To: All holders of a gas supply licence who are relevant licence holders for the purposes of section 23(10) of the Gas Act 1986

MODIFICATION PURSUANT TO SECTION 23 OF THE GAS ACT 1986 OF THE STANDARD CONDITIONS OF THE GAS SUPPLY LICENCES GRANTED OR TREATED AS GRANTED UNDER SECTION 7A(1) OF THE GAS ACT 1986

# NOTICE OF REASONS FOR THE DECISION TO MODIFY THE STANDARD CONDITIONS OF THE GAS SUPPLY LICENCE UNDER SECTION 38A OF THE GAS ACT 1986

# Whereas:

- Each of the companies to whom this modification notice is addressed holds a gas supply licence granted or treated as granted pursuant to section 7A(1) of the Gas Act 1986 (the "Act").
- 2. In accordance with section 23(2), (3) and (4) of the Act, the Gas and Electricity Markets Authority (the "Authority")<sup>1</sup> gave notice ("Notice") on 11 October 2017 that it proposed to modify the standard conditions of the gas supply licence by introducing standard condition 28AA. The Notice required any representations with respect to the proposed modification to be made on or before 13 November 2017.
- A copy of the Notice was sent to the Secretary of State in accordance with section 23(4)(b) of the Act, and we have not received a direction that the modification should not be made.
- 4. We received a number of responses to this Notice, which we carefully considered. We have placed all non-confidential responses on our website.
- 5. The Authority has carefully considered the representations made and, subject to changes set out in Schedule 2 to this modification notice, has decided to proceed with the modification proposed in the Notice.
- 6. In accordance with section 38A of the Act, the reasons for making the licence modification are to implement the policy stated in the following documents:
  - (a) Decision to extend the PPM safeguard tariff to those consumers in receipt of Warm Home Discount, 7 December 2017; and
  - (b) Statutory consultation for a vulnerable safeguard tariff, 11 October 2017<sup>2</sup>.
- 7. The effects of this proposed modification are described in the documents referred to in paragraph 6 of this modification notice. In summary, the main effects of the proposals are to extend the price cap provided for in standard condition 28A to domestic customers which (in the way set out in the licence condition drafting), have previously received, or currently receive, the Warm Home Discount and are

<sup>&</sup>lt;sup>1</sup> The terms "the Authority", "we" and "Ofgem" are used interchangeably in this document.

 $<sup>^{2}</sup> https://www.ofgem.gov.uk/system/files/docs/2017/10/statutory\_consultation\_for\_a\_vulnerable\_customer\_safeguard\_tariff.pdf$ 

subject to any form of deemed, evergreen or default tariff/ contractual arrangement.

8. Where an application for permission to appeal the Authority's decision is made to the Competition and Markets Authority (CMA) under section 23B of the Act, Rule 5.7 of the CMA's Energy Licence Modification Appeals Rules<sup>3</sup> requires that the appellant send a non-sensitive notice to any relevant licence holders who are not parties to the appeal, setting out the matters required in Rule 5.2. Schedule 3 to this modification notice provides a list of the relevant licence holders in relation to the modification. Section 23(10) of the Act sets out the meaning of "relevant licence holder".

# Now therefore

In accordance with the powers contained in section 23(1) of the Act, the Authority hereby modifies the standard conditions for all gas supply licences in the manner specified in Schedule 1 to this modification notice. The modification will take effect on and from 00.01 on 2 February 2018, a date which is at least 56 days from the publication of this modification notice.

