in Part I (*Legal and General*) Section 3.1.1;

"**Forum**" has the meaning given to it in Part I (*Legal and General*) Section ~~1.3~~1.2.1;

"**Framework Agreement**" means the agreement of that name entered into between the Transporter and a Shipper, whereby the Transporter and the Shipper agree to be bound by the terms of this Code;

"**Gas Act**" means the Gas Act 1976;

"**Gas Point**" is a metered point at which Natural Gas may be offtaken from the Transportation System for the purposes of supplying Natural Gas to an End User's Facilities;

"**Gas Point Classification**" has the meaning given to it in Part F (*Administration*) Section 2.1.1;

"**Gas Point Register**" or "**GPR**" has the meaning given to it in Part F (*Administration*) Section 4.2;

"**Gas Point Registration Number**" or "**GPRN**" means the unique registration number allocated by the GPRO to a Gas Point;

"**Gas Point Registration Operator**" or "**GPRO**" has the meaning given to it in the Transmission Licence;

"**Gas Source**" means an offshore gas field and associated facilities for production, processing and transportation of Natural Gas from a gas field to an Entry Point, and authorised pursuant to a Petroleum Lease (including, for the avoidance of doubt, an addendum to a Petroleum Lease), and including, for the avoidance of doubt, any upstream facilities connecting the Gas Source to the Transportation System;

"**Gas Year**" means the period of time beginning at 06:00 hours from 1 October of any year to 06:00 hours on 1 October of the next succeeding calendar year;

"**GPRO Procedures**" means the Procedures of that name published by the GPRO from time to time and approved by the Commission;

"**household customers**" has the meaning given to it in Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003;

"**Hydrocarbon Dewpoint**" means the temperature at which gaseous hydrocarbons within Natural Gas condense to form liquids;

"**IBP**" means the Irish Balancing Point, a notional point on the Transmission System at which IBP Sell Nominations, IBP Buy Nominations, IBP Sell Renominations and IBP Buy Renominations are transacted;

"**IBP Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(t);

"**IBP Buy Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(v);

"**IBP Buy Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(s);

"**IBP Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(p);

"**IBP Renomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(q);

"**IBP Sell Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(u);

"**IBP Sell Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(r);

~~"**IEI**" means the Institution of Engineers of Ireland;~~

"**Imbalance Gas Transportation Costs**" means the costs associated with the delivery of Natural Gas from the UK NBP to the Transportation System calculated by the Transporter, approved by the Commission and published by the Transporter from time to time;

"**Implied Nomination Flow Rate**" or "**INFR**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(u);

"**Inch Entry Point**" or "**Inch**" means the flange, weld or other agreed mark at the final outlet from the Inch delivery facilities and connecting the Inch delivery facilities to the Transportation System;

"**Inch Operator**" means the operator of the Inch delivery facilities;

"**Initial Daily Imbalance Quantity**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.5.1;

**"Initial Distribution System Shrinkage Gas Attribution"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.3(c);

**"Initial DM Exit Allocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(i);

**"Initial Entry Allocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(c);

**"Initial Entry Allocation Adjustment Request"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.5.4;

**"Initial Exit Allocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(g);

**"Initial Exit Allocation Adjustment Request"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.8.2;

**"Initial Inputs"** means the quantity calculated pursuant to Part E (*Balancing and Shrinkage*) Section 1.5.1;

**"Initial LDM Exit Allocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(h);

**"Initial NDM Exit Allocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(j);

**"Initial Outputs"** means the quantity calculated pursuant to Part E (*Balancing and Shrinkage*) Section 1.5.1;

**"Initial Supply Point Allocation"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(q);

**"Initial Transmission System Shrinkage Gas Attribution"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.3(e);

**"Instantaneous Energy Rate"** means the Instantaneous Flow Rate multiplied by the applicable Calorific Value expressed in kWh that is being delivered at an Entry Point or offtaken at an Offtake Point;

**"Instantaneous Flow Rate"** means the volume of Natural Gas measured in mscm/Day as being delivered at an Entry Point or offtaken at an Offtake Point at any moment in time;

**"Interconnector Treaty"** has the meaning given to it in Part I (*Legal and General*) Section 12.10.2;

"**Interconnector Treaties**" means the Interconnector Treaty and the Second Interconnector Treaty;

"**Invoice**" has the meaning given to it in Part I (*Legal and General*) Section 11.1.2(a);

"**Invoice Amount**" has the meaning given to it in Part I (*Legal and General*) Section 11.1.2(c);

"**Invoice Item**" has the meaning given to it in Part I (*Legal and General*) Section 11.1.2(b);

"**Isolation**" means the physical isolation of a Gas Point, by the disconnection of the equipment or facilities at the Gas Point, or the removal of the meter at the Gas Point in order to prevent the flow of Natural Gas to the End-User's Facilities. For the avoidance of doubt, Isolation will not occur in the event that a meter is locked;

