

## **Consent given by the Gas and Electricity Markets Authority pursuant to Standard Condition 9 (Claims for Last Resort Supply Payment) of the Electricity Supply Licence treated as granted under section 6 of the Electricity Act 1989 to Octopus Energy Limited**

To: Octopus Energy Limited (Company Number 09263424)

### **Whereas:**

A. Octopus Energy Limited ("the Licensee") is the holder of an electricity supply licence ("the Licence") granted or treated as granted under section 6(1)(d) of the Act.

B. The Gas and Electricity Markets Authority ("the Authority") issued the Licensee with a direction to supply electricity to the customers of Iresa Limited with effect on and from 1 August 2018 under paragraph 1 of standard condition 8 of the Licence ("Last Resort Supply Direction")<sup>1</sup>.

C. The Licensee gave notice to the Authority on 14 December 2018 of its claim for a payment to compensate for any additional costs it incurred in complying with a Last Resort Supply Direction (a "Last Resort Supply Payment") under standard condition 9.3 of the Licence.

D. At the time the claim was made standard conditions 9.5 and 9.6 of the Licence set out that the Authority will give its consent for the Licensee to make the claim notified to it if it considers it appropriate in all the circumstances of the case or, within three months after it has been notified of the claim, the Authority may determine that an amount other than the one calculated by the Licensee is a more accurate calculation of the relevant amount for the Last Resort Supply Payment.

E. The Authority consulted on its determination of the amount it considered appropriate for the Licensee to recover<sup>2</sup>.

F. The Authority has made a final decision on the relevant amount it will consent for the Licensee to recover as a Last Resort Supply Payment, taking into account representations from interested parties. The reasons for the Authority's decision can be found in its decision document<sup>3</sup>.

### **Therefore:**

G. Pursuant to standard condition 9.6 of the Licence, the Authority hereby consents for the Licensee to claim for a Last Resort Supply Payment of up to £7,237,436 from the relevant distributors. Pursuant to standard condition 9 of the Licence, relevant

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<sup>1</sup> <https://www.ofgem.gov.uk/publications-and-updates/direction-appoint-octopus-energy-limited-electricity-supplier-last-resort>

<sup>2</sup> <https://www.ofgem.gov.uk/publications-and-updates/last-resort-supplier-payment-claim-octopus-energy>

<sup>3</sup> <https://www.ofgem.gov.uk/publications-and-updates/last-resort-supplier-payment-claim-octopus-energy-final-decision>

distributors are electricity distribution licensees in whose distribution areas there were premises supplied under the Last Resort Supply Direction, excluding independent distribution network operators. This amount shall be reduced by 55% of any amounts the Licensee recovers from the liquidation of Iresa Limited.

H. This consent shall take effect on and from 24 January 2019.

Dated: 24 January 2019

Signed

**Lesley Nugent**

**Deputy Director, Licensing Frameworks**

**Duly authorised on behalf of the Authority**