

Notice of proposals under section 40B of the Electricity Act 1989 to make amendments to the existing standards of performance in regulation

1. The Authority proposes to amend the Electricity (Standards of Performance) Regulations 2010 (the "Revised Standards SI") that came into force on 1 April 2011 to remove overlap with the Electricity (Connection Standards of Performance) Regulations 2010 (the "Connections Standards SI") which come into force on 1 October 2010. It proposes to do this by implementing a new statutory instrument called the Electricity (Standards of Performance) (Amendment) Regulations 2010 (the "Regulations") (a copy of which is annexed to this Notice illustrating the changes proposed).
2. The Authority arranged for such research as it considered appropriate with a view to discovering the views of a representative sample of persons likely to be affected if the proposed Regulations are implemented; and the results of the research are set out in "Expectations of DNOs and Willingness to Pay for Improvements in Service, Final Report, July 2008" and were duly considered by the Authority in its proposals for the 2010-15 electricity distribution price control.
3. The reasons why the Authority proposes to amend the Revised Standards are set out in various documents published on behalf of the Authority including:
 - a. "Open letter on Ofgem's proposals to introduce new connections standards of performance for electricity distributors: 18 December 2009, Ref: 163/09", Ofgem 18 December 2009, Ref: 163/09;
 - b. "Open letter consultation on Ofgem's proposals to revise existing standards of performance for electricity distributors: 18 December 2009, Ref: 161/09", Ofgem 18 December 2009, Ref: 161/09; "Electricity Distribution Price Control Review Final Proposals – Incentives and Obligations", Ofgem 7 December 2009, Ref 145/09;
 - c. "Open letter on Ofgem's proposals to introduce new connections standards of performance and revise existing standards of performance for electricity distributors", Ofgem 5 November 2009, Ref: 137/09; and
 - d. "Electricity Distribution Price Control Review Initial Proposals – Incentives and Obligations", Ofgem 3 August 2009, Ref 93/09.
4. All documents referred to in this Notice are available free of charge from the Ofgem Research and Information Centre (020 7901 7003) or on the Ofgem website (www.ofgem.gov.uk).
5. In summary, the Authority proposes to amend the Revised Standards SI to remove overlap with the New Connections Standards SI which comes into force on 1 October 2010. The existing standard of performance on estimates of charges of connections will be removed by timing limiting the application of regulation 13 in the Revised Standards SI, to until 30 September 2010 as after that date the performance standard will be the subject of the Connections SI. The standard of performance on appointments will be amended so that it does not apply to a visit for a purpose that is the subject of the Connections Standards SI when that Connections Standards SI comes into force.

6. Any representations including by the National Consumer Council, any electricity distributor, or any persons or bodies that are representative of persons likely to be affected by the proposed Regulations must be made in writing on or before 18 August 2-2010 to James Hope on 0207 901 7029 or at Ofgem, 9 Millbank, Westminster, SW1P 3GE or via email to james.hope@ofgem.gov.uk.

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Duly authorised on behalf of the Gas and Electricity Markets Authority

[] July 2010

**Annex – the proposed Electricity (Standards of Performance)
(Amendment) Regulations 2010**

Attached as a separate document