

ANNEX 1

WITNESS AND EXPERT EVIDENCE

1. The following witnesses of fact (in alphabetical order) gave evidence to the Tribunal in the course of these proceedings:

- (a) Neil Avery, who gave evidence on behalf of National Grid, is currently employed as Director of Consumer Services at Consumer Focus, the successor body to energywatch. Mr Avery was previously employed at British Gas; from 1985 to 2002 as Head of Metering and Transportation Services and from 2002 to 2005 as Head of Operational Services.
- (b) Maxine Frerk, who gave evidence on behalf of the Authority, is currently employed by Ofgem as Director Governance, Social and Consumer Affairs. Until March 2004, Ms Frerk was involved in dealing with National Grid in relation to metering matters, specifically issues concerning the opening up of the industry to competition.
- (c) Timothy Hoskin, who gave evidence on behalf of CML, is currently employed by CML as General Manager. Mr Hoskin was employed by British Gas from 1981 to 2000 before joining the Metering Strategy team at Transco (now National Grid). From 2000 to 2006, Mr Hoskin held a number of roles in UMS, including Head of Operations.
- (d) David James, who gave evidence on behalf of National Grid, is currently employed by National Grid as AMR Manager. Prior to joining National Grid, Mr James worked from 2005 to 2006 as Procurement Logistics and Asset Management Director for Siemens. Mr James also previously worked for British Gas for over 27 years and between 1999 and 2005 was National Metering Manager at British Gas.
- (e) Paul King, who gave evidence on behalf of Meter Fit, is employed by United Utilities and seconded to Meter Fit as General Manager.

- (f) David Lee, who gave evidence on behalf of Siemens, is currently employed by Siemens as Segment Manager, responsible for the commercial management of Siemens' metering operations. From 2000 to 2006, Mr Lee was employed by Siemens in a number of roles relating to metering contracts between Siemens and British Gas.
- (g) Steven Lewis, who gave evidence on behalf of CML, is currently employed by Macquarie Capital Group Limited, which owns 80 percent of the share capital in CML. From 1975 to 2006, Mr Lewis was employed by British Gas and from 2000 to 2006 worked in teams involved in the negotiation and management of commercial metering contracts between British Gas and a number of CMOs.
- (h) Colin Shoesmith, who gave evidence on behalf of National Grid, is currently employed by National Grid as Managing Director of National Grid Property. Mr Shoesmith was previously employed as Managing Director of National Grid Metering Limited and UMS.
- (i) Stephen Smith, who gave evidence on behalf of the Authority, is currently employed by Ofgem as Managing Director of Networks and is also an executive member of the Authority. Mr Smith was previously Managing Director of Markets at Ofgem responsible for all aspects of the competitive wholesale and retail gas and electricity markets.
- (j) Duncan Southgate, who gave evidence on behalf of Siemens, is currently employed by Siemens as Business Development Director for Energy Markets. From 2003 to 2006, Mr Southgate was seconded to Eco-Met (the then working name for the special purpose vehicle that became CML) as acting Head Manager.
- (k) Andrew Spence, who gave evidence on behalf of National Grid, is currently employed by UMS as Operations Delivery Manager. Mr Spence was previously employed by UMS as In House Delivery Manager with

operational responsibility for domestic gas metering services in the West Midlands and South London.

(l) Mark Way, who gave evidence on behalf of National Grid, is currently employed by National Grid Metering Limited as Asset and Planning Manager.

(m) Neil Williams, who gave evidence on behalf of CML, is currently Commercial Manager Meter Operations for British Gas. From 2002 to 2008, Mr Williams was employed by British Gas as Metering Service Manager in a team headed by David James.

2. The following experts (in alphabetical order) also gave evidence to the Tribunal in the course of these proceedings:

(a) Professor Paul Grout, who was instructed by the Authority, is Professor of Political Economy and Head of the Department of Economics at Bristol University.

(b) Tim Keyworth, who was instructed by the Authority, is an economist specialising in the assessment of regulatory and competition policy issues.

(c) David Matthew, who was instructed by Pinsent Masons on behalf of National Grid, is a professional economist at NERA Economic Consulting.

(d) Graham Shuttleworth, who was instructed by Pinsent Masons on behalf of National Grid, is a professional economist at NERA Economic Consulting.

(e) Dr Mark Williams, who was instructed by Pinsent Masons on behalf of National Grid, is a professional economist at NERA Economic Consulting.

ANNEX 2

DCM REPLACEMENT ILLUSTRATION

(referred to in paragraph [155] of the judgment)

Scenario: All DCMs replaced by end of year	MSA equivalent annual rental charge (£)	P&M price cap annual rental charge (£)
18	10.27	12.04
17	10.70	12.05
16	11.13	12.06
15	11.58	12.07
14	12.08	12.08
13	12.66	12.09
12	13.32	12.11
11	14.12	12.13
10	15.08	12.15
9	16.27	12.17
8	17.76	12.21
7	19.73	12.25
6	22.40	12.30
5	26.24	12.37
4	32.16	12.46
3	42.15	12.61
2	62.02	12.82
1	120.70	12.97

Notes

April 2003 prices; discount rate: 4.375% (post tax real)