



E.ON Next Energy Limited  
Westwood Way,  
Westwood Business Park,  
Coventry,  
England,  
CV4 8LG

12 September 2024

To: E.ON Next Energy Limited (Company number: 03782443)

### **Direction under Electricity Supply Standard Licence Condition 60**

Whereas

1. E.ON Next Energy Limited (the Licensee) holds a supply licence granted by the Gas and Electricity Markets Authority (the Authority) under section 6(1)(d) of the Electricity Act 1989 (the Act) to supply electricity (the Licence).
2. Between July 2022 and April 2024, Ofgem and the Department consulted on new ownership arrangements for Elexon Limited, including the introduction of Electricity Supply Standard Licence Condition 60 (the Licence Condition).
3. The Licence Condition will require the Licensee to hold one share in Elexon Limited if directed to do so by the Secretary of State or the Authority with effect from the date specified in such direction.
4. On 21 August 2024, the Secretary of State listed the Licensee in the Government and Ofgem response (the Consultation Response) to the January 2024 statutory consultation on “The Future Ownership of Elexon: new electricity supply and generation licence conditions and Balancing and Settlement Code (BSC) changes”,<sup>1</sup> indicating that the addressee of this Direction is to be a shareholder in Elexon Limited, subject to the Secretary of State deciding to proceed with the introduction of the Licence Condition and designation of the Independent System Operator and Planner (ISOP) under the Energy Act 2023, and provided reasons for that decision.

---

<sup>1</sup> <https://www.gov.uk/government/consultations/future-ownership-of-elexon-licence-and-code-changes>

NOW

5. This direction (the Direction) is treated as given immediately after the introduction of the Licence Condition is effective on 1 October 2024. The Effective Date of this Direction is 00:00 on that date.

6. In exercise of its powers under paragraph 60.1 of the Licence Condition, the Secretary of State hereby directs the Licensee to hold one share in Elexon Limited, a company incorporated in England and Wales with company number 03782949 and registered office at 4th Floor, 350 Euston Road, London, NW1 3AW (Elexon) with effect on and from the Effective Date (as defined in paragraph 5 of this document).

7. Pursuant to paragraph 60.2 of the Licence Condition, the Licensee may delegate its responsibility for holding a share in Elexon to one of its wholly owned affiliates that is a signatory to the Balancing and Settlement Code (BSC). The Licensee has informed the Secretary of State that, if it is directed to hold a share in Elexon, it has selected E.ON UK Energy Markets Limited (the Nominee) to hold a share on its behalf.

8. The Secretary of State hereby confirms they are satisfied that the Nominee is a wholly owned affiliate of the Licensee for the purposes of paragraphs 60.2 and 60.3 of the Licence Condition.

9. The relevant share will be transferred to the Nominee pursuant to a transfer scheme to be made by the Secretary of State pursuant to paragraph 1(2) of Part 1 of Schedule 9 to the Energy Act 2023 (the Elexon Transfer Scheme).

10. The Secretary of State hereby specifies E.ON UK Energy Markets Limited as an affiliate of the Licensee for the purposes of paragraph 60.4 of the Licence Condition.

11. The reason for the decision of the Secretary of State to issue this Direction is to give effect to the decisions in the Consultation Response that the Licensee should hold a share in Elexon in preparation for the designation of the ISOP under the Energy Act 2023.

12. This Direction and the documents referred to herein constitute the reasons for the Secretary of State's decision pursuant to section 49A of the Act.

**Emily Bourne**  
**12 September 2024**