

**Electricity Act 1989 and Gas Act 1986  
Provisional order under section 25(2) of the Electricity Act 1989  
and section 28(2) of the Gas Act 1986**

To: **E (Gas and Electricity) Limited** (Company number 08520118) of T3 Trinity Park, Bickenhill Lane, Birmingham, England, B37 7ES (**EGEL**).

**WHEREAS:**

A: On 10 January 2019 the Gas and Electricity Markets Authority (“the Authority”) gave notice to Economy Energy Trading Limited (Company number 07513319) of 10th Floor Friars House, Manor House Drive, Coventry, England, CV1 2TE (**Economy**) to revoke its licences to supply electricity and gas and on 12 January 2019 Economy’s licences to supply gas and electricity were revoked.

B: Simultaneous to revoking Economy’s licences to supply electricity and gas, the Authority directed OVO Energy Limited (Company number 06890795) of 1 Rivergate, Temple Quay, Bristol, BS1 6ED (**OVO**) to take on the supply of electricity and gas to 235,000 of Economy’s customers. This direction was made public by the Authority on 11 January 2019.

C: The Authority is now aware, but was not aware at the time it revoked Economy’s licences, that Economy and EGEL entered into contractual arrangements to transfer around 30,000 of the Economy’s customers (the ‘Affected Customers’) to EGEL on or around 21 December 2018. The Authority understands that the process of transferring the Affected Customers will complete on or around 21 January 2019. The Authority understands that the transfer of the Affected Customers has not yet been completed and that accordingly the contract has been frustrated by operation of law.

D: On the basis of the information available to the Authority, it appears to the Authority that EGEL, in the act of accepting and / or completing the transfer of the Affected Customers, is contravening or is likely to contravene standard licence condition 14A and standard licence condition 0.3 a) of its licences to supply electricity and gas, both such standard licence conditions being relevant conditions for the purposes of section 25 of the Electricity Act 1989 and section 28 of the Gas Act 1986.

E: Having had regard to the matters set out in section 25 of the Electricity Act and section 28 of the Gas Act, the Authority considers it is requisite to make a provisional order in exercise of its powers in section 25(2) of the Electricity Act and section 28(2) of the Gas Act.

**NOW THEREFORE:**

The Authority, pursuant to section 25(2) of the Electricity Act and section 28(2) of the Gas Act, and for the purpose of securing compliance with standard licence condition 14A and standard licence condition 0.3 a) of the gas and electricity supply licences, makes a provisional order requiring EGEL to:

1. Immediately cease to take any further steps to implement the transfer of the Affected Customers from Economy to EGEL;

2. By 23:00 hours on 16 January 2019 to send a switch withdrawal request in respect of all of the Affected Customers' gas accounts in accordance with standard industry arrangements to prevent the switching of these accounts to EGEL;
3. By 18:00 hours on 17 January 2019 to send a switch withdrawal request in respect of all the Affected Customers' electricity accounts in accordance with standard industry arrangements to prevent the switching of these accounts to EGEL;
4. In so far as EGEL has already taken steps to implement the transfer of the Affected Customers from Economy to EGEL or to accept the Affected Customers as new customers of EGEL, to take all actions that are within EGEL's control to reverse all such steps; and
5. Submit written reports to the Authority i) by 12 midday on 17 January 2019 explaining what steps EGEL has taken to satisfy the requirements of paragraph 2 of this order; ii) by 12 midday on 18 January 2019 explaining what steps EGEL has taken to satisfy the requirements of paragraph 3 of this order; and iii) by 4pm on the Friday of each week after the date of this order until such date as compliance has been achieved in full, explaining what steps EGEL has taken to satisfy the requirements of paragraph 1. ,2., 3. and 4. of this order.

This order shall cease to have effect on 15 April 2019 unless confirmed by the Authority on or before that date.

Dated: 16 January 2019

Signed

Duly authorised on behalf of the Gas and Electricity Markets Authority