

Robert Clay,  
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E14 4PU

4 October 2023

Dear Robert,

**NEW ELECTRICITY SUPPLY AND GENERATION LICENCE CONDITIONS TO  
IMPLEMENT NEW OWNERSHIP ARRANGEMENTS FOR ELEXON**

Thank you for the opportunity to respond to this consultation, inviting comments on new electricity supply and generation licence conditions proposed for the purposes of implementing new ownership arrangements for Elexon.

Our responses to the consultation questions are in Annex 1. We have responded from the perspective of whether the proposed licence changes meet the policy objective.

[&lt;]

I hope you find this response helpful and should you wish to discuss further any of the points raised, then please do not hesitate to get in touch.

Yours sincerely,



**Richard Sweet**  
Director of Regulatory Policy

**NEW ELECTRICITY SUPPLY AND GENERATION LICENCE CONDITIONS TO  
IMPLEMENT NEW OWNERSHIP ARRANGEMENTS FOR ELEXON –  
SCOTTISHPOWER RESPONSE**

**Q1. Do you agree with our proposed approach to implementation, including our proposal for flexibility?**

We recognise the need for flexibility as not all of the BSC Parties, nominated by Government to become shareholders of ELEXON, will be holders of a relevant licence (generation or supply).

**Q2. Are there any other factors that we should consider to enable successful implementation?**

To ensure successful implementation it is essential to have clear and timely communication throughout the process.

We also think it is important that Government, so far as is reasonably practicable, should strive to limit the complexity of these new ownership arrangements, including establishing clear governance arrangements.

[§].

**Q3. Do you agree that the approach taken in the proposed licence condition serves the purpose required?**

We agree that the approach taken in the proposed licence condition will serve to achieve the required purpose of obligating qualifying licensees to hold a share in Elexon.

We think the detail in paragraph 3.6 of the consultation document is helpful and suggest that this should be incorporated into the licence condition in some way, so it is easily accessed in future by all parties.

**Q4. Do you have any additional comments on the proposed licence condition?**

We note that the phrase ‘wholly owned affiliate’ is not capitalised in paragraph 2 of the draft condition, yet it is listed as a defined term in the glossary. We would therefore recommend capitalising in paragraph 2 for clarity.

**ScottishPower**  
October 2023