# The Official Seal of the Gas and Electricity Markets Authority here affixed is authenticated by the signature of

**Rachel Fletcher, Senior Partner** 

Duly authorised on behalf of the Gas and Electricity Markets Authority

7 December 2017

<sup>&</sup>lt;sup>3</sup> CMA70 - <u>https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/655601/energy-licence-modification-appeals-rules.pdf</u>

#### **SCHEDULE 1**

# MODIFICATION PURSUANT TO SECTION 23 OF THE GAS ACT 1986 OF THE STANDARD CONDITIONS OF THE GAS SUPPLY LICENCES GRANTED OR TREATED AS GRANTED UNDER SECTION 7A(1) OF THE GAS ACT 1986

The text below constitutes the modification to introduce standard condition 28AA into the gas supply licence:

#### Condition 28AA. Regulation of charges for certain Domestic Customers

#### Prohibition on exceeding the Relevant Maximum Charge

28AA.1 In respect of each Relevant 28AA Customer and in accordance with the requirements of this condition, the Obligated Licensee must ensure that at all times from the date for compliance with this paragraph 28AA.1 (as set out in paragraphs 28AA.9 or 28AA.10 below (as applicable)) during each applicable Charge Restriction Period the aggregate Charges for Supply Activities which apply to that Relevant 28AA Customer do not exceed the Relevant Maximum Charge.

#### Domestic Customers already subject to standard condition 28A

28AA.2 This condition will apply to a Relevant 28AA Customer in respect of any periods of time whereby that Relevant 28AA Customer does not benefit from the requirements of condition 28A.

#### **Determination of Relevant Maximum Charge**

28AA.3 For each Benchmark Metering Arrangement (denoted *I*), for that part of a Charge Restriction Period (denoted *j*) where this condition has effect with resulting length *t* months, and for each of the 14 Charge Restriction Regions (denoted *i*), the Relevant Maximum Charge for a given level of consumption *x* shall be determined by reference to the Benchmark Maximum Charges applicable during the part of a Charge Restriction Period where this condition has effect at two Benchmark Annual Consumption Levels denoted below as *nil* and *m*, as follows:

$$ChargeMax_{i,j,l}(x) = \\ \left[ChargeMax_{i,j,l}(nil) \times \frac{t}{12}\right] + \left[\frac{ChargeMax_{i,j,l}(m) - ChargeMax_{i,j,l}(nil)}{m} \times x\right]$$

#### **Reporting obligation**

28AA.4 Subject to paragraph 28AA.5, the Obligated Licensee must provide the Authority, in a format specified by the Authority, with a report containing the following information for each of its Tariffs with a Relevant 28AA Customer to whom this condition applies:

- (a) the Tariff name and any brand name that the Tariff is marketed under;
- (b) the first and (where applicable) last dates on which each Tariff was or will be supplied to Relevant 28AA Customers under a Domestic Supply Contract or a Deemed Contract;
- (c) the Standing Charge(s) and Unit Rate(s) of each Tariff in each Charge Restriction Region;

- (d) to which Metering Arrangement(s) each Tariff applies or will apply;
- (e) the number of Relevant 28AA Customers subject to the Tariff:
  - (i) as at the Modification Date for the first report; and

(ii) as at the date specified by the Authority pursuant to paragraph 28AA.5 for each subsequent report; and

(f) any other information about the Tariff which the Authority may from time to time specify.

28AA.5 For the purposes of paragraph 28AA.4 the first report must be provided five Working Days after the Modification Date, and any subsequent report must be provided five Working Days after a date specified by the Authority in a statement published in writing.

28AA.6 The Obligated Licensee must inform the Authority, in Writing (or in any other format specified by the Authority), of any changes to the information included in the report as soon as reasonably practicable after the implementation of any such changes.

28AA.7 The Obligated Licensee must give the Authority any information that it reasonably requests about the Obligated Licensee's compliance with this condition as soon as reasonably practicable after receiving a request.

#### Direction for alternative compliance assessment

28AA.8 Paragraphs 28A.19 and 28A.20 of condition 28A apply to this condition on the basis that:

- (a) any reference to "Prepayment Tariff" is to be read as "Tariff subject to the Relevant Maximum Charge in condition 28AA";
- (b) any reference to "Prepayment Charge Restriction" is to be read as "paragraph 28AA.1 of condition 28AA";
- (c) any reference to "Relevant Customers" is to be read as "Relevant 28AA Customer"; and
- (d) any reference to "Relevant Maximum Charge" is to be read as "Relevant Maximum Charge as applied under condition 28AA".

