

THIRD PARTY INTERMEDIARIES IN THE ENERGY MARKET

**Consultation Paper
14 August 2025**

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 Millennium House in the centre of Belfast. The Chief Executive and two Executive Directors lead teams in each of the main functional areas in the organisation: CEO Office; Price Controls; Networks and Energy Futures; Markets and Consumer Protection and Enforcement. The staff team includes economists, engineers, accountants, utility specialists, legal advisors and administration professionals.

Utility Regulator

OUR MISSION
To protect the short and long-term interests of consumers of electricity, gas and water.

OUR VISION
To ensure value and sustainability in energy and water.

OUR VALUES

- ACCOUNTABLE:**
We take ownership of our actions.
- TRANSPARENT:**
Ensuring trust through openness and honesty.
- COLLABORATIVE:**
Connecting and working with others for a shared purpose.
- DILIGENT:**
Working with care and rigour.
- RESPECTFUL:**
Treating everyone with dignity and fairness.

ABSTRACT

In the Utility Regulator's (UR) Consumer Protection Programme 2024-29, we committed to undertaking a project with the aim of developing an understanding of Third Party Intermediary (TPI) operation in Northern Ireland energy markets in order to ensure both non-domestic consumers and micro/small scale generators engaging with TPIs are adequately protected, and to consider if any regulatory intervention or protections may be required.

AUDIENCE

This document is likely to be of interest to a wide range of stakeholders, including non-domestic consumers, advice and consumer representative agencies, non-domestic representative organisations, energy suppliers, electricity generators and the wider energy industry.

CONSUMER IMPACT

This project will positively impact non-domestic consumers and micro/small scale generators who are engaging with TPIs.

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Annex

Annex	Description
1	Summary of Consultation Questions

1. Introduction and Background

- 1.1 Third Party Intermediaries (TPIs) play an important role in helping customers negotiate energy contracts by operating as an interface between energy suppliers and their customers. A broad range of business models¹ can be classified as TPIs, including:
- Brokers or consultants;
 - Sales / supplier agent;
 - Price Comparison Website (PCW);
 - Bundled services providers;
 - Umbrella/franchise sites;
 - Aggregators; and
 - Energy advice companies.
- 1.2 Utility Regulator (UR) does not have the statutory vires to directly regulate TPIs, only licensed energy suppliers. However, there is a need to better understand the current operation of TPIs in Northern Ireland and to explore potential issues and available interventions within UR's existing powers.
- 1.3 In 2023/24, we undertook a programme of research as part of our 'Review of the Regulation of the Non-domestic Energy Retail Market'² which identified several areas requiring further investigation, one of which being the operation of TPIs. Whilst TPIs were found to continue to play a role in assisting non-domestic consumers to negotiate energy contracts, some respondents to our 2023 Call for Input³ (Cfi) highlighted concerns such as lack of transparency in pricing and commission earned by TPIs.
- 1.4 As a result, our Consumer Protection Programme 2024-2029⁴ included a project to develop our understanding of the operation of TPIs in the Northern Ireland non-domestic energy retail market. We committed to exploring a range of potential measures to increase consumer understanding of TPIs as well as ensuring a sufficient and consistent level of protection.
- 1.5 At the outset, the aim of this project is to allow us to make comparisons to see how the TPI market has developed in recent years and also to consider work carried out in neighbouring jurisdictions such as Ofgem's recent work in Great Britain (GB) which aims to bolster existing

¹ [UR Approach Consultation](#)

² [Review of the Regulation of the Non-Domestic Energy Retail Market - Position Paper.pdf](#)

³ [Review of the Regulation of the Non-Domestic Energy Retail market - Call for Input final.pdf](#)

⁴ [CPP 2024-2029 Decision Paper.pdf](#)

protections. Currently, the Department for Energy Security and Net Zero (DESNZ) is considering the direct regulation of TPIs. However, adopting a similar approach in Northern Ireland would require government legislative intervention and a change in policy.

- 1.6 There is also TPI activity within the wholesale market in Northern Ireland, which may have similarities to TPI operations in the non-domestic energy retail market. Therefore, this project will also include research that will help develop our understanding of the activity of TPIs operating between suppliers and micro/small scale generators⁵; via Power Purchase Agreements (PPAs)⁶.

