

LAST RESORT SUPPLY DIRECTION

Date: 09 September 2019

Direction made by the Gas and Electricity Markets Authority under standard condition 8 of the gas supply licence granted or treated as granted under section 7A(1) of the Gas Act 1986 to Utilita Energy Limited

To: Utilita Energy Limited (Company Number: 04849181)

Whereas:

- A. The Gas And Electricity Markets Authority (the "**Authority**") has the principal objective under section 4AA(1) of the Gas Act 1986 (the "**Act**") to protect the interests of consumers in relation to gas conveyed through pipes.
- B. The Authority's general duties include the duty under section 4AA(2)(a) of the Act to have regard to the need to secure that all reasonable demands for gas are met.
- C. Circumstances have arisen which entitle the Authority to revoke the gas supply licence of Eversmart Energy Limited (company registration number 09310427), having its registered office at Unit 10, Empress Business Park, 380 Chester Road, Manchester, M16 9EA ("**Eversmart**").
- D. **Utilita Energy Limited** (the "**Licensee**") is the holder of a gas supply licence (the "**Licence**") granted or treated as granted under section 7A(1) of the Act.
- E. The Authority has the power under paragraph 1 of standard condition 8 (the "**Condition**") of the Licence to direct the Licensee to supply gas to the customers of another gas supplier.
- F. The Authority considers that the Licensee could comply with a last resort supply direction in respect of customers of Eversmart without significantly prejudicing its ability to continue to supply its existing customers and to fulfil its contractual obligations for the supply of gas.

G. The Authority considers it is appropriate to exercise its power under the Condition in order to protect the interests of consumers and will, in due course, separately issue and publish a notice setting out its reasons for this decision in accordance with section 38A of the Act.

Therefore:

Pursuant to the Condition of the Licence, the Authority hereby directs the Licensee to supply gas to all legal and natural persons which were being supplied by Eversmart in its capacity as a licensed gas supplier at the time and date which immediately precedes the time and date this direction takes effect ("**Relevant Persons**"), and otherwise in accordance with the terms of this direction, the terms of the Condition and any information or instructions which may be provided by the Authority for the purposes of identifying Relevant Persons.

This direction shall take effect on and from 05:01 hours on 11 September 2019 and shall continue in force for a period of six months on and from the date on which this direction takes effect.

Signed

Philippa Pickford

Authorised on behalf of the Authority

09 September 2019