

**Whoop Energy Ltd**  
**Electricity Act 1989**  
**Provisional Order confirmed under section 25(4) of the Electricity Act 1989**

To: Whoop Energy Ltd (formerly known as Go Effortless Ltd) (“Whoop”), (company number 11611103) of Chatterley Whitfield Enterprise Centre, Biddulph Road, Stoke-On-Trent, United Kingdom, ST6 8UW, holder of an electricity supply licence issued by the Gas and Electricity Markets Authority (“the Authority”) on 18 February 2019 under section 6(1)(d) of the Electricity Act 1989 (“the Act”).

**WHEREAS:**

- A. Whoop is a designated electricity supplier (“supplier”) subject to the requirement to comply with the standard licence conditions (“SLCs”) of its electricity supply licence.
- B. As a licenced electricity supplier, Whoop is required to comply with SLC 33 (Feed-in Tariffs). 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<sup>st</sup> April 2010. Condition 3.1 of Part 3 to Schedule A of SLC 33 provides that licensees shall participate in levelisation 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 provides that Section C and Schedule A of SLC 33 are a “relevant condition” for the purposes of section 25(8) of the Act and a non-complying licensee shall be subject to the enforcement powers of 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 to Schedule A, Part 3 of SLC 33.
- D. Whoop was required to make its FIT Year 11 annual levelisation payment of £3,780.22 (“the payment”) by 17 September 2021. Whoop was sent an invoice for the payment on 2 September 2021. Whoop failed to make the payment and on 21 September 2021 the Authority made a Provisional Order under section 25(2) of the Act requiring Whoop to

make the payment of £3,780.22 to the Authority forthwith and to notify the Authority by email of the payment immediately after it had been made.

E. Whoop has refused or failed to make the payment notwithstanding the imposition of a Provisional Order.

F. The Authority is satisfied that:

- a. Whoop is contravening its obligations under SLC 33 as outlined above, which is a relevant condition for the purposes of section 25 of the Act; and
- b. It is requisite to confirm the Provisional Order, made under section 25(2) of the Act, for the purpose of securing Whoop's compliance with the relevant condition.

## **NOW THEREFORE:**

The Authority, pursuant to section 25(4) of the Act confirms the Provisional Order dated 21 September 2021 requiring Whoop to:

- 1) make the payment of £3,780.22 to the Authority forthwith; and
- 2) notify the Authority by email to [megan.pickard@ofgem.gov.uk](mailto:megan.pickard@ofgem.gov.uk) and [melissa.granger@ofgem.gov.uk](mailto:melissa.granger@ofgem.gov.uk) of the payment immediately after it has been made.

Dated: 15 December 2021

Signed:

MEGAN FORBES  
PETER HINCHLIFFE

**Enforcement Decision Panel**

**Duly authorised on behalf of the Gas and Electricity Markets Authority**