Strategic Aim

- 1.7 The strategic aim of this project is to:

Ensure that both non-domestic consumers and micro/small scale generators engaging with TPIs are adequately informed and protected.

- 1.8 This aim aligns with UR's Corporate Strategy 2024-2029⁷ : 'Strategic Objective 4 - Providing the highest level of consumer service and protection.'

Objectives

- 1.9 In order to achieve the strategic aim, the TPI project has the following objectives:
- a) **GATHER** a broad spectrum of information relating to the current TPI operation in Northern Ireland in both of the markets below:
 - (i) in the non-domestic energy retail market between consumers and suppliers; and
 - (ii) in the wholesale market between suppliers and micro/small scale generators.

⁵ NIEN define Micro renewable generation as 3.68kW or less (single phase) or up to 11.04kW (three phase). Small scale renewable generation is classed as greater than 3.68kW and up to 17kW (single phase) and greater than 11.04kW and up to 5MW (three phase).

⁶ Supply Licence defines a Power Purchase Agreement as a contract for the provision to the Licensee or any other authorised electricity operator of the whole or any part of the available capacity and/or the sale or other disposal to the Licensee or any other authorised electricity operator of the whole or any part of the output of a generation set or combination of generation sets.

⁷ [UR Corporate Strategy 2024 – 2029](#)

- b) **INFORM** stakeholders of the high-level findings of our recent research (gathered via supplier information request and stakeholder engagement) related to TPIs operating in Northern Ireland;
- c) **IDENTIFY** any areas of concern and any requirement for regulatory interventions to provide sufficient protections to non-domestic consumers and micro/small scale generators;
- d) **EXPLORE** a range of potential measures which could be implemented to strengthen the protections identified above for consumers and micro/small scale generators (if required). Also present to government any findings and issues in policy areas where UR does not have power to implement measures;
- e) **CONSIDER** the regulatory policy implications of any such measure (such as the requirement for consultations, licence modifications, and/or amendments to Codes of Practice); and
- f) **IMPLEMENT** any required changes and monitor outcomes.

Scope

- 1.10 This project covers TPIs operating in the following areas:
- (i) in the non-domestic energy retail electricity and gas markets (Retail TPIs as defined below); and
 - (ii) in the wholesale electricity market (Wholesale TPIs as defined below).
- 1.11 For the purpose of this project, **‘Retail TPI’** is defined as ‘a third-party organisation or individual that, either on its own or through arrangements with other organisations or individuals, provides information and/or advice to a non-domestic consumer about the energy supplier’s charges and/or other terms and conditions and whose payment or other consideration for doing so is made or processed by the supplier’.
- 1.12 For the purpose of this project, **‘Wholesale TPI’** is defined as ‘a third-party organisation or individual that, either on its own or through arrangements with other organisations or individuals, provides information and/or advice to a micro/small scale generator⁸ about the sale of its generation to a supplier and/or other terms and conditions with regard to PPAs and whose payment or other consideration for doing so is made or processed by the supplier’.

- 1.13 By application of these micro/small scale generation definitions, a significant proportion of the generation that is not participating under the Single Electricity Market (SEM) is captured within the project scope. Under current SEM arrangements, the threshold for mandatory participation is 10MW Maximum Export Capacity (MEC) and for any generators below this threshold participation would be voluntary. We have limited the scope to micro/small scale generators at this stage as this cohort of generators could be considered to be most vulnerable with regard to costs and affordability (more susceptible to losses and limited access to finance/resources and market expertise).

Structure of this paper

- 1.14 This section outlines the strategic aim, objectives, and scope of the ‘Third Party Intermediaries in the Energy Market’ project, as well as the purpose of the consultation.
- 1.15 Section two provides an overview of the project background and our programme of research:
- a) our relevant non-domestic energy retail market projects to date;
 - b) relevant work in neighbouring jurisdictions;
 - c) findings from our information request issued to suppliers; and
 - d) any relevant findings or context from our programme of engagement.
- 1.16 Section three explores Retail TPI operations and potential measures. Part A explores three potential measures in relation to TPIs operating in the non-domestic energy retail market in Northern Ireland and includes a series of consultation questions to gather stakeholder views. Part B sets out three measures which we explored but determined to be unsuitable for implementation in Northern Ireland at present and will therefore not be taking forward.
- 1.17 Section four explores Wholesale TPI operations and poses consultation questions.
- 1.18 Section five provides guidance on how to respond to the consultation, including information on the next steps.

