

Lion House, Rowcroft, Stroud, Gloucestershire GL5 3BY | 01453 756 111 |

[www.ecotricity.co.uk](http://www.ecotricity.co.uk)

Ecotricity Limited - Registered in England and Wales:

03043412

From: [REDACTED]

To: NonDomesticRetailPolicy@ofgem.gov.uk

Dated: 31st January 2024

Ref: Non-domestic market review: Statutory consultation on licence changes

Dear Louise

Thank you for the opportunity to respond to the Non-Domestic Statutory Consultation and to provide Ecotricity's views,

As a pioneer in the green energy sector since 1995, with over 165,000 domestic and non-domestic supply accounts and more than 100MW of self-developed renewable generation capacity, Ecotricity pride ourselves on providing a great customer experience to our customers and are committed to providing fair and transparent service to our customers.

We're supportive of the majority of the requirements within the Statutory Consultation and believe that all customers should be provided with a consistent level of service that's laid out within the Standards of Conduct and be treated fairly, whatever their size. We are also conscious that each subset of customers, view, and act upon what they deem to be their service requirements differently with these differences needing to be observed. The needs of the different subset of customers' needs to be taken into consideration within the final decision with further clarification provided.

In relation to the changes that will be required to systems, training requirements and the updating of processes, these will be challenging and may not be achievable within the timescales set out dependent on 3rd parties.

Clarity is required on the definition of small businesses consumers to ensure consistency and the expected increases that will fall on suppliers in relation to reporting requirements in addition to those already in place. We are conscious of the additional burden and resource requirements this will have on suppliers, should reporting mirror current requests.

The consultation had been split into five sections with the remainder of this response being amalgamated into these sections:

### **Standards of Conduct**

We welcome the expansion of the Standards of Conduct to ensure all non-domestic customers are treated fairly and consistently in line with the overarching principle. We have concerns relating to the implementation time lines, decision plus 57 days will be challenging to ensure all systems, training and documentation is updated to ensure compliance from day 1.

Implementing the Standards of Conduct in two tranches with the Small Businesses on Day 57 and large I&C customers within 6 months, would allow for the complexities of this subset of customers to be effectively reviewed.

The updating of the 2017 revised 2019 Guidance would be appreciated to consider the further complexities especially in relation the I&C customers, who are serviced through contract law.

### **Complaints Handling Standards**

Yes, we agree with the expansion of the complaints handling standards to include those customers who fall into the small business definition. Ecotricity already follow the same internal complaints process for all our non-domestic customers, with the only exceptions being that our large customers have a dedicated account manager.

As the Ombudsman has had scope creep for a number of years to have a clearly defined and observed scope with energy trained advisors will be beneficial to all parties providing an improved service to all.

Again, as with the Standards of Conduct we believe that whilst in principle, the proposed changes will have little impact to our day-to-day operation, we will require both our CRM system and billing platform to be updated by our 3rd party provider, and therefore 3 months could prove to be a tight deadline. However, in relation to any changes to process, communications and website, the timescale is achievable.

### **Signposting to relevant customer support services**

We are in agreement that by expanding the signposting to include small businesses in addition to the current obligations will be beneficial to these customers and have little impact on current activities.

### **Third Party Intermediary redress scheme membership**

We believe that the expansion to include those third-party intermediaries offering services to the small business consumer within the scheme is a step in the right direction. We would welcome the move to include all third-party intermediaries in the future without exception, and to see an increase in direct effective regulation via Ofgem of these parties.

The scheme needs to be administered effectively and have consistent standards across all ADR schemes, with the ability to monitor engagement of the parties provided within a timely manner.

### **Third Party Intermediary service fee transparency**

The expansion of the commission transparency across the industry to cover all customers goes hand in hand with the expansion of the Standards of Conduct. At Ecotricity, we took the decision to provide transparency of this information at the point of implementation for micro business consumers.

### **Update on other work in progress**

#### **Priority Service Register**

We welcome the work to incorporate domestic end users who are subject to Commercial contracts in being included within the Priority Services Register and will support with any projects ongoing with the Network operators.

## **14 Day Cooling off period**

There was a review of the 14-day cooling off period within the Microbusiness Review. At this point the subject of 14-day cooling off within the business arena was retracted due to the complexities of faster switching and hedging strategies.

At Ecotricity, we see no benefit to the business customer in reopening this proposal, believing this would not be practical within this sector where we'd be required to back off contracts following the wholesale energy purchases in addition to the complexities following the implementation of Faster Switching.

This change if pushed forward following further consultation could result in an unintended detrimental position to consumers due to a potential increase in risk premium as suppliers may not purchase the required energy until after the window has closed.

## **Data Protection**

With the expansion of the Licence can you also clarify whether there will be changes to the Data Protection requirements especially relating to the small business consumer.

In summary, we agree in principle with the majority of the changes, notwithstanding the challenges highlighted within this response. Guidance documentation along with the decision paper would be advantageous to ensure consistency across the industry.

Should you wish to discuss our response in more detail, we are happy to arrange a bilateral.

Many thanks

Nicola

Nicola Meyrick

Head of Regulation and Compliance

Sent on behalf of Ecotricity.