

CONSULTATION ON PROPOSED MODIFICATIONS TO GAS AND ELECTRICITY LICENCES

5 January 2016



About the Utility Regulator

The Utility Regulator is the independent non-ministerial government department responsible for regulating Northern Ireland's electricity, gas, water and sewerage industries, to promote the short and long-term interests of consumers.

We are not a policy-making department of government, but we make sure that the energy and water utility industries in Northern Ireland are regulated and developed within ministerial policy as set out in our statutory duties.

We are governed by a Board of Directors and are accountable to the Northern Ireland Assembly through financial and annual reporting obligations.

We are based at Queens House in the centre of Belfast. The Chief Executive leads a management team of directors representing the markets, networks and corporate affairs functional areas of the organisation. The staff team includes economists, engineers, accountants, utility specialists, legal advisors and administration professionals.

Our Mission:

Value and sustainability in energy and water

Our Vision:

We will make a difference for consumers by listening, innovating and leading

Our Values:

Be a best practice regulator: transparent, consistent, proportional, accountable, and targeted

Be a united team

Be collaborative and cooperative

Be professional

Listen and explain

Make a difference

Act with integrity

Abstract

This paper sets out the Utility Regulator's proposed changes to electricity and gas licences necessary to reflect market experience, process updates and legislative changes. The proposed changes affect the gas and electricity supply licences, the electricity distribution licence and the gas conveyance licences (distribution and transmission).

Audience

This consultation paper would be of particular interest to licence holders and consumer representative bodies.

Consumer impact

The majority of the changes outlined in this consultation represent a clean-up of licences and do not require a system or process change and will therefore have minimal impact on licence holders. The consultation does include some modifications that seek to enhance existing consumer protection conditions, however consumers will see no direct changes to their services as a result of these modifications. Impact on consumers will therefore be minimal with some reinforcement of current consumer protection measures.

Contents

| | |
|---|----|
| 1. Introduction | 7 |
| 2. Responding to this consultation..... | 9 |
| 3. Licence modifications..... | 11 |
| 3.1 Licence modification 1: to ensure suppliers must not block or prevent prepayment meter customers from vending/topping up | 11 |
| 3.2 Licence modification 2: to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of or towards that charge | 13 |
| 3.3 Licence modification 3: to ensure after closing an account with a supplier, any refunds are passed back to consumers within 6 weeks of account closure and treatment of dormant accounts..... | 15 |
| 3.4 Licence modification 4: to change the period in which supply companies must inform consumers they are coming to the end of a fixed term contract | 17 |
| 3.5 Licence modification 5: to place a duty on gas suppliers to offer terms to any domestic consumer (Gas only – new condition) | 19 |
| 3.6 Licence modification 6: to amend the definition of domestic consumer in gas supply and gas conveyance licences | 22 |
| 3.7 Licence modification 7: to align the provision of switching information by distribution companies with the timetables outlined in REMM | 26 |
| 3.8 Licence modification 8: to provide a reference to the minimum standards in the Codes in gas and electricity supply licences | 28 |
| 3.9 Licence modification 9: to remove duplications in Marketing Condition | 30 |
| 3.10 Licence modification 10: to ensure correct references are made to the NIE distribution licence | 34 |
| 3.11 Licence modification 11: to reflect correct legislation references in electricity supply licences..... | 42 |
| 3.12 Licence modification 12: to reflect correct legislation references in gas supply licences..... | 52 |
| 2.13 Licence modification 13: to ensure consistent use of terms in gas supply licences ... | 75 |
| 2.14 Licence modification 14: Removal of redundant Special Conditions which are no longer in effect | 78 |
| Annex 1 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 - Modifications to Electricity Supply Licences | 80 |

| | |
|--|----|
| Annex 2 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 - Modifications to Electricity Supply Licences | 82 |
| Annex 3 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 - Modifications to Electricity Supply Licences | 84 |
| Annex 4 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 – Modifications to Electricity Distribution Licence | 85 |
| Annex 5 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to firmus energy (Supply) Limited’s Gas Supply Licence (Ten Towns licence) . | 86 |
| Annex 6 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to firmus energy (Supply) Limited’s Gas Supply Licence (Greater Belfast licence) | 87 |
| Annex 7 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to SSE Airtricity Gas Supply (NI) Limited’s Gas Supply Licence..... | 88 |
| Annex 8 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to SSE Airtricity Energy Supply (NI) Limited’s Gas Supply Licence | 89 |
| Annex 9 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Viridian Energy Supply Limited’s Gas Supply Licence..... | 90 |
| Annex 10 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to LCC Power Limited’s Gas Supply Licence | 91 |
| Annex 11 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to ONI Gas Limited’s Gas Supply Licence..... | 92 |
| Annex 12 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to ESB Independent Energy (NI) Limited’s Gas Supply Licence..... | 93 |
| Annex 13 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Vayu Limited’s Gas Supply Licence | 94 |
| Annex 14 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to SSE Energy Supply Limited’s Gas Supply Licence | 95 |
| Annex 15 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Power NI Energy Limited’s Gas Supply Licence (Greater Belfast and Ten Towns Licence) | 96 |
| Annex 16 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Flogas Natural Gas Limited’s Gas Supply Licence | 97 |
| Annex 17 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to AES Ballylumford’s Gas Supply Licence | 98 |
| Annex 18 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Coolkeeragh ESB Limited’s Gas Supply Licence | 99 |

| | |
|---|-----|
| Annex 19 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Power NI Energy Limited's Gas Supply Licence (Licence for supply to Ballylumford Power Station) | 100 |
| Annex 20 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to British Gas Trading Limited's Gas Supply Licence | 101 |
| Annex 21 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Viridian Energy Supply Limited's Gas Supply Licence..... | 102 |
| Annex 22 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Transmission System Operator's Gas Conveyance Licences | 103 |
| Annex 23 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Distribution System Operator's Gas Conveyance Licences..... | 104 |

1. Introduction

- 1.1 One of our fundamental roles is to issue and maintain licences for gas, electricity and water companies to operate in Northern Ireland. These licences set out the rules and regulations which the company must operate within. As the Regulator, we are required to enforce the conditions within licences to ensure the protection of consumer interests.
- 1.2 There are a number of circumstances which can lead to modifications to licence conditions, for example, changes in market behaviour, the introduction of new legislation or changes to market processes. In order to ensure licences offer the highest levels of consumer protection, are enforceable and meet market needs, it is important to ensure licences are up to date. Accurate licences provide certainty, transparency and clarity for licence holders and consumers.
- 1.3 Consumers must be adequately protected in their dealings with electricity and gas suppliers. As the NI retail energy market continues to develop and competition grow, we see new and emerging issues which have a direct impact on the levels of protection afforded to consumers. We also see necessary changes to systems and processes to ensure the market can run efficiently and effectively. Licences must continue to evolve to meet these changing needs and address any issues that emerge as the market continues to develop.
- 1.4 This paper proposes a number of modifications to, primarily, electricity and gas supply licences to ensure accuracy and reflect market behaviour. Some modifications are also proposed to gas conveyance and electricity distribution licences to reflect legislative changes and changes to market processes.
- 1.5 In order to inform these proposals, we used gas and electricity industry forums to consult with industry on the proposed changes that would require any change to licence holder systems or processes. This period of pre-consultation helped us to inform our proposals and ensure they met the consumer protection requirements, but placed minimal burden on suppliers. Some representations were made during this pre-consultation phase and have been considered when forming these final proposals. As a result of this pre-consultation stage, we can conclude that the majority of the modifications proposed will not require licence holders to make any changes to their systems or processes.
- 1.6 The remaining proposed modifications will make necessary clean ups to licences to reflect inaccuracies or changes in market processes.

- 1.7 The reasons and effects of each of the proposed modifications are laid out within the paper. Clear references to the affected licence conditions are noted throughout the paper as well as red line extracts of each of the proposed modifications. Annexes 1 - 23 contain legislative notification of the proposed modifications. Please note that should we receive significant representation to any of the proposed changes which requires a modification to our proposals, we **will** further consult on the proposed changes.
- 1.8 We welcome comments from all interested parties during the consultation period on any of the proposed modifications as we reach our final decisions. Final decisions will be published following consideration of all responses with the licence conditions taking effect 56 days after the date of publication.

2. Responding to this consultation

- 2.1 We welcome industry and other stakeholder views and comments on all the proposals set out in this consultation paper.
- 2.2 The consultation period will close on 4 March 2016
- 2.3 Responses to this consultation should be forwarded to reach the UR on or before 5pm on 4 March 2016 to:
Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast
BT1 6ED
Email: barbara.stevenson@uregni.gov.uk
- 2.4 Your response to this consultation may be made public by the UR. If you do not wish your response or name made public, please state this clearly by marking the response as confidential. Any confidentiality disclaimer that is automatically produced by an organisation's IT system or is included as a general statement in your fax or coversheet will be taken to apply only to information in your response for which confidentiality has been specifically requested.
- 2.5 Information provided in response to this consultation, including personal information may be subject to publication or disclosure in accordance with the access to information regimes; these are primarily the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 1998 (DPA). If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things with obligations of confidence.
- 2.6 In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Authority.

2.7 This document is available in accessible formats. Please contact Barbara Stevenson on 0289031 6343 or barbara.stevenson@uregni.gov.uk to request this.

Section 75 of the Northern Ireland Act 1998

2.8 As a public authority, the UR has a number of obligations arising from Section 75 of the Northern Ireland Act 1998. These obligations concern the promotion of equality of opportunity between:

- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- men and women generally;
- persons with disability and persons without; and
- persons with dependants and persons without.

2.9 We must also have regard to the promotion of good relations between persons of different religious belief, political opinion or racial groups. In the development of our policies we also have a statutory duty to have due regard to the needs of vulnerable consumers i.e. individuals who are disabled or chronically sick, individuals of pensionable age, individuals with low incomes and, for electricity only, individuals residing in rural areas.

2.10 In order to assist with equality screening of the proposals contained within this consultation paper, we request that respondents provide any information or evidence in relation to the needs, experiences, issues and priorities for different groups which they feel is relevant to the implementation of any of the proposals.

2.11 We welcome any comments which respondents might have in relation to the overall equality impact of the proposals. In particular we would like to know our stakeholders' views on any areas of the consultation which may have an impact on the groups listed above, and if those impacts are likely to be positive in relation to equality of opportunity for energy consumers. In addition we are interested in receiving information on why and how we may refine the proposals if stakeholders consider that they do not currently meet the equality provisions.

3. Licence modifications

3.1 Licence modification 1: to ensure suppliers must not block or prevent prepayment meter customers from vending/topping up

Summary of proposed modification

3.1.1 We propose to amend the “Code of Practice on Services for Prepayment Meter Customers” condition in electricity and gas supply licences to ensure prepayment meter customers cannot be blocked or prevented from purchasing electricity in any way or topping up their meters.

| Affected Licences | Relevant condition(s) |
|---------------------------------|-------------------------------|
| All gas supply licences | Modification to condition 2.9 |
| All electricity supply licences | Modification to condition 34 |

Reason and effect of proposed modification

3.1.2 The use of prepayment meters as a form of payment for electricity and gas is more popular in Northern Ireland than in any other region of the UK. With 42% of electricity and 68% of gas customers choosing to purchase their gas and electricity via a prepayment meter, it is vital that the system offers the necessary consumer protection provisions for consumers.

3.1.3 Such provisions include the need to ensure consumers are not prohibited from purchasing electricity or topping up their meter. Preventing a customer from topping up their meter is effectively causing a disconnection.

3.1.4 Prior to the publication of these proposals, we sought feedback from suppliers as to any reasons why they feel it would be necessary to block a customer from vending. Some examples were suggested by suppliers, however the UR did not feel these examples merited an exception to this condition and that any exceptions would not offer the necessary customer protection for consumers. Therefore in all cases, the blocking of a vend is not permitted.

Licence extract showing proposed modification

- 3.1.5 The modification being proposed is the addition of a new paragraph into condition 34 in the electricity supply licences and condition 2.9 in the gas supply licences.
- 3.1.6 An extract of condition 34 from the electricity supply licences is provided below showing the proposed modifications. The proposed modification will be mirrored in condition 2.9 of gas supply licences.

Condition 34: Code of Practice on Services for Prepayment Meter Customers (extract)

- 5 The Licensee shall not prevent the customer from purchasing their electricity in advance through a prepayment meter.
- 56 In this Condition “prepayment meter services” means the system of services for the operation of prepayment meters operated by the use of tokens, keys or cards.
- 67 Paragraphs 2 and 3 of this Condition are subject to Condition 35: Preparation, Revision Of and Compliance with Codes of Practice.

3.2 Licence modification 2: to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of or towards that charge

Summary of proposed modification

3.2.1 We propose to amend the “Code of Practice on Services for Prepayment Meter Customers” condition in electricity and gas supply licences to ensure prepayment meters are not calibrated to recover more than 40% of any outstanding charge, in any single transaction, as a payment of or towards that charge.

| Affected Licences | Relevant condition(s) |
|---------------------------------|-------------------------------|
| All gas supply licences | Modification to condition 2.9 |
| All electricity supply licences | Modification to condition 34 |

Reason and effect of proposed modification

3.2.2 Current licence conditions ensure that for customers in difficulty, a prepayment meter must not operate so as to recover more than 40% for debt repayment from each amount that is purchased by the customers in any single transaction, except where a customer has explicitly requested it in writing. This requirement is captured in the Code of Practice on Payment of Bills in both gas and electricity supply licences (condition 2.12 in gas supply licences and condition 30 in electricity supply licences). Suppliers must agree an appropriate payment plan with their customers, on an individual basis that must not exceed 40% for the debt repayment.

