

Nicola Garland
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Ofgem
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London
E14 4PU

27 January 2022

Dear Nicola

**STATUTORY CONSULTATION ON PROPOSALS TO MODIFY LICENCE
CONDITIONS RELATED TO THE SWITCHING PROGRAMME**

Thank you for the opportunity to comment on your statutory consultation on proposals to modify licence conditions related to the switching programme.

ScottishPower continues to support Ofgem's switching programme and the continuing expansion of the Retail Energy Code (REC).

We provided a detailed response to Ofgem's November 2020 consultation and recognise that Ofgem has noted many of the points we raised. For example, we appreciate the clarification that reporting requirements will be amended after CSS go live. However, Ofgem has not responded on some of the points we raised, and no further clarification has been provided. In particular:

- We requested that Ofgem confirms its position on the interaction of the proposed new SCL14A with the existing 'price protection window' licence conditions, in particular SLCs 23.6 and 24.9 to 24.11. For example, where a customer returns to Supplier A following a supplier transfer within 20 Working Days of any of the scenarios that the 'price protection window' obligations apply to, we would not expect the price protection window to apply. This would be on the basis that the customer is intended to return to Supplier A in the same position as if he/she had not switched, and if they hadn't switched (or chosen a new internal tariff), the price protection would not apply (including for the purpose of assessing the terms of an Equivalent Terms Contract). This request for clarification was not addressed in the consultation document. As the losing supplier has to offer "equivalent terms", we are still of the opinion that the price protection obligations need to be reviewed to account for this scenario.
- We raised concerns about switches that are shorter than 5 working days and Ofgem has provided some clarification. However, this focused on the gaining supplier having it within their gift to ensure their systems, agents, processes etc were ready but took no recognition of the losing supplier. The change of supplier process for non-DCC enrolled meters relies entirely on the losing supplier and its

agents to pass on all required data before the change of supplier event. As such, we believe there is a need to allow a longer switching period for non-DCC enrolled meters as this will significantly reduce the risk of impacts on consumers and settlements.

Our only comment on the SLCs is to ask why the Green Deal definition has been shown as changing. We believe it has not changed and has been flagged incorrectly. We would appreciate clarification of this.

Should you wish to discuss any of these points further then please do not hesitate to contact me or Lorna Mallon (lorne.mallon@scottishpower.com, 0141 614 1163).

Yours sincerely,



Richard Sweet
Head of Regulatory Policy