The Electricity Act 1989
Provisional order confirmed as modified under section 25(4) of the Electricity Act 1989

To:

Solarplicity Supply Limited (company number 08053210), previously known as Loco2 Energy Supply Ltd, having changed its name to Solarplicity Supply Limited by notice dated 27 April 2017, and as Ganymede Energy Supply Limited having changed its name to Loco2 Energy Supply Ltd by change of name certificate dated 17 March 2014, having its registered office at Unit 8, Peerglow Centre, Marsh Lane, Ware, Hertfordshire, United Kingdom, SG12 9QL ("Solarplicity") the holder of an electricity supply licence granted or treated as granted under section 6(1) of the Electricity Act 1989.

WHEREAS:

A. The Gas and Electricity Markets Authority ("the Authority") has received information regarding Solarplicity's compliance with its obligations under the standard conditions of the electricity supply licence (referred to as the "SLCs").

B. The Authority made a provisional order on 10 May 2019 under section 25(2) of the Electricity Act 1989.

C. The Authority made a proposal to confirm the provisional order with modifications on 9 July 2019 under section 26(1) of the Electricity Act 1986 ("the Proposal to Confirm").

D. Having considered information obtained from Solarplcity regarding its continued non-compliance with the SLCs, representations made to the Authority in response to the Proposal to Confirm and having had regard to the matters set out in Section 25 of the Electricity Act 1989, the Authority is satisfied that Solarplicity is contravening or is likely to contravene SLC 33.2 and, in particular, the provisions of paragraph 3.2.5 of Part 1 of Schedule A of SLC 33 (applicable by virtue of paragraph 3.1 of Part 2 of Schedule A of SLC 33), and that the provisions of the confirmed provisional order with modifications are requisite for the purpose of securing compliance with that SLC .

NOW THEREFORE:

Unless otherwise defined herein, capitalised terms used in this confirmed Provisional Order with modifications have the same meanings as those defined in the SLCs.

The Authority, pursuant to section 25(4) of the Electricity Act, and for the purpose of securing compliance with SLC 33.2 and, in particular, the provisions of paragraph 3.2.5 of Part 1 of Schedule A of SLC 33 (applicable by virtue of paragraph 3.1 of Part 2 of Schedule A of SLC 33) confirms the provisional order with modifications requiring Solarplicity:

FIT Payments to Generators

1. To make all existing and future FIT Payments that are or become due to FIT Generators in terms of paragraph 3.2.5 of Part 1 of Schedule A of SLC 33 when those FIT Payments are or become due and to pay forthwith any payments that are overdue;

2. To continue to provide a weekly report to the Authority evidencing that FIT Payments that are or become due to FIT Generators in terms of provision 1 of this confirmed Order are being made on time in accordance with paragraph 3.2.5 of Part 1 of Schedule A of SLC 33. Such weekly reports are to include:

    2.1. The details of each FIT installation registered with Solarplicity as its FIT Licensee (including FIT ID, technology and generator name);
    2.2. For each of the installations referred to at 2.1, when the FIT Payment (or payments) were due by reference to the Statement of FIT Terms agreed between Solarplicity and the FIT Generator (or any variation to the Statement of FIT Terms agreed with the FIT Generator);
    2.3. The amount of the FIT Payment (or payments) due;
    2.4. For each of the installations referred to at 2.1, when the payment was made and the value of that payment.

3. When making FIT Payments under provision 1 of this confirmed Order, not to give preference to any FIT Generator connected in any way to Solarplicity by virtue of its ownership (being a part of Solarplicity's group of companies) or Directorship.

Dated: 6 August 2019

Signed

MEGAN FORBES

PETER HINCHLIFFE

ANDREW LONG

ENFORCEMENT DECISION PANEL

Duly authorised on behalf of the Gas and Electricity Markets Authority