

12<sup>th</sup> December 2024

Lauren Skillen-Baine  
Utility Regulator  
Queens House  
14 Queen Street  
Belfast  
BT1 6ED

Dear Lauren,

Thank you for the opportunity to respond to the Consultation on Improving the Non-domestic Consumer Experience.

***Q1. What are your views on the suitability of the scope of coverage for these measures applying to small business defined as annual consumption of 0-50MWh for small Industrial and Commercial (I&C) electricity customers and 0-73.2MWh for small I&C gas customers?***

firmus energy Supply considers the scope of coverage for these measures outlined in the consultation to be appropriate. We are committed to supporting our small business customers, up to 73.2MWh, in their day-to-day interactions with us, by providing clear and transparent pricing, terms and ensuring high levels of customer service. While we are in favour of providing exceptional customer service to all customers, it is prudent to introduce new measures for the non-domestic sector to a specific class of customer in the first instance, aligning this categorisation with easy-to-understand AQ banding will aid implementation. Rolling out the suggested protection to IC1 consuming less than 73.2 MWh group aligns with existing regulatory frameworks, ensuring consistency and simplicity for suppliers. This clear demarcation makes compliance easier and avoids confusion in determining which businesses fall under protection measures.

Smaller businesses, particularly those consuming less than 73.2MWh, may have fewer resources or market power compared to larger businesses. By focusing protection on these smaller consumers, Suppliers can help ensure that the most vulnerable customers, who might struggle more with fluctuating prices or poor service, receive the necessary support. This aligns with the principle of protecting consumers who are less likely to be able to negotiate favourable contracts or absorb price shocks. Larger businesses are typically better equipped to handle price fluctuations or negotiate favourable terms.

In the implementation of any new measures for non-domestic customers, UR must be mindful of the context and timing of such changes. Suppliers are in the midst of some large-scale changes to process, systems and communication on the back of the new Vulnerability CoP and the recent decision paper on Customer Service levels. For small Suppliers these changes will be implemented by the same teams with potentially significant impact on resource. firmus energy therefore welcomes measures being contained to customers 0-73.2 MWh at this time.

***Q2. Should suppliers be mandated to provide transparent price information for small businesses on their website?***

firmus energy Supply appreciate the ongoing efforts to improve transparency in the small business energy market and support the principle of clear and accessible price information for customers. Given the financial challenges that can be faced by small businesses it is important that they can easily access the information they require to make informed choices regarding their energy tariff. Publishing a unit price for small businesses provides transparent pricing information and making this available on a supplier website ensures ease of access to the information.

firmus energy Supply supports transparent pricing information and has worked with the Utility Regulator to simplify tariffs by removing the minimum consumption charge and tariff bandings. The single unit price is easier for customers to understand but can only make comparison easier for the customer if all suppliers follow a similar price structure or if the consumer has access to an easy-to-use tool that can equate more complex tariff to a single rate based on consumption. We suggest that additional focus be placed on consumer education and support, noting that the UR 2023 Non-domestic Consumer Insight Taker Survey showed 74% of non-domestic consumers said they were not aware of CCNI's energy price comparison tool. Ensuring that consumers are aware of tools like CCNI's price comparison tool, which can provide accurate, up-to-date information in one place, is crucial. Suppliers can help educate their customers about these tools, making it easier for them to access transparent pricing information without overwhelming them with excessive detail and the need to reference a number of different websites to obtain comparative tariff information. firmus energy publishes its business tariffs on its website together with the terms and conditions applicable to those tariffs. Creating this transparency across all suppliers would help consumers to make informed choices.

***Q3. Should energy suppliers be required to publish information on their websites signposting non-domestic consumers to relevant support and advice services?***

firmus energy is committed to providing support to small business customers, whether this be via the recent Small Business Energy Charter, or publishing support and advice services on our website. During interactions with customers, our team will signpost to organisations which offer support to small business customers. The approach of signposting to support services mirrors best practices already in place for domestic consumers. Just as domestic customers benefit from easy access to information about energy suppliers and impartial advice through the Code of Practice, we believe that non-domestic consumers should also have the same level of access.

We welcome any additional considerations that would further support small business customers, enhance transparency and consumer protection and empower small businesses to navigate the energy market more effectively, leading to a better overall experience.

***Q4. Should non-domestic consumer bills include a standard, mandatory statement stating that the consumer may not be on the cheapest tariff and information on how to switch?***

firmus energy supports the inclusion of a statement, similar to that on domestic bills, informing a consumer that there may be other options available. For small businesses, this statement could include additional wording such as ‘subject to contract conditions’ to address concerns regarding contractual implications. Inclusion of such a statement may help encourage greater consumer engagement with the energy market but for this measure to be effective it must be implemented across all suppliers consistently.

***Q5. Should there be a requirement for suppliers to provide non-domestic consumers with clear information around when the security deposit will be paid back to them, and require the supplier to confirm if there are alternative measures or options available other than the deposit?***

firmus energy Supply strongly support the need to provide clarity to consumers about the requirements and processes related to security deposits. Clear communication ensures that small business customers are informed about their financial obligations and the options available to them. For any non-domestic customers who are requested to provide security, firmus energy will make contact to discuss the options that are available. A security deposit may be held for the length of the contract. However, all security deposits are reviewed after a 12-month period and a decision made to return or continue to hold, based the individual customer account. However, it is essential to maintain the flexibility for suppliers to determine the duration for which a security deposit must be held, based on their risk management and business needs. We believe that it is crucial suppliers have options available to best manage customer accounts on an individual basis rather than a prescriptive timescale for the return of the security deposit.

firmus energy is supportive of informing customers of any alternative measures or options available. However, the decision to offer these alternatives should remain at the discretion of the supplier, as the suitability options will depend on the supplier’s internal processes and the specific circumstances of the customer. Suppliers should have the flexibility to propose the most appropriate solution, based on their understanding of the customer’s credit risk.

***Q6. Should notice periods under deemed contracts be prohibited?***

At firmus energy, we are committed to ensuring that all contracts with our customers are clear, transparent, and fully understood. When agreeing any contract with a customer firmus energy will always be clear and transparent about the terms and conditions offered. Any contract terms will be highlighted and discussed with the customer.

For customers on deemed contracts, we believe that the same principles of clarity and transparency should apply. Deemed contracts, by their nature, are default arrangements for businesses that have not agreed to a formal energy supply contract. We agree that these contracts should not impose any additional barriers to switching suppliers, and therefore, we

fully support the removal of any notice periods or termination fees for customers on deemed contracts. This would allow businesses to move to a new supplier or contract without being subject to undue restrictions or additional tie-in periods.

***Q8. Are there any other additional measures to enhance the operation of the non-domestic retail energy market which respondents think should be considered as part of this consultation process?***

firmus energy is supportive of this consultation and believes it provides the right balance between providing essential information and implementing measures that will effectively protect non-domestic small business customers. To ensure a smooth and collaborative implementation, we would recommend introducing these measures initially as a guidance document. This approach would allow suppliers and stakeholders to adapt to the changes, gather feedback, and refine the measures before considering any mandatory requirements.

We trust this response proves useful and we look forward to our continued involvement in this process.

Yours Sincerely,

Sharleen Winning

firmus energy Supply