Question 1. Do you agree with our proposed strategic aim, objectives and scope in relation to this TPI project? If no, please provide reasoning.

2. Background and Research

2.1 This section covers:

- a) an overview of the Northern Ireland non-domestic energy retail market projects to date;
- b) an overview of relevant work in neighbouring jurisdictions;
- c) findings from our information request issued to suppliers; and
- d) any other relevant findings or context from our programme of engagement.

Overview of Northern Ireland projects to date

- 2.2 In 2017 UR began a review of 'Third Party Intermediaries (TPIs) in the Energy Market' which assessed the need for TPI regulation and a Call for Evidence (CfE)⁹ was published. The resulting TPI position paper¹⁰ published in May 2018 considered a range of potential measures such as implementation of a voluntary Industry Code of Practice (CoP) or regulation of TPI activity via energy supplier licence conditions, before deciding to implement a programme of information gathering and monitoring.
- 2.3 It was noted in our position paper, that TPIs are subject to business protection regulations; Business Protection from Misleading Marketing Regulations (BPMMRs) which in Northern Ireland are enforced by Trading Standards Service (TSS). Whilst we acknowledged the limitations of the BPMMRs, we stated that all instances of TPIs marketing or selling energy products to business customers in a misleading way should be reported to TSS.
- 2.4 Implementation of a voluntary CoP or regulation of TPI activity via energy supplier licence conditions were not progressed as we have no statutory remit to regulate TPIs. We also have no concurrent power regarding the BPMMRs, unlike Ofgem in GB. This would require government intervention and a change in policy and legislation.
- 2.5 One of the concerns highlighted in the 2017 CfE responses was a lack of transparency around TPI activity, especially regarding commissions. Therefore, we consulted specifically on the proposal to require licenced

⁹ [Information Paper and Call for Evidence- November 2017](#)

¹⁰ [UR Position Paper May 2018](#)

energy suppliers to publish TPI commissions on customer bills in July 2018¹¹.

- 2.6 Responses to this consultation indicated concerns amongst respondents with regard to implementation of the requirement for suppliers to publish TPI commissions on customer bills. These concerns included a risk that commission structure and charging methodologies could change to something even more opaque than presented currently as UR would be unable to regulate how this information is presented. There were also concerns over implementation; due to the complexities and costs involved with supplier system integration and upgrades and whether it would be worth the benefits.
- 2.7 Our subsequent decision paper¹² noted that we would not proceed with the implementation of an obligation on suppliers to publish TPI commissions on customer bills at that time as TPI activity was considered to be on a small scale within Northern Ireland and due to the respondents' implementation concerns as outlined in Section 2.6 that the costs of implementation could outweigh the benefits. We stated our intention to review our position in later years in order to determine whether the TPI brokerage market has changed significantly.

Overview of relevant work in neighbouring jurisdictions

- 2.8 At the time of writing, the Commission for Regulation of Utilities (CRU), the independent energy and water regulator for the Republic of Ireland (RoI), currently has no published materials investigating the role of TPIs (Retail or Wholesale).
- 2.9 However, in GB Ofgem has carried out a recent programme of research into the operation of TPIs and there is a range of publications and information available such as Ofgem's 2024 Non-domestic Market Review decision¹³ which further extended protections for non-domestic consumers. The steps that have been taken in GB are further outlined below.
- 2.10 Ofgem has not published any relevant information in relation to Wholesale TPI operation.

Qualifying Dispute Settlement Scheme (QDSS)

- 2.11 In December 2022, Ofgem introduced¹⁴ licence conditions¹⁵ that

¹¹ [UR Consultation July 2018](#)

¹² [UR Decision Dec 2018](#)

¹³ [non-domestic-market-review-decision \(Ofgem\)](#)

¹⁴ [Further Guidance for providers of the Third Party Intermediary \(TPI\) Qualifying Dispute Settlement Scheme for Microbusinesses](#)

¹⁵ (Electricity Standard Supply Licence Condition (SLC) 20.5 and Gas 20.6).

stipulated that energy suppliers must only agree to microbusiness¹⁶ contracts through TPIs that are part of a suitable Qualifying Dispute Settlement Scheme (QDSS)¹⁷.

