

**To: All holders of an electricity supply licence**

**Electricity Act 1989  
Section 11A(1)(b)**

**Modification of the standard conditions of all Electricity Supply Licences**

1. Each of the licensees to whom this document is addressed has an electricity supply licence which has been granted or treated as granted under section 6(1)(d) of the Electricity Act 1989 (the Act).
2. Under section 11A(2) of the Act, the Gas and Electricity Markets Authority (the Authority)<sup>1</sup> gave notice on 6 May 2022 (the Notice) that we proposed to modify electricity supply Standard Licence Condition (SLC) 47 "Smart Metering – Matters Relating to Obtaining and Using Consumption Data" in the manner set out in Schedule 1 to the Notice.
3. We requested that any representations on the proposed licence modifications be made on or before 5pm, 6 June 2022.
4. A copy of the Notice was sent to the Secretary of State in accordance with section 11A(4)(b) of the Act, and we have not received a direction that the modifications should not be made.
5. We received eleven responses to our consultation, all of which we carefully considered. The responses broadly agreed with our proposals. We have published all non-confidential responses on our website.<sup>2</sup> Our response to these comments, as well as our reasons for any differences between the modifications and those proposed in the Notice, are set out in our accompanying decision document which is available on our website.
6. We have decided to proceed with making the licence modifications as proposed, with ten further changes made in response to stakeholder representations. These changes are marked up in yellow highlight in Schedule 1 below. The intent of these further changes is to ensure clarity where responses highlighted text which could be misinterpreted, and to correct a small error identified in part of the licence text changes.
7. The reasons why the Authority is making these SLC modifications are set out in our accompanying decision document. In summary, the modifications seek to amend the smart meter data sharing framework to include settlement and associated settlement-related purposes, i.e., forecasting and business readiness, for domestic and microbusiness customers to whom SLC 47 applies.
8. In summary, as set out in our Full Business Case<sup>3</sup>, the collection of granular consumption data for settlement purposes is necessary to implement the decision to introduce MHHS. The effect of these modifications is to introduce this new settlement data sharing framework into the licence, consistent with the policy

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<sup>1</sup> The terms "the Authority", "we" and "us" are used interchangeably in this document.

<sup>2</sup> Link here to the electricity supply statutory consultation responses

<sup>3</sup> See [Electricity Retail Market-wide Half-hourly Settlement: Decision and Full Business Case](#), April 2021.

decisions previously made and communicated, in order to ensure that the new half-hourly settlement arrangements deliver the intended benefits for all consumers.

9. Where an application for permission to appeal, our decision is made to the Competition and Markets Authority (CMA) under section 11C of the Act, Rule 5.7 of the Energy Licence Modification Appeals: Competition and Markets Authority Rules<sup>4</sup> requires that the appellant must send to any relevant licence holders who are not parties to the appeal a non-sensitive notice setting out the matters required in Rule 5.2. The attached Schedule 2 provides a list of the relevant licence holders in relation to this modification. Section 11A(10) of the Act sets out the meaning of "relevant licence holder".
10. Under the powers set out in section 11A(1)(b) of the Act, we hereby modify the standard licence conditions of all electricity supply licences in the manner specified in the attached Schedule 1. These modifications will take effect not less than 56 days from the date of publication of our decision in relation to these licence modifications. These modifications will take effect on 3 November 2022.
11. This document is notice of the reasons for the decision to modify the electricity supply licences as required by section 49A(2) of the Act.



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**Rachel Clark**  
**Deputy Director, Retail**

**Duly authorised on behalf of the**  
**Gas and Electricity Markets Authority**

**07 September 2022**

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<sup>4</sup> CMA70: <https://www.gov.uk/government/publications/energy-licence-modification-appeals-rules-cma70>

## Schedule 1 – Modification of the standard conditions (SLCs) of all electricity supply licences

### **Condition 47: Smart Metering - Matters Relating To Obtaining and Using Consumption Data**

#### **Application**

47.1 Part A of this condition applies only in respect of each Domestic Premises (the **relevant premises**):

- (a) to which electricity is supplied through an Electricity Meter which forms part of a Smart Metering System; or
- (b) to which electricity is supplied through a Remote Access Meter; and
- (c) in respect of which the quantity of electricity supplied is measured by that Electricity Meter.

