

All holders of an electricity supply
licence

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Date: 13 October 2022

Dear Colleague,

Modification of Electricity Supply Standard Licence Conditions 47 and 51

The Authority¹ issued a Notice on 07 September 2022 under section 11A(2) of the Electricity Act 1989 (the Act) setting out our decision to modify Standard Licence Condition (SLC) 47 of the Electricity Supply Standard Licence Conditions (SLCs).²

The licence text set out in Schedule 1 to that modification Notice did not reflect the recently updated text that was in force at that point. The Government had recently published a decision to modify a separate part of SLC 47 on 01 June 2022 following their consultation on *"Maximising non-domestic smart meter consumer benefits, improving the data offer and enabling innovation"*.³ These Government changes were then not fully reflected in our updated text published as part of the September 07 decision.

We want to make clear that the consolidated changes that we will be making to SLCs 47 and 51 following our 07 September decision will include the changes made by the Government on 01 June. Both sets of modifications will therefore be reflected correctly in the updated licence conditions, including paragraph numbering and existing cross-references. We are also taking this opportunity to correct a historic typographical error in SLC 51.16 that we have recently identified. We have consulted with the Government to confirm that the updated conditions being published here function as intended.

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

² Link [here](#) to the 07 September 2022 Authority decision to modify SLC 47

³ Link [here](#) to the 01 June 2022 Government decision to modify SLC 47

To be clear, the underlying policy intent of the licence text is unchanged. We are simply publishing the updated consolidated text here for clarity to assist licensees and any other interested party interpret the updated licence conditions following both our and Government's modifications.

The Government changes as published on 01 June are marked up in Schedule 1 in blue highlight. The additional changes we are making to ensure our changes of 07 September work consistently with those Government changes are marked up in green highlight. For clarity, the redlining as set out in the licence text appended to the 07 September decision has been removed from the text in Schedule 1 to make the new changes clearer. Please refer back to the Notice published as part of the 07 September decision to view the changes made as a result of that decision.

The rest of the Schedule and modification remains as published in that 07 September decision.

Finally, both the changes published on 07 September and the additional changes we are making here will enter into force at the end of the standstill period pertaining to the 07 September decision, that being 02 November 2022.

If you have any questions regarding this letter, please contact the Half-hourly Settlement team at half-hourlysettlement@ofgem.gov.uk



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Rachel Clark

Deputy Director, Retail

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

13 October 2022

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

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

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 47.7(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 47.7(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 47.7(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 47.7(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)~~ **51.9(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 47.7(a) which corresponds to the period since the previous advance payment made by the Domestic Customer through that Prepayment Meter.

Exception to prohibition on obtaining Electricity Consumption Data

47.31 Paragraph 47.30 does not apply where the requirements of paragraphs ~~47.17A~~ **47.31A**, ~~47.17B~~ **47.31B** or **47.31C** are satisfied.

47.31B 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 47.31B 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 47.31B 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 47.31B 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; or

~~(d) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in this paragraph 47.17B 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)~~(d) 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 47.31B which corresponds to the period since the previous advance payment made by the Micro Business Consumer through that Prepayment Meter.

47.31C The requirements of this paragraph are that the licensee obtains Electricity Consumption Data which relates to any one or more periods of less than one month following receipt of a request of the type referred to in, and for the purposes of complying with the requirements of, paragraph 51.21 of standard condition 51 (Smart Metering – Customer Access to Consumption Data).

Condition 51. Smart Metering – Customer Access to Consumption Data

Exception

51.16 The requirements in paragraph 51.14 do not apply where a connection that enables the exchange of information between the Smart Metering System at the relevant export premises and the licensee's Communications System has not at any time been established (whether directly ~~and insert~~ to the licensee's Communications System or indirectly through the DCC's Communications System).

PART D – DEFINITIONS

Definitions

In this Condition:

**Relevant Micro
Business Premises**

means Micro Business Premises in respect of which the licensee does not obtain electricity consumption data under paragraph ~~47.17A~~ **47.31A** of standard condition 47 which relates to any one or more periods of a length which is half-hour or less.

**Relevant Period of a
Length**

in respect of any Micro Business Premises,
means:

(a) where the licensee is not able to obtain and use electricity consumption data for a period of length which is half-hour (or shorter) in compliance with paragraphs ~~47.17A 47.31A~~ or ~~47.17C 47.31C~~ of standard condition 47 and with data protection legislation;

(i) a period which is not more than a month; or

(ii) the period of a length for which the licensee is able to obtain and use electricity consumption data in respect of the premises in compliance with paragraphs ~~47.17A 47.31A~~ or ~~47.17C 47.31C~~ of standard condition 47 and with data protection legislation,

whichever is the shorter;

(b) where the licensee is able to obtain and use electricity consumption data for a period of length which is half-hour (or shorter) in

compliance with paragraphs ~~47.17A~~
~~47.31A~~ or ~~47.17C~~ ~~47.31C~~ of standard
condition 47 and with data protection
legislation, a half-hour period (or such
shorter period as the licensee may
determine).