

Consent given by the Gas and Electricity Markets Authority pursuant to Standard Condition 9 (Claims for Last Resort Supply Payment) of the Electricity Supply Licence granted or treated as granted under section 6 of the Electricity Act 1989 to E.on Next Energy Limited

To: E.on Next Energy Limited (Company number 03782443)

Whereas:

A. E.on Next Energy Limited (the "**Licensee**") is the holder of an electricity supply licence (the "**Licence**") granted or treated as granted under section 6(1)(d) of the Electricity Act 1989.

B. On 1 October 2021, the Gas and Electricity Markets Authority (the "**Authority**") issued the Licensee with direction(s) to supply electricity to the customers of:

- a) Estroga Limited (Company number 09812700)
- b) Symbio Energy Limited (Company number 07999360); and
- c) Igloo Energy Supply Limited (Company number 09812716)

with effect on and from 3 October 2021 under paragraph 1 of standard condition 8 of the Licence (the "**Last Resort Supply Direction(s)**").

C. On 20 October 2021, the Licensee gave notice under standard condition 9.3 to the Authority of its claim for a payment of the relevant amount (as defined in standard condition 9.4) (a "**Last Resort Supply Payment**") and provided updates to that claim on 26 and 28 October 2021.

D. Standard conditions 9.5 and 9.6 of the Licence state that the Authority will give its consent for the Licensee to make the claim notified to it if it considers it appropriate in all the circumstances of the case or the Authority may determine that an amount other than the one calculated by the Licensee is a more accurate calculation of the relevant amount for the Last Resort Supply Payment.

E. The Authority notes that the notice of claim which it received on 20 October 2021 is an initial one representing some of the costs already incurred in complying with the Last Resort Supply Direction(s). The Authority has considered the information received from the Licensee in support of the notice of claim and sought clarification and further information.

F. The Authority has made a decision on the relevant amount it will consent for the Licensee to recover as this Last Resort Supply Payment. The reasons for the Authority's decision can be found in its decision document.

Therefore:

G. Pursuant to standard condition 9.6 of the Licence, the Authority hereby consents for the Licensee to claim for a Last Resort Supply Payment of up to **£85,487,676.52** from the relevant distributors subject to the following condition(s):

- a) *That the Licensee enters into a binding commitment, in a form satisfactory to the Authority, to:*
- i. on the date or dates specified by the Authority, declare where the amount calculated in this Last Resort Supply Payment has, when re-calculated on that date in accordance with SLC 9.4, changed;*
 - ii. provide any supporting confirmation, information or evidence (such information or evidence to be for the purposes of and in accordance with SLC 5) requested by the Authority in respect of such recalculation;*
 - iii. repay any amount then determined by the Authority acting reasonably as being in excess of the relevant amount under SLC 9.4 (including interest on working capital) following such declaration; and*
 - iv. to do so when and in the manner directed by the Authority, following consultation with the Licensee.*
- b) *That in making its claim to the relevant distributors, the licensee shall comply with any directions from the Authority in respect of the instalments by which that claim should be paid.*

H. Pursuant to standard condition 9 of the Licence, relevant distributors are electricity distribution licensees in whose distribution areas there were premises supplied under the Last Resort Supply Direction(s), excluding independent distribution network operators.

I. This consent shall take effect on and from 29 October 2021.

Dated: 29 October 2021

Signed

Neil Lawrence,

Director of Retail

Duly authorised on behalf of the Authority