47.2 Part B of this condition applies only in respect of each Designated Premises at which the Customer is a Micro Business Consumer (the **micro business premises**):

- (a) to which electricity is supplied through an Electricity Meter which forms part of a Smart Metering System; or
- (b) to which electricity is supplied through a Remote Access Meter; and
- (c) in respect of which the quantity of electricity supplied is measured by that Electricity Meter.

47.3 Part C of this condition applies only in respect of each Domestic Premises or **micro business premises** Designated Premises:

- (a) from which electricity is exported; and
- (b) in respect of which the quantity of electricity exported is measured by an Export Meter registered for the purposes of Settlement.

#### **MHHS Data Access Framework Timing**

47.4 The following timing applies in respect of the following paragraphs concerning the obtaining and use of Electricity Consumption Data and Electricity Export Data for Settlement Purposes:

- (a) the licensee must obtain data and use it in accordance with paragraphs 47.24, 47.38 and 47.42 from the date on which the relevant Electricity Meter is migrated into the Market-wide Half-Hourly Settlement System;
- (b) the licensee may obtain data and use it in accordance with paragraphs 47.25, 47.39 and 47.43 from 01 October 2023 (or such earlier or later date as the Authority may publish in Writing, and on the basis that the Authority may publish different dates for different categories of Customer and/or for different categories of Electricity Meter); and
- (c) the date(s) referred to in paragraph 47.4(b) will be known as the MHHS Data Access Commencement Date(s) (**MDACD**).

#### **Provision of Information**

47.5 In relation to paragraphs 47.16, 47.19, 47.22, 47.33 and 47.36, the licensee must provide to the Customer at the premises prior Notice setting out clear and accurate information, which does not mislead the Customer, explaining:

(a) the choices they have regarding the licensee obtaining their Electricity Consumption Data for Settlement Purposes; and

(b) the benefits of the licensee obtaining their Electricity Consumption Data for Settlement Purposes.

## **PART A. APPLICATION TO RELEVANT PREMISES**

### **Prohibition on obtaining consumption data**

~~47.3~~ 47.6 Subject to paragraphs ~~47.4~~47.7, and ~~47.10~~7, 47.16 and 47.19, the licensee must not, in respect of any relevant premises, obtain any Electricity Consumption Data which relates to a period of less than one month.

### **Exception to Prohibition - Obtaining Electricity Consumption Data for periods of less than one month**

~~47.4~~ 47.7 Paragraph ~~47.3~~6 does not apply where:

(a) the Electricity Consumption Data that is obtained relates to a period of less than one month but not less than one day; and

(b) the requirements of either paragraph 47.5~~8~~ or 47.6~~9~~ are satisfied.

~~47.8~~ 47.5 The requirements of this paragraph are that:

(a) the licensee has given Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:

(i) that the licensee intends to obtain Electricity Consumption Data which relates to any one or more periods of a length referred to in paragraph 47.7~~4~~(a);

(ii) of the purposes (which purposes must not include Marketing) for which the licensee may use that Electricity Consumption Data; and

(iii) that the Domestic Customer may at any time object to the licensee obtaining that Electricity Consumption Data and of the process by which he may do so; and

(b) the Domestic Customer has either:

(i) given explicit consent to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice (and such consent has not been withdrawn); or

(ii) after at least seven days have elapsed from the date on which the Notice was given to ~~them~~ him, not objected to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice.

~~47.6~~ 47.9 The requirements of this paragraph are that one of the following applies:

(a) the licensee has reasonable grounds to suspect that there is an occurrence of theft or abstraction of electricity at the relevant premises, and it obtains Electricity

Consumption Data which relates to any one or more periods of a length referred to in paragraph ~~47.4(a)~~ 47.7(a) only for the purposes of investigating that suspected theft or abstraction;

(b) the licensee obtains Electricity Consumption Data which relates to a single period of a length referred to in paragraph ~~47.4(a)~~ 47.7(a) only for the purposes of:

(i) verifying the quantity of electricity supplied to the relevant premises since the last date in respect of which the licensee obtained Electricity Consumption Data that was used for the purposes of sending a Bill or statement of account to the Domestic Customer (the **Billing Date**); and

(ii) calculating and sending an accurate and up to date Bill or statement of account (including a final Bill or statement of account) to the Domestic Customer in respect of the Charges for the Supply of Electricity to the relevant premises since the Billing Date;

