

**NOTICE OF REVOCATION OF A LICENCE PURSUANT TO
SECTION 7A WITH REASONS PURSUANT TO SECTION
38A OF THE GAS ACT 1986**

**Date: 04 November
2019**

Notice of Revocation and Reasons for Decision

Whereas

1. Toto Energy Ltd (company registration number 09256482), having its registered office at 1st Floor Locksview East Lockside, Brighton Marina Village, Brighton, East Sussex, BN2 5HA, United Kingdom ("**Toto**") is the holder of a Gas Shipper Licence (the "**Licence**") granted or treated as granted under section 7A(2) of the Gas Act 1986 (the "**Act**").
2. Section 7B(3) of the Act provides that a licence granted or treated as granted under the Act may be revoked in accordance with any term contained in it.
3. Schedule 2(1)(f)(i) to the Licence provides that the Gas and Electricity Markets Authority (the "**Authority**") may at any time revoke the Licence on giving not less than 24 hours' notice where it is unable to pay its debts (within the meaning of section 123(1) or (2) of the Insolvency Act 1986).
4. On 25 October 2019, the Authority made an application to the Chancery Division of the High Court (the "**Court**") under Part 8 of the Civil Procedure Rules for a declaration to the effect that:
 - 4.1 Toto is unable to pay its debts (within the meaning of section 123(1)(e) and (2) of the Insolvency Act 1986); and
 - 4.2 therefore the condition, as set out in Schedule 2(1)(f)(i) of the Licence is satisfied.
5. On 25 October 2019, the Court issued an order making a declaration to the effect set out in paragraph 4 above and, therefore, the Authority is satisfied that Schedule 2(1)(f)(i) of the Licence applies.
6. For the following reason, the Authority has decided that, in order to protect the interests of consumers, it is appropriate to give notice to revoke the Licence (with effect from 05:01 on 06 November 2019) in accordance with schedule 2(1)(f)(i) of the Licence:

- a. given that Toto is unable to pay its debts, the Authority is not satisfied that the company will be able to provide or otherwise procure the services necessary for shipping gas to customers or to pay charges under the industry arrangements.

Therefore

The Authority hereby gives notice that with effect from 05:01 Wednesday, 06 November 2019 the Licence shall be revoked.

**The Official seal of the Gas and Electricity
Markets Authority here
affixed is authenticated by –**



**Lesley Nugent
Authorised in that
behalf by the Authority
04 November 2019**