- 2.12 QDSS is a type of Alternative Dispute Resolution (ADR) which refers to specific ADR schemes that meet certain criteria for resolving disputes between customers and TPIs. In effect, QDSS is a set of standards and requirements that an ADR provider must meet to be considered suitable for resolving disputes related to energy contracts brokered by TPIs.
- 2.13 Ofgem does not approve any ADR provider but have issued QDSS guidance and if an ADR provider self certifies that they adhere to QDSS then TPIs are free to use them.
- 2.14 The requirement aims to offer protection to microbusinesses by allowing them to resolve disputes with TPIs via an independent body. This condition was expanded to cover small business consumers¹⁸ from 1st December 2024.
- 2.15 Examples of current QDSS providers in GB include Dispute Resolution Ombudsman (DRO), the Energy Ombudsman and The Utilities Intermediaries Association (UIA).
- 2.16 The DRO and UIA only accept disputes from customers of energy brokers, where the TPI has committed to its qualifying scheme. Whereas the Energy Ombudsman deals with TPI disputes raised by any consumer without them being committed to a particular scheme/CoP.
- 2.17 The Energy Ombudsman's process includes the supplier raising a complaint with the TPI first, and then, if the TPI cannot resolve it within 8 weeks or a deadlock letter is received, the complaint can be brought to the Ombudsman.
- 2.18 No such ADR arrangements currently exist in Northern Ireland; at either a domestic or non-domestic consumer level.

¹⁶ Ofgem defines a micro business consumer as a non-domestic customer that meets at least one of the following criteria: fewer than 10 employees (or their full-time equivalent) with an annual turnover or balance sheet not exceeding £2 million; or annual electricity consumption not exceeding 100,000 kWh; or annual gas consumption not exceeding 293,000 kWh.

¹⁷ Under SLC 20.5D in the electricity licence and 20.6 in the gas licence, Ofgem define a 'Qualifying Dispute Settlement Scheme' as any scheme of dispute settlement, resolution and/or redress operated by the Relevant Energy Ombudsman or such other organisation as demonstrably provides, independent, fair, effective and transparent out-of court dispute settlement relating to Relevant Third Party Activities and constitutes a Qualifying Dispute Settlement Scheme.'

¹⁸ Ofgem defines a small business consumer as one that either has fewer than 50 employees (or their full-time equivalent) and an annual turnover of at most £6.5 million or a balance sheet total of £5.0 million, OR uses no more than 100,000 kWh of electricity or 293,000 kWh of gas per year.

Information on Third Party Costs

- 2.19 Ofgem define Third Party Costs as any fees, commission or other consideration including a benefit of any kind, processed by the supplier and paid or made (or due to be paid or made) to the third party in respect of a supply contract, that are passed on to the consumer.
- 2.20 GB supply licences¹⁹ set a requirement for suppliers to provide consumers information on Third Party Costs paid to a third party in relation to respective microbusiness consumer contracts.
- 2.21 From October 2024, the scope of these obligations was expanded to include all non-domestic consumers. This required clarity of TPI service fees (cost per unit fees in a customer's Principal Terms²⁰ and upon request). However, there is no licence requirement for TPI service fees to be presented on bills as a result of this policy.

Codes of Practice

- 2.22 In GB, depending on the services offered by a TPI, there are voluntary accreditation schemes or industry CoPs to which they can sign up. These CoPs aim to promote principles such as transparent pricing and product information, contract comparability, and fair and appropriate selling.
- 2.23 One example is the TPI CoP which is operated by Retail Energy Code Company (RECCo). RECCo is a not-for-profit organisation which owns and manages the Retail Energy Code (REC); the key rules for operating in the GB retail energy market which suppliers are obligated to comply with under GB supply licences.
- 2.24 RECCo's TPI CoP was first launched in 2023 as a voluntary framework designed to promote high standards and provide essential protections for consumers.
- 2.25 Principles of this TPI code include transparency, fair treatment of consumers, clear dispute resolution processes, and data protection standards. This code only covers energy brokers and aggregators, and not the wider TPI market.

