



OVO Energy  
1 Rivergate  
Temple Quay  
Bristol BS1 6ED

policy@ovoenergy.com  
www.ovoenergy.com

To Rachel Clark  
Submitted by email only to  
Switching.Programme@ofgem.gov.uk

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## **OVO's response to the Ofgem Switching Programme Significant Code Review: Retail Energy Code v3 consultation.**

Dear Rachel

OVO welcomes the opportunity to provide feedback on the Retail Energy Code (REC) v3.0. We have provided our response to the questions in Annex 1 and specific feedback on REC v3.0 in the attached response template.

Following our review of REC v3.0, there is one area of great concern which we have also raised directly to Kishan Nundloll.

There is a significant issue with the drafting of section 11 of the Registration Schedule. The current drafting does not align with the design baseline definition and requires that the events set out in these paragraphs "must" be triggered following receipt of the Notification of a Registration being Confirmed. Our understanding through the Operational Choreography, UK Link and MPAS design documents, and other programme definitions is that there should be flexibility around Market Participant and Existing Service Provider management of the activities under section 11. The current drafting does not allow for this flexibility and would mean that Agent Appointment and De-appointment, Settlement definition, and NOSI flows would all have to be completed within the narrow Confirmed window. We therefore recommend that the REC be updated so that it accurately reflects design baseline definition.

We do not perceive any risks in increasing the options on when a supplier can complete these actions. We believe the inclusion of flexibility would still deliver the intent of the changes and would enable suppliers to ensure their designs are as efficient and suited to achieving the best customer outcomes within their own designs.

We appreciate the Programme is well aware of the issue of overall design clarity and the potential scope for misinterpretation, where collective definition is not sufficiently clear or consistent and has previously taken the appropriate action to rigorously assess cases wherever inconsistencies are identified at the time. We would welcome Ofgem reviewing

this more recent instance we have highlighted above and will establish a suitably pragmatic and appropriate approach in REC definition which will enable delivery, via the Programme, of the right customer outcomes.

Should you have any questions or would like to discuss our response bilaterally please feel free to contact us at [policy@ovoenergy.com](mailto:policy@ovoenergy.com).

Kind regards,

Samuel Van-Arnold  
**Regulation Manager**

## **Annex 1 - Response to consultation questions**

**Question 2.1: Do you agree that access to data within the GES should be governed under the provisions of the REC?**

OVO agrees.

**Question 2.2: Do you agree that suppliers should be required to de-activate a registration following termination of an RMP within 10 working days? If not, what would be an appropriate timeline?**

OVO agrees.