

The Electricity Act 1989

Notice of decision not to make Final Order

Colorado Energy Ltd

Decision of the Gas and Electricity Markets Authority (“the Authority”) not to make a Final Order.

27 October 2021

- 1.1. On 1 October 2021, in accordance with section 26 (1) and (2) of the Electricity Act 1989 (“EA89”), the Authority issued a Notice of Proposal to make a Final Order (“Notice of Proposal”) to Colorado Energy Ltd (“Colorado”) (company number 11042663) whose registered office is situated at 86-90 Paul Street, London, England, EC2A 4NE, the holder of an electricity licence granted under section 6(1)(d) of the EA89.
- 1.2. A copy of the Notice of Proposal can be found here:
<https://www.ofgem.gov.uk/publications/colorado-energy-limited-notice-proposal-make-final-order>
- 1.3. The Notice of Proposal was issued as the Authority was satisfied that Colorado was likely to contravene the Renewables Obligation (“RO”) under article 7 of the Renewables Obligation Order 2015 and article 5 of the Renewables Obligation (Scotland) Order 2009. The Notice of Proposal explained, in particular, how Colorado failed to present sufficient Renewables Obligation Certificates, and/or to make payments, to the Authority to discharge its RO for the period 1 April 2020 to 31 March 2021 by the relevant deadlines. The Authority believed that Colorado was likely to fail to make the necessary payments before the 31 October late payment deadline.
- 1.4. On 13 October 2020, Colorado ceased to trade. Its licence to supply electricity was duly revoked shortly thereafter.
- 1.5. Section 25(1) of the EA89 provides that the Authority shall issue a Final Order if it “is satisfied that the regulated person is contravening, or is likely to contravene, any relevant condition or requirement”.

- 1.6. Colorado is no longer the holder of an electricity supply licence. Accordingly, Colorado is not a "regulated person" as defined by section 25(8) of the EA89. In light of this, the Authority has decided not to proceed with issuing a Final Order to Colorado.

Dated: 27 October 2021

Signed

MEGAN FORBES (Chair)

ALI NIKPAY

PHILIP MARSDEN

Enforcement Decision Panel

Duly authorised on behalf of the Gas and Electricity Markets Authority