¹⁹ Electricity and Gas SLC 7A.10C

²⁰ Principal terms are defined in Northern Ireland electricity supply licences as meaning in respect of any Contract or Deemed Contract, the terms and conditions that relate to: (i) the duration of the Contract or Deemed Contract; (ii) the Charges for the Supply of Electricity, including the applicable tariff and the unit rate, expressed in "pence per kWh" of the applicable tariff; (iii) any requirement to pay Charges for the Supply of Electricity through a prepayment meter; (iv) any requirement for a Security Deposit; (v) the termination of the Contract (including any requirement to pay a termination fee) or the circumstances in which the Deemed Contract will terminate, and any other term or condition that may reasonably be considered to significantly affect the evaluation by the consumer of the Contract.

- 2.26 RECCo issued a change proposal to effectively mandate the (currently voluntary) TPI CoP by introducing a requirement in the REC that non-domestic suppliers only use a TPI that adheres to the principles set out in the TPI CoP. The proposal suggested that there would only be one route for TPIs to become accredited, that is by the REC Service Accreditation Scheme.
- 2.27 The proposal was rejected by Ofgem on 16th May 2025²¹ due to concerns with competition law (as TPIs not in the scheme would be excluded from participating in the market) and regulatory overreach; both Ofgem and RECCo should not enforce rules that exceed their legal powers.

General Authorisation Regime

- 2.28 In Ofgem's non-domestic market review published in July 2023²², it recommended government explore regulation of TPIs based on the following reasoning, *"We have proposed some changes to our licences that are related to TPIs. However, we are conscious that our proposals do not address wider issues [...] Ofgem does not regulate TPIs, meaning we are not able to intervene when TPIs do not meet the standards the non-domestic sector has a right to expect."*
- 2.29 In November 2024, DESNZ consulted²³ on regulating TPIs in the retail energy market and despite the protections in place currently in GB, it identified risks such as:
- Asymmetry of information - A lack of transparency in the information provided by TPIs, additional fees may hinder a consumer's ability to make informed decisions and comparisons;
 - Opaque contracting practices and mis-selling - TPIs may present unsuitable contracts based on their own commission interests rather than consumer needs. Such practices can lead to unexpected costs and adverse outcomes for consumers, undermining trust in the market;
 - Lack of adequate access to dispute resolution - Consumers face limited access to dispute resolution mechanisms when engaging with TPIs (these are limited to a specific section of the TPI market);
 - Lack of support for vulnerable consumers - TPIs often lack the capacity to identify and support vulnerable consumers, potentially resulting in adverse outcomes and consumer detriment; and

²¹ [Ofgem decision to reject R0137](#)

²² [Non-Domestic Market Review Decision- Ofgem](#)

²³ [Consultation on Regulating Third Party Intermediaries in the Retail Energy Market](#)

- Poor customer service - Evidence suggests a prevalence of poor customer service in the TPI market, compounded by the absence of robust regulatory measures to enforce high standards.

- 2.30 The consultation identified the adoption of a General Authorisation Regime as the preferred regulatory framework for addressing TPIs, where TPIs could carry out their activity as long as they met a set of conditions. A General Authorisation Regime would entail a regulatory framework that would allow entities to provide services to operate in a certain market without the need for specific, individual licences.
- 2.31 DESNZ stated that the regime would require government to deliver legislation and a regulator would oversee the regime. Enforcement activities could be carried out by the regulator if it was identified that a TPI was not abiding by the conditions.
- 2.32 DESNZ suggested that a General Authorisation Regime would deliver three main outcomes: appropriate enforcement capabilities, suitable levels of transparency and the adoption of a regulatory framework could complement existing TPI regulations within and outside the energy sector.
- 2.33 A decision paper has not yet been published and we will keep this under review.

Supplier information request findings

- 2.34 In January 2025, we issued an information request (under our Provision of Information Licence Condition) to all electricity and gas suppliers which provided templates for data collection in relation to TPI operations, designed to gather information and evidence to aid the development of our consultation.
- 2.35 The information request covered the following areas:
- a) TPIs operating in the non-domestic energy retail market (between suppliers and non-domestic consumers). This covered both electricity and gas and provides information on the proportion of their customer base acquired through the TPI channel, the number of TPIs they are working with as well as information on methods of paying Third Party Costs; and
 - b) TPIs operating between suppliers and micro generators (PPAs). This covered information on the proportion of their total demand that has been acquired through the TPI channel, the number of TPIs they are working with as well as information on methods of paying Third Party Costs.

