

**Electricity Act 1989
Section 11A**

**MODIFICATION OF THE STANDARD CONDITIONS OF ELECTRICITY SUPPLY
LICENCES GRANTED UNDER SECTION 6(1)(d) OF THE
ELECTRICITY ACT 1989.**

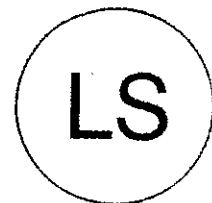
Whereas -

1. Each of the companies to whom this document is addressed (a "Licence Holder") has been granted a licence ("a Licence") under section 6(1)(d) of the Electricity Act 1989 ("the Act") to supply electricity subject to the conditions contained in its Licence.
2. In accordance with section 11A(3) of the Act the Gas and Electricity Markets Authority ("the Authority") gave notice on 6 February 2009 ("the Notice") that it proposed to make modifications to condition SLC 11 of the Licence and by requiring any objections or representations to the modification to be made on or before 6 March 2009.
3. In accordance with section 49A of the Act, the reasons for making the licence modifications are those stated in the Notice.
4. In accordance with section 11A(4)(b) of the Act, the Authority gave such notice of its intention to make the modifications to the Secretary of State and has not received a direction not to make the modification.
5. Prior to the close of the consultation period in respect of the Notice, the Authority received no responses which constituted a formal objection. All non-confidential responses have been placed in the Ofgem library and on the Ofgem website.
6. The Authority has carefully considered in relation to the proposed modification all representations received.

Now therefore

In accordance with the powers contained in section 11A of the Act, the Authority hereby modifies the standard licence conditions for all electricity supply in the manner specified in the attached Schedule 1 with effect on and from 19 March 2009.

**The Official Seal of the Gas and Electricity Markets Authority
here affixed is authenticated by the signature of Director**



.....
Martin Crouch
Duly Authorised on behalf of the Authority

19 March 2009

Schedule 1

Condition 11. Compliance with codes

Insert section heading and three new paragraphs after paragraph 11.2, as follows:

Power to issue direction to relieve certain industry code obligations

11.3 The Authority, after consulting with the licensee and any other person or body likely to be affected and after having regard to any guidance issued in accordance with paragraph 11.4, may give a direction to the licensee relieving it of its obligations (in whole or in part) under paragraph 11.2.

11.4 The Authority may issue, and may from time to time revise, guidance regarding the manner in which it will exercise its powers under paragraph 11.3.

11.5 The guidance issued in accordance with paragraph 11.4 may, in particular, set out:

- a) the process for requesting the Authority to grant a direction under SLC 11.3;
- b) the type of information that is likely to be required by the Authority as part of that process; and
- c) the criteria the Authority would have regard to in considering whether and to what extent to exercise its power to give a direction under paragraph 11.3;

There is also a consequential change to SLC 11, specifically re-numbering the remaining paragraphs, as follows:

Consequential changes

11.6 If a Consequential Change is required, the licensee must take all reasonable steps to secure, and must not take any unreasonable steps to prevent or delay, the making or implementation of that Consequential Change.

11.7 Paragraph 11.5 is without prejudice to:

- a) any rights of appeal that the licensee may have in relation to decisions made by the Authority under the Industry Codes; and
- b) any rights of approval, veto, or direction that the Authority or Secretary of State may have in relation to changes to the Industry Codes.

Fuel Security Code

11.8 The licensee must comply with the Fuel Security Code.

11.9 The Fuel Security Code has effect as a standard condition of this licence.