



Investigation into Scottish Power Energy Retail Limited's Compliance with the Consumer Protection Regulations 2008

18 October 2013

1. In June 2011, Ofgem opened an investigation into Scottish Power Energy Retail Limited's (Scottish Power) compliance with the Consumer Protection Regulations 2008 (CPRs) in relation to the online tariff named "ScottishPower Direct – October 2012 Offer".
2. In particular, Ofgem investigated whether aspects of the marketing and promotion of that tariff and/or its Terms & Conditions are prohibited under the CPRs because they amount to a misleading action under Regulation 5(1) of the CPRs and/or a misleading omission under Regulation 6(1) of the CPRs.
3. The CPRs prohibit traders in all sectors from engaging in, amongst other things, unfair commercial practices which mislead consumers and set out rules that determine when such commercial practices are unfair and misleading.
4. Ofgem seeks to act proportionately when exercising its enforcement powers. Scottish Power has provided us with assurances that they will consider the matters raised in this investigation when setting new tariffs in the future. Given these assurances and that the swift action of the company in removing the tariff from sale resulted in it only being offered for a short time, we have decided to close the investigation on administrative priority grounds in line with our Enforcement Guidelines.