

The Electricity Act 1989 and Gas Act 1986

Provisional Order confirmed under Section 25(4) of the Electricity Act 1989 and section 28(4) of the Gas Act 1986

To: Economy Energy Trading Limited (company number 07513319) having its registered office at 181 Stoneleigh Park, Warwickshire CV8 2LG ('Economy Energy'), the holder of a licence granted under section 6(1)(d) of the Electricity Act 1989 (the 'Electricity Act') and a licence granted under section 7A(1) of the Gas Act 1986 (the 'Gas Act')

WHEREAS:

- A. The Gas and Electricity Markets Authority ('the Authority') has been in discussions with Economy Energy regarding compliance with its obligations under:
 - a. the standard conditions of the gas and electricity supply licences (collectively referred to as 'SLC'); and
 - b. the Gas and Electricity (Consumer Complaints Handling Standards) Regulations 2008 ('Complaints Handling Regulations').
- B. Based on the information received by the Authority, it appears to the Authority that Economy Energy was and is contravening, or was and is likely to contravene the following relevant conditions or requirements (as applicable):
 - a. SLC 14, 14A, and 22; and
 - b. Regulations 3, 4, 5, and 7 of the Complaints Handling Regulations.
- C. Having had regard to the matters set out in section 25(2), (3)(a) and (b) of the Electricity Act and section 28(2), (3)(a) and (b) of the Gas Act and the consequences of contravention, the Authority made a Provisional Order on 14 February 2014.
- D. Further to the Notice of Proposal to Confirm the Provisional Order, issued on 25 March 2014 under section 26(1) and (2) of the Electricity Act 1989 and section 29(1) and (2) of the Gas Act 1986, representations made by Economy Energy have been duly considered by the Authority, and a Proposal to Confirm the Provisional Order with modifications served in accordance with section 26(3) and (4) of the Electricity Act 1989 and section 29(3) and (4) of the Gas Act 1986.
- E. Based on information received by the Authority subsequent to the issuance of the Provisional Order on 14 February 2014, the Authority is satisfied that Economy Energy is contravening or is likely to contravene the relevant condition or requirement (as applicable) stated at paragraph B.
- F. Having had regard to the matter set out in section 25 (4)(a) and (b) of the Electricity Act 1989 and section 28 (4)(a) and (b) of the Gas Act 1986, the Authority is satisfied the provision made by the provisional order, with modifications, is requisite for the purpose of securing compliance with the relevant condition or requirement (as applicable) stated at paragraph B, and therefore confirms the Provisional Order with modifications.

NOW THEREFORE:

The Authority, pursuant to section 25 (4) of the Electricity Act and 28 (4) of the Gas Act, and for the purpose of securing compliance with the above-mentioned provisions of the SLCs and the Complaints Handling Regulations, hereby orders Economy Energy to do the following:

Complaints Handling and SLC 22.3

- 1.** For the purpose of ensuring that Economy Energy can adequately receive, handle and process any expression of dissatisfaction, including, but not limited to, customers being off-supply, comply with regulations 3, 4, 5, and 7 of the Complaints Handling Regulations, and comply and continue to comply with its obligations in relation to SLC 22.3 (Duty to offer and supply under Domestic Supply Contract). This is to be achieved by ensuring that the following steps are taken:

- a. In relation to any customer:

- i. who notifies Economy Energy, between 8am Monday and 4pm Friday, that they are currently off-supply or they will be imminently off-supply; and/or
- ii. who Economy Energy identifies, between 8am Monday and 4pm Friday, as being off-supply or will be imminently off-supply,

due to a pre-payment meter not operating so as to permit a supply of electricity and/or gas to the customer's premises, Economy Energy shall take whatever measures necessary so as to permit a supply of electricity and/or gas to the customer's premises, as soon as reasonably practicable, but by no later than the next business day.

- b. In relation to any customer:

- i. who notifies Economy Energy, between 4pm Friday and 8am Monday, that they are currently off-supply or they will be imminently off-supply; and/or
- ii. who Economy Energy identifies, between 4pm Friday and 8am Monday, as being off-supply or will be imminently off-supply,

due to a pre-payment meter not operating so as to permit a supply of electricity and/or gas to the customer's premises, Economy Energy shall take whatever measures necessary so as to permit a supply of electricity and/or gas to the customer's premises, as soon as reasonably practicable, but by no later than the following Tuesday.

- c. Ensure Economy Energy has a process in place to answer calls from customers, in a timely and efficient manner, and to prioritise calls from customers who have indicated that they are off-supply or who will be imminently off-supply.
- d. Maintain options that allow customers to call Economy Energy using a standard geographic telephone number (that is, a telephone number prefixed with '01' or '02') and a non-geographic telephone number (prefixed with '0844').

- e. Ensure the opening hours of Economy Energy's in-house staffed call centre so that an interactive service is provided:
 - i. from 8am to 6pm on a Saturday; and
 - ii. from 8am to 8pm Monday to Friday.
 - f. In addition to the requirements of 1 e) above, ensure that Economy Energy continues to provide an interactive call centre service, using third party call centre support as necessary:
 - i. from 8am to 11pm Monday to Friday; and
 - ii. from 8am to 11pm Saturday and Sunday.
 - g. Maintain robust policies, procedures and systems as are necessary to ensure that Economy Energy:
 - i. records all expressions of dissatisfaction and resolution; and
 - ii. monitors call centre workload to allocate and maintain adequate resources for complaints handling.
- 2.** For the purpose of securing compliance with regulations 3, 4, 5, and 7 of the Complaints Handling Regulations and SLC 22.3, from the date the Authority serves and publishes the confirmed provisional order pursuant to section 25(6) Electricity Act and section 28(6) Gas Act until Economy Energy has satisfied the Authority that it has implemented and maintained compliance with the above measures Economy Energy shall not acquire any new customers, or add any customer accounts by upgrading to dual fuel.

Transfer blocking

- 3.** Economy Energy shall comply and continue to comply with its obligations in relation SLC 14 (Customer transfer blocking) and SLC 14A (Customer transfer) by ensuring that it does not prevent a Proposed Supplier Transfer¹ except in accordance with the provisions of SLC 14.

This order shall commence on 13 May 2014 and continue to have effect until such time as it is revoked by the Authority in accordance with section 26(6) Electricity Act and section 29(5) Gas Act.

Dated: 13 May 2014

Signed

Anthony Pygram
Partner, Enforcement & Competition Policy
Duly authorised on behalf of the Gas and Electricity Markets Authority

¹ As defined by SLCs meaning 'in relation to any premises at which an Electricity and/or Gas Supplier is supplying electricity and/or gas, means the proposed transfer of responsibility for that supply from that Electricity and/or Gas Supplier to any other Electricity and/or Gas Supplier'