"**Joule**" means the Joule as defined in ISO 1000 - 1981(E);

"**Kilowatt Hour**" and its abbreviation "**kWh**" shall mean three million six hundred thousand (3,600,000) Joules;

"**Kilowatt**" and its abbreviation "**kW**" shall mean one thousand (1000) Joules/sec;

"**LDM**" or "**Large Daily Metered**" has the meaning given to it in Part F (*Administration*) Section 2.1.2(a);

"**LDM Agreement**" means an agreement relating to a LDM Offtake Point entered into by the Transporter and a Shipper in such form as may be agreed from time to time between the Transporter and the Commission;

"**LDM Capacity Booking Effective Date**" means the first Day of a Shipper's LDM Capacity Booking Period pursuant to a LDM Agreement;

"**LDM Capacity Booking Period**" means the period in respect of which a Registered Shipper to a LDM Offtake has booked LDM Exit Capacity and/or LDM Supply Point Capacity (as relevant) which shall commence on the first Day of a calendar month and which shall be of twelve (12) Months in duration and in multiples of twelve (12) Months thereafter in accordance with the relevant LDM Agreement;

"**LDM Exit Allocation**" means an Exit Allocation for a Shipper at or in respect of a LDM Offtake made in accordance with the provisions of Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.7.1;

"**LDM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.4;

"**LDM Exit Capacity Overrun**" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(e);

**"LDM Exit Capacity Overrun Quantity"** has the meaning given to it in Part C (*Capacity*) Section 10.2.1(h);

**"LDM Exit Point"** means a point at which Natural Gas is offtaken from the Transmission System and comprises one or more LDM Gas Points within a Common Curtilage serving a single End User;

**"LDM Exit Nomination"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(l);

**"LDM Offtake"** means a LDM Exit Point or a LDM Supply Point (as the context so requires);

**"LDM Supply Point"** means a point at which Natural Gas is offtaken from the Distribution System and comprises one or more LDM Gas Points within a Common Curtilage serving a single End User;

**"LDM Supply Point Capacity"** has the meaning given to it in Part C (*Capacity*) Section 1.1.9;

**"LDM Supply Point Capacity Overrun"** has the meaning given to it in Part C (*Capacity*) Section 10.2.1(l);

**"LDM Supply Point Capacity Title Transfer"** has the meaning given to it in Part C (*Capacity*) Section 9.1.3;

**"LDM Supply Point Capacity Title Transfer Reduction Request"** has the meaning given to it in Part C (*Capacity*) Section 9.3.1;

**"LDM Supply Point Capacity Title Transfer Reference"** has the meaning given to it in Part C (*Capacity*) Section 12.7(d);

**"LDM Supply Point Capacity Title Transfer Request"** has the meaning given to it in Part C (*Capacity*) Section 9.1.6;

**"LDM Supply Point Capacity Title Transfer Update Request"** has the meaning given to it in Part C (*Capacity*) Section 9.2.1;

**"Legal Requirement"** means any enactment of the Oireachtas/Parliament and/or any Directive;

**"M+7"** means the Day which is seven (7) Days after the end of a calendar month;

**"Maintenance"** has the meaning given to it in Part G (*Technical*) Section 5.1.3(a);

**"Maintenance Days"** has the meaning given to it in Part G (*Technical*) Section 5.1.3(b);

**"Maintenance Programme"** has the meaning given to it in Part G (*Technical*) Section 5.3.2;

"**Maximum Flow Rate**" means the maximum Instantaneous Flow Rate (expressed as mscm/~~day~~Day) at any time during the Day for a Shipper's Natural Gas to be Offtaken at an Offtake Point;

"**Maximum Hourly Quantity**" or "MHQ" shall mean the maximum hourly offtake rate (expressed in kWh) at any time during the Day for a Shipper's Natural Gas delivered to an Entry Point or to be offtaken at an Offtake Point;

"**Measurement Equipment**" has the meaning given to it in Part G (*Technical*) Section 3.2.1;

"**Measurement Provisions**" has the meaning given to it in Part G (*Technical*) Section 3.1.2;

~~"**Mediator**" has the meaning given to it in Part I (*Legal and General*) Section 6.2.1;~~

"**Meter Data Services**" means any services in connection with the delivery to Shippers of meter reading data in respect of NDM Gas Points including the provision of NDM Gas Point meter reading services;

"**Meter Data Services Procedures**" means the Procedures of that name published by the Transporter from time to time and approved by the Commission;

"**Metered Delivered Quantity**" or "MeDQ" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.1.1;

"**Meter Fit**" means the activities undertaken by the Transporter pursuant to Siteworks as comprising the final installation of a meter at all the Gas Points configured within an Offtake Point, for the purpose of recording the quantity of Natural Gas to be offtaken at such Gas Point(s) and the taking of an opening Meter Read at such Gas Point(s) in order to allow the offtake of Natural Gas at such Offtake Point;