3.2.3 Often, customers can incur additional charges that they cannot afford to pay in one single payment. Reasons for these charges can vary greatly in nature and size and can cause an additional burden on customers. It is therefore important to ensure these customers are not forced to repay these charges through their prepayment meter at a rate that can lead them into further difficulty.

3.2.4 We feel that **all debt being recovered through prepayment meters**, irrespective of how it originated, should be treated and recovered in the manner intended in the Billing Code of Practice. This helps to ensure the equal and fair treatment of all customers in debt, irrespective of how it originated.

- 3.2.5 As outlined in our decision paper on the Energy Supplier Codes of Practice¹, published in June 2015, we note that companies can recoup from the customer the costs of disconnection and reconnection that are charged to them by the network company. On balance, we consider that for other costs such as the supplier administration costs, we expect these to be recovered through normal debt recovery arrangements. The only exception to this would be via a written request from the customer.
- 3.2.6 This proposal will therefore add the necessary clarity to the licence to ensure this condition covers the recovery of any debt **via a prepayment meter**.

Licence extract showing proposed modification

- 3.2.7 The modification being proposed is the addition of a new paragraph 3 (g) into condition 34 in the electricity supply licences and condition 2.9 in the gas supply licences.
- 3.2.8 The proposed modification to condition 34 in the electricity supply licence is shown below. The proposed modification will be mirrored in condition 2.9 of gas supply licences.

Condition 34: Code of Practice on Services for Prepayment Meter Customers (extract)

3 (g) ensure that any calibration of the prepayment meter to recover outstanding charges due from any Customer does not operate so as to recover more than 40% (except where the Customer has in writing requested for a higher percentage to apply) from each amount that is purchased by the Customer in any single transaction (and thereby transferred to the token, key or card by which the prepayment meter is operated), as payment of or towards the outstanding charges.

¹ Energy Supplier Codes of Practice, Final Decision , June 2015:
http://www.uregni.gov.uk/uploads/publications/Final_Codes_of_Practice_Decision_Paper.pdf

3.3 Licence modification 3: to ensure after closing an account with a supplier, any refunds are passed back to consumers within 6 weeks of account closure and treatment of dormant accounts

Summary of proposed modification

- 3.3.1 We are proposing to amend the “Provision of Information to Consumers” condition in all gas and electricity supply licences to include drafting which will require suppliers to return any credit balances (where a customer is owed money) held in closed accounts within six weeks.
- 3.3.2 This is the same period within which they are required to issue a final bill to a customer once they have closed their account with the supplier.
- 3.3.3 Currently there is no timeline stipulated in the licence for returning any credit to customers. This modification now provides a timeline and also ensures there is consistency in treatment for consumers.
- 3.3.4 The licences and relevant conditions within each licence that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|---------------------------------|--------------------------------|
| All gas supply licences | Modification to condition 2.19 |
| All electricity supply licences | Modification to condition 38 |

Reason and effect of proposed modification

- 3.3.5 The UR undertook a project which examined the processes in relation to direct debits in NI energy suppliers. During this review there were no issues identified. However, we noted that in relation to closed accounts, whilst the licence gives direction in terms of the issuing of a final bill, it did not provide adequate direction on how credit on closed accounts should be treated.
- 3.3.6 We want to ensure that there is consistency of treatment across all suppliers in terms of the requirements to hand the money back to customers within a certain timescale.
- 3.3.7 On this basis, we are of the view that the timescale to refund any outstanding credit balance on a closed account (i.e. where a customer is owed money) should align to the requirement for issue a closing bill within a six week period.
- 3.3.8 The effect of this modification will be the requirement to return any money owed to a customer, once they close their account, within six weeks.
- 3.3.9 A further point to note is that, there is no guidance or requirements set out in the licence on how to treat an account which is dormant. An account becomes dormant

in the instance where the supplier is unable to return the outstanding credit balance to a customer. For example this may be in the circumstance where the person has moved and not left a forwarding address. We are of the view that no supplier should make financial gain in this circumstance. Whilst we are not proposing at this stage to make any modification in the licences to mandate how dormant accounts are treated, we have the expectation that suppliers will deal with any dormant accounts in an appropriate manner. There are examples in the GB market in both energy and the financial sector where companies pass the money to charity or use it for project which will benefit the wider customer group.

Licence extract showing proposed modification

3.3.10 An extract from condition 2.19 of a gas supply licence is provided below showing the proposed modifications. The same changes will occur in condition 38 of the electricity supply licences.

Condition 2.19: Provision of Information to Consumers (extract)

- 2.19.13 Where a domestic consumer terminates the Contract in accordance with its provisions ~~and exercises his right to receive a supply of gas at the Domestic Premises from another gas supplier~~, the Licensee shall:
- (a) send a final bill to the domestic consumer within six weeks of the Licensee ceasing to provide a supply of gas to the domestic consumer ~~;~~ and
 - (b) use best endeavours to refund any outstanding credit to the domestic consumer within six weeks of the Licensee ceasing to provide a supply of gas to the domestic consumer via an appropriate mechanism.

3.4 Licence modification 4: to change the period in which supply companies must inform consumers they are coming to the end of a fixed term contract

Summary of proposed modification

- 3.4.1 We are proposing amendments to the “Terms and conditions of Gas/Electricity Supply Contracts” condition in all gas and electricity supply licences.
- 3.4.2 Where a supplier offers fixed term contracts for domestic customers, paragraph 12(b) of this condition currently requires suppliers to send a notice to each domestic customer at least 28 days, but no more than 42 days before their fixed term period ends. The notice must include information on the expiry date of the fixed term period, the name and unit rate of the customer’s current tariff and details of the standard evergreen tariff that will apply when the fixed term period ends.
- 3.4.3 The modification being proposed is to change the timeframe under which the supplier must send the notice to domestic customers so that the notice is given at least 21 days, but no more than 42 days before the fixed term period ends.
- 3.4.4 The licences and relevant conditions within each licence that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|---------------------------------|--------------------------------|
| All gas supply licences | Modification to condition 2.18 |
| All electricity supply licences | Modification to condition 27 |

Reason and effect of proposed modification

- 3.4.5 Paragraph 11 of condition 2.18 in the gas supply licences and condition 27 in the electricity supply licences places an additional requirement on suppliers to notify domestic customers of any change in the customer’s terms and conditions, including any change in price. The requirement is for this notice to be sent to each domestic customer at least 21 days before the change takes effect.
- 3.4.6 We have been made aware of issues where a supplier’s standard evergreen tariff changed around the same time as some domestic customer’s fixed term tariffs were expiring. It resulted in the supplier sending more than one letter of notice to domestic customers to notify the customer of the changes. The first letter advising that their fixed term tariff was ending and stating the standard evergreen tariff prices that would apply from a specified date (to comply with paragraph 12 of the licence

condition). The second letter advising that the standard evergreen tariff was changing (to comply with paragraph 11 of the licence condition). This was not only costly to the supplier but confusing to the customer with the resulting impact that these customers would not have clarity in terms of the unit price being charged.

3.4.7 We therefore propose to amend this condition to require suppliers to give domestic customers at least 21 days (but no more than 42 days) notice of a fixed term contract expiring. This will align the fixed term minimum notice period to the 21 day minimum notice of a change in terms and conditions (including price).

3.4.8 The effect of this modification is that it will allow suppliers to be able to plan customer notices such that they will not be required to send two separate notices in close proximity to each other, and therefore eliminate confusion.

Licence extract showing proposed modification

3.4.9 An extract from condition 2.18 of the gas supply licences is provided below showing the proposed modification. The proposed modification will be mirrored in condition 27 of the electricity supply licences.

Condition 2.18: Terms and Conditions of Gas Supply Contracts (extract)

2.18.12 Where the Licensee enters into a Contract with a domestic consumer which has a fixed term period:

- (a) any such Contract may not include any term or condition which has the effect of:
 - (i) extending the length of that fixed term period; or
 - (ii) applying a consecutive fixed term period,unless the domestic consumer has the right to terminate the Contract at any time in the extended or consecutive fixed term period without payment of a termination fee; and
- (b) the Licensee shall, by way of sending a notice, notify each such domestic consumer of:
 - (i) the expiry date of the fixed term period at least ~~21-28~~ but no more than 42 days before that expiry date;
 - (ii) the name and unit rate, expressed as “pence per kWh”, of the domestic consumer’s current tariff; and
 - (iii) details of the standard evergreen tariff, including the applicable unit rate expressed as “pence per kWh”, that will apply under the Contract following the expiry date of the fixed term period.

3.5 Licence modification 5: to place a duty on gas suppliers to offer terms to any domestic consumer (Gas only – new condition)

Summary of proposed modification

- 3.5.1 We propose to modify the gas supply licences to include a new condition placing an obligation on gas suppliers to offer terms to domestic consumers.
- 3.5.2 The electricity supply licences already include a ‘duty to offer terms’ condition and therefore the proposed modification will align the gas supply licences with the electricity supply licences.
- 3.5.3 The licences that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|-------------------------|-----------------------------------|
| All gas supply licences | New condition (included as 2.17A) |

Reason and effect of proposed modification

- 3.5.4 There is currently no obligation on gas suppliers to supply to domestic consumers. The proposed modification would introduce a new licence condition that would place a duty on gas suppliers to offer terms to domestic consumers.
- 3.5.5 This new condition would apply where the gas supplier is already supplying or offering to supply other domestic consumers within each licensed area (i.e. Greater Belfast, Ten Towns or the West). For example, if a gas supplier is supplying, or offering to supply domestic consumers in the Greater Belfast area, then the condition would apply if the supplier received a request from another domestic consumer in the Greater Belfast area, but for clarity would not apply if they received a request from a domestic consumer in the Ten Towns area.
- 3.5.6 The new condition requires that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee will then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier’s terms.
- 3.5.7 In July 2015, by way of pre-consultation, we briefed the Gas Market Opening Group (GMOG) forum about this proposed modification and asked for feedback on the inclusion of a new ‘Duty to Offer Terms’ condition.
- 3.5.8 We note that no gas supplier raised any issue or comment on the proposal during this pre-consultation phase. The only feedback received was a query about whether the licence condition would contradict the Retailer Code of Practice for

Dealing with Customers in Debt wishing to Switch Supplier (Retailer CoP) (a gas supplier agreement in place through the Supply Meter Point Agreement).

- 3.5.9 We have considered the proposed new condition along with the existing Retailer CoP and we do not think that the new licence condition contradicts or takes precedence over the Retailer CoP. The Retailer CoP requires that, where a customer is in debt and wishes to switch supplier, the new supplier will offer the customer at least one of three options for dealing with the debt amount. Under the Retailer CoP, if the customer does not accept an option provided by the supplier, then the new supplier will not proceed with the switch.
- 3.5.10 We consider that the options provided by the new supplier under the Retailer CoP should form part of the terms of the contract being offered to a new domestic customer. Therefore the new 'Duty to Offer Terms' condition will only apply where the domestic customer accepts the terms, including acceptance of an option for dealing with their debt under the Retailer CoP.

Licence extract showing proposed modification

- 3.5.11 The proposed new condition is shown below. This condition will be included in all gas supply licences as condition 2.17A.

Condition 2.17A: Duty to Offer Terms (new condition)

2.17A.1 Where:

- (a) the Licensee is authorised to supply gas to premises in one or more areas described in Schedule 1 ("authorised areas"); and
- (b) the Licensee supplies or offers to supply gas to Domestic Premises in one of those authorised areas

then the Licensee must, within a reasonable period of time after receiving a request from a Domestic Consumer for a supply of gas to Domestic Premises located in that same authorised area, offer to enter into a contract with that consumer.

- 2.17A.2 If the Domestic Consumer accepts the terms of the Contract offered to him under paragraph 2.17A.1, the Licensee must supply gas in accordance with that Contract.

2.17A.3 A Contract must:

- (a) be in writing; and

- (b) include all the terms and conditions for the supply of gas as provided for in Condition 2.18.

2.17A.4 The Licensee is not required to comply with the obligations set out in paragraphs 2.17A.1 or 2.17A.2 in any of the following circumstances:

- (a) the Domestic Premises are not connected to the network in the authorised area;
- (b) supplying gas to the Domestic Premises would, or might, involve danger to the public, provided that the licensee has taken all reasonable steps to prevent such danger from occurring;
- (c) it is not reasonable in all the circumstances of the case for the Licensee to supply gas to the Domestic Premises, provided that, if it is already supplying gas to the premises, it has given at least seven working days' notice of its intention to stop doing so; or
- (d) the Licensee requires the Domestic Consumer to pay a reasonable Security Deposit and he does not do so.

