

The Electricity Act 1989 Provisional order under section 25(2) of the Electricity Act 1989

To:

Solarplicity Supply Limited (company number 08053210), previously known as Loco2 Energy Supply Ltd, having changed its name to Solarplicity Supply Limited by notice dated 27 April 2017, and as Ganymede Energy Supply Limited having changed its name to Loco2 Energy Supply Ltd by change of name certificate dated 17 March 2014, having its registered office at Unit 8, Peerglow Centre, Marsh Lane, Ware, Hertfordshire, United Kingdom, SG12 9QL (“Solarplicity”) the holder of an electricity supply licence granted or treated as granted under section 6(1) of the Electricity Act 1989.

WHEREAS:

- A. The Gas and Electricity Markets Authority (“the Authority”) has received information regarding Solarplicity’s compliance with its obligations under the standard conditions of the electricity supply licence (referred to as the “SLCs”);
- B. Based on the information received by the Authority and its engagement with Solarplicity, it appears to the Authority that Solarplicity is contravening or is likely to contravene SLC 33.2 and, in particular, the provisions of paragraph 3.2.5 of Part 1 of Schedule A of SLC 33 (applicable by virtue of paragraph 3.1 of Part 2 of Schedule A of SLC 33);
- C. Having had regard to the matters set out in section 25 of the Electricity Act, the Authority considers it is requisite to make a provisional order in exercise of the powers in section 25(2) of the Electricity Act.

NOW THEREFORE:

Unless otherwise defined herein, capitalised terms used in this Provisional Order have the same meanings as those defined in the SLCs.

The Authority, pursuant to section 25(2) of the Electricity Act, and for the purpose of securing compliance with SLC 33.2 and, in particular, the provisions of paragraph 3.2.5 of Part 1 of Schedule A of SLC 33 (applicable by virtue of paragraph 3.1 of Part 2 of Schedule A of SLC 33) makes a provisional order requiring Solarplicity:

FIT Payments to Generators

1. To make all outstanding FIT Payments due to FIT Generators in terms of paragraph 3.2.5 of Part 1 of Schedule A of SLC 33 by 16 May 2019;
2. To provide a report to the Authority on 23 May 2019 evidencing that the FIT Payments due to FIT Generators in terms of provision 1 of this Order have been made. This report must include:

- 2.1. The details of each FIT installation registered with Solarplicity as its FIT Licensee (including FIT ID, technology and generator name);
 - 2.2. For each of the installations referred to at 2.1, when the FIT Payment (or payments) were due by reference to the Statement of FIT Terms agreed between Solarplicity and the FIT Generator (or any variation to the Statement of FIT Terms agreed with the FIT Generator);
 - 2.3. The amount of the FIT Payment (or payments) due; and
 - 2.4. For each of the FIT installations referred to at 2.1, the amount of FIT Payment (or payments) made by 16 May 2019 and when payment for each was made.
3. To make all future FIT Payments that become due to FIT Generators in terms of paragraph 3.2.5 of Part 1 of Schedule A of SLC 33 when those FIT Payments become due;
 4. From 27 May 2019, to provide a weekly report to the Authority evidencing that FIT Payments that become due to FIT Generators in terms of provision 2 of this Order are being made on time in accordance with paragraph 3.2.5 of Part 1 of Schedule A of SLC 33. Such weekly reports are to include:
 - 4.1. The details of each FIT installation registered with Solarplicity as its FIT Licensee (including FIT ID, technology and generator name);
 - 4.2. For each of the installations referred to at 4.1, when the FIT Payment (or payments) were due by reference to the Statement of FIT Terms agreed between Solarplicity and the FIT Generator (or any variation to the Statement of FIT Terms agreed with the FIT Generator);
 - 4.3. The amount of the FIT Payment (or payments) due;
 - 4.4. For each of the installations referred to at 4.1, when the payment was made and the value of that payment.
 5. When making FIT Payments under provisions 1 or 3 of this Order, not to give preference to any FIT Generator connected in any way to Solarplicity by virtue of its ownership (being a part of Solarplicity's group of companies) or Directorship.

Dated:

Signed

Charles Hargreaves
Deputy Director, Enforcement
Duly authorised on behalf of the Gas and Electricity Markets Authority