"**Meter Lock**" shall mean the locking of a meter at all the Gas Points configured within a DM Offtake or NDM Supply Point and the taking of a closing read at such Gas Point(s) in order to prevent the offtake of Natural Gas at such DM Offtake or NDM Supply Point which shall include a Shipper Requested Lock and may include a Safety Lock;

"**Meter Read**" means:

- (a) the reading of the index of the meter; and
- (b) where a convertor is installed, the converted and unconverted readings of the convertor; and/or
- (c) where there is Daily Read Equipment, the read obtained or derived from such Daily Read Equipment;



**"Meter Read Query Resolution Policy"** means the Policy of that name published by the Transporter from time to time and approved by the Commission;

**"Meter Unlock"** means, for the purposes of Part F (*Administration*), the unlocking of any meter at all the Gas Points configured within an Offtake Point that have been locked in any way by or on behalf of the Transporter and the taking of an opening Meter Read at such Gas Point(s) in order to allow the offtake of Natural Gas at such Offtake Point;

**"Modification"**, **"Modify"** or **"Modified"** has the meaning given to it in Part I (*Legal and General*) Section 1.1;

**"Moffat CSA"** means the Connected System Agreement relating to the Moffat Entry Point;

**"Moffat Entry Point"** or **"Moffat"** means the flange, weld or other agreed mark at the final outlet from the Moffat delivery facilities and connecting the Moffat delivery facilities to the Transportation System;

**"Month"** means a period beginning at 06:00 hours on the first (1<sup>st</sup>) day of any calendar month and ending at 06:00 hours on the first (1<sup>st</sup>) day of the next succeeding calendar month and the word **"Monthly"** shall be construed accordingly;

**"Monthly Disbursements Account Deficit"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.6;

**"Monthly Disbursements Account Excess"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.5;

**"Monthly Disbursements Account Payments"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.3(b);

**"Monthly Disbursements Account Receipts"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.3(a);

**"Monthly Disbursements Credit"** has the meaning given to it in Part E (*balancing and Shrinkage*) Section 1.4.5;

**"Monthly Disbursements Liability"** has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.4.6;

**"Monthly Invoice"** has the meaning given to in Part I (*Legal and General*) Section 11.3.1;

**"Monthly Reconciliation Statement"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 3.2.3;

**"mscm"** means millions of standard cubic metres (of Natural Gas);

**"mscm/Day"** means millions of standard cubic metres (of Natural Gas) per Day;

"**Multiple Shipper**" means two or more Shippers that are Registered Shippers to the same Offtake Point;

"**Multiple Shipper LDM Offtake**" means a Multiple Shipper LDM Exit Point or a Multiple Shipper LDM Supply Point;

"**Multiple Shipper LDM Supply Point**" has the meaning given to it in Part C (*Capacity*) Section 9.1.2;

"**Natural Gas**" means any hydrocarbons or mixture of hydrocarbons and all associated gases consisting primarily of methane which at 15°C and at atmospheric pressure is (or are) predominantly in a gaseous state;

"**Natural Gas Appliance**" means a connected, properly adjusted and maintained appliance (fuelled by Natural Gas) that household customers could reasonably be expected to use and which is operated in a manner, and for a purpose, for which it has been designed;

"**NDM**" or "**Non Daily Metered**" has the meaning given to it in Part F (*Administration*) Section 2.1.2(c);

"**NDM Allocation Procedure**" means the Procedure of that name published by the Transporter from time to time and approved by the Commission;

"**NDM Exit Allocation**" means an Exit Allocation made in accordance with the provisions of Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.7.3;

"**NDM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.7;

"**NDM Exit Capacity Overrun Quantity**" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(j);

"**NDM Exit Capacity Overrun**" has the meaning given to it in Part C (*Capacity*) Section ~~2.1~~[10.2.1](#)(g);

"**NDM Exit Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(n);

"**NDM Forecast Tolerance**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.7.5;

"**NDM Meter Read**" means a Meter Read with respect to a NDM Gas Point;

"**NDM Nomination Advice**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.6.1;

"**NDM Renomination Advice**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.6.2;

"**NDM Supply Point**" means a point at which Natural Gas is offtaken from the Distribution System and comprises one or more NDM Gas Points within a Common Curtilage serving a single End User;

"**NDM Supply Point Allocation**" means a Supply Point Allocation made in accordance with Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.7.3(b);

"**NDM Supply Point Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.11;

"**Network Emergency**" has the meaning given to it in the Transmission Licence;

"**Network Emergency Manager**" has the meaning given to it in the Transmission Licence;

"**New Entry Point**" has the meaning given to it in Part C (*Capacity*) Section 5.1.1;

"**New Gas Source**" means mean a new offshore gas field which is the subject matter of a new Petroleum Lease or an addendum to an existing Petroleum Lease from which Natural Gas has not previously been delivered and is made available for delivery from an offshore production facility;

