

Code of Practice for Consumers in Vulnerable Circumstances

Licence Modifications

June 2024

Phoenix Energy (Phoenix)¹ welcomes the opportunity to respond to the notice and consultation on the Code of Practice for Consumers in Vulnerable Circumstances (Code of Practice) Licence modifications presented by the Utility Regulator (UR) following publication of the Code of Practice in March 2024.

We are passionate about delivering the best possible standards of service for all consumers. That means taking the time to understand and cater for different consumer needs and often bespoke solutions specific to a consumer's circumstances on a case-by-case basis. We continually look at ways to improve and adjust our services to ensure positive outcomes for all consumers and we look forward to continuing to work closely with UR, the wider gas industry, and other regulated utilities to support the goals of UR's Best Practice Framework (BPF) programme.

Our mission is to provide an inclusive service to all consumers whilst focusing our attention on identifying those who are significantly less able to represent their interests when engaging with us. UR's BPF programme will supplement this by assuring consumers of regulated utilities, like Northern Ireland's gas industry, are being afforded appropriate support and protections, particularly for those in vulnerable circumstances.

Phoenix's comments on the modifications proposed to its Licence are:

- our Licence should be updated to reflect our registered company name (i.e. Phoenix Energy Group Ltd) given that this changed from Phoenix Natural Gas Limited to Phoenix Energy Group Ltd in October 2023 and the appropriate documentation has been filed with the Utility Regulator.
- the reference to the "General Consumer Council" should be replaced with "Consumer Council for Northern Ireland" for consistency with the rest of our Licence.

Unlike the proposed gas supply licence modifications, UR is not proposing to replace the existing gas distribution licence conditions relating to the provision of services to vulnerable consumers e.g. Condition 2.8.4 of the Phoenix Licence will continue to apply. This raises two concerns for Phoenix.

¹ Phoenix Energy Group Ltd is trading as Phoenix Energy. In this response the words "we", "our" and Phoenix are used interchangeably to refer to Phoenix Energy.

Condition 2.8.4 requires us to make arrangements whereby, so far as is reasonably practicable, the occupier of any premises to which we convey gas who:

- (a) is a domestic consumer;
- (b) is chronically sick, disabled or of pensionable age;
- (c) does not share the occupancy of the premises with any person who is not chronically sick, disabled or of pensionable age or a minor; and
- (d) is included in the list of domestic consumers information in respect of which has been provided to the Licensee by any other gas supplier under the conditions of that party's licence or exemption;**

is not deprived of adequate heating and cooking facilities where the conveyance of gas to those premises has been disconnected for the purpose of averting danger to life or property.

Our first concern relates to paragraph (d). With the removal of Condition 2.11.5 from gas supply licences, we do not believe that the Code of Practice will require Gas Suppliers to provide this data to us - Measure 4.1 of the Code of Practice requires companies to share data with the relevant customer care register holder. However, Phoenix is not a customer care register holder - To address this and allow Phoenix to continue to meet its licence requirements under Condition 2.8.4, we would ask UR to retain the requirements of Condition 2.11.5 in gas supply licences and therefore retain the appropriate data sharing arrangements between Gas Suppliers and gas distribution licence holders.

Our second concern relates to our existing requirement to provide cooking facilities. This is no longer reasonable given that consumers typically have access to alternative cooking facilities and are no longer solely reliant on gas cooking appliances. We therefore ask UR to take this opportunity to consider the removal of cooking from Condition 2.8.4 i.e. *"is not deprived of adequate heating ~~and cooking~~ facilities where the conveyance of gas to those premises has been disconnected for the purpose of averting danger to life or property."* as part of this suite of licence modifications.