

Electricity Act 1989 and Gas Act 1986
Provisional order under section 25(2) of the Electricity Act 1989
and section 28(2) of the Gas Act 1986

To:

Npower Direct Limited (company number 03782443), Npower Limited (company number 03653277), Npower Northern Limited (company number 03432100), Npower Northern Supply Limited (company number 02845740), Npower Yorkshire Limited (company number 03937808, Npower Yorkshire Supply Limited (company number 04212116) (together, 'npower'), all of Windmill Hill Business Park, Whitehill Way, Wiltshire, SN5 6PB.

WHEREAS:

A: On 31 August 2018 the Gas and Electricity Markets Authority ("Authority") issued a direction to npower pursuant to Standard Licence Condition 32A of the gas and electricity supply licences ("the Direction");

B: The Direction required npower to participate in a consumer engagement trial known as the Active Choice Collective Switch Autumn Trial;

C: On 14 September 2018 npower informed the Authority that it did not intend to comply with certain aspects of the direction and in particular on 20 September 2018 npower failed to comply with paragraph 14 of the Direction in that it refused or failed to send particular communications to a number of its customers;

D: It appears to the Authority that npower is likely to contravene (or is contravening) SLC 32A, which is a relevant requirement for the purposes of section 25 of the Electricity Act 1989 and section 28 of the Gas Act 1986; and

E: Having had regard to the matters set out in section 25 of the Electricity Act and section 28 of the Gas Act, the Authority considers it is requisite to make a provisional order in exercise of the powers in section 25(2) of the Electricity Act and section 28(2) of the Gas Act.

NOW THEREFORE:

The Authority, pursuant to section 25(2) of the Electricity Act and section 28(2) of the Gas Act, and for the purpose of securing compliance with SLC 32A of the gas and electricity supply licences, makes a provisional order requiring npower to:

1. Comply in all respects with the Direction issued on 31 August 2018, save for where compliance has become impossible because the relevant deadline has already passed;
2. Where the time for compliance with any action specified in the Direction has already passed, remediate its non-compliance with that provision as soon as reasonably practicable and in any event by no later than 12 noon on 26 September 2018; and

3. Without limiting the generality of paragraphs 1 and 2 above, by no later than 12 noon on 26 September 2018 fully remediate its non-compliance with paragraph 14 of the Direction.

This order shall cease to have effect on 23 December 2018 unless confirmed by the Authority on or before that date.

Dated: 24 September 2018

Signed

Charles Hargreaves

Deputy Director, Enforcement

Duly authorised on behalf of the Gas and Electricity Markets Authority