

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION

NOTICE UNDER ARTICLE 14 (8)

OF THE ELECTRICITY (NORTHERN IRELAND)

ORDER 1992

MODIFICATIONS TO LICENCES TO SUPPLY ELECTRICITY

In accordance with Article 14(2) of the Electricity (Northern Ireland) Order 1992 (as amended) (“the **Order**”) the Northern Ireland Authority for Utility Regulation (“the **Authority**”) published a notice (‘the **Consultation Notice**’) of its intentions to modify the licences to supply electricity (granted under Article 10(1)(c) of the Electricity Order) as detailed in Schedule 1 of this notice (“the **Supply Licences**”).

In accordance with Article 14(5) of the Electricity Order the Authority has considered representations duly made to it in response to the Consultation Notice. The Authority has decided to proceed with the making of modifications of the conditions of the Licence in exercise of its power under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows:

1. The modifications are to the conditions of the Licence as set out in section 3 of the Notice and Decision on Code of Practice for Consumers in Vulnerable Circumstances Licence Modifications Paper dated 30 September 2024 (‘the **Notice and Decision Paper**’).
2. The actual text of the proposed modifications is as set out in schedule 1 to the notice below (“**schedule 1**”). The original licence text that is being retained is in black, any new text is in red and any original text that is being removed is in red and strikethrough.
3. Details of the proposed modifications are set out in section 3 of the Notice and Decision Paper.
4. The reasons for the proposed modifications are set out in section 3 of the Notice and Decision Paper.
5. The effects of the proposed modifications are set out in section 3 of the Notice and Decision Paper.

6. How the Authority has taken account of the representations made to it in response to the Consultation Notice are set out section 3 of the Notice and Decision Paper.
7. The reason for any differences between the modifications to be implemented and those proposed in the Consultation Notice are set out section 3 of the Notice and Decision Paper.
8. The Authority has, in accordance with Article 14(8)(a) of the Order, sent a copy of this notice to the Licensee, the Department for Economy (DfE) and also to the General Consumer Council for Northern Ireland.
9. The modification shall take effect on 25 November 2024.
10. A copy of the modifications can be obtained in hard copy from:

Rachel Strong
The Utility Regulator
Queens House
14 Queen Street Belfast
BT1 6ED
Email: Rachel.Strong@uregni.gov.uk

Dated this 30 day of September 2024



John French
Chief Executive
For and on behalf of the Utility Regulator

Schedule 1

THE SUPPLY LICENCES

	Licensee	Address
1	AES Ballylumford Ltd	Ballylumford Islandmagee Larne BT40 3RS
2	Bord Gáis Energy Ltd	One Warrington Place Dublin 2 Ireland
3	Budget Energy Ltd	Unit 2 30-32 Ballinska Road Springtown Industrial Estate Derry/Londonderry BT48 0LY
4	Click Energy	1 st Floor Timberquay 100-114 Strand Road Derry/Londonderry BT48 7NR
5	Electric Ireland (ESBIE NI Ltd)	Swift Square Northwood Avenue Santry Dublin 9 Ireland
6	Electricity Supply Board (ESB)	27 Lr Fitzwilliam Street Dublin 2 Ireland
7	ElectroRoute Energy	1 st Floor Marconi House Digges Lane Dublin 2 Ireland
8	Energia Customer Solutions NI Limited	Energia House 62 Newforge Lane Belfast BT9 5NF
9	firmus energy (supply) Ltd	Kilbegs Business Park Antrim BT41 4NN
10	Flogas Enterprise Solutions Limited	6 th & 7 th Floor The Irish Times Building,

		24-28 Tara Street Dublin 2 Ireland
11	Gaelectric Green Energy Ltd	Portview House Thorncastle Street Ringsend Dublin 4 Ireland
12	Go Power (LCC Power Ltd)	16 Churchtown Road Cookstown Co Tyrone BT80 9XD
13	LCC Group Ltd	16 Churchtown Road Cookstown Co Tyrone BT80 9XD
14	Orsted Onshore Green Energy NI Limited	42-46 Fountain Street Belfast BT1 5EF
15	Power NI (NIE Energy Ltd)	Woodchester House 50 Newforge Lane Belfast BT9 5NW
16	Share Energy Trading Ltd	37 Dargan Road Fortwilliam Business Park Belfast BT3 9LZ
17	SSE Airtricity Energy Supply Ltd	3 rd Floor Millennium House 17-25 Great Victoria Street Belfast BT2 7AQ
18	Statkraft Markets GmbH	2a Derendorfer Allee Dusseldorf Nordrhein-Westfalen 40478 Germany
19	3T Power Limited	1 Davies Road, Newtownstewart, Co Tyrone BT78 4NH

Schedule 2

Licence modifications for electricity supply licences as set out in section 3 of the Notice and Decision Paper.

