

The Electricity Act 1989 and the Gas Act 1986

Notice of non confirmation of the Provisional Order made under Section 25(2) of the Electricity Act 1989 and Section 28(2) of the Gas Act 1986

To : First Utility Limited, Company No. 05070887, having its registered office at 19 South Audley Street, London, W1K 2NU, the holder of a licence granted under section 6(1)(d) of the Electricity Act 1989 (the 'Electricity Act') and 7A(1) of the Gas Act 1986 (the 'Gas Act').

WHEREAS:

- (1) The Gas and Electricity Markets Authority ('the Authority') made a provisional order against First Utility Limited pursuant to 25(2) of the Electricity Act and 28(2) of the Gas Act on 22 December 2010 ("the Provisional Order") for the purpose of securing or facilitating compliance with the standard conditions of the gas and electricity supply licence and, in particular, standard licence condition ("SLC") 27.6(a)(iii) and SLC 27.9 – 11A;
- (2) Based on the evidence provided by First Utility Limited to the Authority, the Authority was satisfied that First Utility Limited had agreed to take and is taking all such steps as it appeared to the Authority for the time being to be appropriate for First Utility Limited to take for the purpose of securing or facilitating compliance SLC 27.6(a)(iii) and SLC 27.9 – 11A; and
- (2) Having had regard to the matters set out in paragraphs 25(5A)(a) of the Electricity Act and 28(5A)(a) of the Gas Act, the Authority considers it is not required to confirm the Provisional Order.

NOW THEREFORE:

The Authority, pursuant to section 25(6)(a) of the Electricity Act and 28(6)(a) of the Gas Act, hereby gives notice to First Utility Limited that it is satisfied that First Utility Limited has agreed to take and is taking all such steps as it appears to the Authority for the time being to be appropriate for First Utility to take for the purpose of securing or facilitating compliance with SLC 27.6(a)(iii) and SLC 27.9 – 11A and that it will not confirm the Provisional Order.

This notice shall be published on Ofgem's website, pursuant to section 25(6)(b) of the Electricity Act and 28(6)(b) of the Gas Act, for the purpose of bringing the matters to which this notice relates to the attention of persons likely to be affected by them.

Dated 28 April 2011

Signed

Sarah Harrison
Senior Partner, Sustainable Development

Duly authorised on behalf of the Gas and Electricity Markets Authority