

The Electricity Act 1989 and Gas Act 1986 Provisional Order under section 25(2) of the Electricity Act 1989 and section 28(2) of the Gas Act 1986

To:

British Gas Trading Ltd (company number **03078711**), having its registered office at Millstream Maidenhead Road, Windsor, Berkshire, SL4 5GD ("BG") the holder of an electricity supply licence granted or treated as granted under section 6(1) of the Electricity Act 1989 and the holder of a gas supply licence granted or treated as granted under section 7A of the Gas Act 1986.

WHEREAS:

- A. The Gas and Electricity Markets Authority ("the Authority") has received information regarding BG's compliance with its obligations under the standard conditions of the gas and electricity supply licences (jointly referred to as "SLCs").
- B. Based on the information received by the Authority, it appears to the Authority that BG is contravening or is likely to contravene SLCs 0, 13.1 (a) and (d), 27.11A, 28.1A, 28.1B and 28B.1 ('the Relevant Conditions')
- C. Having had regard to the matters set out in section 25 of the Electricity Act and section 28 of the Gas Act, the Authority considers it is requisite to make a Provisional Order in exercise of the powers in section 25(2) of the Electricity Act and section 28(2) of the Gas Act.

NOW THEREFORE:

The Authority, pursuant to section 25(2) of the Electricity Act and section 28(2) of the Gas Act, and for the purpose of securing compliance with SLCs 0, 13.1 (a) and (d), 27.11A, 28.1A, 28.1B and 28B.1, makes a Provisional Order requiring BG:

1. Not to act in contravention of SLCs 0, 13.1 (a) and (d), 27.11A, 28.1A, 28.1B and 28B.1.
2. Immediately to cease all installations of pre-payment meters ('PPM') under a Relevant Warrant¹ and cease disconnection of any Domestic Customers for reasons of unpaid charges until the terms of this Provisional Order are met.
3. To provide a preliminary internal report by 13 February 2023 relating to non-compliance with the matters outlined in paragraphs 1 and 2 above.
4. By no later than 6 March 2023, to provide the Authority with an independent audit report (commissioned at BG's own expense and prepared by an independent professional acceptable to the Authority² with a framework and remit also acceptable to the Authority³)

¹ This applies to installations carried out by BG or any Representatives and includes remote switching from credit to PPM mode Relevant Warrant is defined in SLC 28B.10

² BG must consult with the Authority's Senior Responsible Officer prior to engaging its proposed auditor.

³ BG must consult with the Authority's Senior Responsible Officer prior to providing its appointed auditor with the remit for their audit. The Authority will provide BG with direction on the scope, data and performance metrics to be included within the scope of the audit and covered in the report prepared by the independent auditor.

identifying any areas in BG's policy and processes that do not comply with paragraphs 1 and 2 above (including the application and adherence to such policies and procedures) alongside a remedial action plan to address any non-compliance issues identified. The remedial action plan must include targets for any remedial actions, and clear timeframes when these will be achieved. However, these timeframes should not extend past 3 April 2023.

5. To provide written assurance from the BG Board that all actions contained in the remedial plan have been completed and that BG is now compliant with its obligations under SLCs 0, 13.1 (a) and (d), 27.11A, 28.1A, 28.1B and 28B.1. This assurance is to be provided no later than 10 April 2023.
6. To provide all reports or summaries of initial and final findings provided to the BG Board, sub-committees of that Board or BG Directors, relating to non-compliance with the matters outlined in paragraphs 1 and 2 above on a weekly basis, commencing Monday 13 February 2023.

This order shall cease to have effect on 2 May 2023 unless confirmed by the Authority on or before that date.

Dated: 2 February 2023

Signed:

Charles Hargreaves
Deputy Director, Enforcement
Duly Authorised on behalf of the Gas & Electricity Markets Authority

ofgem

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for energy consumers