#### Date for compliance with Relevant Maximum Charge

28AA.9 Where the Obligated Licensee has Identified a Relevant 28AA Customer on a date which is:

- (a) 50 days or less before the Modification Date; or
- (b) on or after the Modification Date,

the Obligated Licensee must comply with paragraph 28AA.1 of this condition on and from the date which is 50 days after that Relevant 28AA Customer was Identified.

28AA.10 Where the Obligated Licensee has Identified a Relevant 28AA Customer on a date which is earlier than 50 days before the Modification Date, the Obligated Licensee must comply with paragraph 28AA.1 of this condition on and from the Modification Date.

# Termination of condition

28AA.11 This condition will cease to have effect at 23:59 on 31 December 2019 unless the Authority specifies an earlier date by publishing a statement in Writing.

# **Definitions for condition**

28AA.12 In this condition:

**"Benchmark Maximum Charge"** means the applicable value published by the Authority for the Charge Restriction Period *j* pursuant to paragraph 28A.14 of condition 28A and calculated in accordance with paragraphs 28A.5 to 28A.13;

**"Charge Restriction Period"** has the meaning given to that term in standard condition 28A.24;

"Charge Restriction Region" has the meaning given to that term in standard condition 28A.24;

"Charges for Supply Activities" has the meaning given to that term in standard condition 22A.9;

**"Core Group Customer"** has the meaning given to that term in regulation 7(2) of the Regulations;

**"28AA Default Fixed Term Contract"** means any type or part of a Domestic Supply Contract or any other contractual arrangement which may apply or be deemed to apply to a Domestic Customer, including by virtue of any law or enactment ("other contractual arrangement") which:

- (a) contains any terms and conditions which apply for a fixed term period; and
- (b) comes into effect automatically or at the discretion of the licensee after the expiry or termination of any type or part of a previous Domestic Supply Contract or, where applicable, other contractual arrangement ("previous contract") either:

(i) by virtue of the terms and conditions provided for in that previous contract (and, for the purposes of this definition, it is irrelevant whether or not the Domestic Customer originally agreed to any terms and conditions which purported to permit that automatic effect or discretion of the licensee); or

(ii) otherwise by the operation of the law or any provision of an enactment;

"**First Subsequent Scheme Year**" means the period of time designated as a scheme year at paragraph 2 of the Regulations which commences consecutively after the end of Scheme Year 7;

#### "Identified" means

(a) In respect of Scheme Year 7, the First Subsequent Scheme Year or the Second Subsequent Scheme Year, where the Obligated Licensee has either:

- (i) received a notice under regulation 6(1) of the Regulations which specifies the Domestic Customer; or
- determined that the Domestic Customer is to receive the prescribed rebate (as defined in the Regulations) pursuant to Chapter 2 of the Regulations;
- (b) In respect of Scheme Year 6, where the Domestic Customer has received the prescribed rebate from the Obligated Licensee (as defined in the Regulations);

"Modification Date" means the 2 February 2018;

**"Obligated Licensee"** means a Supplier which is a scheme gas supplier for the purposes of regulation 5(5) of the Regulations;

"**Regulations**" means the Warm Home Discount Regulations 2011 (SI 2011/1033) (as amended from time to time);

"**Relevant 28AA Customer**" means a Domestic Customer supplied by virtue of the Gas Supply Licence held by the Obligated Licensee and which:

- (a) is subject to a Deemed Contract, an Evergreen Supply Contact or a 28AA Default Fixed Term Contract; and
- (b) falls into at least one of the categories listed at Schedule 1 to this condition 28AA;

"**Relevant Maximum Charge**" means for each Relevant 28AA Customer the maximum charge amount (in pounds sterling, excluding value added tax) for any consumption level, calculated in accordance with paragraph 28AA.3;

"**Scheme Year 6**" has the meaning given to that term in paragraph 2 of the Regulations, being the period from 23 July 2016 to 31 May 2017;

"**Scheme Year 7**" has the meaning given to that term in paragraph 2 of the Regulations, being the period from 1 June 2017 to 31 March 2018;

"**Second Subsequent Scheme Year**" means the period of time designated as a scheme year at paragraph 2 of the Regulations commencing after the end of the First Subsequent Scheme Year.

