

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 1st 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 FIT Year 12 Quarter 2 payment of £19,013.51 (“the payment”) on or before 10 November 2021. The Year 12 levelisation schedule was published on 19 February 2021, outlining the deadlines of each levelisation payment. Whoop was sent an invoice for the payment on 27 October 2021.

E. Whoop has refused or failed to make the payment.

F. It appears to the Authority that Whoop is contravening its obligations under SLC 33 as outlined above and that it is requisite to make a Provisional Order to secure Whoop immediate compliance with these obligations.

NOW THEREFORE:

The Authority, pursuant to section 25(4) of the Act, confirms the Provisional Order dated 12 November 2021 requiring Whoop to:

- 1) make the payment of £19,013.51 forthwith; and
- 2) notify the Authority by email to megan.pickard@ofgem.gov.uk and melissa.granger@ofgem.gov.uk of the payment immediately after it has been made.

Dated: 24 January 2022

Signed:

Megan Forbes
Peter Hinchliffe

Enforcement Decision Panel

Duly authorised on behalf of the Gas and Electricity Markets Authority