

## Colorado Energy Limited: Provisional Order

To: Colorado Energy Limited (company number 11042663) of 86-90 Paul Street, London, England, EC2A 4NE

### WHEREAS:

- A. Colorado Energy Limited ("Colorado") is a designated electricity supplier ("supplier") and the holder of a licence to supply electricity. As such, it is subject to the requirement to comply with the Standard Licence Conditions ("SLCs") of its electricity supply licence.
- B. As a licensed electricity supplier, Colorado is bound by the provisions of SLC 33. SLC 33.3 provides that licensees shall comply with Part 3 of Schedule A (FIT obligations applicable to all licensees) with effect on and after 1 April 2010. Condition 3.1 of Part 3 of Schedule A to SLC 33 provides that licensees shall participate in the Levelisation Process as set out in Part 6 of the Feed-In Tariffs Order 2012, in accordance with the Authority's instructions. Condition 3.1.2 of Part 3 of Schedule A, further provides that licensees will make FIT Levelisation Payments in accordance with the Authority's instructions. SLC 33.5 states that Section C and Schedule A to Standard Condition 33 are "relevant conditions" for the purposes of section 25(8) of the Act and a non-complying licensee is subject to the enforcement powers of the Gas and Electricity Markets Authority ("the Authority") under the Act.
- C. Where a supplier has failed to make a Levelisation Payment by a date specified by the Authority it will breach the requirements of SLC 33.3 and conditions 3.1 and 3.1.2 of Schedule A, Part 3 of SLC 33.
- D. Colorado was required to make its FIT Year 11 annual Levelisation Payment of £261,406.12 by the due date of 17 September 2021. Colorado was sent an invoice for the payment on 2 September 2021.
- E. Colorado has refused or failed to make the payment.
- F. It appears to the Authority that Colorado is contravening its obligations under SLC 33 as outlined above and that it is requisite to make a provisional order to secure Colorado's immediate compliance with these obligations.

NOW THEREFORE:

The Authority, pursuant to section 25(2) of the Electricity Act 1989, makes a provisional order requiring Colorado to:

- (1) make the payment of £261,406.12 to the Authority forthwith; and,
- (2) notify the Authority by email to [melissa.granger@ofgem.gov.uk](mailto:melissa.granger@ofgem.gov.uk) of the payment immediately after it has been made.

This provisional order will cease to have effect on 21 December 2021, unless confirmed (or revoked) by the Authority on or before that date.

Dated 21 September 2021

Signed

Charles Hargreaves

Deputy Director, Enforcement

Duly authorised on behalf of the Gas & Electricity Markets Authority