(c) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in paragraph ~~47.4~~7(a) only for the purposes of responding to an enquiry from or a complaint made by, or on behalf of, the Domestic Customer at the relevant premises and relating to the supply of electricity by the licensee to the relevant premises;

(d) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in paragraph ~~47.4~~7(a), only following receipt of a request of the type referred to in, and for the purposes of complying with the requirements of, paragraph 51.4(b) of standard condition 51 (Smart Metering – Customer Access to Consumption Data); or

(e) the Electricity Meter forming part of the Smart Metering System or Remote Access Meter at the relevant premises is a Prepayment Meter, and the Electricity Consumption Data:

(i) is obtained only by virtue of the Remote Access Meter or Smart Metering System registering an advance payment made by the Domestic Customer through that Prepayment Meter; and

(ii) relates to a single period of a length referred to in paragraph ~~47.4~~7(a) which corresponds to the period since the previous advance payment made by the Domestic Customer through that Prepayment Meter.

**Exception to Prohibition – Obtaining Electricity Consumption Data for periods of less than a day**

~~47.7~~ 47.10 Paragraph ~~47.6~~3 does not apply where:

(a) the Electricity Consumption Data that is obtained relates to a period of less than one day; and

(b) the requirements of either paragraph ~~47.8~~11 or ~~47.9~~12 are satisfied.

~~47.8~~ 47.11 The requirements of this paragraph are that:

(a) the licensee has given Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:

(i) that the licensee intends to obtain Electricity Consumption Data which relates to any one or more periods of less than one day;

(ii) of the purposes for which the licensee may use that Electricity Consumption Data;

(iii) that the licensee requires the Domestic Customer's consent to obtain that Electricity Consumption Data; and

(iv) that where the Domestic Customer gives consent he may withdraw it at any time and of the process by which he may do so; and

(b) the Domestic Customer has given their ~~his~~ explicit consent to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice and such consent has not been withdrawn.

~~47.9~~ 47.12 The requirements of this paragraph are that:

(a) where:

(i) there is a Remote Access Meter and the Authority has approved the Trial; or

(ii) the Electricity Meter forms part of a Smart Metering System and the Secretary of State has approved ~~(the Trial)~~; and

(b) the relevant premises fall within that category;

(c) the licensee has given at least 14 days advance Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:

(i) of the nature and purpose of the Trial;

(ii) that he may at any time object to being included in the Trial;

(iii) of the process by which the Domestic Customer may object; and

(d) the Domestic Customer has not objected to being included in the Trial.

**Prohibition on use of Electricity Consumption Data obtained under paragraph 47.7 or 47.10**

~~47.10~~ 47.13 Subject to paragraph ~~47.11~~14, the licensee must not use Electricity Consumption Data obtained under paragraph 47.7 or 47.10 ~~in respect of any relevant premises~~ other than for any of the following purposes:

(a) calculating and sending a Bill or a statement of account to the Domestic Customer;

(b) complying with a relevant condition or a relevant requirement;

(c) where the requirements of paragraph ~~47.8~~5 are satisfied, the purpose set out in the Notice given to the Domestic Customer under paragraph ~~47.8~~5(a);

(d) where any of the requirements of paragraph ~~47.9~~6 are satisfied, the purpose for which the data was obtained in accordance with paragraph ~~47.9~~6;

(e) where the requirements of paragraph ~~47.8~~11 are satisfied, the purpose set out in the Notice given to the Domestic Customer under paragraph ~~47.8~~11(a);

(f) where the requirements of paragraph 47.9~~12~~ are satisfied, the purpose of the Trial.

**Exception to prohibition on use of Electricity Consumption Data obtained under paragraph 47.7 or 47.10**

~~47.11~~ 47.14 The licensee may use Electricity Consumption Data obtained under paragraph 47.7 or 47.10 for purposes other than the purposes specified in paragraph 47.13~~0~~ where:

(a) it has given at least seven days advance Notice informing the Domestic Customer that it intends to use Electricity Consumption Data for the purposes specified in the Notice; and

(b) the requirements of paragraph 47.15~~2~~ are satisfied.

