

To: All holders of an electricity supply licence who are relevant licence holders for the purposes of section 11A(10) of the Electricity Act 1989.

**ELECTRICITY ACT 1989
SECTION 11A**

**MODIFICATIONS PURSUANT TO SECTION 11A OF THE ELECTRICITY ACT 1989
OF THE STANDARD CONDITIONS OF THE ELECTRICITY SUPPLY LICENCE
GRANTED OR TREATED AS GRANTED UNDER SECTION 6(1)(d) OF THE
ELECTRICITY ACT 1989.**

**NOTICE OF REASONS FOR THE DECISION TO MODIFY THE STANDARD
CONDITIONS OF THE ELECTRICITY SUPPLY LICENCE UNDER SECTION 49A OF
THE ELECTRICITY ACT 1989.**

WHEREAS:

1. Each of the companies to whom this notice is addressed holds an electricity supply licence granted, or treated as granted, pursuant to section 6(1)(d) of the Electricity Act 1989 ("the Act").

2. In accordance with section 11A(2) of the Act, the Gas and Electricity Markets Authority ("the Authority") gave notice on 17 May 2013 ("the Notice") that it proposed to make modifications to the standard conditions of the electricity supply licence by:

(a) amending standard condition 1; and

(b) inserting standard condition 25C.

The Notice required any representations with respect to the proposed modifications to be made on or before 18 June 2013.

3. In accordance with section 11A(4)(b)(ii) of the Act, the Authority sent a copy of the Notice to the Secretary of State and has not received a direction not to make the modifications.

4. The Authority received 8 representations in relation to the proposed modifications. All non-confidential representations made in relation to the proposed licence modifications are available free of charge from the Ofgem Research and Information Centre, 9 Millbank, London SW1P 3GE or from the Ofgem website at www.ofgem.gov.uk.

5. The Authority has carefully considered the representations made and has decided to proceed with all the modifications proposed in the Notice.

6. In accordance with section 49A of the the findings of the Act, the reasons for making the licence modifications are to implement standards of conduct for domestic customers pursuant to the Retail Market Review. Further details of reasons for the licence modifications are stated in the following documents:

(a) Implementation of the domestic Standards of Conduct – decision to make licence modifications (107/13), 28 June 2013;

(b) Proposed licence modification of Standard Licence Condition (SLC) 1 and insertion of new SLC 25C of the gas and electricity domestic supply licences (80/13) 17 May 2013;

- (c) The Retail Market Review – Final domestic proposals (40/13), 27 March 2013;
- (d) The Retail Market Review – Final Impact Assessment for domestic proposals (40/13), 27 March 2013;
- (e) The Retail Market Review – Updated domestic proposals (135/12), 26 October 2012;
- (f) The Retail Market Review: Domestic Proposals (166/11), 1 December 2011;
- (g) The Retail Market Review – Findings and Initial Proposals (34/11), 21 March 2011.

These documents are available free of charge from the Ofgem Research and Information Centre, 9 Millbank, London, SW1P 3GE (020 7901 7003) or from the Ofgem website at www.ofgem.gov.uk.

7. The effects of the licence modifications are described in the following documents:

- (a) Implementation of the domestic Standards of Conduct – decision to make licence modifications (107/13), 28 June 2013;
- (b) Proposed licence modification of Standard Licence Condition (SLC) 1 and insertion of new SLC 25C of the gas and electricity domestic supply licences (80/13) 17 May 2013; and
- (c) The Retail Market Review – Final domestic proposals (40/13), 27 March 2013.

8. Where an application for permission to appeal the Authority's decision is made to the Competition Commission under section 11C of the Act, Rule 5.7 of the Competition Commission's Energy Licence Modification Appeals Rules requires the appellant to send to any relevant licence holders who are not parties to the appeal a non-confidential notice setting out the matters required in Rule 5.2. The attached schedule 1 provides a list of the relevant licence holders in relation to this modification. The meaning of "relevant licence holder" is set out in section 11A(10) of the Act.

