

SCHEDULE 3

Amendments to the Interoperability Code

- 19.**—(1) Article 19 is amended as follows.
- (2) In paragraph 1—
- (a) for “national authorities”, substitute “the national regulatory authority”;
 - (b) for “the authorities”, substitute “the national regulatory authority”;
 - (c) after “operators to”, insert “endeavour to”;
 - (d) for “adjacent transmission system operators”, substitute “adjacent TSOs”; and
 - (e) for “their respective national authorities”, substitute “the national regulatory authority”.
- (3) In paragraph 2—
- (a) for “national authorities agree”, substitute “national regulatory authority considers”;
 - (b) for “adjacent transmission system operators”, substitute “adjacent TSOs”; and
 - (c) for “with national authorities”, substitute “with the national regulatory authority”.
- (4) In paragraph 3—
- (a) in point (e)—
 - (i) for “the feasible” substitute “any feasible”;
 - (ii) for “national authorities”, substitute “national regulatory authority”;
 - (b) in the words after point (e)—
 - (i) for “Once”, substitute “If”; and
 - (ii) for “national authorities”, substitute “national regulatory authority”.
- (5) In paragraph 4—
- (a) for “national authorities do”, substitute “national regulatory authority does”;
 - (b) after “paragraph 2,”, insert “the concerned transmission system operators shall endeavour to implement”;
 - (c) after “flow of non-odourised gas”, omit “shall be implemented”; and
 - (d) for “by the national authorities”, substitute “by the national regulatory authority”.
- (6) After paragraph 4, insert—
- 5.** In performing their functions set out in this Article, the concerned transmission system operators must endeavour to cooperate with the concerned non-UK TSOs.
- 6.** Before determining whether to grant approval under paragraphs (1), (3) or (4) of this Article, the national regulatory authority must endeavour to cooperate with the concerned non-UK regulatory authorities with a view to reaching a joint decision.
- 7.** If both national regulatory authorities are concerned, they must cooperate with each other, and references in paragraphs 1, 2, 3, 4 and 6 to “the national regulatory authority” are to be read as references to “the national regulatory authorities”.