~~47.12~~ 47.15 The requirements of this paragraph are that:

(a) where the Electricity Consumption Data relates to any period of less than one day, the Domestic Customer has given explicit consent for that Electricity Consumption Data to be used for the purposes specified in the Notice;

(b) where the Notice given under paragraph 47.14~~14~~(a) specifies that the licensee intends to use Electricity Consumption Data for Marketing, the Domestic Customer has given explicit consent for the Electricity Consumption Data to be used for Marketing; and

(c) in all other cases, the Domestic Customer has not objected to the Electricity Consumption Data being used for the purposes specified in the Notice.

**Exception to prohibition in paragraph 47.6 - Obtaining half-hourly Electricity Consumption Data for Settlement Purposes**

47.16 Paragraph 47.6 does not apply and the licensee must obtain Electricity Consumption Data relating to half-hourly periods for Settlement Purposes, if the requirements of paragraph 47.17 or 47.18 are met.

47.17 The requirements of this paragraph are that:

(a) the Domestic Customer is a New System Customer; and

(b) the Domestic Customer has, either (i) given their explicit consent to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes; or (ii) after at least seven days have elapsed from the date on which the Notice was given to them, not objected to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes (subject to paragraph 47.26(a)).

47.18 The requirements of this paragraph are that:

(a) the Domestic Customer is an Old System Customer; and

(b) the Domestic Customer has given explicit consent to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes, and such consent has not been withdrawn (subject to paragraph 47.26(a)).

### **Exception to prohibition in paragraph 47.6 - Obtaining daily Electricity Consumption Data for Settlement Purposes**

47.19 Paragraph 47.6 does not apply and the licensee must obtain Electricity Consumption Data relating to daily periods for Settlement Purposes, if the requirements of paragraphs 47.20 or 47.21 are met.

47.20 The requirements of this paragraph are that:

(a) the Domestic Customer is a New System Customer; and

(b) the Domestic Customer has objected to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes (subject to paragraph 47.26(a)).

47.21 The requirements of this paragraph are that:

(a) the Domestic Customer is an Old System Customer; and

(b) the Domestic Customer has neither (i) given their explicit consent to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes; nor (ii) after at least seven days have elapsed from the date on which the Notice was given to them, objected to the licensee obtaining Electricity Consumption Data relating to daily periods for Settlement Purposes.

### **Obtaining monthly Electricity Consumption Data for Settlement Purposes**

47.22 The licensee must obtain Electricity Consumption Data relating to monthly periods for Settlement Purposes, if the requirements of paragraph 47.23 are met.

47.23 The requirements of this paragraph are that:

(a) the Domestic Customer is an Old System Customer; and

(b) the Domestic Customer has objected to the licensee obtaining Electricity Consumption Data relating to daily periods for Settlement Purposes.

### **Use of Electricity Consumption Data obtained for Settlement Purposes**

47.24 The licensee must submit for use in Settlement the Electricity Consumption Data obtained in respect of the relevant premises pursuant to paragraphs 47.16, 47.19 and 47.22.

47.25 The licensee may also use Electricity Consumption Data obtained in respect of the relevant premises pursuant to paragraphs 47.16, 47.19 and 47.22 for either or both of the following purposes:

(a) Forecasting; and/or

(b) MHHS Business Readiness.

47.26 The following applies in respect of the relationship between obtaining half-hourly Electricity Consumption Data for Settlement Purposes, and for the purposes of calculating Charges:

(a) a Domestic Customer who has agreed a Tariff whereby the Charges are calculated by reference to Electricity Consumption Data relating to half-hourly periods may not object or withdraw their consent to the licensee obtaining



Electricity Consumption Data relating to half-hourly periods for Settlement Purposes; and

(b) a Domestic Customer who has not agreed a Tariff whereby the Charges are calculated by reference to Electricity Consumption Data relating to half-hourly periods may still separately consent or **not** object to the licensee obtaining Electricity Consumption Data relating to half-hourly or daily periods for Settlement Purposes.

### **Maintaining records and informing customers**

~~47.13~~ 47.27 The licensee must, in respect of each of its Domestic Customers at relevant premises, at all times maintain an accurate and up to date record of:

- (a) the date of any Notice sent to the Domestic Customer under this condition and of the information contained in it;
- (b) the nature of the Domestic Customer's response (if any) to that Notice;
- (c) the time periods (by reference to length) in relation to which the licensee obtains or may obtain Electricity Consumption Data; and
- (d) where the licensee obtains Electricity Consumption Data by virtue of the requirements of paragraph ~~47.69~~(a) a statement setting out the reasons why such requirements are satisfied in the circumstances of the case.

