

Enforcement & Emerging Issues  
Ofgem  
10 South Colonnade, London, E14 4PU

04 August 2021

**Ofgem's Enforcement Guidelines and Sectoral Penalty Statement – ESB Energy Response**

Dear Colleague,

ESB welcomes the opportunity to respond to this consultation. Our colleagues at Energy UK have also submitted a consultation response which has benefitted from our input. Without repeating what Energy UK has stated, we wish to emphasise that each concern raised in the Energy UK response is shared by ESB Energy and should be considered part of our submission.

As things stand, these proposals would reduce the transparency and consistency of the enforcement process and damage confidence in the fairness and proportionality of enforcement decisions. This can only lead to more challenges and disputes. Ofgem should take the time to reconsider these proposals and engage with industry on what changes are needed to the current guidelines in order to meet their stated objectives.

We would be more than happy to help you further refine your proposals, through direct engagement or engagement via Energy UK. Please do not hesitate to get in touch.

Yours Sincerely,

Paul Fuller  
Regulation Manager