~~Condition 31: Code of Practice on Provision of Services for persons who are of Pensionable~~

~~Age or Disabled or Chronically Sick~~

- ~~1. This Condition shall apply where the Licensee supplies, or offers to supply, electricity to Domestic Premises.~~
- ~~2. The Licensee shall, no later than three months after this Condition takes effect or such later date as the Authority directs, prepare, submit to and have approved by the Authority a code of practice describing the particular services the Licensee will make available for each of its Domestic Customers who is:
 - ~~(a) of pensionable age;~~
 - ~~(b) disabled, including in particular Domestic Customers who are disabled by virtue of being blind, partially sighted, deaf or hearing impaired; or~~
 - ~~(c) chronically sick,~~(the Code of Practice).~~
- ~~3. The Code of Practice shall set out the arrangements by which the Licensee will at the request of any such Domestic Customer, where reasonably practicable and appropriate, and in each case free of charge:
 - ~~(a) provide special controls and adaptors for electrical appliances and meters and reposition meters (including in both cases prepayment meters);~~
 - ~~(b) provide special means, including agreeing a password with the Customer, of identifying officers authorised by the Licensee;~~
 - ~~(c) give advice on the use of electricity;~~
 - ~~(d) send bills in respect of the supply of electricity to the Customer's premises to any other person as nominated by the Customer where that person agrees to receive them (irrespective of whether or not the bill is also sent to the Customer); and~~
 - ~~(e) where neither the Customer nor any other person occupying his premises is able to read the electricity meter at the premises, arrange to read that meter at least once each quarter and inform the Customer of that reading.~~~~

~~4. The Code of Practice shall include arrangements by which the Licensee will:~~

~~(a) on request and free of charge:~~

~~(i) provide services which will enable a Domestic Customer who is blind or partially sighted to receive, by means that are readily accessible to such Customers, information about (or set out in) any bill or statement relating to the supply of electricity or any other services provided to the Customer by the Licensee;~~

~~(ii) make available facilities which will assist any Domestic Customer who is blind or partially sighted or deaf or hearing impaired and in possession of appropriate equipment, to enquire or complain about any bill or statement relating to the supply of electricity to him or any service provided by the Licensee;~~

~~(b) not cut off, in any month from October to March, the supply of electricity to the Domestic Premises in respect of which the Domestic Customer has not paid Charges for the Supply of Electricity if the Domestic Customer at the Domestic Premises:~~

~~(i) is of pensionable age, disabled or chronically sick; and~~

~~(ii) lives alone or only with other persons who are of pensionable age, disabled, chronically sick or under the age of 18;~~

~~(c) take all reasonable steps to avoid, in any month from October to March, cutting off the supply of electricity to a Domestic Premises in respect of which the Domestic Customer has not paid the Charges for the Supply of Electricity to the Domestic Premises where the occupants of the Domestic Premises include a person who is of pensionable age, disabled or chronically sick and to whom paragraph 4(b) does not apply; and;~~

~~(d) take all reasonable steps to ascertain, before it exercises any right it may have to cut off the supply of electricity to Domestic Premises, whether the Domestic Premises is one that falls within the scope of paragraph (b) or (c) above.~~

~~5. The Code of Practice shall include the Licensee's arrangements for:~~

~~(a) establishing and maintaining a register which:~~

~~(i) lists all of the Licensee's Domestic Customers who are of pensionable age, disabled or chronically sick and have asked to be included in the register; and~~

- ~~(ii) contains sufficient information about the age, disability or chronic sickness of each such Domestic Customer in order to identify his special needs or requirements;~~
 - ~~(b) informing on at least an annual basis each of its Domestic Customers of the existence of the register and how Domestic Customers who are of pensionable age, disabled or chronically sick can be included on it;~~
 - ~~(c) providing, without charge, to a Domestic Customer included on the register, advice and information on the services that can be provided to him by the Licensee because of his age, disability or chronic sickness; and~~
 - ~~(d) providing the information in the register to any relevant party licensed under the Electricity Order to distribute electricity in an appropriate form and at appropriate intervals.~~
- ~~6. The Licensee shall, in respect of each Domestic Premises to which it cuts off the supply of electricity:~~
- ~~(a) maintain for at least a period of six months, or (where a complaint has been made in respect of the Licensee's actions to cut off the supply) for at least a period of six months after the complaint has been resolved; and~~
 - ~~(b) provide to the Authority on request,~~
- ~~evidence of the reasonable steps it took pursuant to the arrangements set out in its Code of Practice in accordance with paragraph 4(e) above.~~
- ~~7. For the purposes of this Condition a person is 'disabled' if he/she has a 'disability' within the meaning given to that term in the Disability Discrimination (Northern Ireland) Order 2006.~~
- ~~8. This Condition is subject to Condition 35: Preparation, Revision Of and Compliance with Codes of Practice.~~