"**Nominated Quantity**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(e);

"**Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(a);

"**Nomination End Time**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.2.1(a);

"**Nomination Start Time**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.2.1(a);

"**Non-Business Day**" means a Day which is not a Business Day;

"**Non-Compliant Gas**" has the meaning given to it in Part G (*Technical*) Section 1.3.2;

"**Non-Defaulting Party**" has the meaning given to it in Part I (*Legal and General*) Section 4.4.1;

"**non-household customers**" has the meaning given to it in Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003;

"**Non-TPA**" means a Gas Point which is configured within a NDM Supply Point at which Natural Gas is offtaken from a Distribution System for consumption by household customers;

"**Non-TPA Shipper**" means a Shipper which offtakes Natural Gas from the Transportation System at Non TPA Supply Point;

"NSAI" means National Standard Authority of Ireland;

"NTS" means the national transmission system of Transco and is that network of pipelines belonging to Transco in its capacity as a licensed public gas transporter in the UK under the United Kingdom Gas Act 1986;

"Offshore Back-Up Entry Capacity" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(~~fe~~);

"Offshore Operational Outage" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(~~ih~~);

"Off-Spec Gas" has the meaning given to it in Part G (*Technical*) Section 1.5.1;

"Offtake Point" means a LDM Offtake, a DM Offtake or a NDM Supply Point (as the context so requires);

"Offtake Specification" has the meaning given to it in Part G (*Technical*) Section 1.1.2;

"Onshore Back-Up Entry Capacity" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(~~ef~~);

"Onshore Scotland Transmission System" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.5(a)(i);

"Operating Action" means any action taken by the Transporter in accordance with Part I (*Legal and General*) Section 12.3 (*Operating Actions*);

"Operational Flow Order" or "OFO" has the meaning given to it in Part H (*Operations*) Section 2.1.1;

"Operational Outage" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(~~hg~~);

"Original Entry Point" has the meaning given to it in Part C (*Capacity*) Section 5.1.1;

["Other Party" has the meaning given to it in Part I \(\*Legal and General\*\) Section 3.2.1\(b\);](#)

"Over Delivery" means the delivery to the Transportation System by a Shipper of a quantity of Natural Gas on a Day that is greater than the Shipper's Nominated Quantity on the Day;

"Overrun Charge" means an Entry Capacity Overrun Charge or Exit Capacity Overrun Charge or Supply Point Overrun Charge (as the case may be);

"Overrun Quantity" has the meaning given to it in Part C (*Capacity*) ~~section~~[Section](#) 10.2.1(a);

"Own Use Gas" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.1.2;

"Parties" unless otherwise defined in this Code, means the Transporter and each Shipper that has executed a Framework Agreement, and "Party" is construed accordingly;

"Petroleum Lease" means a lease issued pursuant to the provisions of the Petroleum and Other Minerals Development Act, 1960 (as amended) or any statutory enactment amending or replacing the same or an analogous lease or authorisation process of any other competent authority authorising the production of Natural Gas;

"Permitted Range" has the meaning given to in Part G (*Technical*) Section 4.2.1;

"Personal Data" has the meaning given to it in Part I (*Legal and General*) Section 9.1.4;

"Plant Trip" means the unexpected technical failure of an End User's Facilities to operate on any Day under the anticipated operating conditions for that Day;

"Policy" means a policy under this Code which the Commission from time to time agrees may be treated as a Policy for the purposes of this Code;

"Primary Capacity" has the meaning given to it in Part C (*Capacity*) Section 1.1.12 and references to "Primary Entry Capacity", "Primary Exit Capacity", "Primary LDM Exit Capacity", "Primary LDM Supply Point Capacity", "Primary DM Exit Capacity", "~~Primary Supply Point Capacity~~", "~~Primary LDM Exit Capacity~~", "~~Primary LDM Supply Point Capacity~~", "DM Supply Point Capacity", "Primary NDM Exit Capacity", and "Primary Back-Up Entry Capacity" shall be construed accordingly;

~~"Priority Customer"~~<sup>2</sup>; "Procedures" means procedures under this Code which the Commission from time to time agrees may be treated as Procedures for the purposes of this Code including the GPRO Procedures, the Meter Data Services Procedures, the Forecasting, Allocation and Reconciliation Procedures and the Siteworks Procedures and any procedures included in the list published by the Transporter pursuant to Part I (*Legal & General*) Section ~~1.22~~12.9 but which, for the avoidance of doubt, does not include the Entry Point Procedures;

"Proposed DM Offtake" means a point at which it is anticipated an appropriate Annual Quantity of Natural Gas may be offtaken from the Transportation System, at which there is no Registered Shipper and in respect of which a Meter Fit request has been submitted to the Transporter;