# Schedule 1 to standard condition 28AA: Categories of Relevant 28AA Customer

S1.1 The categories referred to in part (b) of the definition of Relevant 28AA Customer are set out at paragraphs S1.2-S1.5 below.

# **Domestic Customer Identified in Scheme Year 6**

S1.2 Where the Domestic Customer is Identified in Scheme Year 6, that Domestic Customer is a Relevant 28AA Customer for the period commencing on the date the Obligated Licensee is required to comply with paragraph 28AA.1 of standard condition 28AA and ending on 31 March 2019.

# **Domestic Customer Identified in Scheme Year 7**

- S1.3 Where the Domestic Customer is Identified in Scheme Year 7, that Domestic Customer is a Relevant 28AA Customer from the beginning of the period of Scheme Year 7 that remains following the date for compliance with paragraph 28AA.1 of standard condition 28AA, and remains a Relevant 28AA Customer until the earlier of:
  - (a) the end of the First Subsequent Scheme Year; or
  - (b) condition 28AA ceasing to have effect as specified at paragraph 28AA.11 of standard condition 28AA.

# **Domestic Customer Identified in the First Subsequent Scheme Year**

S1.4 Where the Domestic Customer is Identified in the First Subsequent Scheme Year, that Domestic Customer is a Relevant 28AA Customer from the beginning of the period of the First Subsequent Scheme Year that remains following the date for compliance with paragraph 28AA.1 of standard condition 28AA, and remains a Relevant 28AA Customer until the time that condition 28AA ceases to have effect as specified at paragraph 28AA.11 of standard condition 28AA.

#### Domestic Customer Identified in the Second Subsequent Scheme Year

S1.5 Where the Domestic Customer is Identified in the Second Subsequent Scheme Year, that Domestic Customer is a Relevant 28AA Customer from the beginning of the period of the Second Subsequent Scheme Year that remains following the date for compliance with paragraph 28AA.1 of standard condition 28AA, and remains a Relevant 28AA Customer until the time that condition 28AA ceases to have effect as specified at paragraph 28AA.11 of standard condition 28AA.

# SCHEDULE 2

# CHANGES TO THE DRAFTING OF THE MODIFICATIONS FOLLOWING STATUTORY CONSULATION

Condition	Change following statutory consultation	Reason for change
28AA.1	Delete "Subject to 28AA.15 and 28AA.16", and insert "from the date for compliance with this paragraph 28AA.1 (as set out in paragraphs 28AA.15 or 28AA.16 below (as applicable))".	We have made this change for clarity and to better reflect the policy intent that the licence condition does not have retrospective effect.
28AA.1	Insert "each applicable" after "during" and before "Charge Restriction Period".	We have made this change to better reflect the policy intent that the licence condition may apply over multiple Charge Restriction Periods.
28AA.1	Insert "Relevant 28AA" after "which apply to that" and before "do not exceed".	We have made this change to clarify the application of this licence condition to Relevant 28AA Customers, as defined.
28AA.4(e)(ii)	Replace "28AA.11" with "28AA.5".	Typographical error.
28AA.9	Replace "30 days" with "50 days" throughout.	We have made this change to better reflect the policy intent that this condition does not override notification requirements elsewhere in the supply licences.
28AA.9	Replace "identified" with "Identified" throughout.	Consequential amendment following insertion of the definition "Identified" at paragraph 28AA.12.
28AA.10	Replace "30 days" with "50 days" throughout.	We have made this change to better reflect the policy intent that this condition does not override notification requirements contained elsewhere in the supply licences.
28AA.10	Replace "identified" with "Identified" throughout.	Consequential amendment following insertion of the definition "Identified" at paragraph 28AA.12.
28AA.12	Insert "applicable" after "means the" and before "value" in the definition of Benchmark Maximum Charge.	Typographical error, amended to align with the definition of Benchmark Maximum Charge in the electricity supply licence.
28AA.12	Reverse the alphabetical order of the definitions of	Typographical error.