3.6 Licence modification 6: to amend the definition of domestic consumer in gas supply and gas conveyance licences

Summary of proposed modification

- 3.6.1 We propose to modify the definitions of domestic and business consumers and premises within all gas supply and conveyance licences.
- 3.6.2 Domestic premises are currently defined in gas supply licences as premises that are not expected to exceed annual consumption of 73,250 kWh, or where the gas supply is taken wholly or mainly for domestic purposes. Business premises are currently defined in the gas supply licences as premises used wholly or mainly for commercial purposes that are expected to have gas usage exceeding 73,250 kWh per annum.
- 3.6.3 We do not consider that a customer's usage should determine the tenure of the property.
- 3.6.4 Therefore, we propose to modify the definitions of the terms 'business premises' and 'domestic premises' within condition 1.1 of all gas supply licences and include a new definition for the term 'business consumer'. These modifications will mean that domestic premises would be defined as any premises taking gas wholly or mainly for domestic purposes. This will mean that small businesses should no longer be classified as domestic under the gas supply licences.
- 3.6.5 In order to align the definitions in the gas conveyance and supply licences, we also propose to modify the definition of the term 'domestic consumer' in condition 1.1 of the gas conveyance licences and to include new definitions for the terms 'domestic premises' and 'non-domestic consumer'.
- 3.6.6 The licences and relevant conditions within each licence that will be affected by the proposed modifications are set out in the following table:

| Affected Licences | Relevant condition(s) |
|---|-------------------------------|
| All gas supply licences | Modification to condition 1.1 |
| All gas conveyance licences (distribution and transmission) | Modification to condition 1.1 |

Reason and effect of proposed modification

- 3.6.7 We consider that the proposal to modify the gas supply and conveyance licences such that a domestic consumer would be defined as any consumer taking gas

wholly or mainly for domestic purposes would align the definition in the licences to how the gas industry is operating in practice. We therefore believe that modifying these definitions will add clarity for gas suppliers and network companies operating in the NI gas industry and will not have any impact on the working practices of gas suppliers and network companies.

- 3.6.8 When a new supplier enters the gas market they can choose to supply to domestic or business customers, or both. To date, some suppliers have opted to only supply to business customers.
- 3.6.9 When a gas supplier chooses to supply gas to business customers only, they only complete the new entrant market assurance processes for the business sector. This means that the gas supplier may not be ready (or able) to operate in the domestic sector and may also not be compliant with licence conditions that relate specifically to domestic customers and protection of same.
- 3.6.10 It is therefore important to have clearly defined definitions of domestic and business customers so that gas suppliers have clarity on which customers they can supply particularly if they have only completed new entrant market assurance for the business sector.
- 3.6.11 In July 2015, by way of pre-consultation, we briefed the Gas Market Opening Group (GMOG) forum about the proposal to modify the definitions in gas licences. At that time we proposed that the definitions of domestic and business premises would be aligned to the definitions in the NI electricity licences.
- 3.6.12 The proposal to align the definitions to the electricity licences meant that the network company licences would define domestic premises as any premise using gas wholly or mainly for domestic purposes. The supply licences however would include a new condition listing circumstances that would be considered exceptions so that premises using gas wholly or mainly for domestic purposes would be defined as business premises (e.g. landlords).
- 3.6.13 We asked the GMOG forum for feedback on these proposed modifications. The feedback received raised a number of concerns about the proposed definitions and how the exceptions would work in practice. Some of the main concerns raised are summarised below:
- (i) Inconsistent definitions in the network company and supply licences;
 - (ii) Some of the exceptions could result in vulnerable customers not being eligible for any of the domestic customer protection provisions (provisions in either the network or supply licences);
 - (iii) Issues with prepayment meters being located at business premises.

- 3.6.14 In response to the pre-consultation feedback we reviewed the proposed modifications and changed our proposals to remove the exceptions so that the proposed definitions are consistent across all gas licences; however we wanted to allow the gas industry further opportunity to discuss the appropriateness of exceptions.
- 3.6.15 In October 2015 we commenced discussions with the GMOG forum on whether it would be appropriate to include any exceptions in the licences so that premises that are being used wholly or mainly for domestic purposes would be defined as business premises. We have used the October and November GMOG meetings to give the gas industry an opportunity to consider whether it is appropriate to have exceptions, and consider how any exceptions would work in practice.
- 3.6.16 We also note that the Gas (Applications for Licences and Extensions) (Amendment No. 2) Regulations (Northern Ireland) 2013² (the Regulations) define 'domestic premises' as meaning 'premises to which gas is conveyed at a rate which is reasonably expected not to exceed 2,500 therms a year'.
- 3.6.17 We have discussed the amendment of this definition with DETI and we understand that DETI plans to consult on a proposed legislative amendment during 2016.

Licence extract showing proposed modification

- 3.6.18 The modifications proposed to condition 1.1 of the gas supply licences are shown below. These definitions will be amended or inserted into the definitions within paragraph 6 of condition 1.1.

| Condition 1.1: Interpretation and Construction (extract) | |
|---|--|
| "business consumer" | means a consumer supplied, or requiring to be supplied, with gas at Business Premises; |
| "business premises" | means any premises that are not domestic premises used wholly or mainly for commercial purposes being supplied with gas at a rate reasonably expected to exceed 73,250 kilowatt hours a year; |
| "domestic consumer" | means a consumer supplied, or requiring to be supplied, |

² Gas (Applications for Licences and Extensions) (Amendment No. 2) Regulations (Northern Ireland) 2013: <http://www.legislation.gov.uk/nisr/2013/281/made>

| | |
|---------------------|--|
| "Domestic Premises" | <p>with gas at Domestic Premises;</p> <p>means premises at which, at the time of the Licensee entering into a contract for the supply of gas to such premises, the normal annual consumption of gas is reasonably expected not to exceed 73,250 kilowatt hours a year or where the supply of gas is taken wholly or mainly for domestic purposes;</p> |
|---------------------|--|

3.6.19 The modifications proposed to condition 1.1 of the gas conveyance licences (transmission and distribution) are shown below. These definitions will be amended or inserted into the definitions within paragraph 6 of condition 1.1.

| | |
|---|--|
| Condition 1.1: Interpretation and Construction (extract) | |
| "domestic consumer" | <p>means a person who is supplied with gas conveyed to premises at a rate which is reasonably expected not to exceed 2,500 therms a year means a consumer supplied, or requiring to be supplied, with gas at Domestic Premises;</p> |
| "domestic premises" | <p>means premises where the supply of gas is taken wholly or mainly for domestic purposes;</p> |
| "non-domestic consumer" | <p>means a consumer who is not a domestic consumer;</p> |

3.7 Licence modification 7: to align the provision of switching information by distribution companies with the timetables outlined in REMM

Summary of proposed modification

- 3.7.1 We propose to amend the ‘Systems to facilitate change of supplier’ condition in the electricity distribution licence and the gas conveyance licences held by distribution companies.
- 3.7.2 This licence condition currently requires each distribution company to provide information on supplier transfers to the UR no later than fourteen days after the end of each quarter year.
- 3.7.3 The change proposed is to extend the timeframe for the distribution company submitting information on supplier transfers to the UR from fourteen days to one month after the end of each quarter.
- 3.7.4 The licences and relevant conditions within each licence that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|---|--------------------------------|
| Phoenix Natural Gas Limited (PNGL) gas conveyance licence: | Modification to condition 1.23 |
| firmus energy (Distribution) Limited (feDL) gas conveyance licence: | Modification to condition 1.23 |
| SGN Natural Gas Limited (SGN) gas conveyance licence: | Modification to condition 1.18 |
| Northern Ireland Electricity Networks Limited (NIE) electricity distribution licence: | Modification to condition 44 |

Reason and effect of proposed modification

- 3.7.5 In June 2015, we published our Retail Energy Market Monitoring (REMM) final decisions³ which introduced a suite of reporting metrics for electricity and gas licence holders. The reporting metrics for electricity and gas distribution companies

³ Retail Energy Market Monitoring final decisions, June 2015:
http://www.uregni.gov.uk/news/retail_energy_market_monitoring_remm_final_decisions_published

included information on supplier transfers as detailed in the 'Systems to facilitate change of supplier' licence condition.

- 3.7.6 Within the REMM framework, electricity and gas distribution companies must provide information for each quarter of the year and this must be submitted to the UR within one month from the end of each quarter (e.g. Q1 information is due by end April). One of the objectives of REMM was to ensure consistency by standardising submissions of information where possible (including alignment of timelines).
- 3.7.7 The proposed modification will therefore align the timeframe within the licence to the timeframe determined under the REMM framework. Within the REMM decision paper we stated that we intended to modify the licence conditions to align the timeframes to the REMM timeframes.
- 3.7.8 The effect of the proposed modification is that distribution companies will have a longer timeframe to collate and submit information on supplier transfers.

Licence extract showing proposed modification

- 3.7.9 An extract from condition 1.23 of the PNGL licence is provided below showing the proposed modification. The proposed modification will be mirrored in the feDL, SGN and NIE licences.

Condition 1.23: Systems to Facilitate Change of Supplier (extract)

1.23.2 Maintaining Records and Reporting

The Licensee shall no later than ~~one month~~~~fourteen days~~ after the end of each quarter year ending on 30 June, 30 September, 31 December and 31 March, give to the Authority a report which sets out –

- (a) the number of Registration Requests received by it in each month of that quarter,
- (b) the number of actual Supplier Transfers completed in each month of that quarter, and
- (c) of the number of Supplier Transfers completed in each month of that quarter, the number which took more than 15 working days to complete from the date of the valid Registration Request being received by the Licensee.

3.8 Licence modification 8: to provide a reference to the minimum standards in the Codes in gas and electricity supply licences

Summary of proposed modification

3.8.1 We propose to amend the 'Preparation, Revision Of and Compliance with Codes of Practice' condition in the electricity and gas supply licences. The proposed modification will add a direct and specific reference to compliance with the minimum standards for Codes of Practice in licences.

| Affected Licences | Relevant condition(s) |
|----------------------------------|--------------------------------|
| All Electricity Supply Licences: | Modification to condition 35 |
| All Gas Supply Licences: | Modification to condition 2.13 |

Reason and effect of proposed modification

3.8.2 We have defined mandated minimum standards that suppliers must adhere to in their Codes of Practice⁴. All suppliers are bound to the conditions of the minimum standards on Codes of Practice by virtue of their licence which requires UR approval of the Codes. However, at present, the minimum standards are not directly referenced in licences.

3.8.3 In order therefore to ensure maximum clarity for licence holders, new entrants and consumers, we propose to add an explicit reference to the minimum standards in each licence.

3.8.4 No additional requirement will be placed on licence holders as a result of this modification.

Licence extract showing proposed modification

3.8.5 The modification being proposed is the addition of a new paragraph into condition 35 in the electricity supply licences and condition 2.13 in the gas supply licences. The new paragraph will be inserted as paragraph 2 and the existing paragraphs within the condition will be renumbered accordingly.

3.8.6 The proposed drafting for the new paragraph in condition 35 of the electricity supply licences is shown below. This will be mirrored in condition 2.13 of gas supply licences.

⁴ Energy Supplier Codes of Practice Final Decisions, June 2015:
http://www.uregni.gov.uk/uploads/publications/Final_Codes_of_Practice_Decision_Paper.pdf

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

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.

3.9 Licence modification 9: to remove duplications in Marketing Condition

Summary of proposed modification

- 3.9.1 We propose to amend the 'Marketing of Electricity/Gas' condition in the electricity and gas supply licences to deal with duplication and also to minimise confusion
- 3.9.2 We are proposing to remove paragraphs 3, 4 and 5 as well as amending and removing some of the definitions in condition 40 of the electricity supply licences and condition 2.21 of the gas supply licences.
- 3.9.3 The licences and relevant conditions within each licence that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|----------------------------------|--------------------------------|
| All Electricity Supply Licences: | Modification to condition 40 |
| All Gas Supply Licences: | Modification to condition 2.21 |

Reason and effect of proposed modification

- 3.9.4 The Implementation of the EU's Third Package of energy market Directives (IME3) included licence modifications to energy supplier licences which required the development of a new Supplier Marketing Code of Practice. This requirement was added to condition 40 in electricity supply licences and condition 2.21 in gas supply licences. The Directive called for a "high level of customer protection" and the UR felt to achieve this it was appropriate to install a mandatory code of practice to guard against mis-selling to customers (especially in doorstep/face to face selling situations).
- 3.9.5 The UR Energy Marketing Codes of Practice (the Codes) were subsequently developed. A separate Code was developed for domestic and business customers. The Codes are a detailed, standalone documents designed to encompass all marketing obligations for suppliers.
- 3.9.6 The licence condition itself (in both the gas and electricity supply licences) sets out a number of stipulations to be covered in relation to marketing activities. These were drafted before the existence of separate Codes. As a result, there are a number of areas of duplication within the licence condition and the actual Codes, and an instance of contradiction between the two.

3.9.7 Therefore, we are proposing to amend the marketing condition in the supply licences to reflect this. The Codes themselves were widely consulted on and have been formally in place since June 2014. This will simply represent a 'tidy up' exercise to the licence and to ensure it has been updated to reflect the Codes.

3.9.8 The effect of this licence modification will be to remove duplication and minimise confusion.

Licence extract showing proposed modification

3.9.9 Condition 40 of an electricity supply licence is provided below showing the proposed modifications. The same changes are being proposed for condition 2.21 of the gas supply licences.

