

## **The Electricity Act 1989**

### **Notice of decision not to make Final Order**

#### **GoTo Energy (UK) 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 GoTo Energy (UK) Ltd (“GoTo Energy”) (company number 09844990) whose registered office is situated at Office 23, 2nd Floor Innovation Way, Discovery Park, Sandwich, England, CT13 9FF, the holder of an electricity licence granted (under its previous trading name of Queensbury Energy Ltd 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/goto-energy-limited-notice-proposal-make-final-order>
- 1.3. The Notice of Proposal was issued as the Authority was satisfied that GoTo Energy 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 GoTo Energy 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 GoTo Energy was likely to fail to make the necessary payments before the 31 October late payment deadline.
- 1.4. On 18 October 2020, GoTo Energy 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. GoTo Energy is no longer the holder of an electricity supply licence. Accordingly, GoTo Energy 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 GoTo Energy.

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**