"Proposed NDM Supply Point" means a point at which it is anticipated an appropriate Annual Quantity of Natural Gas may be offtaken from the Distribution System, at which there is no Registered Shipper and in respect of which a Meter Fit request has been submitted to the Transporter;

---

<sup>2</sup> ~~To be defined.~~

"Proposed LDM Offtake" means a point at which it is anticipated an appropriate Annual Quantity of Natural Gas may be offtaken from the Transportation System, at which there is no Registered Shipper and in respect of which an application for an LDM Agreement has been submitted to the Transporter;

"Proposed Offtake Point" means a Proposed DM Offtake, a Proposed NDM Supply Point or a Proposed LDM Offtake, as appropriate;

"PTL" means Premier Transco Limited (together with its permitted successors and/or assigns);

"PTL Agreement" means the agreement entered into between PTL and BGE (UK) Limited dated 21 August 1996 (as amended, novated, modified, supplemented, revised or replaced from time to time);

"Quarter" means a period of three (3) months, with each successive Quarter commencing at 06:00 hrs on 1 October, 1 January, 1 April and 1 July respectively;

"Reasonable and Prudent Operator" or "RPO" means a person seeking in good faith to perform its contractual obligations and, in so doing and in the general conduct of its undertaking, exercising that degree of skill, diligence, prudence and foresight which would reasonably and ordinarily be expected of a skilled and experienced operator complying with applicable law and engaged in the same type of undertaking and under the same or similar circumstances and conditions, and the expression "the standard of a Reasonable and Prudent Operator" shall be construed accordingly;

"Receiving Party" has the meaning given to it in Part I (*Legal and General*) Section 9.1.5;

"Reconciliation Charging Adjustments" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 3.2.2;

"Reconciliation Procedures" means the procedures of that name published by the Transporter from time to time;

"Reconciliation Quantity" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 3.2.1;

"Reference Banks" means the principal Dublin offices of Allied Irish Bank, Bank of Ireland and Ulster Bank or such banks as may be appointed as such by the Transporter after consultation with the Shippers;

"Registered Shipper" means a Shipper which is registered at an Entry Point and/or an Offtake Point in accordance with Part F (*Administration*) Section 1 (*Registered Shipper*);

"Relevant Offtake Facility" means (a) in the case of an Exit Point, the Shipper's and/or the End User's Facilities; and (b) in the case of a Connected System Exit Point, the Connected System;

**"Renominated Quantity"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(e);

**"Renomination"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(b);

**"Renomination Effective Time"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.8.1;

**"Renomination End Time"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.2.5(b);

**"Renomination Start Time"** has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.2.5(b);

**"Restricted Capacity"** has the meaning given to it in Part H (*Operations*) Section 2.7.1;

**"Restricted Capacity Day"** has the meaning given to it in Part H (*Operations*) Section 2.3.1;

**"Restricted Capacity Percentage"** has the meaning given to it in Part H (*Operations*) Section 2.5.2(a);

**"Restricted Entry Capacity Day"** has the meaning given to it in Part C (*Capacity*) Section 4.1.1(k);

**"Retained Primary Capacity"** has the meaning given to it in Part C (*Capacity*) Section 1.1.20;

**"Retained Primary DM Exit Capacity"** has the meaning given to it in Part C (*Capacity*) Section 8.1.1(g);

**"Retained Primary Entry Capacity"** means Entry Capacity that is Retained Primary Capacity;

**"Retained Primary Exit Capacity"** has the meaning given to it in Part C (*Capacity*) Section 8.1.1(e);

**"Retained Primary LDM Exit Capacity"** has the meaning given to it in Part C (*Capacity*) Section 8.1.1(f);

**"Retained Primary LDM Supply Point Capacity"** has the meaning given to it in Part C (*Capacity*) Section 9.1.1;

**"Retained Primary NDM Exit Capacity"** has the meaning given to it in Part C (*Capacity*) Section 8.1.1(h);

**"Revised Daily Imbalance Quantity"** means an Initial Daily Imbalance Quantity that has been revised in accordance with Part E (*Balancing and Shrinkage*) Section 1.5.2;



"Safety Lock" shall mean the locking of a meter at a Gas Point configured within a DM Offtake or an NDM Supply Point for reasons of physical or operational safety. For the avoidance of doubt a Safety Lock shall not require the locking of all meters configured within a DM Offtake or an NDM Supply Point;

"Scheduled Maintenance" has the meaning given to it in Part G (*Technical*) Section 5.1.3(c);

"Scheduling Charges" means Entry Scheduling Charges and/or Exit Scheduling Charges;

"Secondary Capacity" has the meaning given to it in Part C (*Capacity*) Section 1.1.13 and references to "Secondary Entry Capacity" and "Secondary Exit Capacity" shall be construed accordingly;

"Secondary Exit Point" has the meaning given to it in Part C (*Capacity*) Section 8.4.4;