Condition 40: Marketing of Electricity

- 1 This Condition shall apply, from the date of the direction, where the Authority has directed that it shall apply to the Licensee. This Condition applies to the selling methods and marketing activities of the Licensee in respect of the supply or proposed supply of electricity.
- 2 The Licensee shall (and shall procure that its agents or sub-contractors shall) comply with the Marketing Code of Practice for Domestic Customers and/or the Marketing Code of Practice for Business Customers.
- ~~3 The Licensee shall (and shall procure that its agents or sub-contractors shall):~~
 - ~~(a) establish appropriate procedures for the selection of persons employed or engaged in roles the principal duties of which involve verbal communications with Customers for the purpose of selling to such Customers the Licensee's services in respect of the supply of electricity;~~
 - ~~(b) take all reasonable steps to ensure that each such person is sufficiently trained so as to have a sufficient understanding of:~~
 - ~~(i) the electricity supply market in Northern Ireland;~~
 - ~~(ii) the terms and conditions of the Licensee's Contracts available for Domestic Customers; and~~
 - ~~(iii) matters relating to the efficient use of electricity (in order to provide energy efficiency advice to Domestic Customers including details of other organisations that may be able to assist the Domestic Customer on such matters);~~

~~so that any advice given to Domestic Customers by such persons is not misleading; and~~
 - ~~(c) take all reasonable steps to ensure that a Domestic Customer is:~~
 - ~~(i) made aware or will readily understand that he has entered, or is about to enter, into a Contract with the Licensee for the supply of electricity to the Domestic Customer's premises;~~
 - ~~(ii) where the Domestic Customer is to receive a supply of electricity for the first time at the premises, made aware or will readily understand that he should take appropriate action to ensure that he is able to continue the use of his existing fuel source (if any) until the commencement of the supply of electricity; and~~
 - ~~(iii) take all reasonable steps to ensure that any unsolicited contact made on behalf of the Licensee with any Domestic Customer takes place at a reasonable time of the day.~~
- ~~4 Where the Licensee enters into a Contract with a Domestic Customer in the course of:~~
 - ~~(a) a visit to that Customer's premises by a representative of the Licensee;~~

~~(b) a conversation in a place to which the public have access; or~~

~~(c) a telephone conversation between a representative of the Licensee and the Customer,~~

~~the Licensee shall use its reasonable endeavours to contact the Customer between 1 to 14 days after the Contract has been entered into to confirm that the Customer understands that he has entered into the Contract and is content to have done so but that the supply of electricity will not commence until the supply start date notified, or to be notified, to him.~~

~~5 If in the course of, or in response to, the Licensee's contact in accordance with paragraph 3 the Domestic Customer indicates that he is not content to have entered into the Contract and wishes to cancel the Contract, the Licensee shall use all reasonable endeavours to ensure that the Contract is cancelled and that the Licensee does not commence the supply of electricity to the Customer's premises.~~

63 In this Condition:

marketing activities means any activities of the Licensee that are directed at or incidental to identifying and communicating with Customers for the purpose of promoting the Licensee's electricity supply contracts to them, and includes entering into contracts with such Customers;

Marketing Code of Practice for Domestic Customers means the relevant document of that name, prepared and published from time to time by the Authority, relating to marketing activities

Marketing Code of Practice for Business Customers means the relevant document of that name, prepared and published from time to time by the Authority, relating to marketing activities

Agent of Sub-contractor Representative means any person directly or indirectly authorised to represent the Licensee in its dealings with Customers.

3.10 Licence modification 10: to ensure correct references are made to the NIE distribution licence

Summary of proposed modification

- 3.10.1 We propose to update electricity supply licences to ensure the correct references to NIE Distribution are made.
- 3.10.2 The licences and relevant conditions within each licence that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|------------------------------|--|
| Electricity Supply Licences: | Modification to Conditions of the Licence, Conditions 1, 3, 4, 5 (Power NI Condition 60), 7 (except Power NI), 17 and 23 |
| Power NI licence only | Modification to Licence Conditions 44, 50, 66, 69, Annex 3 |

Reason and effect of proposed modification

- 3.10.3 The Third Energy Package of Directives (IME3) sets out the required duties and functions of Distribution system operators. As a consequence of these requirements, and subsequent implementing regulations, we removed the distribution conditions from the NIE Transmission and Distribution licence, consulted on and subsequently awarded a new distribution licence to NIE. NIE now hold two separate licences, one for transmission and one for distribution.
- 3.10.4 Electricity supply companies interact with NIE in order to carry out their functions. Indeed, suppliers are required by virtue of their licences to comply with NIE systems and processes in order to operate in the market.
- 3.10.5 It is therefore important to update supply licences to ensure any references to either the relevant transmission or distribution licences are correct. Definitions have also been updated to reflect this licensing change.

Licence extract showing proposed modification

- 3.10.6 Extracts from conditions 1, 3, 4, 5, 17 and 23 in all electricity supply licences are provided below showing the proposed modifications to each condition.

Condition 1: Interpretation and construction (extracts)

| | |
|--------------------------------|--|
| Distribution Code | Has the meaning given to it in the Transmission Owner Licence. means, in relation to any Licensed Distributor, the code of that title required to be prepared by it and approved by the Authority in accordance with a condition of the Distribution Licence held by that Licensed Distributor. |
| Distribution Licence | means a licence granted or treated as granted under Article 10(1)(bb) of the Order |
| Distribution Owner | means the person authorised, from time to time, under the Successor Distribution Licence in its capacity as the holder of that Licence |
| Licensed Distributor | means any person holding a Distribution Licence |
| PSO agreement | means the agreement of that title with the Transmission Distribution Owner in the form approved from time to time by the Authority |
| Successor Distribution Licence | means the licence which, pursuant to Regulation 90(1)(b) of the Internal Markets Regulations, has effect as a licence under Article 10(1)(bb) of the Order and is held by Northern Ireland Electricity Limited (a body corporate registered in Northern Ireland under company number NI026041). |
| Successor Transmission Licence | means the licence which, pursuant to Regulation 90(1)(b) of the Internal Markets Regulations, has effect as a licence under Article 10(1)(b) of the Order and is held by Northern Ireland Electricity Limited (a body corporate registered in Northern Ireland under |

company number NI026041).

~~Transmission Owner~~

~~Means the person authorised, from time to time, under the Transmission Owner Licence in its capacity as the holder of that Licence.~~

~~Transmission Owner Licence~~

~~Means the licence granted, under Article 10(1)(b) of the Order, to Northern Ireland Electricity plc (a body corporate registered in Northern Ireland under company number NI026041) on 31 March 1992.~~

transmission system

has the meaning given in the Successor Transmission ~~Owner~~ Licence

Condition 3: Compliance with the Grid Code and Distribution Code (extract)

1. The Licensee shall comply with the provisions of the Grid Code and ~~each the~~ Distribution Code insofar as applicable to it.
2. (b) ~~in respect of a Distribution Code of any Licensed Distributor and~~ following consultation with ~~the relevant Licensed Distributor~~ ~~Transmission Owner~~, issue directions relieving the Licensee of its obligation under paragraph 1 above in respect of such parts of ~~the that~~ Distribution Code and to such extent as may be specified in those directions.

Condition 4: The Market Registration Framework Agreement (extract)

Market Registration
Framework Agreement

shall have the meaning given to it from time to time in the ~~Transmission Owner~~ Successor Distribution Licence.

Condition 5: Modification of the Single Electricity Market Trading and Settlement Code and Cancellation of contracts

11. In this Condition:

Land Bank Business has the meaning given to that expression in the ~~Successor Distribution Licence transmission licence granted to Northern Ireland Electricity plc on 31 March 1992~~

Condition 7: Compulsory Acquisition of Land

In this Condition:

land bank has the meaning given in the ~~Successor Distributor Transmission Owner Licence~~.

Condition 17: Procedures for the Detection and Prevention of Theft, Damage and Meter Interference (extract)

4. The Licensee shall inform the owner of its policy in relation to incidents of the type referred to in Paragraph 3, and in particular of the circumstances in which it requires the ~~Transmission Owner~~ owner and/or operator of the distribution system to which the premises are connected to remedy such incidents by the use of:

Condition 23: Claims for Last Resort Supply Payments (extracts)

1. If the Licensee has received the Authority's consent under paragraph 5, it may make a claim for a Last Resort Supply Payment made under Condition 33 of the ~~Transmission Owner~~ Successor Distribution Licence.
8. A claim by the Licensee for a Last Resort Supply Payment from the ~~Transmission Distribution~~ Owner must specify:
 - (a) the relevant amount to be paid by the ~~Transmission Distribution~~ Owner; and
 - (b) whether payment is to be made by quarterly or monthly instalments.

3.10.7 Extracts from conditions 44, 50, 66, 69, Annex 3 of the additional modifications to Power NI's licence are shown below detailing the proposed modifications to each condition.

Condition 44: Restriction on own-generation and gas pipeline capacity

In this Condition:

land bank has the meaning given in the ~~Successor Distributor Transmission Owner~~ Licence.

Condition 50: Independence of the Transmission Owner and Distribution Businesses

1. The Licensee shall co-operate with:
 - (a) the Transmission Owner, to the extent that such co-operation is reasonably required, to ensure that the Transmission Owner is able to fulfil its obligations under Condition 12 of the ~~Successor~~ Transmission ~~Owner~~ Licence; and
 - (b) with the Distribution Owner, to the extent that such co-operation is reasonably required, to ensure that the Distribution Owner is able to fulfil its obligations under Condition 12 of the ~~Successor~~ Distribution Licence.

Condition 66: PPB/TO Interface Agreement

- 1 The Licensee shall, in common with the ~~Distribution Transmission~~ Owner, prepare, obtain the Authority's approval of, and at all times have in force, implement and comply with, an agreement (the **PTIA**) which:
 - 3 The terms and arrangements referred to in sub-paragraph 1(a) are those terms and arrangements between the Licensee and the ~~Distribution Transmission~~ Owner that are requisite for the enjoyment and discharge of the rights and obligations of the Licensee or the ~~Distribution Transmission~~ Owner under this Licence or the ~~Successor Distribution Transmission Owner~~ Licence (respectively) and such other code or document as may be specified from time to time by the Authority. The Licensee shall not enter into any terms or arrangements with the ~~Distribution Transmission~~ Owner otherwise than pursuant to the PTIA or another document or code referred to in this Licence.
 - 6 Without prejudice to paragraph 5, the Licensee shall, in common with the ~~Distribution Transmission~~

Owner, periodically, or at any time on the receipt of a request from the Authority to do so, review the PTIA and its implementation to:

- (a) ensure that it meets the requirements of paragraphs 1, 3 and 4; and
- (b) to consider whether any alternative arrangements would better achieve those requirements.

7 Following any such review, the Licensee shall, in common with the ~~Distribution Transmission~~ Owner, send to the Authority:

- (a) a report on the outcome of the review;
- (b) any revisions which the Licensee and the ~~Distribution Transmission~~ Owner agree should be made to the PTIA (having regard to the outcome of the review); and
- (c) any matters on which the Licensee and the ~~Distribution Transmission~~ Owner disagree (which matters will be referred to the Authority for determination in accordance with paragraph 4).

Condition 69: Recovery of the PPB Amount

1 The Licensee shall enter into, and at all times remain party to, an agreement with the ~~Distribution Transmission~~ Owner which provides for:

- (a) notification by the Licensee of its schedule of monthly charges in relation to the PPB Amount for each relevant year, in such amounts each month as the Licensee reasonably considers appropriate, and any mid-year adjustments that may from time to time be agreed with the Authority; and
- (b) an obligation on the ~~Distribution Transmission~~ Owner to make payments each month to the Power Procurement Business of the monthly charge relating to the PPB Amount (or, where the PPB Amount is a negative number, for payment in the relevant month of the monthly charge by the Power Procurement Business to the ~~Distribution Transmission~~ Owner).

2 Where the relevant monthly payment in respect of the PPB Amount is a negative number, the Power Procurement Business shall pay the relevant amount to the ~~Distribution Transmission~~ Owner in accordance with the agreement referred to in paragraph 1.

Annex 3 – Determination of the PPB Amount

D_t means:

- (a) the allowed charge in relevant year t for excluded power procurement costs and changes of law calculated as the aggregate of the excluded power procurement costs plus the allowed change of law revenues, plus
- (b) any reasonable costs incurred by the Power Procurement Business in complying with the requirements imposed on the Licensee under legislation and other legal requirements through which Directive 2003/54/EC and/or 2009/72/EC is implemented, whether before or after the coming into effect of this Annex, as reasonably determined by the Authority, to the extent not recovered under another part of this Licence or (except to the extent the ~~Distribution Transmission~~ Owner is recovering amounts in relation to payments due to the Licensee of the PPB Amount) under the ~~Successor Distribution Transmission~~ Owner Licence, plus
- (c) any reasonable costs incurred by the Power Procurement Business in complying with the requirements imposed on the Licensee under the arrangements for the Single Electricity Market (being the project described in the Memorandum of Understanding dated 23 August 2004 and made between the Authority and the Commission for Energy Regulation in Dublin), whether before or after the coming into effect of this Annex, as reasonably determined by the Authority, to the extent not recovered under another part of this Licence or (except to the extent the ~~Distribution Transmission~~ Owner is recovering amounts in relation to payments due to the Licensee of the PPB Amount) under the ~~Successor Distribution Transmission Owner~~ Licence, plus
- (d) any other amounts, not included in the revenues under the ~~Successor Distribution Transmission Owner~~ Licence or another Annex of this Licence, requested by the Licensee and approved by the Authority whether prior to or after the coming into effect of this Annex;

5. **Excluded power procurement costs**

5.1 Subject to paragraph 5.2, the following costs and revenues of the power procurement manager (whether a positive or negative amount) shall be treated as excluded power procurement costs in relevant year t (and, in the case of (xii) and (xiii) below, such costs shall be so treated for each year in which the buy-out agreement continues to be in force):

- (i) the cost incurred in the purchase of electricity during fuel security periods and periods of force majeure in relevant year t calculated in accordance with the definition of A_t and with a basis for attributing costs between different periods of the year approved by the Authority;
- (ii) the Licensee's allowed power procurement related security costs, being any cost incurred by the power procurement manager and approved by the Authority as being an allowed security cost in accordance with the Northern Ireland Fuel Security Code (as that term is therein defined), but excluding any cost which forms part of;
 - (a) the ~~Distribution Transmission~~ Owner's allowed related security costs; or

3.11 Licence modification 11: to reflect correct legislation references in electricity supply licences

Summary of proposed modification

- 3.11.1 We propose to update electricity supply licences to ensure the correct references to the most up to date pieces of legislation are used.
- 3.11.2 The licences and relevant conditions within each licence that will be affected by the proposed modifications are set out in the following table.

| Affected Licences | Relevant condition(s) |
|--|---|
| All Electricity Supply Licences (with the exception of Power NI) | 1, 2, 10 and 25 |
| Power NI | 1, 43, 47, 49, 52A, 53, 53A, 60 and Annex 3 |

Reason and effect of proposed modification

- 3.11.3 Some pieces of legislation that are referenced in the electricity supply licences have been superseded.
- 3.11.4 The proposed modifications will update all licences to reference the most recent and up to date pieces of legislation
- 3.11.5 Each electricity supply licence includes a clause under the 'Interpretation and Construction' condition which means that where legislation is superseded, the new legislation will apply.
- 3.11.6 Therefore the modifications being proposed will not have any effect on licence holders; however we are using this consultation as an opportunity to update the references in the licences.