Now therefore

In accordance with the powers contained in section 11A(1)(b) of the Act, the Authority hereby modifies the standard conditions for all electricity supply licences in the manner specified in the attached schedule 2 with effect on and from the following times and dates:

Modifications	Date
Standard condition 1	On and from 00:00 on 26 August 2013.
Standard condition 25C	On and from 00:00 on 26 August 2013.

This document constitutes a notice of reasons for the decision to modify the standard conditions of the electricity supply licence under section 49A of the Act.

The Official Seal of the Gas and Electricity Markets Authority here affixed is authenticated by the signature of Maxine Frerk



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Maxine Frerk

Partner Retail Markets & Research

Ofgem

Duly Authorised on behalf of the Gas and Electricity Markets Authority

28 June 2013

SCHEDULE 1

LIST OF RELEVANT LICENCE HOLDERS

Name	Address
Domestic & Non-Domestic	
Angel Energy Limited	8 Church Meadows Toddington, Cheltenham Gloucestershire GL54 5DB Great Britain
Axis Telecom Limited	37-43 Shirethorn House Prospect Street Hull HU2 8PX Great Britain
AXPO UK Limited	38 Threadneedle Street London EC2R 8AY Great Britain
Bayswater Energy Limited	1 Minster Court Tuscam Way Camberley Surrey GU15 3YY Great Britain
Better Energy Supply Limited	68 Musters Road West Bridgford Nottingham NG2 7PR Great Britain
BizzEnergy Limited	Millstream Maidenhead Road Windsor Berkshire SL4 5GD Great Britain
Callisto Energy Supply Limited	Alliance House Clayton Green Business Park Library Road, Clayton-le Woods Chorley PR6 7EN Great Britain
Co-Operative Energy Limited	Co-operative House Warwick Technology Park Gallows Hill, Warwick Warwickshire CV34 6DA Great Britain
Coulomb Energy Supply Limited	PX House Westpoint Road Stockton-on-Tees Cleveland TS17 6BF United Kingdom

Crown Oil Limited	The Oil Centre Bury New Road Heap Bridge Bury BL9 7HY Great Britain
Dong Energy Power Sales UK Limited	1-3 The Strand London WC2N 5EJ United Kingdom
Donnington Energy Limited	Lambourne House 311-321 Banbury Road, Oxford OX2 7JH, United Kingdom
E.ON Energy Solutions Limited	Rapide House Siskin Parkway West Coventry Warwickshire CV3 4PB Great Britain
Economy Power Limited	Westwood Way Westwood Business Park Coventry CV4 8LG Great Britain
EDF Energy Customers Plc	40 Grosvenor Place Victoria London SW1X 7EN Great Britain
Electricity Plus Supply Limited	Network HQ 333 Edgware Road London NW9 6TD Great Britain
Energy COOP Limited	Co-operative House Warwick Technology Park Gallows Hill, Warwick Warwickshire CV34 6DA United Kingdom
Europa Energy Supply Limited	Arkwright House 2 Arkwright Court Commercial Road, Darwen Lancashire BB3 0FG United Kingdom
Farmoor Energy Limited	Lambourne House 311-321 Banbury Road Oxford OX2 7JH United Kingdom
First Utility Limited	19 Red Lodge Road Bexley Kent

	DA5 2JW Great Britain
Flow Energy Limited	Felaw Maltings Ground Floor 48 Felaw Street Ipswich IP2 8PN United Kingdom
Ganymede Energy Supply Limited	Alliance House Clayton Green Business Park Library Road, Clayton-le Woods Chorley PR6 7EN Great Britain
Good Energy Limited	Monkton Reach Monkton Hill Chippenham SN15 1EE Great Britain
Green Energy Limited	Black Swan House 23 Baldock Street Ware Hertfordshire SG12 9DH Great Britain
Haven Power Limited	Drax Power Station Selby North Yorkshire YO8 8PH Great Britain
Holborn Energy Limited	8 Church Meadows Toddington, Cheltenham Gloucestershire GL54 5DB Great Britain
Home Counties Energy Plc	17 Hanover Square Fasken Martineau LLP London W1S 1HU Great Britain
I Supply Electricity 2 Limited	c/o Gilmond Consulting Richmond House Yelverton Road, Bournemouth Dorset BH1 1DA Great Britain
I Supply Electricity 3 Limited	c/o Gilmond Consulting Richmond House Yelverton Road, Bournemouth Dorset BH1 1DA Great Britain
I Supply Electricity Limited	c/o Gilmond Consulting Richmond House Yelverton Road, Bournemouth Dorset