Condition 31: Code of Practice for Consumers in Vulnerable Circumstances

1. This Condition shall apply where the Licensee supplies, or offers to supply, electricity to Domestic Premises.
2. The Licensee shall (and shall procure that its agents or sub-contractors shall) comply with the obligations applicable to it under the Code of Practice for Consumers in Vulnerable Circumstances.
3. The Authority, following consultation with the Licensee, the General Consumer Council and any other person who in the opinion of the Authority is likely to be

interested or affected, may from time to time make such modifications to the Code of Practice for Consumers in Vulnerable Circumstances, as the Authority considers are necessary or expedient.

4. In this Condition:

Code of Practice for Consumers in Vulnerable Circumstances	means the relevant document of that name, prepared and published from time to time by the Authority, relating to the activities for protecting consumers in vulnerable circumstances.
Vulnerable or Vulnerability	means 'A consumer is deemed vulnerable when their personal characteristics or circumstances reduce their ability to engage effectively and achieve fair outcomes. A vulnerable consumer is significantly less able to protect or represent their interests and significantly more likely to suffer detrimental impacts on their health, wellbeing or finances'.
Agents or Subcontractors	means any person directly or indirectly authorised to represent the Licensee in its dealings with consumers or other Licensees.

Condition 35: Preparation, Revision Of and Compliance with Codes of Practice

1. This Condition applies to any Code of Practice (**Code**) which the Licensee is, pursuant to Conditions 30 and 32-34 of this Licence, required to prepare, submit to and have approved by the Authority.
2. The Licensee shall comply with the Code of Practice minimum standards on Payment of Bills, ~~Code of Practice minimum standards on Provision of Services for persons who are of Pensionable Age or Disabled or Chronically Sick~~, Code of Practice minimum standards on Complaints Handling Procedure, Code of Practice minimum standards on Services for Prepayment Customers and Code of Practice minimum standards on the efficient use of electricity, as amended or replaced from time to time.
3. The Licensee shall, before submitting any Code to the Authority for its approval, consult the General Consumer Council and shall consider any

representations made by it about the Code or the manner in which it is likely to be operated.

4. The Licensee shall, whenever requested to do so by the Authority, review any Code and the manner in which it has been operated, with a view to determining whether any modification should be made to that Code or to the manner of its operation.
5. In carrying out any such review the Licensee shall consult the General Consumer Council and shall consider any representations made by it about the Code or the manner in which it is likely to be or has been operated.
6. The Authority, following consultation with the Licensee, the General Consumer Council and any other person who in the opinion of the Authority is likely to be interested or affected, may from time to time make such modifications to Conditions 30 and 32-34, as the Authority considers are necessary or expedient.
7. Where the Authority modifies a Condition in accordance with paragraph 6:
 - (a) it shall:
 - (i) send a copy of the modification to the Licensee and the Department;
 - (ii) publish a copy of the modification in such manner as it considers appropriate for the purpose of bringing it to the attention of persons likely to be affected by the making of the modification; and
 - (b) the Licensee shall revise the Code to which the modification relates in such manner and to such extent as is required to ensure that the Code reflects and complies with the modified Condition.
8. Where the Licensee revises a Code:
 - (a) in accordance with paragraph 7(b) above; or
 - (b) following a review undertaken in accordance with paragraphs 4 and 5, it shall submit the revised Code to, and have it approved by, the Authority.
9. The Licensee shall:

- (a) as soon as practicable following the Authority's approval of a Code (including following a revision):
 - (i) send a copy of the Code to the Authority and the General Consumer Council; and
 - (ii) draw the attention of its Customers to the Code and of how they may inspect or obtain a copy of it;
- (b) publish on and make readily accessible from its website a copy of the Code;
- (c) give or send free of charge a copy of the Code (as from time to time revised) to any person who requests it; and
- (d) make available to members of the public, in such form and in such manner as the Authority considers appropriate, information published by the Authority pursuant to Article 7 of the Energy Order.

10. Subject to paragraph 12, the Licensee shall comply with each Code to which this Condition applies and which has been approved by the Authority.

11. The Licensee shall provide the Authority with all assistance reasonably necessary to enable the Authority to monitor the implementation and operation of any Code and this assistance shall include providing statistical data at such times and in such a format as the Authority reasonably requires and permitting the Authority access to relevant documentation held by the Licensee.

12. The Authority may (following consultation with the Licensee) issue directions relieving the Licensee of any of its obligations under Conditions 30 and 32-34 and this Condition to such extent as may be specified in those directions and subject to such terms and conditions as the Authority thinks fit.