Licence extract showing proposed modification

- 3.11.7 Extracts from conditions 1,2,10 and 25 of all electricity supply licences (with the exception of Power NI) are shown below:

Condition 1: Interpretation and Construction (extracts)

3. In the Conditions and the Schedules unless the context otherwise requires:

| | |
|--|--|
| Auditors | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies (Northern Ireland) Order 1986 Chapter 2 of Part 16 of the Companies Act 2006 . |
| Cancellable generating unit agreement | means a generating unit agreement which may be the subject of a cancellation direction, being the generating unit agreement specified in Schedule 8 of the transmission licence issued to Northern Ireland Electricity plc with effect from 1 April 1992 (as it may be modified pursuant to paragraph 12 of Condition 12 of Part III thereof or paragraph 5 of Condition 7 of Part III thereof) Annex 4 (as it may be modified from time to time) of the NIE Energy Supply Licence. |
| Holding company | means a holding company within the meaning of Article 4 of the Companies (Northern Ireland) Order 1986 section 1159 of the Companies Act 2006. |
| Related undertaking | in relation to any person means any undertaking in which that person has a participating interest as defined by Article 268 of the Companies (Northern Ireland) Order 1986 within the meaning of section 421A of the Financial Services and Market Act 2000. |
| Subsidiary undertaking | means a subsidiary within the meaning of Article 4 of the Companies (Northern Ireland) Order 1986 section 1159 of the Companies Act 2006. |
| undertaking | bears the meaning ascribed to it by Article 267 of the Companies (Northern Ireland) Order 1986 section 1161 of the Companies Act 2006. |

Condition 2: Separate Accounts for Separate Businesses

4 The Licensee shall in respect of each Separate Business:

- (a) keep or cause to be kept for the period referred to in ~~Article 230(5)(b) of the Companies (Northern Ireland) Order 1986~~ section 388 of the Companies Act

2006 and in the manner referred to in that ~~Article~~ section such accounting records in respect of each Separate Business as would by ~~Article 229 of the Companies (Northern Ireland) Order 1986~~ section 386 of the Companies Act 2006 be required to be kept in respect of each such business if it were carried on by a separate company, so that the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to, each Separate Business are separately identifiable in the books of the Licensee (and any affiliate or related undertaking of the Licensee) from those of any other business;

- 7 Accounting statements in respect of a financial year prepared under sub-paragraph 4(b)(i) shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:
- (a) have the same content and format (in relation to each Separate Business) as the annual accounts of the Licensee (and any affiliate or related undertaking of the Licensee) prepared under ~~Article 234 and, where appropriate, Article 235 of the Companies (Northern Ireland) Order 1986~~ Part 15 of the Companies Act 2006 and conform to the best commercial accounting practices including Statements of Accounting Practice issued or adopted by the Accounting Standards Board currently in force; and
- 8 Unless the accounting statements prepared under sub-paragraph 4(b)(i) are prepared on the current cost basis as provided by the alternative accounting rules, the Licensee shall, unless otherwise agreed by the Authority, in addition to preparing those accounting statements under that paragraph, prepare accounting statements for each Separate Business covering the same period, which shall comprise and show separately:
- (a) a profit and loss account, a balance sheet and a cash flow statement, together with notes thereto, which shall:
 - (i) include in respect of current cost assets amounts determined on the current

cost basis as provided by the alternative accounting rules; and

(ii) show or disclose the information and other matters required by the alternative accounting rules to be shown or disclosed in accounts where the amounts included in respect of assets covered by any items shown in those accounts have been determined on any basis mentioned in ~~paragraph 31 of Section C of Part II of Schedule 4 to the Companies (Northern Ireland) Order 1986~~ paragraph 32 of section C of Part 2 of Schedule 1 to the Accounting Regulations applicable to the Licensee;

(b) in respect of each Separate Business the adjusted amount of any such provision for depreciation as is referred to in ~~paragraph 32(2) of Section C of Part II of Schedule 4 to the Companies (Northern Ireland) Order 1986~~ paragraph 33(2) of section C of Part 2 of Schedule 1 to the Accounting Regulations applicable to the Licensee and the items shown in the profit and loss account of the Separate Business for the relevant period which are affected by the determination of amounts on the current cost basis as provided by the alternative accounting rules, including the profit (or loss) before taxation; and

11 In this Condition:

Accounting Regulations means the Large and Medium-sized Companies and Groups (Accounts and Reports) Regulations 2008 or the Small Companies and Groups (Accounts and Directors' Report) Regulations 2008

alternative accounting rules means the rules set out in ~~Section C of Part II of Schedule 4 to the Companies (Northern Ireland) Order 1986~~ section C of Part 2 of Schedule 1 to the Accounting Regulations.

current cost accounts

means assets of any description mentioned in ~~paragraph 31 of Section C of Part II of Schedule 4 to the Companies (Northern Ireland) Order 1986~~ paragraph 32 of section C of Part 2 of Schedule 1 to the Accounting Regulations.

Condition 10: Provision of Information to the Authority

7 In this Condition:

enforcement matter

means any matter in respect of which any function of the Authority under Article 42 ~~and/or Article 45~~ of the Energy Order is or may be exercisable.

Condition 25: Classification of Premises

6. For the purposes of paragraph 5, a **Multi-Site Contract** is a Contract for the supply of electricity to:

- (a) one or more Non-Domestic Premises; and
- (b) one or more premises at which electricity is taken wholly or mainly for a domestic purpose, but which are occupied for a purpose ancillary to that for which any of the Non-Domestic Premises that are supplied under the Contract is occupied,

and where all of those premises are owned or occupied by:

- (c) the same person or body of persons, whether corporate or unincorporate; or
- (d) an undertaking (the **principal undertaking**) and an affiliate of that principal undertaking, or any other undertaking in which the principal undertaking has a participating interest ~~(as defined by Article 268 of the Companies (Northern Ireland) Order 1986)~~ within the meaning of section 421A of the Financial

Services and Market Act 2000.

3.11.8 Extracts from conditions 1, 43, 47, 49, 52A, 53, 53A, 60 and Annex 3 of Power NI's licence are shown below:

Condition 1: Interpretation and Construction (extracts)

3. In the Conditions and the Schedules unless the context otherwise requires:

| | |
|--------------------------------------|---|
| Auditors | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies (Northern Ireland) Order 1986 Chapter 2 of Part 16 of the Companies Act 2006 . |
| Holding company | means a holding company within the meaning of Article 4 of the Companies (Northern Ireland) Order 1986 , section 1159 of the Companies Act 2006. |
| related undertaking | in relation to any person means any undertaking in which that person has a participating interest as defined by Article 268 of the Companies (Northern Ireland) Order 1986 within the meaning of section 421A of the Financial Services and Market Act 2000. |
| Related undertaking | in relation to any person means any undertaking in which that person has a participating interest as defined by Article 268 of the Companies (Northern Ireland) Order 1986 within the meaning of section 421A of the Financial Services and Market Act 2000. |
| Relevant exempt self supplier | Means a relevant exempt self supplier within the meaning of the Electricity (Class Exemptions from the requirement for a Licence) Order (Northern Ireland) 1992 2013. |
| undertaking | bears the meaning ascribed to it by Article 267 of the Companies (Northern Ireland) Order 1986 section 1161 of the Companies Act 2006. |

Condition 43: Restriction on Dividends

1. The directors of the Licensee shall not declare or recommend a dividend, and the Licensee shall not make any other form of distribution within the meaning of ~~Article 271 of the Companies (Northern Ireland) Order 1986~~ section 829 (Part 23) of the Companies Act 2006, or redeem or repurchase any share capital of the Licensee, unless prior to the declaration, recommendation or making of the distribution (as the case may be) the Licensee has issued to the Authority a certificate in the following form:

Condition 47: Separate Accounts for Separate Businesses (extract)

- 3 The Licensee shall in respect of each Separate Business:
 - (a) keep or cause to be kept for the period referred to in ~~Article 230(5)(b) of the Companies (Northern Ireland) Order 1986~~ section 388 of the Companies Act 2006 and in the manner referred to in that ~~Article~~ section such accounting records in respect of each Separate Business as would by ~~Article 229 of the Companies (Northern Ireland) Order 1986~~ section 386 of the Companies Act 2006 be required to be kept in respect of each such business if it were carried on by a separate company, so that the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to, each Separate Business are separately identifiable in the books of the Licensee (and any affiliate or related undertaking of the Licensee) from those of any other business;
- 6 Accounting statements in respect of a financial year prepared under sub-paragraph 4(b)(i) shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:
 - (b) have the same content and format (in relation to each Separate Business) as the annual accounts of the Licensee (and any affiliate or related undertaking of the Licensee) prepared under ~~Article 234 and, where appropriate, Article 235 of the Companies (Northern Ireland) Order 1986~~ Part 15 of the Companies Act 2006 and

conform to the best commercial accounting practices including Statements of Accounting Practice issued or adopted by the International Accounting Standards Board and adopted for use in the European Union;

Condition 49: Restriction on use of certain information (extract)

7 In this Condition, unless the context otherwise requires:

control has the meaning attributed to it by ~~section 416 of the Income and Corporation Taxes Act 1988~~ section 450 (as read in conjunction with section 451) of the Corporation Tax Act 2010.

Condition 52A: Top-up and Standby (extract)

3 The Licensee shall not be obliged pursuant to this Condition to offer to enter or to enter into any agreement:

(a) if to do so would involve the Licensee being:

- (i) in breach of the ~~Electricity Supply Regulations (Northern Ireland) 1991 as amended by the Electricity Supply (Amendment) Regulations (Northern Ireland) 1993~~ Electricity, Safety, Quality and Continuity Regulations (Northern Ireland) 2012 or of any regulations made under Article 32 of the Order; or

Condition 53: Spill Arrangements (extract)

13 In this Condition:

Class A exemption means the exemption granted, under ~~Article 3(1)(b) of the Exemption Order, to the class of persons specified in Class A: Small supply of Schedule 2 to the Exemption Order~~ Article 3(1)(c) of the Exemption Order, to the class of

| | |
|------------------------|---|
| | person specified in Class A: Small supply of Schedule 3 in the Exemption Order. |
| Exemption Order | means the Electricity (Class Exemptions from the Requirement for a Licence) Order (Northern Ireland) 1999 Electricity (Class Exemptions from the Requirement for a Licence) Order (Northern Ireland) 2013. |

| | |
|---|---|
| Condition 53A: Duty to Offer Terms for Relevant Arrangement(s) (extract) | |
| 8 | In this Condition: |
| Relevant Arrangement | shall have the meaning given to it in Article 16(11) of The Renewables Obligation Order (Northern Ireland) 2007 34(10) of the Renewables Obligation Order (Northern Ireland) 2009. |

| | |
|--|---|
| Condition 60: Modification of Single Electricity Market Trading and Settlement Code and Cancellation of Contracts (extract) | |
| 9. | The implementation of the requisite arrangements may be secured (in whole or in part) either |
| (a) | by the exercise by the Authority of its powers: |
| (i) | to make or approve modifications of the Single Electricity Market Trading and Settlement Code); |
| (ii) | under paragraph 5 of Condition 16 of the Transmission System Operator Licence (to direct the Transmission System Operator to revise the Grid Code); |
| (iii) | under paragraph 9 of Condition 46 of the Licence (to direct that the economic purchasing obligation of NIE Energy Ltd shall come into force); and |

(iv) under Clause 2.01(F) of Part 2 of the Northern Ireland Fuel Security Code (to make amendments to that Code);

or

(b) by the exercise of powers under or by virtue of the Electricity (Single Wholesale Market) Northern Ireland Order 2007.

