

Notice of Decision not to Confirm Provisional Order

The Electricity Act 1989

Decision of the Gas and Electricity Markets Authority ("the Authority") not to confirm a provisional order

24 January 2022

1.1. On 15 December 2021, the Authority issued a Notice of Proposal under section 26(1) and (2) of the Electricity Act 1989 to confirm a provisional order dated 12 November 2021 ("the Provisional Order") on Delta Gas and Power Limited ("Delta") (formerly known as Lily Energy Supply Limited), (company number 09933244) of 344-354 Gray's Inn Road, London, England, WC1X 8BP.

1.2. A copy of the Notice of Proposal can be found at:
<https://www.ofgem.gov.uk/publications/delta-gas-and-power-provisional-order>

1.3. The Notice of Proposal to confirm the Provisional Order was issued to Delta as the Authority was satisfied that Delta has contravened requirements of the Feed-in Tariff (FIT) scheme under the requirements of SLC 33.3, conditions 3.1 and 3.1.2 of Schedule A, Part 3 of SLC 33 and the Feed-In Tariff Order 2012 by not making its levelisation payment by the specified deadline of 12 November 2021 notwithstanding the making of the Provisional Order. The Notice of Proposal explained, in particular, how Delta has failed to make their FIT Year 12 Quarter 2 levelisation payment on time.

1.4. On 20 December 2021, Delta paid its outstanding FIT Quarter 2 levelisation payment of £46,701.23 in full.

1.5. Therefore, because the Authority is satisfied that Delta is no longer in contravention of, or likely to contravene, the requirement to make payment as set out in the Provisional Order, the Authority has decided not to proceed with confirming the provisional order on Delta on this occasion.

Dated: 24 January 2022

Megan Forbes
Peter Hinchliffe

Enforcement Decision Panel

Duly authorised on behalf of the Gas and Electricity Markets Authority