~~47.14~~ 47.28 The licensee must, in accordance with paragraph ~~47.29~~15, inform the Domestic Customer in Writing of:

- (a) the time periods (by reference to length) in relation to which the licensee obtains or may obtain Electricity Consumption Data;
- (b) the purposes for which that Electricity Consumption Data is, or may be, used by the licensee; and
- (c) where any of the time periods is of less than one month, the Domestic Customer's right, if any, to object or withdraw consent (as the case may be) to the licensee obtaining or using (as the case may be) that Electricity Consumption Data.

~~47.15~~ 47.29 The licensee shall inform the Domestic Customer of the matters set out in paragraph ~~47.28~~14:

- (a) where it installs or arranges for the installation of the Remote Access Meter or Smart Metering System at the Domestic Premises, on, or at any time during the 14 days prior to, the date of installation or as soon as reasonably practicable after the date of installation; and
- (b) in all cases, at such intervals as are determined appropriate by the licensee for the purposes of ensuring that the Domestic Customer is regularly updated of such matters.

## **PART B. MICRO BUSINESS PREMISES**

### **Prohibition on obtaining Electricity Consumption Data**

~~47.16~~ 47.30 Subject to paragraphs ~~47.31~~17 and ~~47.17~~33, the licensee must not, in respect of any micro business premises, obtain any Electricity Consumption Data which relates to a period of less than one month.

**Exception to prohibition on obtaining Electricity Consumption Data**

~~47.17~~47.31 Paragraph ~~47.30~~16 does not apply where the requirements of paragraphs ~~47.17A~~31A or ~~47.17B~~31B are satisfied.

~~47.17A~~ 47.31A The requirements of this paragraph are:

(a) the licensee has given at least seven days advance Notice to the Micro Business Consumer at the micro business premises informing the Micro Business Consumer:

(i) that the licensee intends to obtain Electricity Consumption Data which relates to any one or more periods of less than one month;

(ii) of the purposes for which the licensee may use that Electricity Consumption Data; and

(iii) that the Micro Business Consumer may at any time object to the licensee obtaining that Electricity Consumption Data and of the process by which he may do so; and

(b) (i) the Micro Business Consumer has not objected to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice; or

(ii) the Micro Business Consumer has objected to the licensee obtaining Electricity Consumption data, which relates to any one or more periods of less than one month and the licensee is unable to remotely configure the Remote Access Meter to prevent that Electricity Consumption Data being automatically sent to the licensee or a third party, but as soon as reasonably practicable the licensee **(subject to the overriding obligation in paragraph 47.38 in respect of data obtained as described in paragraph 47.35(b))**:

A) (1) takes all reasonable steps to prevent the third party passing that Electricity Consumption Data to the licensee or any other third party;

B) (2) takes all reasonable steps to ensure the third party permanently erases that Electricity Consumption Data; and

C) (3) permanently erases any of that Electricity Consumption Data it has obtained.

~~47.31~~17B The requirements of this paragraph are that the Electricity Consumption Data that is obtained relates to a period of less than one month but not less than one day, and that one of the following applies:

(a) the licensee has reasonable grounds to suspect that there is an occurrence of theft or abstraction of electricity at the micro business premises, and it obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in this paragraph ~~47.17B~~31B only for the purposes of investigating that suspected theft or abstraction;

(b) the licensee obtains Electricity Consumption Data which relates to a single period of a length referred to in this paragraph ~~47.17B31B~~ only for the purposes of:

(i) verifying the quantity of electricity supplied to the micro business premises since the last date in respect of which the licensee obtained Electricity Consumption Data that was used for the purposes of sending a Bill or a statement of account to the Micro Business Consumer (the **Billing Date**); and

(ii) calculating and sending an accurate and up to date Bill or statement of account (including a final Bill or statement of account) to the Micro Business Consumer in respect of the Charges for the Supply of Electricity to the micro business premises since the Billing Date;

