

**FAO:Louise van Rensburg**

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Dear Louise,

Thank you for giving us the opportunity to comment on The Retail Market Review – Updated proposals for businesses (Reference 134/12 dated 26 Oct 12). Our response is only concerned with Chapter 6 – Third Party Intermediaries.

We should point out from the outset that Utel Audits Ltd. is a member of the Association of Cost Management Consultants and that we already abide by the ACMC Code of Conduct – see [http://www.theacmc.co.uk/code\\_of\\_conduct.php](http://www.theacmc.co.uk/code_of_conduct.php).

If we are going to have a single COP I believe that the ACMC code of conduct could be used as a valid starting point. It is clear, simple and not too lengthy. It may not cover everything that OFGEM wishes to see in a COP but I would suggest that it is probably better to start from a short, simple document and add to it than starting from one that is perhaps 20 pages or more! At the end of the day, whatever COP is produced must be something that our business customers are prepared to read should they feel the need.

Here are my comments on the 5 questions that you posed in Chapter 6:

Question 19: Do stakeholders agree with the proposal for Ofgem to develop options for a single Code of Practice (the Code) for non-domestic TPIs? **Yes, it would be too onerous to have multiple CoP, totally confusing TPIs as well as their clients.**

Question 20: Do stakeholder consider the Code should apply to all non-domestic TPIs (including those serving small business and large businesses)? **Yes, as long as it differentiates between the different types of TPIs i.e. those that do/do not take commission from suppliers and those that do/do not agree gas or electricity contracts on behalf of suppliers. Of course for the smaller TPI it must not be too costly to participate. Clearly, this is where much of the discussions of the TPI working group should be focused.**

Question 21: What do stakeholders consider should be the status of the Code, the framework in which it should sit, and who should be responsible for monitoring and enforcing the Code? **We tend to agree that it should be compulsory and a sensible way ahead is for suppliers only to work with Accredited TPIs. However, that will only work if the COP is not too onerous and that accreditation is affordable for smaller TPIs. As for who should be responsible for monitoring and enforcing the Code, we think it should be OFGEM because there is no suitable industry body and any other third party is unlikely to be completely independent or unbiased.**

Question 22: Would you like to register your interest in attending the TPI working group? **No, as other members of ACMC with a similar outlook to Utel Audits have indicated they would like to attend.**

Question 23: What issues should Ofgem consider in the wider review of the TPI market? What are the benefits and downsides to looking across both the domestic and non-domestic market? **Utel Audits have very little interest in the domestic market and think there should be a separate COP for those TPIs who deal with domestic customers.**

Trust this is useful but please let me know if you need anything

Kind Regards

*David Mills*

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