"Secondary Instrumentation" means that part of the Measurement Equipment which is not primary metering equipment for measuring gas flow but which may include instrumentation for the sampling and/or analysis of Natural Gas;

"Second Interconnector Treaty" has the meaning given to it in Part I (*Legal and General*) Section 12.10.2;

"Second Tier Imbalance Price" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.6.1(d);

"Second Tier Imbalance Quantity" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.6.1(b);

~~"Service Lock" means the locking of the meters at all the Gas Points configured within a DM Offtake or a NDM Supply Point requested by the Registered Shipper at that DM Offtake or NDM Supply Point and in respect of which there is no active End User;~~

"Shipper" means any person that holds a Shipping Licence and has entered into a Framework Agreement to include, and be deemed to include, Bord Gáis Energy Supply including where it acts as a Non-TPA Shipper with the Transporter and/or any relevant Ancillary Agreement to transport Natural Gas through the Transportation System or any part thereof for offtake at an Exit Point or a Supply Point, whether for its own use or for use by a Third Party as an End User;

"Shipper Portfolio Tolerance" means the single absolute tolerance quantity calculated in accordance with Part E (*Balancing and Shrinkage*) Section 1.7;

"Shipper Requested Lock" shall mean the locking of all meters at all Gas Points configured within a DM Offtake or an NDM Supply Point at the request of the Registered Shipper at such DM Offtake or NDM Supply Point and which request is undertaken for reasons other than physical or operational safety;



"**Shipper's Specific Termination Notice**" has the meaning given to it in Part I (*Legal and General*) Section 4.2.4;

"**Shipping Licence**" means a Natural Gas Supply/Shipping Licence granted by the Commission pursuant to Section 16 of the Act;

"**Shoulder Period**" means the months of October, November, April and May;

"**Shrinkage Costs**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.3.1;

"**Shrinkage Gas**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.1.3;

"**Shrinkage Gas Contract(s)**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.2.1;

~~"**Siteworks**" has the meaning given to it in Part F (Administration) Section 6.2;~~

"**Siteworks**" means works or services undertaken by the Transporter on behalf of a Shipper at or in connection with a DM Offtake, an NDM Supply Point or a Proposed DM Offtake or a Proposed NDM Supply Point and shall include works or services which may be requested or provided in accordance with a Shipper's Siteworks Agreement;

~~"**Siteworks Agreement**" means any agreement relating to Siteworks as may be entered into by the Transporter and between the Shipper and/or an End User in such form as agreed from time to time between the Transporter and the Commission and the Transporter pursuant to which works are undertaken by the Transporter to facilitate the connection of End User site to the Transportation System and which may include an Operational Siteworks Services Agreement;~~

"**Siteworks Procedures**" means the Procedures of that name published by the Transporter from time to time and approved by the Commission;

"**Specific Termination Notice**" means a Transporter's Specific Termination Notice or a Shipper's Specific Termination Notice (as the context so requires) issued pursuant to Part ~~4~~I (*Legal and General*) Section ~~4.2.1~~4.2;

"**Sub-Sea and Ireland Transmission System**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.4.5(a)(ii);

"**Summer Period**" means the period from and including 1 June up to and including 30 September;

"**Supply Point**" means a LDM Supply Point, a DM Supply Point or a NDM Supply Point;

"**Supply Point Allocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(p);

"**Supply Point Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.3;

"**Supply Point Capacity Overrun**" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(k);

"**Supply Point Capacity Overrun Charge**" has the meaning given to it in Part C (*Capacity*) Section 10.6.3(a);

"**Supply Point Capacity Overrun Disbursements Account**" means the account of that name established by the Transporter pursuant to Part C (*Capacity*) Section 11.2;

"**Supply Point Capacity Overrun Quantity**" has the meaning given to it in Part C (*Capacity*) Section 10.2.1(n);

"**Supply Point Capacity Reference**" has the meaning given to it in Part C (*Capacity*) Section 12.6;

"**Supply Point Reallocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(r);

~~"**Supply Point Reallocation**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 2.2.1(r);~~

"**Supply Point Registration Number**" or "**SPRN**" means the unique registration number allocated by the GPRO to a Supply Point;

"**Suspension Cancellation Notice**" has the meaning given to it in Part I (*Legal and General*) Section 4.1.5;

"**Suspension Notice**" means a notice issued pursuant to Part I (*Legal and General*) ~~Sections~~Section 4.1.1 ~~or 4.11.6~~;

"**System Imbalance Charges**" means the costs incurred and amounts received by the Transporter in connection with any Balancing Action taken by the Transporter on a Day;

"**System Marginal Buy Price**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.6.1(d)(ii)(2);

"**System Marginal Sell Price**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 1.6.1(d)(i)(2);

"**System Stock**" means the quantity of Natural Gas contained within the Transportation System at the beginning of each Day;

