

**NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION**

**NOTICE UNDER ARTICLE 14 (8)**

**OF THE GAS (NORTHERN IRELAND)**

**ORDER 1996**

**MODIFICATIONS TO LICENCES TO SUPPLY GAS**

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 (“the **Gas Order**”) the Northern Ireland Authority for Utility Regulation (“the **Authority**”) published a notice (“the **Consultation Notice**”) of its intentions to modify the licences to convey gas (granted under Article 8(c) of the Gas Order) as detailed in Schedule 1 of this notice (“the **Supply Licences**”).

In accordance with Article 14(5) of the Gas 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 Gas Order.

In accordance with Article 14(8) of the Gas 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 modifications is as set out in schedule 1 to the decision notice below (“**schedule 2**”). 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 modifications are set out in section 3 of the Notice and Decision Paper.
4. The reasons for the modifications are set out in section 3 of the Notice and Decision Paper.
5. The effects of the 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 Gas 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](mailto: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

	<b>Licensee</b>	<b>Address</b>
1	SSE Airtricity Gas Supply (NI) Ltd	3 <sup>rd</sup> Floor Millennium House 17-25 Great Victoria Street Belfast BT2 7AQ
2	firmus Energy (Supply) Ltd – Ten Towns	Units A4 and A5 Kilbegs Business Park Antrim BT41 4LZ
3	firmus energy (Supply) Ltd – Greater Belfast Area	Units A4 and A5 Kilbegs Business Park Antrim BT41 4LZ
4	Flogas Enterprise Solutions Limited	The Mount 2 Woodstock Link Belfast BT6 8DD
5	Electric Ireland	Swift Square Northwood Avenue Santry Dublin 9 Ireland
6	Go Power	16 Churchtown Road Cookstown Co. Tyrone BT80 0XD
7	Flogas Natural Gas Limited	Knockbrack House Matthews Lane Donore Road Drogheda Co. Louth Ireland
8	Energia	Energia House 62 Newforge Lane Belfast BT9 5NF
9	Power NI Energy Limited	Woodchester House 50 Newforge Lane Belfast BT9 5NW
10	SSE Airtricity Energy Supply (NI) Ltd	3 <sup>rd</sup> Floor Millennium House 17-25 Great Victoria Street Belfast

		BT2 7AQ
11	SSE Energy Supply Limited	3 <sup>rd</sup> Floor Millennium House 17-25 Great Victoria Street Belfast BT2 7AQ
12	Shell Energy Europe Limited	Shell Centre London SE1 7NA
13	Viridian Energy Limited	Ashtowngate Navan Road Dublin 15 Ireland
14	Bord Gáis Energy Ltd	1 Warrington Place Dublin 2 Ireland
15	AES Ballylumford Limited	Ballylumford Islandmagee Larne Co Antrim BT40 3RS
16	British Gas Trading Limited	Millstream East Maidenhead Road Windsor Berkshire SL4 5GD
17	Coolkeeragh ESB Limited	Stephen Court 18/21 St Stephens Green Dublin 2 Ireland
18	ElectroRoute Energy Trading Limited	Unit 2 Forestgrove Business Park Newtownbreda Road Belfast BT8 6AW
19	ESB Gas Supply Licence	1 <sup>st</sup> Floor Marconi House Digges Lane Dublin 2 Ireland
20	EP NI Energy Limited	27 Lr Fitzwilliam St Dublin 2 Ireland
21	EP Commodities	Kilroot Power Station Larne Road Carrickfergus Co. Antrim BT38 7LX
22	Ceres Energy Limited	The Old Grammar School Hallgate

		Hexham England NE46 1XD
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## Schedule 2

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

### Condition 2.11: Code of Practice on Provision of Services for persons who are of Pensionable Age or Disabled or Chronically Sick

~~2.11.1 This Condition shall apply where the Licensee supplies, or offers to supply, gas to Domestic Premises.~~

~~2.11.2 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 consumers who is:~~

~~(a) of pensionable age;~~

~~(b) disabled, including in particular domestic consumers who are disabled by virtue of being blind, partially sighted, deaf or hearing impaired; or~~

~~(c) chronically sick;~~

~~(the **Code of Practice**).~~

~~2.11.3 The Code of Practice shall set out the arrangements by which the Licensee will at the request of any such domestic consumer, where reasonably practicable and appropriate, and in each case free of charge:~~

~~(a) provide special controls and adaptors for gas appliances and meters and reposition meters (including in both cases prepayment meters);~~

~~(b) provide special means, including agreeing a password with the consumer, of identifying officers authorised by the Licensee;~~

~~(c) give advice on the use of gas and gas appliances and other gas fittings;~~

~~(d) send bills in respect of the supply of gas to the consumer's premises to any other person as nominated by the consumer where that person agrees to receive them (irrespective of whether or not the bill is also sent to the consumer); and~~