	BH1 1DA Great Britain
I Supply Energy Limited	37 Commercial Road Poole Dorset BH14 0HU Great Britain
I.C.S. 1989 Limited	1 Minster Court Tuscam Way, Camberley Surrey GU15 3YY Great Britain
KAL-Energy Limited	39-43 Bridge Street Mexborough South Yorkshire S64 8AP Great Britain
Kensington Power Limited	119 Wren Way Farnborough Hampshire GU14 8TA United Kingdom
Nationwide Electricity Limited	Unit One Maple Court Maple Road Tankersley, Barnsley South Yorkshire S75 3DP Great Britain
Neas Energy Limited	35 Catherine Place London SW1E 6DY United Kingdom
Npower Direct Limited	Windmill Hill Business Park Whitehill Way Wiltshire SN5 6PB Great Britain
Npower Limited	Windmill Hill Business Park Whitehill Way Wiltshire SN5 6PB Great Britain
Npower Northern Limited	Windmill Hill Business Park Whitehill Way Wiltshire SN5 6PB Great Britain
Npower Northern Supply Limited	Windmill Hill Business Park Whitehill Way Wiltshire SN5 6PB Great Britain
Npower Yorkshire Limited	Windmill Hill Business Park Whitehill Way Wiltshire

	SN5 6PB Great Britain
Oberon Energy Supply Limited	Alliance House Clayton Green Business Park Library Road, Clayton-le Woods Chorley PR6 7EN Great Britain
Open4Energy Limited	8 Forty Green Drive Marlow Buckinghamshire SL7 2JY Great Britain
Opus Energy (Corporate) Limited	c/o Opus Energy Lambourne House 311-321 Banbury Road Summertown Oxford OX2 7JH United Kingdom
Opus Energy Limited	c/o Opus Energy Lambourne House 311-321 Banbury Road Summertown Oxford OX2 7JH United Kingdom
Opus Energy Renewables Limited	Lambourne House 311-321 Banbury Road Summertown Oxford OX2 7JH United Kingdom
OVO Electricity Limited	Wellington House Kemble Enterprise Park Kemble, Cirencester Gloucestershire GL7 6BQ Great Britain
Pan-Utility Limited	Onega House 112 Main Road Sidcup Kent DA14 6NE Great Britain
Reuben Power Supply Limited	Level 5 2 More London Riverside London SE1 2AP Great Britain
Scottish Power Energy Retail Limited	1 Atlantic Quay Robertson Street Glasgow G2 8SP Great Britain
SEEBOARD Energy Limited	40 Grosvenor Place

	Victoria London SW1X 7EN Great Britain
Simply Electricity Limited	c/o Gilmond Consulting Richmond House Yelverton Road, Bournemouth Dorset BH1 1DA Great Britain
Smart Electricity Limited	Suite 25 Ladyburn Business Centre Pottery Street, Greenock Renfrewshire PA15 2UH United Kingdom
South Wales Electricity Limited	55 Vastern Road Reading RG1 8BU Great Britain
Spark Energy Supply Limited	55 Vastern Road Reading RG1 8BU Great Britain
Supply Energy Limited	C/O Gilmond Consulting Richmond House Richmond Hill Bournemouth BH2 6EQ Great Britain
Symbio Energy LLP	Westbury House 23-25 Bridge Street Pinner Middlesex HA5 3HR Great Britain
The Renewable Energy Company Limited	Unicorn House 7 Russell Street Stroud Gloucestershire GL5 3AX Great Britain
UK Healthcare Corporation Limited	Portland Buildings 127-129 Portland Street Manchester M1 4PZ Great Britain
Utilita Energy Limited	Secure House Moorside Road Winchester Hampshire SO23 7RX Great Britain
Non-Domestic	
Abacus Financial Limited	Quadrant House Floor 6

