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17th October 2003

Dear Annette,

Making markets work for consumers – The regulation of gas and electricity sales and marketing: a review of standard licence condition 48

As a supplier in the Industrial & Commercial market, Total Gas & Power Limited would not normally have responded to the above document as it's title, Introduction and Background led us to believe that it was discussing an issue only relevant to the Marketing of Gas to Domestic Consumers.

We are concerned therefore to find that the consultation is also posing questions about the scope of the licence condition as to whether or not it should be extended to cover I&C consumers (paragraph 7.7). We do not believe that it is appropriate to introduce such an important topic in such fashion i.e. referenced in a single paragraph in a document that otherwise relates purely to Domestic supply.

If Ofgem wish to discuss such changes then this should be done in an open fashion in a separate consultation that clearly outlines the reasons for considering such change. We do not consider that a standalone reference to "Recent feedback from some industrial and commercial (I&C) consumers..." justifies raising discussion on what could be a very significant change to the current UK gas regime.

At this time we see no justification for considering extending licence condition 48 to I&C Consumers.

Please contact me if you would like further information on the above.

Yours sincerely

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