

**Notice of decision to modify Condition 2  
(1) of a number of Demand Side Unit  
(DSU) electricity generation and supply  
licences**

**Decision Paper**

30 September 2022



# 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 each of the key functional areas in the organisation: Corporate Affairs; Electricity; Gas; Retail and Social; and Water. 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 co-operative.

Be professional.

Listen and explain.

Make a difference.

Act with integrity.

DECISION PUBLISHED UNDER ARTICLE 14(8) OF THE ELECTRICITY  
(NORTHERN IRELAND) ORDER 1992

In accordance with Article 14(2) of the Electricity (Northern Ireland) Order 1992 (as amended) (“the **Order**”) the Northern Ireland Authority for Utility Regulation (“the **Authority**”) published a notice (“the **Consultation Notice**”<sup>1</sup>) of its intentions to modify a number of electricity generation licences (“the **Licensees**”).

- 1 The Authority proposes to modify the Demand Side Unit (DSU) electricity generation licences in the table below which were granted under Article 10(1)(a) of the Order:

<b><u>Licensee</u></b>
Empower Generation Ltd
Powerhouse Generation Ltd

The Authority also proposes to modify the Demand Side Unit (DSU) electricity supply licences in the table below which were granted under Article 10(1)(a) of the Order:

<b><u>Licensee</u></b>
Electricity Exchange Ltd
Empower Generation Ltd
iPower Solutions Ltd

Following the Consultation Notice, the Authority has decided to proceed with the making of modifications of Condition 2 (1) of each of the specified Licences in exercise of its powers under Article 14(1) of the Order.

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

- 2 The modification of each of the above licences will amend the financial year end, contained within Condition 2(1), of each licence to align with that recorded on the respective licensee’s most recent financial statements.

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<sup>1</sup> [Notice of proposed modifications to Condition 2 \(1\) of electricity generation and DSU generation/supply licences | Utility Regulator \(uregni.gov.uk\)](#)

- 3 Annex 1 to this notice outlines the modification to each respective licence.
- 4 The reason for the modification is to ensure consistency and accuracy by aligning the financial year in each licence to the respective licensee's own statutory financial year. The modification is taking place following interaction with each Licensee to confirm that the financial year end is now different to when the licence was granted.
- 5 The effect of the modification to each respective licence would be to align the financial year with the licensee's own statutory reporting period. The Authority considers that the modification to each respective licence will not have any effect on any other electricity generation licensee.
- 6 The modification to Condition 2 (1) of each licence is set out in Annex 1 when Condition 2 (1) of each licence shall have the specific wording substituted.
- 7 In accordance with Article 14(5) of the Order, the Authority is required to consider any representations duly made. The Authority did not receive any representations or objections in the 28 days from the date the Consultation Notice was published. However, during the consultation period, the Authority has noted the requirement for further modifications to those consulted upon to update existing text in particular licences to ensure accuracy. Examples of such required modifications include correcting the date of grant of a licence and correcting the first recorded financial year end of the licensee which were legacy errors. No such corrective modifications affect the reason for or effect of the modifications to Licence Condition 2(1) of any DSU generation and supply licences which were consulted upon. These further modifications are viewed as a 'house-keeping' exercise to ensure precision.
- 8 The Authority will therefore proceed with the modification as detailed at paragraph 5 above. The modification will take effect from 25 November 2022 (Date must not be less than 56 days from date of publication of this notice).
- 9 The Authority has, pursuant to Article 14(8) of the Order, published this decision on its website and sent a copy of the decision to each affected Licensee. In addition the Authority has provided a copy of this notice to the Department for the Economy. The Authority has also sent a copy to the General Consumer Council for Northern Ireland.

10 A copy of this modification can be obtained in hard copy from :

The Electricity Generation Licensing Team  
Utility Regulator  
Queens House  
14 Queen Street  
Belfast, BT1 6ED  
Email: [ElecGenLicensing@uregni.gov.uk](mailto:ElecGenLicensing@uregni.gov.uk)

Dated this: 30 September 2022

**John French**  
**Chief Executive**

**For and on behalf of the Northern Ireland Authority for Utility Regulation**

## Annex 1

### DSU electricity generation licences:

The following DSU electricity generation licences are proposed to be modified to acknowledge a change of financial year end as follows:

Licensee	Financial year end stated in Condition 2(1) currently	Financial year end to be modified in Condition 2(1) to:
Empower Generation Ltd	31 March	31 July
Powerhouse Generation Ltd	31 July	31 December

Condition 2(1) of the Empower Generation Ltd DSU electricity generation licence shall be substituted as follows:

“The first financial year of the Licensee shall run from the date of grant to ~~31 March 2016~~ **31 July 2016** and thereafter each financial year of the Licensee shall run from ~~01 April~~ **01 August** to the following ~~31 March~~ **31 July.**”

Condition 2(1) of the Powerhouse Generation Ltd DSU electricity generation licence shall be substituted as follows:

“The first financial year of the Licensee shall run from the date of grant to 31 July 2015, **and each financial year of the Licensee up to and including 31 July 2018 shall run from 01 August to the following 31 July. The financial year of the Licensee starting on 01 August 2018 shall run to 30 September 2019, the financial year of the Licensee starting on 01 October 2019 shall run to September 2020, the financial year of the Licensee starting on 01 October 2020 shall run to 31 December 2021 and thereafter each financial year of the Licensee shall run from 01 January to the following 31 December.**”

DSU electricity supply licences:

The following DSU electricity supply licences are proposed to be modified to acknowledge a change of financial year end as follows:

Licensee	Financial year end stated in Condition 2(1) currently	Financial year end to be modified in Condition 2(1) to:
Electricity Exchange Ltd	31 December	31 March
Empower Generation Ltd	31 December	31 July
iPower Solutions Ltd	31 December	31 March

Condition 2(1) of the Electricity Exchange Ltd DSU electricity supply licence shall be substituted as follows:

“The first financial year of the Licensee shall run from the date this Condition comes into force to ~~31 December 2015~~ **31 March 2017** and thereafter each financial year of the Licensee shall run from ~~01 January~~ **01 April** to the following ~~31 December~~ **31 March.**”

Condition 2(1) of the Empower Generation Ltd DSU electricity supply licence shall be substituted as follows:

“The first financial year of the Licensee shall run from the date this Condition comes into force to ~~31 December 2015~~ **31 July 2016** and thereafter each financial year of the Licensee shall run from ~~01 January~~ **01 August** to the following ~~31 December~~ **31 July.**”

Condition 2(1) of the iPower Solutions Ltd DSU electricity supply licence shall be substituted as follows:

“The first financial year of the Licensee shall run from the date this Condition comes into force to ~~31 December 2015~~ **31 March 2016** and thereafter each financial year of the Licensee shall run from ~~01 January~~ **01 April** to the following ~~31 December~~ **31 March.**”