		,
	"Charge Restriction Region" and "Charge Restriction Period".	
28AA.12	Insert definition of "First Subsequent Scheme Year", "means the period of time designated as a scheme year at paragraph 2 of the Regulations which commences consecutively after the end of Scheme Year 7;".	For clarity, we have defined the next period of time to be designated as a scheme year under the Regulations. At the time of publishing this decision, no scheme year has been specified in the Regulations beyond Scheme Year 7.
28AA.12	New definition of "Identified", being "(a) In respect of Scheme Year 7, the First Subsequent Scheme Year or the Second Subsequent Scheme Year, where the Obligated Licensee has either:	We have set out a definition of "Identified" for clarity and to better reflect the policy intent regarding the point at which a Domestic Customer is identified for the purposes of being a Relevant 28AA Customer.
	(i) received a notice under regulation 6(1) of the Regulations which specifies the Domestic Customer; or	
	(ii) determined that the Domestic Customer is to receive the prescribed rebate (as defined in the Regulations) pursuant to Chapter 2 of the Regulations;	
	(b) In respect of Scheme Year 6, where the Domestic Customer has received the prescribed rebate from the Obligated Licensee (as defined in the Regulations);".	
28AA.12	Insert "the 2 Februaury 2018", and remove "date specified by the Authority in the modification direction inserting this condition for the purposes of section 23(8) of the Gas Act 1986" from the definition of "Modification Date"	To clarify the date on which the licence condition will enter into force.

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28AA.12	Replace "." with ";" at the end of the definition of "Obligated Licensee".	Typographical error.
28AA.12	Insert "from time to time" after "as amended" in the definition of "Regulations".	We have made this change to better reflect the policy intent that amendments to the Regulations are automatically reflected in the licence condition.
28AA.12	Replace "." with ";" at the end of the definition of "Regulations".	Typographical error.
28AA.12	Change to part (b) of the definition of Relevant 28AA Customer by deleting "following", deleting each of sub-paragraphs (i)-(iv) and inserting "listed at Schedule 1 to this condition 28AA;".	We have made this amendment for clarity by inserting a schedule setting out the point at which, and for what period, a Domestic Customer is a Relevant 28AA Customer.
28AA.12	Insert definition of "Scheme Year 6", "has the meaning given to that term in paragraph 2 of the Regulations, being the period from 23 July 2016 to 31 May 2017".	For clarity, we have defined the period of time designated as scheme year 6 under the Regulations.
28AA.12	Insert definition of "Scheme Year 7", "has the meaning given to that term in paragraph 2 of the Regulations, being the period from 1 June 2017 to 31 March 2018".	For clarity, we have defined the period of time designated as scheme year 7 under the Regulations.
28AA.12	Insert definition of "Second Subsequent Scheme Year", "means the period of time designated as a scheme year at paragraph 2 of the Regulations commencing after the end of the First Subsequent Scheme Year."	For clarity, we have defined the period of time to be designated as the scheme year following the First Subsequent Scheme Year under the Regulations. At the time of publishing this decision, no scheme year has yet been specified beyond Scheme Year 7.
Schedule 1	Insert schedule entitled "Schedule 1 to standard condition 28AA: Categories of Relevant 28AA Customer".	We have inserted this schedule for clarity and to better reflect the policy intent regarding the point at which, and for what period, a Domestic Customer is a Relevant 28AA Customer.
S1.1	Insert new paragraph "The categories referred to in part (b) of the definition of	We have inserted this paragraph to clarify the operation of paragraphs S1.2-S1.5 of Schedule 1.