"**Tariff**" means the applicable charges in respect of the transmission or distribution of Natural Gas utilising the ~~Transportation~~Transportation System (or any part thereof), determined by the Transporter in accordance with any Legal Requirement or direction of the Commission and published by the Transporter from time to time with the approval of the Commission;

"**Tariff Adjustment Amount**" has the meaning given to it in Part C (*Capacity*) Section 5.2.3;

"**Tariff Rebate**" has the meaning given to it in Part C (*Capacity*) Section 5.2.2;

"**Termination Notice**" means a notice issued pursuant to Part I (*Legal and General*) Section 4.4 (*General Termination Rights*);

"**Third Party**" means a person who can demonstrate to the reasonable satisfaction of the Transporter [and/or the Commission](#) that such person has a direct interest in this Code including an End User, an operator of a Connected System, a bona fide future Shipper and a bona fide future operator of a Connected System;

"**Third Party Shipper**" means any third party from which a Shipper receives or is entitled to receive Natural Gas at an Entry Point for transportation through the Transportation System;

"**Total Available Entry Capacity**" has the meaning given to it in Part H (*Operations*) Section 2.5.2(a);

"**Transco**" is that entity of National Grid Transco plc responsible for transportation of Natural Gas in the NTS;

"**Transferee Shipper**" has the meaning given to it in Part C (*Capacity*) Section 3.1.1 or in Part C (*Capacity*) Section 8.1.1(d) or in Part C (*Capacity*) Section 9.1.3 or Part [AE](#) (*Balancing and Shrinkage*) Section 1.9.1, as appropriate;

"**Transferor Shipper**" has the meaning given to it in Part C (*Capacity*) Section 3.1.1 or in Part C (*Capacity*) Section 8.1.1(c) or in Part C (*Capacity*) Section 9.1.3 or Part [AE](#) (*Balancing and Shrinkage*) Section 1.9.1, as appropriate;

"**Transmission Connected DM Exit Point**" or "**TCDM Exit Point**" means a point at which Natural Gas is offtaken from the Transmission System and comprises one or more DM Gas Points within a Common Curtilage serving a single End User;

"**Transmission Licence**" means the Natural Gas Transmission Licence granted to the Transporter by the Commission pursuant to Section 16.1(b) of the Act on 17 September 2004;

"**Transmission Minimum Pressure**" has the meaning given to it in Part G (*Technical*) Section 1.2.1;

"**Transmission System**" means the Transporter's transmission pipelines (as that term is defined in the Act) that are designed to operate at a pressure above sixteen (16) bar, and includes the Onshore Scotland Transmission System, the Sub-Sea and Ireland Transmission System and all associated and ancillary facilities to such pipeline system owned and/or operated by the Transporter;

"**Transmission System Shrinkage Costs**" means Shrinkage Costs attributed to the Transmission System;

"**Transmission System Shrinkage Gas**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.1.4;

"**Transportation Licences**" means the Distribution Licence and the Transmission Licence;

"**Transportation System**" means the Transmission System and the Distribution System;

"**Transporter**" means Bord Gáis Éireann and its permitted successors and/or assigns acting in its capacity as ~~licensee~~licensee under its Transportation Licences;

"**Transporter Determined DM Supply Point Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.22;

"**Transporter Determined NDM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.23;

"**Transporter Determined NDM Supply Point Capacity**" has the meaning given to it in Part C (*Capacity*) Section 1.1.24;

"**Transporter Recommended DM Exit Capacity**" has the meaning given to it in Part C (*Capacity*) Section ~~1.1.22~~1.1.21;

"**Transporter Recommended LDM Supply Point Capacity**" has the meaning given to it in Part C (*Capacity*) Section ~~1.1.24~~1.1.25;

"**Transporter's Specific Termination Notice**" has the meaning given to it in Part I (*Legal and General*) Section 4.2.1;

"**UK Network Code**" means the Network Code prepared by Transco pursuant to its gas transportation licence, as from time to time modified under the said licence;

"**Unaccounted For Gas**" has the meaning given to it in Part E (*Balancing and Shrinkage*) Section 2.1.5;

"**Unanticipated Offshore Operational Outage**" has the meaning given to it in Part C (*Capacity*) Section 4.1.1(~~k~~j);

"**Under Delivery**" means the delivery to the Transportation System by a Shipper of a quantity of Natural Gas on a Day that is less than the Shipper's Nominated Quantity on the Day;

"**Upstream Operator**" means an operator of a transportation system upstream of the Transportation System (including, for the avoidance of doubt, any transportation systems or facilities upstream of the Transportation System which may not have been constructed or be in operation at the coming into force of this Code);

"**Valid Entry Nomination**" has the meaning given to it, as appropriate, in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(i);

"**Valid Entry Renomination**" has the meaning given to it, as appropriate, in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(i);

"**Valid Exit Nomination**" has the meaning given to it, as appropriate, in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(o);

