

The Electricity Act 1989

Provisional Order under Section 25(2) of the Electricity Act 1989

To: MA Energy Limited, Company No. **06541758**, having its registered office at 65 CHURCH STREET, BIRMINGHAM, WEST MIDLANDS, B3 2DP, the holder of a licence granted under section 6(1)(d) of the Electricity Act 1989 (the 'Electricity Act').

WHEREAS:

(1) The Gas and Electricity Markets Authority ('the Authority') has been in discussions with MA Energy Limited regarding compliance with its obligations under the standard conditions of the electricity supply licence. Based on the information received from ELEXON and National Grid to the Authority, it appears to the Authority that MA Energy Limited is and is likely to continue to be in contravention of standard licence condition ("SLC") 11.2 (c) and (d) by the failure to comply with paragraph 5.3.1(a) of the Connection and Use of System Code (CUSC) and Section H 3.1.1(c)(iii) of the Balancing and Settlement Code (BSC) respectively.

(2) Having had regard to the matters set out in paragraphs 25(2)(b) and (3)(a) and (b) of the Electricity Act and the consequences of contravention, the Authority considers it requisite to make a Provisional Order.

NOW THEREFORE:

The Authority, pursuant to section 25(2) of the Electricity Act and for the purpose of securing compliance with the above-mentioned provisions of the standard conditions of the electricity supply licence, hereby orders MA Energy Limited to do the following:

- 1.** By 10 February 2011, comply with Sections H and M of the BSC by ensuring that sufficient credit has been lodged with ELEXON and that it has paid any outstanding debt in accordance with Section N of the BSC.
- 2.** By 10 February 2011, comply with requirements of Section 3.9 (Use of System Charges) of the CUSC.
- 3.** By 10 February 2011, produce a plan and provide evidence demonstrating how MA Energy intends to comply with the payment and credit requirements of the industry codes for the next 12 calendar months.
- 4.** By 10 February 2011 and on a monthly basis provide the Authority with an update of the measures taken to remain in compliance with the payment and credit requirements of the industry codes.

This order shall cease to have effect on 2 May 2011 unless previously confirmed by the Authority.

Andrew Wright
Senior Partner, Markets
2 February 2011
Duly authorised on behalf of the Gas and Electricity Markets Authority