	Relevant 28AA Customer are set out at paragraphs S1.2-S1.5 below."	
S1.2	Insert new paragraph "Where the Domestic Customer is Identified in Scheme Year 6, that Domestic Customer is a Relevant 28AA Customer for the period commencing on the date the Obligated Licensee is required to comply with paragraph 28AA.1 of standard condition 28AA and ending on 31 March 2019."	For clarity and to better reflect the policy intent, we have set out the point at which, and for what period, a Domestic Customer Identified in Scheme Year 6 is a Relevant 28AA Customer.
S1.3	Insert new paragraph: "Where the Domestic Customer is Identified in Scheme Year 7, that Domestic Customer is a Relevant 28AA Customer from the beginning of the period of Scheme Year 7 that remains following the date for compliance with paragraph 28AA.1 of standard condition 28AA, and remains a Relevant 28AA Customer until the earlier of: (a) the end of the First Subsequent Scheme Year; or (b) condition 28AA ceasing to have effect as specified	For clarity and to better reflect the policy intent, we have set out the point at which, and for what period, a Domestic Customer Identified in Scheme Year 7 is a Relevant 28AA Customer.
S1.4	at paragraph 28AA.11 of standard condition 28AA." Insert new paragraph	For clarity and to better reflect the policy
	"Where the Domestic Customer is Identified in the First Subsequent Scheme Year, that Domestic Customer is a Relevant 28AA Customer from the beginning of the period of the First Subsequent Scheme Year that remains following the date for compliance with paragraph 28AA.1 of standard condition 28AA, and remains a Relevant	intent, we have set out the point at which, and for what period, a Domestic Customer Identified in the First Subsequent Scheme Year is a Relevant 28AA Customer.

	28AA Customer until the time that condition 28AA ceases to have effect as specified at paragraph 28AA.11 of standard condition 28AA."	
S1.5	Insert new paragraph "Where the Domestic Customer is Identified in the Second Subsequent Scheme Year, that Domestic Customer is a Relevant 28AA Customer from the beginning of the period of the Second Subsequent Scheme Year that remains following the date for compliance with paragraph 28AA.1 of standard condition 28AA, and remains a Relevant 28AA Customer until the time that condition 28AA ceases to have effect as specified at paragraph 28AA.11 of standard condition 28AA."	For clarity and to better reflect the policy intent, we have set out the point at which, and for what period, a Domestic Customer Identified in the First Subsequent Scheme Year is a Relevant 28AA Customer.

#### **SCHEDULE 3**

#### **RELEVANT LICENCE HOLDERS<sup>4</sup>**

1 North Utilities Ltd 1st Direct Utilities Plc Addito Supply Limited Affect Energy Ltd Albuquerque Energy Limited Alfa Smart Energy Ltd Arizona Energy Limited Arruzzi Energy Supply Limited AvantiGas On Limited Avid Energy Limited Avro Energy Limited Axis Telecom Limited **Barbican Powert Limited** Better Energy Supply Limited Bluebell Energy Supply Limited Breeze Energy Supply Limited Brilliant Energy Supply Limited Bristol Energy & Technology Services (Supply) Limited British Gas Trading Limited Brook Green Trading Limited Bruntwood Energy Services Limited Bryt Energy Limited Bulb Energy Ltd Business Power and Gas Limited Callesti Energy Supply Limited Cardiff Energy Supply Limited Celesto Enterprises Limited Cilleni Energy Supply Limited Colgano Energy Supply Limited **Co-operative Energy Limited** Corona Energy Retail 4 Limited Cowpow Limited Crown Gas and Power Limited Crown Oil Limited Daisy Energy Supply Limited Daligas Limited Delta Gas and Power Limited Dirac Energy Supply Limited Donnington Energy Limited **Dual Energy Direct Limited** Dyce Energy Limited Eclipse Energy Supply Limited Economy Energy Supply Ltd Economy Energy Trading Limited Eddington Energy Supply Limited **EDF Energy Customers Plc** Effortless Energy Ltd. E (Gas and Electricity) Limited