"**Valid Exit Renomination**" has the meaning given to it, as appropriate, in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(o);

"**Valid IBP Buy Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(t);

"**Valid IBP Buy Renomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(t);

"**Valid IBP Nomination**" has the meaning given to it, as appropriate, in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(t);

"**Valid IBP Renomination**" has the meaning given to it, as appropriate, in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(t);

"**Valid IBP Sell Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(t);

"**Valid IBP Sell Renomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(t);

"**Valid Meter Read**" means a Meter Read that has been subject to, and not rejected in accordance with, the Transporter's validation checks (as amended from time to time);

"**Valid Nomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(c);

"**Valid Renomination**" has the meaning given to it in Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.1.1(d);

"**Water Content**" means the amount of water in Natural Gas measured in mg/m<sup>3</sup> which condenses to form water droplets;

"**Water Dewpoint**" means the temperature at which water vapour within Natural Gas condenses to form water droplets;

"**Wilful Misconduct**" means, in relation to the Transporter or a Shipper, a wilful or deliberate disregard for its obligations under this Code or any

Ancillary Agreement with the intent to create or confer a material commercial advantage on the Transporter or Shipper or to deprive the other party of commercial advantage;

"**Winter Period**" means the period from and including 1 December up to and including 31 March;

"**Within-Day Exit Capacity Transfer**" has the meaning given to it in Part C (*Capacity*) Section 8.4.2;

"**Within-Day Exit Capacity Transfer Request**" has the meaning given to it in Part C (*Capacity*) Section 8.4.3; and

"**Zero Imbalance Position**" means in relation to a Shipper's Nominations and Renominations on a Day the Zero Imbalance Position determined in accordance with Part D (*Nominations, Allocations and NDM Supply Point Reconciliation*) Section 1.3.

## 2. INTERPRETATION

- 2.1 Unless the context otherwise requires any reference in this Code or any Ancillary Agreement:
- 2.1.1 to a particular Part, Section or Appendix is to a Part, Section or Appendix of this Code;
  - 2.1.2 in a particular Part to a particular Section is to a Section of that Part;
  - 2.1.3 to a statute, by-law, regulation, delegated legislation or order shall be construed as being to a statute, by-law, regulation or order of Ireland;
  - 2.1.4 to the word "**including**" or to the word "**include**" shall be construed without limitation;
  - 2.1.5 to a person shall be construed as a reference to any person, firm, company, corporation, government or agency of a state or any association or partnership (whether or not having separate legal personality) or two or more of the foregoing;
  - 2.1.6 to the singular shall include the plural and vice versa;
  - 2.1.7 to a "**day**", "**month**" and "**year**" shall be to a calendar day, calendar month and calendar year, respectively; and
  - 2.1.8 to any gender includes the other.
- 2.2 Any reference in this Code or any Ancillary Agreement to a statute, by-law, regulation, delegated legislation or order is to the same as amended, modified or replaced from time to time and to any by-law, regulation, delegated legislation or order made thereunder.
- 2.3 Any reference in this Code or any Ancillary Agreement to any agreement or instrument is to the same as amended, novated, modified, supplemented, revised or replaced from time to time.
- 2.4 Any reference in this Code or any Ancillary Agreement to time shall be construed by reference to whatever time may from time to time be in effect in Ireland.
- 2.5 Where a word or expression is defined in this Code or any Ancillary Agreement, cognate words and expressions shall be construed accordingly.
- 2.6 Part and Section headings in this Code or any Ancillary Agreement are for ease of reference only and shall not affect its construction.
- 2.7 References to "**this Code**" or "**this Code of Operations**" shall mean the Parts, Sections and Appendices of this Code and shall be read as one document.
- 2.8 Words not otherwise defined that have a well-known and generally accepted technical or trade meanings in the gas industry in Ireland are used in the Code in accordance with such recognised meanings.

- 2.9 Words and phrases which appear in uppercase in this Code shall have the meaning ascribed to such terms in Section 1.1, however, in instances where any number of such terms appear consecutively in the text of this Code, they should each have their own independent meaning unless a specific definition has otherwise been attributed to a combination of such terms in Section 1.1.



Document comparison done by DeltaView on 17 February 2005 20:30:39

Input:	
Document 1	file://C:/Documents and Settings/Norma.OFX.000/Desktop/PART A (DEFINITIONS AND INTERPRETATIONS) published.doc
Document 2	file://C:/Documents and Settings/Norma.OFX.000/Desktop/PART A (DEFEINITIONS AND INTERPRETATIONS) (CLEAN).doc
Rendering set	Standard

Legend:	
<u>Insertion</u>	
<del>Deletion</del>	
<del>Moved from</del>	
<u>Moved to</u>	
Style change	
Format change	
<del>Moved deletion</del>	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	91
Deletions	71
Moved from	2
Moved to	2
Style change	0
Format changed	0
Total changes	166