

26 June 2009

Mark Feather
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Ofgem
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Dear Mark

The “timing out” of Authority decisions on modification proposals

Thank you for the opportunity to respond to this further consultation on the timing out of Authority decisions on modification proposals.

In our previous response on this matter we supported the proposed option B where revised timetables and decide by dates would be determined by the relevant panel. We stated however that we would expect that this option would be used rarely.

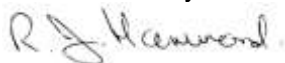
We support option C currently being proposed by Ofgem where the Authority is granted a licence power to require code panels to provide a revised implementation timetable.

We support the principle of the Authority having the ability to revise decide by dates so that modifications are progressed satisfactorily and do not need to be raised again should they be timed out. The ability for the Authority to alter the timetable/analysis for decisions should only be used when necessary and not seen as a power to take longer to reach a conclusion. We are concerned that any delays would mean potential benefits did not reach consumers.

We also agree it would be necessary that updated analysis may be required if there is a risk that information in the modification report is out of date. However, we would suggest that in addition to the provision of updated analysis, the code panel be given the opportunity to provide a revised recommendation as any new analysis may lead to changing views on the impacts or effects of the modification.

If you have any questions or would like further information about our response please contact Abigail Hall, Senior Policy Advocate, Regulated Industries Team by telephone on 0207 799 7934 or via email: abigail.hall@consumerfocus.org.uk

Yours sincerely



Robert Hammond

Head of Regulated Industries