- ~~(e) where neither the consumer nor any other person occupying his premises is able to read the gas meter at the premises, arrange to read that meter at least once each quarter and inform the consumer of that reading; and~~
- ~~(f) where all of the occupants of the household are either of pensionable age, disabled, chronically sick or minors, arrange for a safety inspection of the gas appliances and other gas fittings on the consumer's side of the meter to be undertaken by a person possessing appropriate expertise on at least an annual basis, other than an appliance for which the landlord of the consumer is responsible for the annual inspection in accordance with the Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004.~~

2.11.4 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 consumer who is blind or partially sighted to receive, by means that are readily accessible to such consumers, information about (or set out in) any bill or statement relating to the supply of gas or any other services provided to the consumer by the Licensee;~~
  - ~~(ii) make available facilities which will assist any domestic consumer 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 gas to him or any service provided by the Licensee;~~~~
- ~~(b) not cut off, in any month from October to March, the supply of gas to the Domestic Premises in respect of which the domestic consumer has not paid Charges for the Supply of Gas if the Domestic Consumer 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 gas to a Domestic Premises in respect of which the domestic consumer has not paid the charges for the supply of gas 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 2.11.4(b) does not apply;~~

~~(d) take all reasonable steps to ascertain, before it exercises any right it may have to cut off the supply of gas to Domestic Premises, whether the Domestic Premises is one that falls within the scope of paragraph 2.11.4(b) or 2.11.4(c) above.~~

~~2.11.5 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 consumers 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 consumer in order to identify his special needs or requirements;~~

~~(b) informing on at least an annual basis each of its domestic consumers of the existence of the register and how domestic consumers who are of pensionable age, disabled or chronically sick can be included on it;~~

~~(c) providing, without charge, to a domestic consumer 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 Gas Order to convey gas to the domestic consumer's premises in an appropriate form and at appropriate intervals.~~

~~2.11.6 The Licensee shall, in respect of each Domestic Premises to which it cuts off the supply of gas:~~

~~(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 2.11.4(e) above.~~

~~2.11.7 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.~~

~~2.11.8 This Condition is subject to Condition 2.13: Preparation, Revision Of and Compliance with Codes of Practice.~~



## **Condition 2.11: Code of Practice for Consumers in Vulnerable Circumstances**

1. This Condition shall apply where the Licensee supplies, or offers to supply, gas 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 2.13: Preparation, Revision Of and Compliance with Codes of Practice**

- 2.13.1 This Condition applies to any Code of Practice (Code) which the Licensee is, pursuant to Conditions 2.8 – 2.10 and 2.12 of this Licence, required to prepare, submit to and have approved by the Authority.

- 2.13.2 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 gas, as amended or replaced from time to time.
- 2.13.3 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.
- 2.13.4 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.
- 2.13.5 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.
- 2.13.6 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 2.8 – 2.10 and 2.12, as the Authority considers are necessary or expedient.
- 2.13.7 Where the Authority modifies a Condition in accordance with paragraph 2.13.6:
- (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.
- 2.13.8 Where the Licensee revises a Code:
- (a) in accordance with paragraph 2.13.7(b) above; or

(b) following a review undertaken in accordance with paragraphs 2.13.4 and 2.13.5, it shall submit the revised Code to, and have it approved by, the Authority.

2.13.9 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 consumers 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.

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

2.13.11 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.

2.13.12 The Authority may (following consultation with the Licensee) issue directions relieving the Licensee of any of its obligations under Conditions 2.8 – 2.10 and 2.12 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.

### **Condition 1.11: Payment of Fees to the Authority**

1.11.3 For each relevant year, the licence fee shall be the total of:

- (b) an amount that is the Relevant Contribution to the Estimated Costs of the **General** Consumer Council with regard to the exercise of its functions relating to gas consumers for the relevant year; and
- (c) an amount which is the difference (which may be a positive or negative amount), if any, between:
  - (i) the licence fee that would have been due from the Licensee for the year immediately preceding the relevant year (the previous year) had such fee been calculated in relation to the actual costs of:
    - (A) the Authority for the previous year; and
    - (B) the **General** Consumer Council with regard to the exercise of its functions relating to gas consumers for the previous year; and

#### 1.11.4 Where:

- (a) the Estimated Costs of the Authority or of the **General** Consumer Council are revised during the course of the relevant year (Revised Costs);

#### 1.11.6 In this Condition:

- “Estimated Costs”
- (i) in relation to the costs of the Authority, means the costs estimated by the Authority as likely to be its costs for the relevant year as calculated in accordance with the Principles; and
  - (ii) in relation to the costs of the **General** Consumer Council, means either:
    - (A) the costs notified to the Authority by the **General** Consumer Council as its estimated costs for the relevant year as approved by the Department; or
    - (B) in the event that the Authority does not receive such notification by 31 July in the relevant year, the costs estimated by the Authority (having regard to any estimate of such costs in any forward work programme published by the **General** Consumer Council in respect of the relevant year) as likely to be the costs of the **General** Consumer Council for the relevant year.

### **Condition 2.1A: Supplier of Last Resort**

2.1A.2 In this Condition:

**Gas Industry Representatives**

means representatives from gas suppliers, distribution system operators, transmission system operators and also the General Consumer Council ~~for Northern Ireland (previously, the General Consumer Council for Northern Ireland).~~