

Annex 3 – Electricity supply licence keeling schedule

[Note: Text shown in blue double underline are proposed additions and text shown in ~~red strikethrough~~ are proposed deletions]

Standard conditions of electricity supply licences

To be added to the electricity supply licence standard conditions section A: Standard conditions for all suppliers

Condition 5. Provision of Information to Authority and data retention

- 5.1 After receiving a request from the Authority for Information that it may reasonably require or that it considers may be necessary to enable it to perform any functions given or transferred to it by or under any legislation, including any functions conferred on the Authority by or under the Regulation, the licensee must give that Information to the Authority when and in the form requested.
- 5.2 The licensee is not required to comply with paragraph 5.1 if the licensee could not be compelled to produce or give the Information in evidence in civil proceedings before a court.
- 5.3 After receiving a request from the Authority for reasoned comments on the accuracy and text of any Information relating to the licensee's activities under or pursuant to this licence which the Authority proposes to publish under section 48 of the Act, the licensee must give such comments to the Authority when and in the form requested.
- 5.4 The Authority's power to request Information under this condition is additional to its power to call for information under or pursuant to any other condition of this licence.

Data retention

- 5.5 The licensee shall keep, for at least five years, the Relevant Data relating to any transactions in electricity supply contracts and electricity derivatives with wholesale

customers, transmission system operators or any person who sells electricity to the licensee, which have been entered into by the licensee on or after the day after the day on which the Electricity and Gas (Internal Markets) Regulations 2011 are made.

~~5.6 [Omitted] With respect to transactions in electricity derivatives, the obligation to keep the Relevant Data shall only apply once the European Commission has adopted guidelines pursuant to paragraph 4 of Article 40 of the Directive.~~

5.7 After receiving a request from the Authority for the Relevant Data, the licensee must give the Relevant Data to the Authority when and in the form requested.

5.8 Paragraphs 5.5 and 5.7 do not require the licensee to keep Relevant Data in respect of any feed-in tariff arrangements entered into by the licensee in accordance with Condition 33 or 34.

Condition 21B. Billing based on meter readings

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21B.5 The licensee must make available a Bill or statement of account to each of its Customers at least twice yearly and at least quarterly to any Customer who requests it or who has Online Account Management.

This paragraph does not apply in relation to any Customer with:

- (a) a Prepayment Meter;
- (b) a Smart Metering System;
- (c) unmetered supply as defined in regulation 2 of the Electricity (Unmetered Supply) Regulations 2001(1).

21B.5A The licensee must, where the Domestic Customer has a meter where access to remote readings for the licensee is enabled, offer to provide or make available accurate monthly billing information based on consumption, and subsequently provide or make available such billing information where requested by the Domestic Customer.

To be added to the electricity supply licence standard conditions section B: Standard conditions for domestic suppliers

Condition 22. Duty to offer and supply under Domestic Supply Contract

Licensee's obligations

22.1 If the licensee supplies electricity to Domestic Premises, it must do so under a Domestic Supply Contract or a Deemed Contract.

22.2 Within a reasonable period of time after receiving a request from a Domestic Customer for a supply of electricity to Domestic Premises, the licensee must offer to enter into a Domestic Supply Contract with that customer.

22.3 If the Domestic Customer accepts the terms of the Domestic Supply Contract offered to him under paragraph 22.2, the licensee must supply electricity in accordance with that contract.

22.4 A Domestic Supply Contract must:

- (a) be in Writing; and
- (b) include all the terms and conditions for the supply of electricity, including:
 - (i) a term separately identifying the Charges for the Supply of Electricity and the charge for any other good or service to be provided; and
 - (ii) a term reflecting the provisions of standard condition 24 (Termination of Domestic Supply Contracts) in relation to the ending of the contract in the circumstances set out there.

