



Making a positive difference
for energy consumers

All parties to the REC, and any
other parties interested in or
impacted by the Switching
Programme

Direct Dial: 020 3263 2798

Email: Switchingprogramme@ofgem.gov.uk

Date: 29 June 2022

Dear Colleague,

Revocation of Authority¹ decision of 17 June 2022 to approve Retail Energy Code (REC) Code Modification R0041: REC v3.0

On 17 June 2022 we published our decision (the "17 June Decision") to approve REC code modification proposal R0041: REC v3.0.² For reasons outlined further below, we hereby revoke the 17 June Decision.

We raised the proposal on 07 April 2022 as an Authority Change Proposal, as defined in paragraph 9.3(d) of the Change Management Schedule to the REC, under the Switching Significant Code Review (SCR). The proposal sought to introduce the processes, obligations and provisions underpinning the new switching arrangements into the REC from the Go-Live for the new Central Switching Service (CSS).

In line with the Authority's SCR guidance³, we worked with the Code Manager and stakeholders on the Authority Change Proposal. The legal text associated with the modification proposal underwent thorough consultation through the Switching Programme Regulatory Design User Group (RDUG) and Regulatory Group (RG) before the modification proposal was progressed. Given this, when raising the modification proposal we did not consider that the REC Change Panel was required to subject the proposal to further consultation, as it has already been consulted on extensively through the Programme.

¹ References to the "Authority", "Ofgem", "we" and "our" are used interchangeably in this document

² Link [here](#) to the R0041 acceptance letter page on the Ofgem website. Following publication of this letter, that decision has been revoked and the decision letter removed from the webpage.

³ Link [here](#) to the Authority's SCR guidance

After we had approved the modification on 17 June 2022, the RECCo subsequently made us aware of some errors in the versions of the legal text contained in certain schedules to the REC linked to the modification proposal, whereby the text did not fully correspond with the content of the correct versions as baselined at RG. This has been attributed to an administrative error in managing the REC v3.0 text on the RECCo website.

In the interests of clarity in this particular matter, under electricity and gas supply standard licence condition 2.7 we hereby revoke the decision of 17 June 2022 to approve REC modification R0041, such revocation being on the basis that the modification as approved did not contain the intended and correct versions of the legal text as baselined at RG.

Following discussions with the REC Code Manager, we expect to shortly receive a revised recommendation in relation to R0041, with the correct versions of the legal text as baselined at RG enclosed with that recommendation. Once we receive and consider that recommendation pursuant to paragraph 21.2 of the Change Management Schedule to the REC, we will publish our decision on the Ofgem Switching Programme webpage.

We have taken this approach due to the extraordinary circumstances of the timing of the change being so urgent and the impacts of the administrative errors potentially significant. We do not intend or expect for this to set a precedent in terms of how these types of changes are managed under any similar situations that may arise in future.



Nicola Garland
Head of Switching Programme

Signed on behalf of the Authority and authorised for that purpose