Annex 3: Determination of the PPB Amount (extract)

“PPB Amount
restriction conditions”

means this Annex as from time to time modified or replaced in accordance therewith or pursuant to Article 14, ~~14G, 17, 17A~~ or 18 of the Order, under the Energy Order under the SEM Order, or under the Directive Regulations;

3.12 Licence modification 12: to reflect correct legislation references in gas supply licences

Summary of proposed modification

- 3.12.1 We propose to update gas supply licences to ensure the correct references to the most up to date legislation are used.
- 3.12.2 The licences and relevant conditions within each licence that will be affected by the proposed modifications are set out in the following table.

| Affected Licences | Relevant condition(s) |
|--|--|
| firmus energy (Supply) Limited (Ten Towns licence) gas supply licence | Modifications to conditions 1.1, 1.2, 2.27 and 4.5 |
| firmus energy (Supply) Limited (Greater Belfast licence) gas supply licence | Modifications to conditions 1.1, 1.2, 2.26 and 2.27 |
| SSE Airtricity Gas Supply (NI) Limited gas supply licence | Modifications to conditions 1.1, 1.2, 2.27 and 4.2 |
| SSE Airtricity Energy Supply (NI) Limited gas supply licence | Modifications to conditions 1.1, 1.2, and 2.27 |
| Viridian Energy Supply Limited (T/A Energia) gas supply licence | Modifications to conditions 1.1, 1.2, 1.8 and 2.27 |
| LCC Power Limited (T/A Go Power) gas supply licence, and ONI Gas Limited gas supply licence | Modifications to conditions 1.1, 1.2, and 2.27 |
| ESB Independent Energy (NI) Limited (T/A Electric Ireland) gas supply licence, and Vayu Limited gas supply licence | Modifications to conditions 1.1, 1.2, and 2.27 |
| SSE Energy Supply Limited gas supply licence, and Power NI Energy Limited ⁵ gas supply licence Flogas Natural Gas Limited | Modifications to conditions 1.1 and 2.27 |
| AES Ballylumford gas supply licence | Modifications to conditions 1.1, 1.4, 1.8, 2.26 and 2.27 |

⁵ Licence granted to Power NI Energy Limited on 24 September 2014 for the supply of gas in the Greater Belfast and Ten Towns areas.

| | |
|---|---|
| Coolkeeragh ESB Limited gas supply licence | Modifications to conditions 1.1, 1.3, 1.4 and 2.27 |
| Power NI Energy Limited ⁶ gas supply licence | Modifications to conditions 1.1, 1.3, 1.4, 2.26 and 2.27 |
| British Gas Trading Limited gas supply licence | Modifications to conditions 1.1, 1.2A, 1.7, 2.26 and 2.27 |

Reason and effect of proposed modification

- 3.12.3 Some pieces of legislation that are referenced in the gas supply licences have been superseded.
- 3.12.4 The proposed modifications will update all licences to reference the most recent and up to date pieces of legislation.
- 3.12.5 Each gas supply licence includes a clause under the 'Interpretation and Construction' condition which means that where legislation is superseded, the new legislation will apply.
- 3.12.6 Therefore the modifications being proposed will not have any effect on licence holders; however we are using this consultation as an opportunity to update the references in the licences.

Licence extract showing proposed modification

- 3.12.7 Extracts from conditions 1.1, 1.2, 2.27 and 4.5 of the gas supply licence held by firmus energy (Supply) Limited (Ten Towns licence) are provided below showing the proposed modifications that will be made to this licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|------------|--|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies Act 1985 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of |

⁶ Note this licence was originally granted to Northern Ireland Electricity PLC on 21 May 1999

| | |
|--------------------------------|--|
| | the Companies Act 2006 or any other body corporate; |
| “Last Resort Supply Direction” | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined by Article 268 of the Companies (Northern Ireland) Order 1986 within the meaning of section 421A of the Financial Services and Market Act 2000; |
| "subsidiary" | has the same meaning as given to it in Article 4 of the Companies (Northern Ireland) Order, 1986 , section 1159 of the Companies Act 2006; and |

Condition 1.2 Separate Accounts for Separate Businesses (extracts)

1.2.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business and each of the Eligible Customer Supply Business and the Non-Eligible Customer Supply Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.2.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practices;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may reasonably be required by the Authority and so that they may be reconciled with the published accounts of the Licensee under the Companies Act ~~1985~~ 2006.

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ ~~40(4)~~ of the Directive (the **Guidelines**).

Condition 4.5: Restriction on Use of Certain Information (extract)

4.5.1

- (d) to procure the above in relation to an affiliate or related undertaking which has control of the Licensee (control being defined by ~~Section 416 of the Income and Corporation Taxes Act 1988~~ section 450 (as read in conjunction with section 451) of the Corporation Tax Act 2010), shall be to do so by using reasonable endeavours and obtaining an appropriate contractual undertaking from that affiliate or related undertaking in respect of such protected information; and

3.12.8 Extracts from conditions 1.1, 1.2, 2.26 and 2.27 of the gas supply licence held by firmus energy (Supply) Limited (Greater Belfast licence) are provided below showing the proposed modifications that will be made to this licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions

| | |
|--------------------------------|--|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies Act 1985 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| "Last Resort Supply Direction" | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |

"related undertaking"

means any undertaking in which any person has a participating interest as defined ~~by Article 268 of the Companies (Northern Ireland) Order 1986~~ within the meaning of section 421A of the Financial Services and Market Act 2000;

"subsidiary"

has the same meaning as given to it in ~~Article 4 of the Companies (Northern Ireland) Order, 1986~~ section 1159 of the Companies Act 2006; and

Condition 1.2 Separate Accounts for Separate Businesses (extracts)

1.2.2 Separate Business Accounting

This Condition applies for the purposes of ensuring that the Licensee (in conjunction with any relevant affiliate or related undertaking of the Licensee) maintains internal accounting and reporting arrangements which:

- (a) enable separate financial statements to be prepared for each Separate Business and showing the financial affairs of each such Separate Business; and
- (b) facilitate the avoidance of discrimination, cross-subsidisation or distortion of competition between the Licensed Business and any other business of the Licensee.

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.2.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practices;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may reasonably be required by the Authority and so that they may be reconciled with the published accounts of the Licensee under the Companies Act ~~1985~~ 2006.

Condition 2.26: The Supply Meter Point Agreement (extract)

2.26.1 Establishing Supply Meter Point Agreement

The Licensee shall, within ~~twelve~~ twelve months of this condition coming into force and in conjunction and co-operation with all other suppliers, prepare, maintain and be party to a form of agreement to be known as the Supply Meter Point Agreement, as may be designated by the Authority for the purposes of this condition generally, being a document:

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ 40(4) of the Directive (the **Guidelines**).

3.12.9 Extracts from conditions 1.1, 1.2, 2.27 and 4.2 of the gas supply licence held by SSE Airtricity Gas Supply (NI) Limited are provided below showing the proposed modifications that will be made to this gas supply licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|--------------------------------|---|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies (Northern Ireland) Order 1986 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| "Last Resort Supply Direction" | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined by Article 268 of the Companies (Northern Ireland) Order 1986 within the meaning of section 421A of the Financial Services and |

Market Act 2000;

"subsidiary"

has the same meaning as given to it in ~~Article 4 of the Companies (Northern Ireland) Order, 1986~~ section 1159 of the Companies Act 2006; and

Condition 1.2 Separate Accounts for Separate Businesses (extracts)

1.2.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.2.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practices;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may reasonably be required by the Authority and so that they may be reconciled with the published accounts of the Licensee under ~~the Companies (Northern Ireland) Order 1986~~ the Companies Act 2006.

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ 40(4) of the Directive (the **Guidelines**).

Condition 4.2: Restriction on Use of Certain Information (extract)

4.2.1

- (d) to procure the above in relation to an affiliate or related undertaking which has control of the Licensee, (control being defined by ~~section 450~~ section 450 (as read in

conjunction with section 451) of the Corporation Tax Act 2010) ~~Section 416 of the Income and Corporation Taxes Act 1988~~), shall be to do so by using reasonable endeavours and obtaining an appropriate contractual undertaking from that affiliate or related undertaking in respect of such protected information; and

3.12.10 Extracts from conditions 1.1, 1.2, and 2.27 of the gas supply licence held by SSE Airtricity Energy Supply (NI) Limited are provided below showing the proposed modifications that will be made to this licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|--------------------------------|--|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies (Northern Ireland) Order 1986 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| "Last Resort Supply Direction" | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined by Article 268 of the Companies (Northern Ireland) Order 1986 within the meaning of section 421A of the Financial Services and Market Act 2000; |
| "subsidiary" | has the same meaning as given to it in Article 4 of the Companies (Northern Ireland) Order, 1986 section 1159 of the Companies Act 2006; and |

Condition 1.2 Separate Accounts for Separate Businesses (extracts)

1.2.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the~~

~~Companies (Northern Ireland) Order 1986~~sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.2.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practices;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may reasonably be required by the Authority and so that they may be reconciled with the published accounts of the Licensee under ~~the Companies (Northern Ireland) Order 1986~~ the Companies Act 2006.

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ ~~40(4)~~ of the Directive (the **Guidelines**).

3.12.11 Extracts from conditions 1.1, 1.2, 1.8 and 2.27 of the gas supply licence held by Viridian Energy Supply Limited (T/A Energia) are provided below showing the proposed modifications that will be made to this licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

"auditors" means the Licensee's auditors for the time being holding office in accordance with the requirements of ~~the Companies (Northern Ireland) Order 1986~~Chapter 2 of Part 16 of the Companies Act 2006;

"company" means a company within the meaning of ~~Article 3 of the Companies (Northern Ireland) Order 1986~~section 1 of

| | |
|--------------------------------|--|
| | the Companies Act 2006 or any other body corporate; |
| “Last Resort Supply Direction” | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order ; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined by Article 268 of the Companies (Northern Ireland) Order 1986 within the meaning of section 421A of the Financial Services and Market Act 2000; |
| "subsidiary" | has the same meaning as given to it in Article 4 of the Companies (Northern Ireland) Order, 1986 section 1159 of the Companies Act 2006; and |

Condition 1.2 Separate Accounts **for Separate Businesses** (extracts)

1.2.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.2.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practices;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may reasonably be required by the Authority and so that they may be reconciled with the published accounts of the Licensee under ~~the Companies (Northern Ireland) Order 1986~~ the Companies Act 2006.

Condition 1.8: Modifications

1.8.1 Modification of licence Conditions

The Conditions of the licence are subject to modification in accordance with their terms or with Articles 9, 14, 14A, 14E or 18 of the Order or with any provision for the modification of the same in the Energy Order.

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ 40(4) of the Directive (the **Guidelines**).

3.12.12 Extracts from conditions 1.1, 1.2 and 2.27 of the gas supply licence held by LCC Power Limited (T/A Go Power) are provided below showing the proposed modifications that will be made to this licence. The same modifications will also be made to the gas supply licence held by ONI Gas Limited.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|--------------------------------|---|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies (Northern Ireland) Order 1986 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of section 2(1)g of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| "Last Resort Supply Direction" | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas |

Order;

"related undertaking"

means any undertaking in which any person has a participating interest as defined ~~by Article 268 of the Companies (NI) Order 1986~~ within the meaning of section 421A of the Financial Services and Market Act 2000;

"subsidiary"

has the same meaning as given to it in ~~Article 4 of the Companies (Northern Ireland) Order, 1986~~ section 1159 of the Companies Act 2006; and

Condition 1.2 Separate Accounts for Separate Businesses (extracts)

1.2.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.2.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practices;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may reasonably be required by the Authority and so that they may be reconciled with the published accounts of the Licensee under ~~the Companies (Northern Ireland) Order 1986~~ the Companies Act 2006.

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into

with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ ~~40(4)~~ of the Directive (the **Guidelines**).

3.12.13 Extracts from conditions 1.1, 1.2 and 2.27 of the gas supply licence held by ESB Independent Energy (NI) Limited (T/A Electric Ireland) are provided below showing the proposed modifications that will be made to this licence. The same modifications will also be made to the gas supply licence held by Vayu Limited.

Condition 1.1: Interpretation and Construction (extracts)

1.1.2 General Rules of Construction (extract)

(f) any references to the Companies Act ~~2014~~ ~~1963~~, ~~the Companies Acts 1963 to 2006~~, or the European Communities (Companies: Group Accounts) Regulations ~~1992~~ ~~or the Companies (Amendment) Act 1990~~ shall be construed as being to such statutes of Ireland.

1.1.6 Definitions (extracts)

| | |
|--------------------------------|--|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies Acts 1963 to 2006 the Companies Act 2014 ; |
| "company" | means a company within the meaning of section 2 of the Companies Act 2014 section 2(1)g of the Companies Act 1963 or any other body corporate; |
| "Last Resort Supply Direction" | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order ; |
| "subsidiary" | has the same meaning as given to it in Section 155 of the Companies Act 1963 section 7 of the Companies Act 2014 ; and |

Condition 1.2 Separate Accounts for Separate Businesses (extracts)

1.2.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Section 150(2) of the Companies Act 1963~~ ~~Part V of Schedule 3 to the Companies Act 2014~~, but shall be required to

prepare such accounts in accordance with this Condition.

1.2.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to Irish generally accepted accounting principles and practices;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may reasonably be required by the Authority and so that they may be reconciled with the published accounts of the Licensee under ~~the (Irish) Companies Act 1963 to 2005~~ the Companies Act 2014.

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ 40(4) of the Directive (the **Guidelines**).

