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Dear Jonathan

Consultation on the supplier guaranteed and overall standards of performance

Thank you for the opportunity to comment on Ofgem's proposals in this area. I am writing on behalf of each of Northern Powergrid Holdings Company and its two licensed electricity distribution businesses, Northern Powergrid (Northeast) Limited and Northern Powergrid (Yorkshire) plc.

We found the consultation lacking in clarity as to its status and the stage in the process that it represents. On the one hand it bears the title of 'statutory consultation' and gives the impression in paragraph 1.10 that there will be no further consultation, but on the other hand it appears to make no reference to the section of the Electricity Act 1989 under which such a statutory consultation would be made, whilst in paragraph 1.8 it states that "the draft SI is subject to further revisions".

Notwithstanding this, we would offer up the following minor comments on the draft statutory instrument:

- In the definition of 'domestic customer' it is grammatically incorrect to use a plural pronoun ("they") to represent a singular entity ("such person"). The words "they are supplied or require" should be replaced with "he is supplied or requires" - section 6 of the Interpretation Act 1978 makes clear that the masculine covers the feminine also. This same point applies in limbs (b) and (c) of the definition of "micro-business customer" in regulation 2, where "they have" should be replaced with "he has"; in paragraph (1)(a)(i) of regulation 4, where "their" should be replaced with "his"; and in paragraphs (1)(a) and (1)(b) of regulation 6, where "their" should again be replaced with "his".
- In the second line of paragraph (6) of regulation 4, "takes place" should be changed to "take place" to deliver correct representation of the subjunctive mood (compare this with the correct representation of the subjunctive that is displayed in the word "visit" in paragraph (1)(a)(i) of regulation 4.
- In paragraph (5)(a) of regulation 2 it is grammatically incorrect to refer to "a particular premises". The word "premises" is plural, regardless of whether it refers to a single property or several. The issue can be resolved here simply by deleting the word "a".

NORTHERN POWERGRID

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- In paragraph (1)(a)(ii) of regulation 7, “re-connecting” should be changed to “reconnecting”.
- In the first line of paragraph (3) of regulation 7, “or” should be changed to “and” - the earlier of just one item is an impossible concept.
- At the very end of paragraph (2) of regulation 9, “regulations 3(3)” should be changed to “regulation 3(3)”.
- At the very end of the first line of paragraph (8)(b) of regulation 9, the word “the” should be deleted from between “to” and “whether”.

I hope that you will find these comments helpful.

Yours sincerely

Tony Sharp

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Regulation Manager