22.5 A Domestic Supply Contract or a Deemed Contract with a Domestic Customer entered into or negotiated on or after the day after the day on which the Electricity and Gas (Internal Markets) Regulations 2011 are made must include:

- (a) the identity and address of the licensee;
- (b) the services provided, including any maintenance services provided, and any service quality levels that are to be met;
- (c) if a connection is required, when that connection will take place;

- (d) the means by which up to date information on all applicable tariffs and maintenance charges, including in relation to a Tied Bundle, may be obtained;
- (e) any conditions for renewal of the Domestic Supply Contract, including in relation to a Tied Bundle;

Condition 24. Termination of Domestic Supply Contracts

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Termination Fees

24.3 The licensee may include a term in a Domestic Supply Contract requiring a Domestic Customer to pay a Termination Fee to end that contract except in any of the following circumstances:

- (a) the contract is of an indefinite length;
- (b) without prejudice to sub-paragraph (a), the contract allows for both a fixed term period and a period of indefinite length and it is brought to an end during the period of indefinite length;
- (c) the licensee is required to give Notice of increase in the Charges for the Supply of Electricity or any Disadvantageous Unilateral Variation in accordance with paragraph 23.3 of standard condition 23 (Notification of Domestic Supply Contract terms); or
- (d) the contract is a Relevant Fixed Term Default Tariff.

24.3A Any Termination Fee payable pursuant to paragraph 24.3 must be:

- (a) proportionate; and
- (b) must not exceed the direct economic loss to the licensee resulting from the Domestic Customer's termination of the Contract, including the costs of any Non-Energy Product comprised in any Tied Bundle that has already been provided to the Domestic Customer as part of the Contract.

Condition 27. Payments, Security Deposits, Disconnections and final Bills

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Customers in payment difficulty

27.5 Subject to 27.5A, the ~~The~~ licensee must offer each of the services set out in paragraph 27.6 when it becomes aware or has reason to believe that a Domestic Customer is having or will have difficulty paying all or part of the Charges.

27.5A Without prejudice to any other right or obligation under this licence, the licensee must not charge the Domestic Customer for providing the facilities or information set out in paragraph 27.6.

27.6 The services referred to in paragraph 27.5 are:

- (a) the facility for a Domestic Customer to pay Charges:
 - (i) by using, where available, a means by which payments may be deducted at source from a social security benefit received by that customer;
 - (ii) by regular instalments calculated in accordance with paragraph 27.8 and paid through a means other than a Prepayment Meter; and
 - (iii) by using a Prepayment Meter, where it is safe and reasonably practicable in all the circumstances of the case for the Domestic Customer to do so and where any instalments to be paid are calculated in accordance with paragraph 27.8; and
- (b) the provision of information about how the Domestic Customer could reduce the Charges for the Supply of Electricity that he must pay by using the electricity supplied to his premises more efficiently.

27.7 If a Domestic Customer, having agreed to make payments for Charges using the service referred to in sub-paragraph 27.6(a)(i), is no longer in receipt of social security benefits from which payments can be deducted at source, the licensee must offer the services referred to in sub-paragraph 27.6(a)(ii) and 27.6(a)(iii).

27.8 The licensee must take all reasonable steps to ascertain the Domestic Customer's ability to pay and must take this into account when calculating instalments, giving due consideration to:

- (a) relevant information provided by third parties, where it is available to the licensee; and
- (b) where instalments will be paid using a Prepayment Meter, the value of all of the charges that are to be recovered through that meter.

Condition 31H. Relevant Billing Information, Bills and statements of account

Provision of Relevant Billing Information, Bills and statements of account

31H.1 The licensee must ensure that each Domestic Customer is provided with Relevant Billing Information, and where relevant Bills or statements of account, in a Form and at a frequency that is sufficient to enable that Domestic Customer to understand and manage the costs associated with their Tariff and the electricity they consume.

31H.2 In complying with paragraph 31H.1 the licensee must take into account:

- (a) that Domestic Customer's characteristics and current Tariff's features; and
- (b) where appropriate, that Domestic Customer's preferences.

31H.3 Bills and statements of account must either:

- (a) be provided in a Form that allows the Domestic Customer to easily retain a copy; or
- (b) be made easily available to the Domestic Customer for reference.