**ENGIE Power Limited** Enstroga Ltd Entice Energy Supply Limited E.ON Energy Gas (Eastern) Limited **E.ON Energy Solutions Limited** ESB Energy limited **Euston Energy Limited** Eversmart Energy Ltd **Exelon Generation Limited** Extra Energy Supply Limited Fairline Gas Ltd First Utility Limited Flogas Britain Ltd Flow Energy Limited Foxglove Energy Supply Limited Future Energy (Supply) Limited Gas and Power Limited Gas Plus Supply Limited GEN4U Ltd **GnERGY** Limited Good Energy Gas Limited Green Energy (UK) plc Greengen Direct Limited Green Network Energy Ltd Hartree Partners Supply (UK) Limited Hawking Energy Supply Limited Holborn Energy Limited Home Counties Energy Plc Hudson Energy Supply UK Limited Igloo Energy Supply Limited Iresa Limited I Supply Energy Limited Jacob Developments Limited **Kensington Power Limited** Labrador Ltd Lovely Energy Limited Maine Energy Limited Mattina Limited Mongoose Energy Supply Limited MyLife Home Energy Limited Nabuh Energy Ltd Nationwide Electricity Limited Nevada Energy Limited Npower Direct Limited Npower Gas Limited Npower Northern Limited Npower Yorkshire Limited Octopus Energy Limited **Oneselect Limited** 

<sup>&</sup>lt;sup>4</sup> Gas licence holders are listed at: <u>https://www.ofgem.gov.uk/publications-and-updates/all-gas-licensees-registered-addresses</u>

One Wales Energy - Un Ynni Cymru Ltd Opal Gas Limited **Opus Energy Limited** Opus Gas Supply Limited Orbit Energy Limited Oreba Energy Supply Limited Oregon Energy Limited Our Power Energy Supply Limited Ovo Gas Limited Palladium Energy Supply Limited Pan-Utility Limited **PFP Energy Supplies Limited** NSMP System Entry Pointplies Limited Pirranello Energy Supply Limited Planet 9 Energy Limited People's Energy (Supply) Limited Pozitive Energy Ltd Pure Planet Limited Putney Energy Limited Queensbury Energy Limited **Retford Gas Limited** Rockfire Energy Limited Rutherford Energy Supply Limited Santana Energy Limited Saphir Energy Limited Satus Energy Limited Scottish Power Energy Retail Limited Shale Gas UK Limited Shell Energy Supply UK Ltd. Simple Energy Scotland Limited Sing Power Limited Smarter Eco Energy Limited Snowdrop Energy Supply Limited

So Energy Trading Limited Solarplicity Supply Limited Southern Electric Gas Limited Spalt Energy Limited Spark Energy Supply Limited Squeaky Clean Energy Limited Sunflower Energy Supply Limited Switch Business Gas and Power Ltd Symbio Energy Limited **Telecom Plus PLC Temple Energy Limited** Texas Energy Limited The Renewable Energy Company Limited Together Energy Supply Limited Tonik Energy Limited Total Gas & Power Limited Toto Energy Ltd. Tru Energy Limited UK Healthcare Corporation Limited UK National Gas Ltd Usio Energy Supply Limited Ure Energy Limited Utilita Energy Limited Utilita Gas Limited Utility Point UK Limited Vavu Power Limited Victory Energy Supply Limited Washington Energy Limited World Fuel Commodities Services (Ireland) Limited Zebra Power Limited Zog Energy Limited