

The Electricity Act 1989 and Gas Act 1986

Notice of decision not to make Final Order

RE: Green Supplier Limited (formerly known as Green Energy Supply Limited)

Decision of the Gas and Electricity Markets Authority ("the Authority") not to make a Final Order pursuant to section 25(1) of the Electricity Act 1989 ("the EA89") and section 28(1) of the Gas Act 1986 ("the GA86").

3 March 2020

- 1.1. Green Supplier Limited (formerly known as Green Energy Supply Limited) ("Green Supplier") (company number 11042716) whose registered office is situated at 4034 The Core Bath Lane, Newcastle Helix, Newcastle upon Tyne NE4 5TF is the holder of an electricity supply licence and a gas supply licence issued by the Authority on 1 March 2018 under section 6(1)(d) of the EA89 and section 7A(1) of the GA86 respectively.
- 1.2. On 10 January 2020 the Authority issued a Notice of Proposal to issue a Final Order ("the Notice of Proposal") to Green Supplier pursuant to section 26(1) and (2) of the EA89 and section 29(1) and (2) of the GA86. A copy of the Notice of Proposal can be found on the Authority [website](#).
- 1.3. All domestic suppliers are required, pursuant to standard licence condition ("SLC") 48.8 and SLC 42.8 of the electricity and gas supply licences (collectively referred to hereinafter as "the Relevant Condition"), to be a DCC User (as defined in SLC 48.11 and SLC 42.11 of the electricity and gas supply licences) by 25 November 2017 or by the date that the supplier exits Controlled Market Entry ("CME"), whichever is later.¹
- 1.4. The Notice of Proposal was issued to Green Supplier because the Authority was satisfied that Green Supplier was contravening the Relevant Condition, namely the obligation to be a DCC User on exiting CME, which it did on 24 September 2019. This

¹ In an [open letter](#) dated 1 December 2017, Ofgem stated that it would not take enforcement action against suppliers in CME.

is an obligation enforceable by the Authority as a relevant condition under section 25 of the EA89 and section 28 of the GA89.

- 1.5. Section 25(1) of the EA89 and section 28(1) of the GA86 provide that the Authority shall issue a Final Order if it "is satisfied that a regulated person is contravening, or is likely to contravene, any relevant condition or requirement".
- 1.6. On 17 February 2020 Green Supplier became a DCC User. Green Supplier has now complied with its obligation to be a DCC User as required under the Relevant Condition.
- 1.7. The Authority is satisfied that Green Supplier is no longer in contravention of the Relevant Condition and has decided not to proceed to issue a Final Order to Green Supplier.

Dated: 3 March 2020

Signed

Megan Forbes (Chair)
Elizabeth France
Peter Hinchliffe

Enforcement Decision Panel
Duly authorised on behalf of the Gas and Electricity Markets Authority