Information to be provided on Bills and statements of account

31H.4 The licensee must provide the following information in Writing on every Domestic Customer's Bill or statement of account:

- (a) that Domestic Customer's Supply Number;
- (b) subject to paragraph 31H.6, a comparison of the Domestic Customer's electricity consumption for the period covered by the Bill or statement of account, with the Domestic Customer's electricity consumption for the corresponding period in the previous year (for the purposes of this condition, the "corresponding period");
- (c) a clearly visible, Optical Label containing each of the Relevant Data Items for Electricity in such a manner that, when scanned with a Relevant Device (in conjunction with a separate software program or otherwise), the Relevant Data Items for Electricity are loaded on to the Relevant Device in accordance with the Specified Sequence without any requirement for the Domestic Customer to input further information into the Device; where the Domestic Customer is supplied with electricity and gas under a Dual Fuel Account, the licensee may use a single Optical Label containing the Relevant Data Items for Gas and the Relevant Data Items for Electricity in accordance with the Specified Sequence; data items other than Relevant Data Items may be included in the Optical Label provided they do not interfere with the Specified Sequence or with the ability of a Relevant Device to scan, access or load any of the Relevant Data Items in accordance with this provision;

- (d) an "About Your Tariff" Label; and
- (e) information about dispute settlement in line with requirements in paragraph 31G.7 of standard condition 31G.

31H.5 The licensee must inform each of its Domestic Customers:

- (a) that Citizens Advice consumer service can assist in providing information and advice to Domestic Customers; and
- (b) how to contact Citizens Advice and Citizens Advice Scotland,
by providing that information on or with each Bill or statement of account sent to each Domestic Customer in relation to Charges.

31H.6 The requirement in sub-paragraph 31H.4 (b) only applies if the licensee has been contracted to supply electricity to the same Domestic Customer at the same Domestic Premises throughout the period:

- (a) commencing with the start of the corresponding period; and
- (b) ending with the end of the period to which the Bill or statement of account relates.

31H.7 The requirement in sub-paragraph 31H.4 (c) does not apply:

- (a) to licensees who supply electricity to fewer than 50,000 Domestic Customers or such other number as may from time to time be directed by the Authority;
- (b) in respect of final Bills; or
- (c) in respect of Bills or statements of account that include Charges for the Supply of Electricity corresponding to more than one MPAN.

31H.8 The licensee must make it clear on the Bill or statement of account whether any estimates of the Domestic Customer's electricity consumption have been used in producing the information.

Terms of Domestic Supply Contracts

31H.9 The licensee must ensure that the terms and conditions of each Domestic Supply Contract and Deemed Contract comply with the provisions of standard condition 31H.

31H.10 The licensee must ensure that each Domestic Supply Contract and Deemed Contract contains terms and conditions which reflect the effect of:

- (a) any requirement of standard condition 31H which could reasonably be considered as:
 - (i) giving a particular Domestic Customer a right to receive or do something in any circumstances;
 - (ii) giving a particular Domestic Customer a right to avoid being subject to something in any circumstances; and
 - (iii) providing for a specific form of protection for a particular Domestic Customer in any circumstances; and
- (b) any provisions standard condition 31H specified in directions, which following consultation, the Authority may issue and may from time to time revise (following further consultation).

Other relevant requirements

31H.11 The licensee must also comply with any other requirements in the Electricity Supply Licence that may apply to billing practices, including (but not limited to) standard conditions 21B and 21BA.

Definitions

31H.12 "Relevant Billing Information" means any information a Domestic Customer may need to understand and manage the costs associated with their Tariff and the electricity they consume. This includes (either collectively or at differing frequencies, as appropriate to that Domestic Customer and the circumstance):

- (a) any charges, fees or payments to or from that Domestic Customer's account, and what is owed to or by the licensee;
- (b) how any charges, fees or payments are calculated; ~~and~~, ensuring that where a breakdown of the Domestic Customers price is presented in bills, that breakdown correspond with the three main components set out in the table contained in Annex 1 to Regulation (EU) 2016/1952 OF 26 October on European statistic on natural gas and electricity process and repealing Directive 2008/92/EC;
- (c) when and how that Domestic Customer needs to make any payments or will have payments deducted, leaving reasonable time for that Domestic Customer to arrange payment before it falls due; and

- (d) *if the Domestic Supply Contract or Deemed Contract provides for a further change of the product or price this must be indicated on the bill together with the date on which the change takes place.*