

Avro Energy Limited: Provisional Order

Electricity Act 1989 and Gas Act 1986

Provisional Order under section 25(2) of the Electricity Act and section 28(2) of the Gas Act

To: Avro Energy Limited (company number 09174794, hereinafter "Avro") of Unit 8 The Courtyard Goldsmith way, Eliot Business Park, Nuneaton, Warwickshire CV10 7RJ.

WHEREAS:

- A) On 19 August 2021, the Gas and Electricity Markets Authority ("Authority") issued two requests for information to Avro seeking the provision of the information specified in the annexes, appendices and attachments thereto.
- B) Avro is the holder of gas and electricity supply licenses granted by the Authority and is subject to the usual conditions thereunder, which are "relevant conditions" for the purposes of the Gas Act 1986 and the Electricity Act 1989 ("Acts").
- C) Standard Licence Condition (SLC) 5 of the gas and electricity supply licenses requires the provision of information to the Authority upon request, and relevantly provides:

"5.1 After receiving a request from the Authority for Information that it may reasonably require or that it considers may be necessary to enable it to perform any functions given or transferred to it by or under any legislation, including any functions conferred on the Authority by or under the Regulation, the licensee must give that Information to the Authority when and in the form requested

5.2 The licensee is not required to comply with paragraph 5.1 if the licensee could not be compelled to produce or give the Information in evidence in civil proceedings before a court"

- D) Avro has refused or failed to provide the information requested by the Authority,
- E) Avro has offered no satisfactory explanation for its refusal or failure to provide the information requested by the Authority,

- F) It appears to the Authority that Avro is contravening (and is likely to continue contravening) its obligations under SLC 5,
- G) It appears to the Authority that the situation is now urgent and accordingly it is requisite that a provisional order be made,

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 5 of the gas and electricity supply licences, makes a provisional order requiring Avro to **fully and immediately** comply with the Authority's requests for information issued on 19 August 2021.

Pursuant to section 27(7) of the Electricity Act 1989 and section 30(8) of the Gas Act 1986, the Authority may seek to enforce this provisional order by application to the High Court for injunctive or other relief without further notice to Avro.

This order shall cease to have effect on 14 December 2021 unless confirmed by the Authority on or before that date.

Dated: 14 September 2021

Signed

Charles Hargreaves
Deputy Director, Enforcement
Duly Authorised on behalf of the Gas & Electricity Markets Authority.