3.12.14 Extracts from conditions 1.1 and 2.27 of the gas supply licence held by SSE Energy Supply Limited are provided below showing the proposed modifications that will be made to this licence. The same modifications will also be made to the gas supply licences held by Power NI Energy Limited⁷ and Flogas Natural Gas Limited.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

“Last Resort Supply Direction” means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the ~~Gas~~ Order;

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a

⁷ Licence granted to Power NI Energy Limited on 24 September 2014 for the supply of gas in the Greater Belfast and Ten Towns areas.

Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ ~~40(4)~~ of the Directive (the **Guidelines**).

3.12.15 Extracts from conditions 1.1, 1.4, 1.8, 2.26 and 2.27 of the gas supply licence held by AES Ballylumford are provided below showing the proposed modifications that will be made to this gas supply licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|--------------------------------|---|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies (Northern Ireland) Order 1986 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| "Last Resort Supply Direction" | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined within the meaning of section 421A of the Financial Services and Market Act 2000; |
| "Security Deposit" | means a deposit of money as security for the payment of charges for the supply of gas; and |

Condition 1.4 Separate Accounts for Separate Businesses (extracts)

1.4.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006,

but shall be required to prepare such accounts in accordance with this Condition.

1.4.5 Basis of apportionment

The Licensee shall, before the financial year commencing on 1 April 2008-~~2008~~, notify the Authority of the basis of apportionment that it proposes to use for the financial statements in respect of each Separate Business for that financial year, and:

- (a) the basis of apportionment in respect of those financial statements shall be the basis proposed by the Licensee unless the Authority following consultation with the Licensee gives a direction requiring the use of any other basis; and
- (b) except in so far as the Authority consents to the Licensee doing so the Licensee shall not change any basis of charge or apportionment used in the financial statements in respect of any Separate Business for any financial year subsequent to the financial year commencing on 1 April 2008-~~2008~~ from the basis used in the financial statements in respect of that Separate Business for that financial year.

1.4.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practises;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may be reasonably required by the Authority and so that they may be reconciled with the published accounts of the Licensee under the ~~Companies (Northern Ireland) Order 1986~~ Companies Act 2006.

Condition 1.8: Modifications

1.8.1 Modification of licence Conditions

The Conditions of the licence are subject to modification in accordance with their terms or with Articles 9, 14, 14A, 14E or 18 of the Order or with any provision for the modification of the same in the Energy Order.

Condition 2.26: The Supply Meter Point Agreement (extract)

2.26.1 Establishing Supply Meter Point Agreement

The Licensee shall, within ~~twelve~~ twelve months of this condition coming into force and in conjunction and co-operation with all other suppliers, prepare, maintain and be party to a form of agreement to be known as the Supply Meter Point Agreement, as may be designated by the Authority for the purposes of this condition generally, being a document:

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ 40(4) of the Directive (the **Guidelines**).

3.12.16 Extracts from conditions 1.1, 1.3, 1.4 and 2.27 of the gas supply licence held by Coolkeeragh ESB Limited are provided below showing the proposed modifications that will be made to this gas supply licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|--------------------------------|---|
| "auditors" | means the Licensee's auditors for the time being holding office in accordance with the requirements of the Companies (Northern Ireland) Order 1986 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| "Last Resort Supply Direction" | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined within the meaning of section 421A of the Financial Services and Market Act 2000; |
| "Security Deposit" | means a deposit of money as security for the payment of charges for the supply of gas; and |

Condition 1.3 Separate Accounts for Separate Businesses (extracts)

1.3.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.3.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practises;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may be reasonably required by the Authority and so that they may be reconciled with the published accounts of the Licensee under the ~~Companies (Northern Ireland) Order 1986~~ Companies Act 2006.

Condition 1.4: Modifications

1.4.1 Modification of licence Conditions

The Conditions of the licence are subject to modification in accordance with their terms or with Articles 9, 14, 14A, 14E or 18 of the Order or with any provision for the modification of the same in the Energy Order.

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ 40(4) of the Directive (the **Guidelines**).

3.12.17 Extracts from conditions 1.1, 1.3, 1.4, 2.26 and 2.27 of the gas supply licence held by Power NI Energy Limited⁸ are provided below showing the proposed modifications that will be made to this gas supply licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|--------------------------------|---|
| “auditors” | means the Licensee's auditors for the time being holding office in accordance with the requirements of Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| “Last Resort Supply Direction” | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined within the meaning of section 421A of the Financial Services and Market Act 2000; |
| “Security Deposit” | means a deposit of money as security for the payment of charges for the supply of gas; and |

Condition 1.3 Separate Accounts for Separate Businesses (extracts)

1.3.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.3.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless other wise approved by the Authority having regard to the purposes of this Condition:

⁸ Note this licence was originally granted to Northern Ireland Electricity PLC on 21 May 1999

- (a) conform to UK generally accepted accounting principles and practises;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may be reasonably required by the Authority and so that they may be reconciled with the published accounts of the Licensee under the ~~Companies (Northern Ireland) Order 1986~~ Companies Act 2006.

Condition 1.4: Modifications

1.4.1 Modification of licence Conditions

The Conditions of the licence are subject to modification in accordance with their terms or with Articles 9, 14, 14A, 14E or 18 of the Order or with any provision for the modification of the same in the Energy Order.

Condition 2.26: The Supply Meter Point Agreement (extract)

2.26.1 Establishing Supply Meter Point Agreement

The Licensee shall, within ~~twelve~~ twelve months of this condition coming into force and in conjunction and co-operation with all other suppliers, prepare, maintain and be party to a form of agreement to be known as the Supply Meter Point Agreement, as may be designated by the Authority for the purposes of this condition generally, being a document:

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ 40(4) of the Directive (the **Guidelines**).

3.12.18 Extracts from conditions 1.1, 1.2A, 1.7, 2.26 and 2.27 of the gas supply licence held by British Gas Trading Limited are provided below showing the proposed modifications that will be made to this gas supply licence.

Condition 1.1: Interpretation and Construction (extracts)

1.1.6 Definitions (extracts)

| | |
|--------------------------------|--|
| “auditors” | means the Licencee’s auditors for the time being holding office in accordance with the requirements of the Companies Act 1985 Chapter 2 of Part 16 of the Companies Act 2006; |
| "company" | means a company within the meaning of Article 3 of the Companies (Northern Ireland) Order 1986 section 1 of the Companies Act 2006 or any other body corporate; |
| “Last Resort Supply Direction” | means a direction given by the Authority to the Licensee that specifies or describes the premises to be supplied with gas in accordance with Article 24A of the Gas Order; |
| "related undertaking" | means any undertaking in which any person has a participating interest as defined within the meaning of section 421A of the Financial Services and Market Act 2000; |
| “Security Deposit” | means a deposit of money as security for the payment of charges for the supply of gas; and |

Condition 1.2A Separate Accounts for Separate Businesses (extracts)

1.2A.2 Separate Business Accounting (extract)

In this regard the Licensee shall not be required to prepare such financial statements as if they were annual accounts (in relation to each Separate Business) prepared under ~~Article 236 of the Companies (Northern Ireland) Order 1986~~ sections 394, 398 or 399 of the Companies Act 2006, but shall be required to prepare such accounts in accordance with this Condition.

1.2A.5 Basis of apportionment (extract)

The Licensee shall, before the financial year commencing on 1 April ~~2008~~ [2008], notify the Authority of the basis of apportionment that it proposes to use for the financial statements in respect of each Separate Business for that financial year, and:

- (a) the basis of apportionment in respect of those financial statements shall be the basis proposed by the Licensee unless the Authority following consultation with the Licensee

gives a direction requiring the use of any other basis; and

- (b) except in so far as the Authority consents to the Licensee doing so the Licensee shall not change any basis of charge or apportionment used in the financial statements in respect of any Separate Business for any financial year subsequent to the financial year commencing on 1 April 2008 ~~{1 April 2008}~~ from the basis used in the financial statements in respect of that Separate Business for that financial year.

1.2A.8 Form of financial statements

Financial statements prepared for the purposes of this Condition shall, so far as reasonably practicable and unless otherwise approved by the Authority having regard to the purposes of this Condition:

- (a) conform to UK generally accepted accounting principles and practises;
- (b) state the accounting policies adopted; and
- (c) be so prepared to a level of detail as may be reasonably required by the Authority and so that they may be reconciled with the published accounts of the Licensee under the ~~{Companies (Northern Ireland) Order 1986}~~ Companies Act 2006.

Condition 1.7: Modifications

1.7.1 Modification of licence Conditions

The Conditions of the licence are subject to modification in accordance with their terms or with Articles 9, 14, 14A, 14E or 18 of the Order or with any provision for the modification of the same in the Energy Order.

Condition 2.26: The Supply Meter Point Agreement (extract)

2.26.1 Establishing Supply Meter Point Agreement

The Licensee shall, within ~~{twelve}~~ twelve months of this condition coming into force and in conjunction and co-operation with all other suppliers, prepare, maintain and be party to a form of agreement to be known as the Supply Meter Point Agreement, as may be designated by the Authority for the purposes of this condition generally, being a document:

Condition 2.27: Wholesale Contracts and Gas Derivatives (extract)

2.27.2 Paragraph 2.27.1 shall not apply to a Gas Derivative entered into by the Licensee with a

Wholesale consumer or a Gas Conveyance Licence Holder or to any transaction undertaken, under or in accordance with the provisions of a Gas Derivative entered into with a Wholesale consumer or a Gas Conveyance Licence Holder, prior to the date of the Guidelines referred to in Article ~~44(4)~~ ~~40(4)~~ of the Directive (the **Guidelines**).

2.13 Licence modification 13: to ensure consistent use of terms in gas supply licences

Summary of proposed modification

- 2.13.1 We propose to update gas supply licences to update the terms ‘non-domestic’ and ‘customer’ to ‘business’ and ‘consumer’ respectively.
- 2.13.2 The licences and relevant conditions within each licence that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|--|---|
| All gas Supply Licences | Modification to Conditions 2.1, 2.19 and 2.28 |
| All gas Supply Licences except the licences held by: - British Gas Trading Ltd - AES Ballylumford Ltd - Coolkeeragh ESB Ltd - Power NI Energy Ltd ⁹ | Modification to Condition 2.5 |

Reason and effect of proposed modification

- 2.13.3 There are several instances in the gas supply licences where the wrong term is used.
- 2.13.4 In some instances the gas supply licences use the terms ‘customer’ (rather than ‘consumer’) and ‘non-domestic’ (rather than ‘business’). The terms ‘customer’ and ‘non-domestic’ are not defined in the Interpretation and Construction condition within each licence.
- 2.13.5 We propose to modify the gas supply licences to ensure the correct terms ‘consumer’ and ‘business’ are used throughout.
- 2.13.6 This modification will not have any direct impact on the licensees.

Licence extract showing proposed modification

- 2.13.7 Extracts from conditions 2.1, 2.5, 2.19 and 2.28 of a gas supply licence are provided below showing the proposed modifications.

⁹ Note this licence was originally granted to Northern Ireland Electricity PLC on 21 May 1999.

Condition 2.1: Deemed Contracts (extract)

2.1.4 For the purposes of paragraph 2.1.3, the terms of a Deemed Contract shall be unduly onerous for any class of domestic consumers, or for any class of ~~business-non-domestic~~ consumers, only if the revenue derived from supplying gas to the premises of the relevant class of consumers on those terms:

- (a) significantly exceeds the Licensee's costs of supplying gas to those premises; and
- (b) exceeds such costs of supplying gas by significantly more than the Licensee's revenue exceeds its costs of supplying gas to the premises of the generality of its domestic consumers or, as the case may be, to the premises of the generality of its ~~business-non-domestic~~ consumers (in each case excluding from the calculation premises supplied under a Last Resort Supply Direction).

2.1.5 Where a ~~consumer-Customer~~ is being supplied by the Licensee with gas under a Deemed Contract as a result of a Last Resort Supply Direction being issued in relation to his premises, paragraph 2.1.3 shall not apply until that direction stops having effect.

Condition 2.5: Undue Discrimination and Undue Preference (extract) (note the modification to condition 2.5 does not apply to the gas supply licences held by British Gas Trading Ltd, AES Ballylumford Ltd, Coolkeeragh ESB Ltd or Power NI Energy Ltd)

2.5.7 Separate market for domestic consumers

For the purpose of this Condition, any market for the supply of gas to domestic consumers shall be considered to be a separate market from any market for the supply of gas to ~~business-non-domestic~~ consumers.

Condition 2.19: Provision of Information to Consumers (extracts)

2.19.8 For the purposes of paragraph 2.19.7(e), the amount of gas calculated as having been consumed by the consumer shall be determined by reference to:

- (a) an actual meter reading;
- (b) a meter reading taken by the consumer that the Licensee considers to be reasonably accurate (a 'consumer meter reading'); or

(c) where no actual or ~~consumer-customer~~ meter reading is available, the estimate of the Licensee (an 'estimated meter reading').

2.19.18 In this Condition:

Billing Code of Practice means the document of that name, prepared and published from time to time by the Authority, following consultation with the Licensee, other gas suppliers and such other persons as the Authority deems appropriate (which consultation may take place before paragraph 2 comes into effect), in relation to ~~consumer customer~~-billing matters.

Condition 2.28: Provision of Information to gas suppliers and energy service providers (extracts)

2.28.6 The Licensee is not required to comply with paragraph 2.28.1 in respect of any ~~consumer customer~~-information request received from an Energy Services Provider where:

- (a) the Licensee does not have the consent of the ~~consumer Customer~~ to provide Billing Information to the Energy Services Provider; and
- (b) the Energy Service Provider does not submit with the ~~consumer customer~~-information request written evidence of the consent of the ~~consumer Customer~~ for the Energy Services Provider to obtain from the Licensee such Billing Information as is specified in the ~~consumer customer~~-information request.