	4 Thomas More Square London E1W 1YW, Great Britain
AMRECS LLC	44 Wall Street 12th Floor New York NY 10005 USA
BES Commercial Electricity Limited	Parkside Stand Fleetwood Town Football Club Park Avenue Fleetwood FY7 6TX United Kingdom
Better Business Energy Limited	Unit 18 The Bridge Business Centre Chesterfield Derbyshire S41 9FG Great Britain
Blizzard Utilities Limited	Swan Court Waterhouse Street Hemel Hempstead Hertfordshire HP1 1DS Great Britain
BP Energy Europe Limited	1 Wellheads Avenue Dyce Aberdeen AB21 7PB Great Britain
Brilliant Energy Limited	Barnett Way Barnwood Gloucester GL4 3RS Great Britain
Dual Energy Direct Limited	Premium House The Esplanade Worthing West Sussex BN11 2BJ Great Britain
E.ON UK Plc	Westwood Way Westwood Business Park Coventry CV4 8LG Great Britain
Ecotrade Solutions Limited	Premier House 112 Station Road Edgware Middlesex HA8 &BJ Great Britain
Electricity Direct (UK) Limited	Millstream Maidenhead Road

	Windsor Berkshire SL4 5GD Great Britain
Eneco Energy Trade BV	Rivium Quadrant 75 Capelle a/d IJssel 2909LC The Netherlands
Energy Data Company Limited	Hurst House 131-133 New London Road Chelmsford Essex CM2 0QT Great Britain
EPG Energy Limited	22 The Ropewalk Nottingham Nottinghamshire NG1 5DT United Kingdom
F & S Energy Limited	23 Oliver House Hall Street Chelmsford Essex CM2 0HG Great Britain
Gazprom Marketing & Trading Retail Limited	20 Triton Street London NW1 3BF Great Britain
GDF Suez Marketing Limited	No 1 Leeds 26 Whitehall Road Leeds LS12, 1BE United Kingdom
Immingham CHP LLP	Portman House 2 Portman Street London W1H 6DU Great Britain
IPM Energy Retail Limited	No 1 Leeds 26 Whitehall Road Leeds LS12, 1BE United Kingdom
Lourdes Associates Limited	25 Maney Corner Sutton Coldfield West Midlands B72 1QL United Kingdom
MA Energy Limited	The Corporation Trust Company The Corporation Trust Centre 1209 Orange Street Wilmington DE 19801 USA
Nordjysk Elhandel A/S	Skelagervej 1

	9000 Aalborg Denmark
Power4All Limited	Legal Department Asda House Southbank Great Wilson Street Leeds West Yorkshire LS11 5AD Great Britain
S. C. Isramart SRL	Str. Carpatilor No 55 Bl. D19 Sc.B Ap.11 500269 Brasov Brasov Romania
SmartestEnergy Limited	Dashwood House 69 Old Broad Street London EC2M 1QS Great Britain
Statkraft Markets GmbH	Derendorfer Allee 2a 40476 Dusseldorf Germany
Team Gas and Electricity Limited	Derry Lodge 37 Leeds Road Harrogate HG2 8AY United Kingdom
The Nuclear Decommissioning Authority	10 Upper Bank Street Canary Wharf London E14 5BF Great Britain
Tradelink Solutions Limited	Barkhill House Shire Lane Rickmansworth Herts WD3 5NT Great Britain
Universal Bioenergy Limited	117 Dartford Road Dartford Kent DA1 3EN Great Britain
Utility Partnership Limited	Prennau House Copse Walk Cardiff CF23 8XH Great Britain
Uttily (UK) Limited	118 Piccadilly Mayfair London W1J 7NW United Kingdom
Wilton Energy Limited	Sembcorp UK Headquarters

	Wilton International Middlesbrough Cleveland TS90 8WS Great Britain
Winnington Networks Limited	570 - 572 Etruria Road Newcastle-under-Lyme Staffordshire ST5 0SU Great Britain

SCHEDULE 2

MODIFICATIONS PURSUANT TO SECTION 11A OF THE ELECTRICITY ACT 1989 OF THE STANDARD CONDITIONS OF THE ELECTRICITY SUPPLY LICENCE GRANTED OR TREATED AS GRANTED UNDER SECTION 6(1)(d) OF THE ELECTRICITY ACT 1989.