(c) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in this paragraph ~~47.17B31B~~ only for the purposes of responding to an enquiry from or a complaint made by, or on behalf of, the Micro Business Consumer at the micro business premises and relating to the supply of electricity by the licensee to the micro business premises;

(d) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in this paragraph ~~47.17B31B~~ only following receipt of a request of the type referred to in, and for the purposes of complying with the requirement of, paragraph 51.12 of standard condition 51 (Smart Metering – Customer Access to Consumption Data); or

(e) the Electricity Meter forming part of the Smart Metering System or Remote Access Meter at the micro business premises is a Prepayment Meter, and the Electricity Consumption Data:

(i) is obtained only by virtue of the Remote Access Meter or Smart Metering System registering an advance payment made by the Micro Business Consumer through that Prepayment Meter; and

(ii) relates to a single period of a length referred to in this paragraph ~~47.17B31B~~ which corresponds to the period since the previous advance payment made by the Micro Business Consumer through that Prepayment Meter.

### **Use of Electricity Consumption Data**

~~47.18~~ 47.32 The licensee must not use Electricity Consumption Data obtained in respect of any micro business premises other than for any of the following purposes:

(a) calculating and sending a Bill or statement of account to the Micro Business Consumer;

(b) complying with a relevant condition or a relevant requirement;

(c) where the requirements of paragraph ~~47.17A31A~~ are satisfied, the purpose set out in the Notice given to the Micro Business Consumer under paragraph ~~47.17A31A~~;

(d) where any of the requirements of paragraph ~~47.17B31B~~ are satisfied, the purpose for which the data was obtained in accordance with paragraph ~~47.17B31B~~

### **Exception to prohibition in paragraph 47.30 – Obtaining half-hourly Electricity Consumption Data for Settlement Purposes**

47.33 Paragraph 47.30 does not apply, and the licensee must obtain Electricity Consumption Data relating to half-hourly periods for Settlement Purposes, if the requirements of paragraph 47.34 or 47.35 are met.

47.34 The requirements of this paragraph are that the Micro Business Consumer is a New System Customer.

47.35 The requirements of this paragraph are that the Micro Business Consumer is an Old System Customer, and either:

(a) the Micro Business Consumer has, either (i) given their explicit consent to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes; or (ii) after at least seven days have elapsed from the date on which the Notice was given to them, not objected to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes (subject to paragraph 47.40(a)); or

(b) the Micro Business Consumer has objected to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes, and the licensee is unable to remotely configure the Remote Access Meter to prevent that Electricity Consumption Data being automatically sent to the licensee or a third party, but as soon as reasonably practicable the licensee takes all reasonable steps to reconfigure the meter.±

~~(i) takes all reasonable steps to prevent the third party passing that Electricity Consumption Data to the licensee or any other third party;~~

~~(ii) takes all reasonable steps to ensure the third party permanently erases that Electricity Consumption Data; and~~

~~(iii) permanently erases any of that Electricity Consumption Data the licensee has obtained.~~

### **Obtaining monthly Electricity Consumption Data for Settlement Purposes**

47.36 The licensee must obtain Electricity Consumption Data relating to monthly periods for Settlement Purposes if the requirements of paragraph 47.37 are met.

47.37 The requirements of this paragraph are that:

(a) the Micro Business Consumer is an Old System Customer; and

(b) the Micro Business Consumer has objected to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes (subject to paragraph 47.40(a)), except to the extent that the licensee has obtained Electricity Consumption Data relating to half-hourly periods in the circumstances described in paragraph 47.35(b).

### **Use of Electricity Consumption Data obtained for Settlement Purposes**

47.38 The licensee must submit for use in Settlement the Electricity Consumption Data obtained in respect of the micro business premises pursuant to paragraph 47.33 or 47.36.

47.39 The licensee may also use Electricity Consumption Data obtained in respect of the micro business premises pursuant to paragraphs 3 47.33 and 47.36 for either or both of the following purposes:

(a) Forecasting; and/or

(b) MHHS Business Readiness.

47.40 The following applies to Micro Business Consumers who are Old System Customers in respect of the relationship between obtaining half-hourly Electricity Consumption Data for Settlement Purposes, and for the purpose of calculating Charges:

(a) a Micro Business Consumer who has agreed a Tariff whereby the Charges are calculated by reference to Electricity Consumption Data relating to half-hourly periods may not object to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes; and

(b) a Micro Business Consumer who has not agreed a Tariff whereby the Charges are calculated by reference to Electricity Consumption Data relating to half-hourly periods may still separately consent or not object to the licensee obtaining Electricity Consumption Data relating to half-hourly periods for Settlement Purposes.

