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Direct Dial: 020 7901 7327
Email: colin.down@ofgem.gov.uk

Date: 16 January 2015

Consultation on proposed updated form of Smart DCC Ltd's Charging Statement for Service Charges ('charging statement')

This letter invites views on the updated form of the charging statement that Smart DCC Ltd ('DCC') submitted to the Authority¹ on 31 December 2014. DCC asked for approval in accordance with Condition 19 of its Smart Meter Communication Licences granted under both the Gas Act 1986 and the Electricity Act 1989 (together, known as, the 'licence').

The licence details DCC's obligations for its charging statement and other matters. To keep this letter short and easy to read we have used general descriptions of the relevant licence provisions rather than quoting the wording used in the licence. Refer to the licence for a full description of DCC's obligations.²

Appendix 1 explains what DCC is and what its licence requires.

What are we consulting on?

On 31 December 2014 DCC submitted an updated charging statement to us. This was in the form that it expects to use for the regulatory year starting on 1 April 2015. We will consider whether to approve the form of the charging statement and we are seeking views on this so we can make a fully informed decision.

The proposed updated charging statement is attached as an annex to this letter. We are seeking views in particular on whether the charging statement:

- provides sufficient clarity on the charges that service users will face
- is in a coherent and easy to navigate format
- is accurate in all material respects.

Please note that we have no role in approving DCC's service charges. As such, we are not inviting comments on the level of the service charges.

Due to DCC's unique nature and the new regime it will be operating in, an ex post price control regime was agreed as part of the competition to award the licence. DCC must submit price control information on the previous regulatory year by 31 July in the following regulatory year. We will use this report to monitor and assess whether costs were economically and efficiently incurred. Where we determine any costs have not been economically or efficiently incurred, either:

¹ The Office of the Gas and Electricity Markets Authority (Ofgem) supports the Gas and Electricity Markets Authority ('the Authority') in its day-to-day work (in this letter, 'we' and 'us' are used to refer to both 'Ofgem' and 'Authority').

² DCC's licence can be found at <https://epr.ofgem.gov.uk/Document>

- these costs will be excluded from the future calculation of allowed revenue, resulting in lower service charges for service users³; or
- DCC could be subject to an undertaking in relation to its future management.

In accordance with published guidance on our approach to consultations, we do not consider the proposed changes to the charging statement to be significantly material or extensive. As such, we consider a four-week consultation period is appropriate.

How can you respond?

Please submit any views on this consultation to us no later than the end of **13 February 2015**. Send responses to colin.down@ofgem.gov.uk, copying in tricia.quinn@ofgem.gov.uk, or post them to the Smarter Metering Team using the address below.

Smarter Metering Team
9 Millbank
Ofgem
London
SW1P 3GE

We will publish any responses we receive on our website, except those marked as confidential. We intend to publish our decision letter by 31 March 2015.

Other relevant developments

During November and December, DCC consulted on proposed midyear changes to the 2014/15 charging statement. They are proposing to introduce an explicit charge for provision of user gateway connections (ie a physical connection that allows users of DCC's services to access DCC's services). As part of the process for introducing new service charges, we consented to DCC giving users a two month notice period regarding the introduction of some new services charges (the default in the licence is a three month notice period). We are currently considering the proposed change to the form of the charging statement and expect to make a decision later in January on whether approve those changes.

If you wish to discuss the consultation or any issue raised in this letter, please contact Colin Down on 020 7901 7327.

Yours faithfully,

Laura Nell
Head of Smarter Metering

³ We have reviewed the costs DCC reported under its first price control for regulatory year 2013/14. We are consulting on our proposals and welcome views by 21 January 2015.
<https://www.ofgem.gov.uk/ofgem-publications/91527/dccpricecontrolconsultation.pdf>

Appendix 1: What is DCC and what does its licence require?

What is DCC?

DCC is a new licensed entity that we regulate. It is a central communications body appointed to organise the communications and data transfer and management required to support smart metering. It is responsible for linking smart meters in homes and small businesses with the systems of energy suppliers, network operators and other companies ('service users').⁴

DCC plans to develop and deliver these data and communications services by contracting with external service providers ('service providers'). We expect DCC to start offering data and communications services to its service users in late 2015. In the interim, DCC is taking steps to ensure that it can provide these services. These will involve testing the systems being built by the service providers to make sure they work together and work with the systems of the service users.

What does DCC's licence require?

Under its licence, DCC has to maintain the charging statement in a form that we have approved.⁵ On 28 March 2014 we approved the form of the 2014/15 charging statement. DCC levies charges on service users, and the charging statement must set out the basis on which the charges will be payable.⁶ These charges are formally known as 'service charges'. The charging statement must enable service users to estimate the charges they will face and must be prepared in accordance with the charging methodology in the Smart Energy Code.⁷

DCC's licence⁸ requires it to periodically review the information in the charging statement. Further, at least once in each regulatory year (beginning on 1 April of each year), DCC must make any changes necessary to ensure the charging statement continues to be accurate and reliable. The Smart Energy Code (Section J.4) creates a further obligation, which requires DCC to not amend the service charges more than once in each calendar year (subject to certain caveats).⁹

⁴ Condition 4 of DCC's licence defines the activity that the licence authorises DCC to carry out in GB.

⁵ Licence condition 19.5.

⁶ Licence condition 19.4.

⁷ The Smart Energy Code is a new industry code. It is a multiparty agreement which defines the rights and obligations between DCC and service users.

⁸ Licence condition 19.14.

⁹ Licence condition 19.11 also sets out conditions that must be met before the service charges can be amended more than once in a regulatory year.