



Beverly Ord



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Dear Joanne,

Consultation regarding transfer objections under deemed contracts for non-domestic customers

Thank you for the opportunity to present our views in response to your consultation letter of 3 September 2004. BP's response is not confidential and may be placed in Ofgem's library and on the website.

Ofgem asks for views on the appropriateness of objections under deemed contracts for non-domestic customers. BP's view is that although deemed contracts were not specifically consulted upon in Ofgem's August 2003 document "*Transfer objections: stronger rights for industrial and commercial customers*", neither were they specifically excluded, and we do not believe that there would have been any specific intent to exclude deemed contracts.

Likewise, when the licence change to Suppliers SLC 30 was implemented in January 2004, we do not believe that there was any specific intent to exclude deemed contracts.

It appears that it has only recently come to light that deemed contracts are excluded, due to the realisation that the definition of the term "contract" contained within the licence explicitly excludes a deemed contract.

BP therefore believes that the provisions of SLC 30 should also apply to deemed contracts, i.e. that suppliers should be permitted to object to transfers under any circumstances specified in the supply contract between the customer and the supplier, even if that contract is a deemed contract.

Please do not hesitate to contact me if you would like to discuss this response.

Yours sincerely,

Beverly Ord
Regulatory Affairs

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