

**By email**

1<sup>st</sup> May 2012

**Ofgem Consultation – Tackling Gas Theft: The way forward – Additional Response by Gemserv**

You will have already received the Gemserv response to your consultation “Tackling gas theft: the way forward” which was sent before we saw your letter extending the consultation period.

Our response focussed on the proposed TRAS scheme particularly its governance rather than the detail of the proposed licence changes.

However we would like to make one addition to our response relating to the area of safety and the proposed licence.

**Enhancement to the proposed licence condition (Condition 12B. Matters related to Theft of Gas)**

The licence condition rightly focuses on the need to identify whether the customer and/or occupants of the premises are of Pensionable Age, disabled or chronically sick and where such are identified to take necessary steps not to disconnect supply in winter. However we believe that there should be a qualifier, even for such occupants, to allow disconnection where this would halt a serious safety concern that a repeat offence may be committed which could endanger either the occupants or others in close proximity.

**Justification**

In a number of areas of your consultation (Overview, Executive Summary and Introduction) you make the clear point that theft of gas can have serious safety consequences for both the consumers that undertake the theft and for others in close proximity.

Further you state that your initial view is that it may be reasonable to consider disconnection where the consumer is a repeat offender and all reasonable measures have been taken to prevent the theft from reoccurring or where there is a material safety issue, noting that whilst suppliers do not have primary responsibility for safety, a supplier could use its powers to disconnect a gas supply for theft selectively in circumstances where this would halt a serious safety concern issue.

Additionally in the summary of previous consultation responses you note comments received from some suppliers who opposed a restriction on disconnecting supply at any time of the year for vulnerable customers in that this could present safety concerns if it reduced the deterrent to steal gas in winter months and/or presented safety concerns.

However in the proposed licence there does not appear to be any reference whatsoever to the safety risk that theft of gas can create. Hence we have suggested that a suitable rider to the licence should be considered to allow disconnection on the grounds of safety.

We trust that you will take this proposed enhancement into account in coming to your decision on the licence changes.

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