2.28.7 In this Condition:

Energy Services Provider means any person, other than a gas supplier, that provides goods or services to ~~consumers Customers~~ at their premises for the purposes of enabling the ~~consumer Customer~~ to reduce their energy consumption or to make efficient use of energy.

2.14 Licence modification 14: Removal of redundant Special Conditions which are no longer in effect

Summary of proposed modification

- 2.14.1 We propose to update the electricity supply licences of Power NI, ESB, Energia and SSE Airtricity to remove Conditions A to D.
- 2.14.2 The licences and relevant conditions within each licence that will be affected by the proposed modification are set out in the following table:

| Affected Licences | Relevant condition(s) |
|--|--|
| Electricity Supply Licences for: Power NI ESB Energia SSE Airtricity | Conditions A, B C and D Condition 1 |

Reason and effect of proposed modification

- 2.14.3 Conditions A to D were introduced as part of the implementation of the Single Electricity Market in 2007. These conditions are no longer in effect and are therefore no longer required in licences.
- 2.14.4 We propose to remove these conditions from licences and update where necessary the licences to reflect these deletions.
- 2.14.5 There will be no material impact of their removal but will help to ensure consistency and accuracy of supply licences.

Licence proposed modification

- 2.14.6 Condition A: Application of other Licence Conditions and Further Modification – removed from the licence in full
- 2.14.7 Condition B: Transition Steps (General) – removed from the licence in full
- 2.14.8 Condition C: Transition Steps (Specific) – removed from the licence in full
- 2.14.9 Condition D: Run-Off Steps (General) – removed from the licence in full

Condition 1: Interpretation and construction

- 8 Each relevant legal instrument shall, if the condition (whether of the Licence or any licence held by the predecessor company) under which it was issued ~~is~~ was modified at SEM Go-Live, continue to have effect under any corresponding provision of ~~Chapter 2 as modified the Licence~~, as if it had been made under that corresponding provision.
- 9 For the purposes of paragraphs 8 and 10 a “**relevant legal instrument**” means any direction, consent, approval, determination, designation or other instrument issued by the Authority or the Department, prior to SEM Go-Live, in accordance with a condition ~~of the Licence in force and effect at that time:~~
- (a) ~~in Chapter 2~~, including any instrument issued:
 - (i) to another holder of the Licence, from whom the Licence was subsequently transferred or assigned to the Licensee;
 - (ii) before the conversion of the Licence to a supply licence under Article 10(1)(c) of the Order;
 - (b) of any licence held by the predecessor company.
- 10 For the purposes of paragraph 8 a “**corresponding provision**” of ~~Chapter 2 the Licence~~ shall be any provision which, following its modification at SEM Go-Live ~~in accordance with Condition A~~, has (notwithstanding that it ~~has been~~ was renumbered, moved, deleted and replaced, or otherwise amended in any way) substantially the same purpose and effect as the provision under which a relevant legal instrument was issued.

Annex 1 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 - Modifications to Electricity Supply Licences

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE ELECTRICITY (NORTHERN IRELAND) ORDER 1992 (AS AMENDED)

MODIFICATIONS PROPOSED TO ALL ELECTRICITY SUPPLY LICENCES

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes, in exercise of the powers conferred on it by Article 14(1) of the Electricity (Northern Ireland) Order 1992 ("the Order"), to modify the conditions of licences of a type mentioned in Article 10(1) of the Order.

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the electricity supply licences held by:
 - Bord Gáis Energy Limited
 - Budget Energy Limited
 - Click Energy (Project Plug Limited)
 - firmus Energy (supply) Limited
 - Gaelectric Green Energy Limited
 - Go Power (LCC Power Limited)
 - ONI Electricity Limited
 - Open Electric Limited
 - Electric Ireland (ESBIE NI Limited)
 - Vayu Limited
2. The proposed modifications to be made under Article 14(1) are to Conditions 1, 2, 3, 4, 5, 7, 10, 17, 23, 25, 27, 34, 35, 38 and 40 of each licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to each Licensee listed in paragraph 1 above, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 2 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 - Modifications to Electricity Supply Licences

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE ELECTRICITY (NORTHERN IRELAND) ORDER 1992 (AS AMENDED) MODIFICATIONS PROPOSED TO ALL ELECTRICITY SUPPLY LICENCES

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes, in exercise of the powers conferred on it by Article 14(1) of the Electricity (Northern Ireland) Order 1992 ("the Order"), to modify the conditions of licences of a type mentioned in Article 10(1) of the Order.

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the electricity supply licences held by:
 - AES Ballylumford (Premier Power Limited)
 - Electricity Supply Board (ESB)
 - Energia (Viridian Energy Supply Limited)
 - SSE Airtricity Energy Supply Limited
2. The proposed modifications to be made under Article 14(1) are to Conditions A, B, C, D, 1, 2, 3, 4, 5, 7, 10, 17, 23, 25, 27, 34, 35, 38 and 40 of each licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
15 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to each Licensee listed in paragraph 1 above, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 3 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 - Modifications to Electricity Supply Licences

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE ELECTRICITY (NORTHERN IRELAND) ORDER 1992 (AS AMENDED)

MODIFICATIONS PROPOSED TO ALL ELECTRICITY SUPPLY LICENCES

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Electricity (Northern Ireland) Order 1992 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the electricity supply licences held by:
 - Power NI (NIE Energy Ltd)
2. The proposed modifications to be made under Article 14(1) are to Conditions A, B, C, D, 1, 3, 4, 10, 17, 23, 25, 27, 34, 35, 38, 40, 43, 47, 49, 50, 52A, 53, 53A, 60, 66, 69 and Annex 3 of the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
16 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to each Licensee listed in paragraph 1 above, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 4 - Notice under Article 14(2) of the Electricity (Northern Ireland) Order 1992 – Modifications to Electricity Distribution Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE ELECTRICITY (NORTHERN IRELAND) ORDER 1992 (AS AMENDED) MODIFICATIONS PROPOSED TO ELECTRICITY DISTRIBUTION LICENCE

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Electricity (Northern Ireland) Order 1992 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the electricity distribution licence held by NIE Networks Limited.
2. The proposed modifications to be made under Article 14(1) are to Condition 44 of the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
17 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to each Licensee listed in paragraph 1 above, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 5 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to firmus energy (Supply) Limited's Gas Supply Licence (Ten Towns licence)

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY FIRMUS ENERGY (SUPPLY) LIMITED FOR THE TEN TOWNS AREA

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by firmus energy (Supply) Limited (the Licensee) for supply within the Ten Towns area.
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27, 2.28 and 4.5 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 6 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to firmus energy (Supply) Limited's Gas Supply Licence (Greater Belfast licence)

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY FIRMUS ENERGY (SUPPLY) LIMITED FOR THE GREATER BELFAST AREA

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by firmus energy (Supply) Limited (the Licensee) for supply within the Greater Belfast area.
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.26, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 7 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to SSE Airtricity Gas Supply (NI) Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY SSE AIRTRICITY GAS SUPPLY (NI) LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by SSE Airtricity Gas Supply (NI) Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27, 2.28 and 4.2 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 8 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to SSE Airtricity Energy Supply (NI) Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY SSE AIRTRICITY ENERGY SUPPLY (NI) LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by SSE Airtricity Energy Supply (NI) Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 9 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Viridian Energy Supply Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY VIRIDIAN ENERGY SUPPLY LIMITED (T/A ENERGIA)

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by Viridian Energy Supply Limited, T/A Energia (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2, 1.8, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 10 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to LCC Power Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY LCC POWER LIMITED (T/A GO POWER)

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by LCC Power Limited, T/A Go Power (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 11 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to ONI Gas Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY ONI GAS LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by ONI Gas Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are -
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 12 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to ESB Independent Energy (NI) Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY ESB INDEPENDENT ENERGY (NI) LIMITED T/A ELECTRIC IRELAND

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by ESB Independent Energy (NI) Limited, T/A Electric Ireland (the Licensee).
2. The proposed modifications to be made under Article 14(1) are -
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 13 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Vayu Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY VAYU LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by Vayu Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 14 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to SSE Energy Supply Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY SSE ENERGY SUPPLY LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by SSE Energy Supply (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 2.1, 2.5 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 15 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Power NI Energy Limited's Gas Supply Licence (Greater Belfast and Ten Towns Licence)

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY POWER NI ENERGY LIMITED FOR THE GREATER BELFAST AND TEN TOWNS AREAS

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by Power NI Energy Limited¹⁰ (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:
Barbara Stevenson
Utility Regulator
Queens House, 14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk
Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.
6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

¹⁰ Licence granted to Power NI Energy Limited on 24 September 2014 for the supply of gas in the Greater Belfast and Ten Towns areas.

Annex 16 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Flogas Natural Gas Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY FLOGAS NATURAL GAS LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by Flogas Natural Gas Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 17 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to AES Ballylumford's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY AES BALLYLUMFORD

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by AES Ballylumford (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.4, 1.8, 2.1, 2.9, 2.13, 2.18, 2.19, 2.21, 2.26, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 18 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Coolkeeragh ESB Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY COOLKEERAGH ESB LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by Coolkeeragh ESB Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.3, 1.4, 2.1, 2.9, 2.13, 2.18, 2.19, 2.21, 2.27 and 2.28 within the gas supply licence.
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 19 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Power NI Energy Limited's Gas Supply Licence (Licence for supply to Ballylumford Power Station)

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY POWER NI ENERGY LIMITED FOR SUPPLY TO BALLYLUMFORD POWER STATION

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply licence held by Power NI Energy Limited¹¹ (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.3, 1.4, 2.1, 2.9, 2.13, 2.18, 2.19, 2.21, 2.26, 2.27 and 2.28 within the gas supply licence
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:
Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk
Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.
6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

¹¹ Licence originally granted to NIE Plc on 21 May 1999 for the supply of gas to Ballylumford Power Station.

Annex 20 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to British Gas Trading Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY BRITISH GAS TRADING LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply [licence](#) held by British Gas Trading Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 1.2A, 1.7, 2.1, 2.9, 2.13, 2.18, 2.19, 2.21, 2.26, 2.27 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 21 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Viridian Energy Supply Limited's Gas Supply Licence

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS SUPPLY LICENCE HELD BY VIRIDIAN ENERGY SUPPLY LIMITED

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas supply licence held by Viridian Energy Limited (the Licensee).
2. The proposed modifications to be made under Article 14(1) are –
 - a. amendments to conditions 1.1, 2.1, 2.5, 2.9, 2.13, 2.18, 2.19, 2.21 and 2.28 within the gas supply licence; and
 - b. insertion of new condition 2.17A in the licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.

Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:

Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk

Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.

6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensee, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 22 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Transmission System Operator's Gas Conveyance Licences

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS CONVEYANCE LICENCES HELD BY TRANSMISSION SYSTEM OPERATORS

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas conveyance licence held by the Transmission System Operators as follows (the Licensees):
 - [Premier Transmission Limited](#),
 - [Belfast Gas Transmission Limited](#),
 - [BGE \(UK\) Limited](#), and
 - [Northern Ireland Energy Holdings Limited](#).
2. The proposed modifications to be made under Article 14(1) are to Condition 1.1 of each licence.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:
Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk
Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.
6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensees, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.

Annex 23 - Notice under Article 14(2) of the Gas (Northern Ireland) Order 1996 - Modifications to Distribution System Operator's Gas Conveyance Licences

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER 1996 MODIFICATIONS PROPOSED TO THE GAS CONVEYANCE LICENCES HELD BY DISTRIBUTION SYSTEM OPERATORS

The Northern Ireland Authority for Utility Regulation ('the Authority') proposes to modify the conditions of a licence in exercise of the powers conferred on it by Article 14(1) of the Gas (Northern Ireland) Order 1996 ("the Order").

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

1. The Authority proposes to make modifications to the gas conveyance licence held by the Distribution System Operators as follows (the Licensees):
 - [Phoenix Natural Gas Limited](#) (PNGL),
 - [firmus energy \(Distribution\) Limited](#) (feDL), and
 - [SGN Natural Gas Limited](#) (SGN).
2. The proposed modifications to be made under Article 14(1) to the PNGL and feDL licences are to Conditions 1.1 and 1.23. The proposed modifications to be made under Article 14(1) to the SGN licence are to Conditions 1.1 and 1.18.
3. Details of the proposed modifications to each condition are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
4. The effects of the proposed modifications are outlined in section 3 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper.
5. The purpose of this notice is to bring the proposed modifications to the attention of persons likely to be affected by the modifications and to invite representations or objections to be made in respect of the proposed modifications.
Any representations or objections with respect to the proposed modifications may be made before 5pm on 4th March 2016 to:
Barbara Stevenson
Utility Regulator
Queens House
14 Queen Street
Belfast, BT1 6ED
Email: barbara.stevenson@uregni.gov.uk
Please refer to section 2 of the attached 'Consultation on Proposed Modification to Gas & Electricity Licences' paper for further information in relation to responding.
6. The Authority has, pursuant to Article 14(4) of the Order, sent a copy of this notice to the Licensees, the Department of Enterprise, Trade and Investment and also to the Consumer Council.
7. A copy of this notice and the proposed modifications can be obtained in hard copy form from the Authority by contacting Barbara Stevenson at the contact details above.