### **PART C. EXPORT METERS**

47.41 The licensee must obtain Electricity Export Data relating to half hourly periods for Settlement Purposes.

47.42 The licensee must submit for use in Settlement the Electricity Export Data obtained pursuant to paragraph 47.41.

47.43 The licensee may also use Electricity Export Data obtained pursuant to paragraph 47.41 for either or both of the following purposes:

(a) Forecasting; and/or

(b) MHHS Business Readiness.

### **Interpretation and Definitions**

~~47.19~~ 47.44 In this condition, any reference:

(a) to Electricity Consumption Data being 'obtained' by the licensee shall be read as incorporating a reference to the licensee requesting any other person to obtain that Electricity Consumption Data on its behalf (and references to 'obtain' and 'obtaining' shall be construed accordingly);

(b) to the licensee obtaining Electricity Consumption Data which 'relates to' a specified period, shall be read as incorporating a reference to the licensee obtaining any data which would allow it to calculate Electricity Consumption Data in respect of that period (and references to Electricity Consumption Data being 'in relation to' a period of time shall be construed accordingly).

~~47.20~~ 47.45 For the purposes of this condition:

**Electricity Consumption Data**

means, in respect of a relevant premises or a micro business premises, the quantity of electricity measured by the Electricity Meter as having been supplied to the relevant premises or the micro business premises.

**Electricity Export Data**

means, in respect of a premises, the quantity of electricity measured by the Export Meter as having been exported from the premises.

**Export Meter**

means an Electricity Meter comprising or forming part of a Remote Access Meter or a Smart Metering System which measures the quantity of electricity exported from a premises.

**Forecasting**

means the process by which the licensee predicts their potential future position with regards to liabilities and charges under Settlement. Provided that all Personal Data must be anonymised and aggregated as early in the relevant process as is reasonably practicable.

**Market-wide Half-Hourly Settlement System**

means the system under the Balancing and Settlement Code for market-wide half-hourly settlement.

**Marketing**

means:

(a) any activities of the licensee or its Representatives which are directed at or incidental to identifying and communicating with Domestic Customers for the purpose of promoting the provision of goods or services by any person and includes entering into contracts for the provision of goods or services with such customers;

(b) the licensee or its representatives disclosing Electricity Consumption Data to any other person for the purposes of that person undertaking activities which are directed at or incidental to identifying and communicating with Domestic Customers for the purpose of promoting the provision of goods or services by any person, including the entering into contracts for the provision of goods or services with such customers,

but for these purposes 'goods or services' shall be taken to exclude the supply of electricity by the licensee.

**MHHS Business Readiness**

means undertaking preparations for the purposes of implementing and delivering Market-Wide Half-Hourly Settlement, including (a) improving Forecasting techniques or processes; and (b) the development of new electricity supply products and services aimed at broad market segments. Provided that all Personal Data must be anonymised and aggregated as early in the relevant process as is reasonably practicable.

**MHHS Data Access Commencement Date (MDACD)**

means the date from which the licensee may obtain data in accordance with paragraph 47.4(b).

**Micro Business Consumer**

has the meaning given to it in standard condition 7A (Supply to Micro Business Consumers).

**New System Customer**

means:

(a) a Domestic Customer or Micro Business Consumer who had their Remote Access Meter or Smart Metering System installed after the date on which this definition came into effect; or

(b) a Domestic Customer or Micro Business Consumer who had their Remote Access Meter or Smart Metering System installed before this definition came into effect, and who since such date has entered into a new Contract (but excluding Deemed Contracts).

**Old System Customer**

means a Domestic Customer or a Micro Business Consumer that is not a New System Customer.

**Personal Data**

has the meaning given to that expression in the Data Protection Act 2018.

**Remote Access Meter**

means an Electricity Meter that, either on its own or with an ancillary device:

(a) provides measured Electricity Consumption Data for multiple time

periods and is able to provide such data for periods of less than one month;

(b) is able to provide the licensee with remote access to such data; and

(c) is not a Smart Metering System or part of a Smart Metering System.