1. Modification to standard condition 1

The text set out below in red is to be inserted in paragraph 1.3 of standard condition 1 of the electricity supply licence:

Affiliate Electricity Licensee means any Subsidiary, Holding Company, or Subsidiary of a Holding Company of the licensee which holds a electricity supply licence granted or treated as granted pursuant to section 6(1)(d) of the Electricity Act 1989;

2. Insertion of new standard condition 25C

The text set out below in red is to be inserted after existing standard condition 25B of the electricity supply licence:

Standard condition 25C. Customer Objective and Standards of Conduct for supply activities

Application of standard condition

25C.1. Subject to paragraph 25C.6, standard condition 25C applies to all activities of the licensee and any Representative which involve, or otherwise relate to, dealings with a Domestic Customer.

Customer Objective

25C.2 The objective of this condition is for the licensee and any Representative to ensure that each Domestic Customer is treated fairly ("the Customer Objective").

25C.3 For the purposes of this condition, the licensee or any Representative would not be regarded as treating a Domestic Customer fairly if their actions or omissions:

- (a) significantly favour the interests of the licensee; and
- (b) give rise to a likelihood of detriment to the Domestic Customer.

Standards of Conduct

25C.4 The Standards of Conduct are that:

- (a) the licensee and any Representative behave and carry out any actions in a Fair, honest, transparent, appropriate and professional manner;
- (b) the licensee and any Representative provide information (whether in Writing or orally) to each Domestic Customer which:
 - (i) is complete, accurate and not misleading (in terms of the information provided or omitted);

(ii) is communicated (and, if provided in Writing, drafted) in plain and intelligible language;
(iii) relates to products or services which are appropriate to the Domestic Customer to whom it is directed; and

(iv) is otherwise Fair both in terms of its content and in terms of how it is presented (with more important information being given appropriate prominence);

(c) the licensee and any Representative:

(i) make it easy for a Domestic Customer to contact the licensee;

(ii) act promptly and courteously to put things right when the licensee or any Representative makes a mistake; and

(iii) otherwise ensure that customer service arrangements and processes are complete, thorough, fit for purpose and transparent.

Compliance with the Standards of Conduct

25C.5. The licensee must take all reasonable steps to achieve the Standards of Conduct and ensure that it interprets and applies the Standards of Conduct in a manner consistent with the Customer Objective.

Exception to scope of condition

25C.6 Apart from any matters relating to Deemed Contracts, standard condition 25C does not apply in respect of the amount or amounts of any Charges for the Supply of Electricity or any other type of charge or fee.

Provision and publication of information

25C.7 The licensee must prepare and update annually information (hereafter referred to as the "Treating Customers Fairly Statement") which:

(a) is set out in Writing;

(b) uses a heading which clearly highlights that the information relates to how the licensee is seeking to treat customers fairly; and

(c) includes the following information:

(i) the main actions taken and being taken by the licensee in line with the Customer Objective and Standards of Conduct; and

(ii) the service and treatment Domestic Customers can expect from the licensee and any Representative.

25C.8 If the licensee or any Affiliate Electricity Licensee has a Website, the licensee must publish the Treating Customers Fairly Statement on that Website in a position that is capable of easily being accessed by any person.

25C.9 If any person requests a copy of the Treating Customers Fairly Statement, the licensee must provide a Written copy to that person free of charge as soon as reasonably practicable.

Guidance

25C.10 The licensee must have regard to any guidance on standard condition 25C (including in respect of definitions which appear in standard condition 1) which, following consultation (which may be conducted before this condition takes effect), the Authority may issue and may from time to time revise (following further consultation).

Definitions for condition

25C.11 For the purposes of this condition:

“Customer Objective” is to be interpreted in accordance with paragraph 25C.2.

“Fair” and cognate expressions are to be interpreted in accordance with paragraph 25C.3.

“Standards of Conduct” means one or more of sub-paragraphs 25C.4(a) to (c).

“Treating Customers Fairly Statement” is to be interpreted in accordance with paragraph 25C.7.