**Settlement**

means the arrangements for determination, allocation and/or settlement of the financial obligations defined in paragraph 2 of standard licence condition C3 (Balancing and Settlement Code (BSC)) of the Transmission Licence, as further specified in the Balancing and Settlement Code.

**Settlement Purposes**

means Settlement, and also Forecasting and MHHS Business Readiness.

**Trial**

means proposals submitted by the licensee for obtaining Electricity Consumption Data which relates to any one or more periods of less than one day, in respect of a particular category of relevant premises and for a particular purpose (in each case as specified in the proposal), on a trial basis.



## **Schedule 2 – Relevant licence holders**

Affect Energy Ltd  
Arto.Energy Limited  
AXPO UK Limited  
Barbican Power Limited  
BES Commercial Electricity Limited  
BGI Trading Limited  
BP Gas Marketing Limited  
British Gas Trading Limited  
Brook Green Trading Limited  
Bryt Energy Limited  
Bulb Energy Ltd  
Business Power and Gas Limited  
Cilleni Energy Supply Limited  
Conrad Energy (Trading) Limited  
Constellation Generation Limited  
Co-Operative Energy Limited  
Corona Energy Retail 4 Limited  
Coulomb Energy Supply Limited  
Crown Gas and Power 2 Limited  
Danske Commodities A/S  
Delta Gas and Power Limited  
D-Energi Trading Limited  
Drax Energy Solutions Limited  
Dyce Energy Limited  
E (Gas and Electricity) Limited  
E.ON Energy Solutions Limited  
E.ON Next Energy Limited  
E.ON UK Plc  
Eco Green Management Limited  
Ecotricity Limited  
EDF Energy Customers Limited  
Edgware Energy Limited  
Electricity Plus Supply Limited  
Electroroute Energy Limited  
Eneco Energy Trade BV  
Energise Britain Gas & Electric Ltd  
ENGIE Power Limited  
EPG Energy Limited  
Equinicity Ltd  
ESB Energy limited  
F & S Energy Limited  
Farmoor Energy Limited  
Farringdon Energy Limited  
Flexitricity Limited  
Foxglove Energy Supply Limited  
Gazprom Marketing & Trading Retail Limited  
Good Energy Limited  
Green Energy (UK) plc  
GridBeyond Limited  
Hartree Partners Supply (UK) Limited  
Holborn Energy Limited  
Home Energy Trading Ltd  
Idaho Energy Limited  
Limejump Energy Limited  
Logicor Energy Limited

Marble Power Limited  
Maxen Power Supply Limited  
Mississippi Energy Limited  
MVV Environment Services Limited  
Neas Energy Limited  
New Stream Renewables Limited  
Npower Commercial Gas Limited  
Npower Limited  
Npower Northern Limited  
Npower Northern Supply Limited  
Npower Yorkshire Limited  
Npower Yorkshire Supply Limited  
Octopus Energy Limited  
Opus Energy (Corporate) Limited  
Opus Energy Limited  
Opus Energy Renewables Limited  
Orsted Power Sales (UK) Limited  
OVO Electricity Limited  
P3P Energy Supply Limited  
Paddington Power Limited  
Planet 9 Energy Limited  
Power4All Limited  
Positive Energy Ltd  
PX Supply Limited  
Regent Power Limited  
Scottish Power Energy Retail Limited  
Shell Energy Retail Limited  
Shell Energy UK Limited  
Sinq Power Limited  
SmartestEnergy Business Limited  
SmartestEnergy Limited  
So Energy Trading Limited  
SQUARE1 ENERGY LIMITED  
Squeaky Clean Energy Limited  
SSE Energy Supply Limited  
Statkraft Markets GmbH  
Switch Business Gas and Power Ltd  
The Nuclear Decommissioning Authority  
Totalenergies Gas & Power Limited  
Toucan Energy Limited  
Tradelink Solutions Limited  
Tru Energy Limited  
UK Energy Incubator Hub Limited  
UK Power Reserve Limited  
Unify Energy Limited  
United Gas & Power Ltd  
United Gas & Power Trading Ltd  
Utilita Energy Limited  
Valda Energy Limited  
Vattenfall Energy Trading GmbH  
Verastar Limited  
Wilton Energy Limited  
Yu Energy Retail