- 2.36 In addition, we requested each supplier to provide a list of all known TPIs operating in both of the above areas. This information request follows on from a similar request issued in 2017²⁴, which has allowed us to make comparisons as to how the TPI market has developed in recent years.

Retail TPI Findings

- 2.37 Whilst in 2018, the TPI data for individual market segments affirmed that TPI activity in Northern Ireland energy markets was at a relatively "low level", our 2025 research has indicated that this activity has had a slight overall increase in recent years (despite remaining low in most market segments).

Table 1: Percentage of customers obtained via TPIs

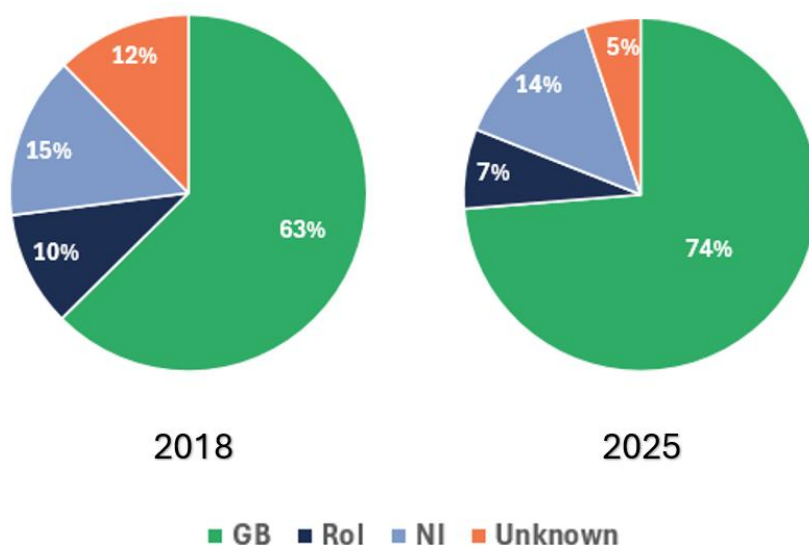
Fuel	Consumption Band	Percentage of Customers Obtained via TPIs (2018)	Percentage of Customers Obtained via TPIs (2025)	Percentage Change
Electricity	<50 MWh	8.7%	7.5%	-1.2%
	50-500 MWh	8.0%	23.0%	15.0%
	>500 MWh	2.2%	23.6%	21.4%
	Total	8.1%	9.3%	1.2%
Gas	<73,200 KWh	2.7%	3.2%	0.5%
	73,200KWh- 732,000 KWh	4.2%	7.1%	2.9%
	>732,000 KWh	7.9%	10.1%	2.2%
	Total	4.1%	4.7%	0.6%²⁵

- 2.38 In the electricity market, Table 1 indicates that the total percentage of customers obtained via TPIs increased slightly from 8.1% in 2018 to 9.3% in 2025. The highest percentage of electricity customers obtained via TPIs was in the >500 MWh consumption band (23.6%); an increase of 21.4 percentage points from 2018. The 50-500 MWh band also saw an increase of 15 percentage points to 23%.
- 2.39 In the gas market, the total percentage of customers obtained via TPIs increased slightly from 4.1% in 2018 to 4.7% in 2025. The highest percentage of gas customers obtained via TPIs (10.1%) was in the >732,000 KWh band; an increase of 2.2 percentage points from 2018.

²⁴ [Third Party Intermediaries in the Retail Energy Market - Position Paper](#)

²⁵ Note that all values have been rounded to one decimal place.

Figure 1: Location of TPIs operating in Northern Ireland



- 2.40 Respondents to the information request provided a list of all known TPIs operating in the non-domestic energy retail market (between supplier and non-domestic consumers). There were 137 known TPIs operating in Northern Ireland.
- 2.41 The highest proportion of TPIs that are operating in Northern Ireland are based in GB (74%, an increase of 11 percentage points from 2018). The proportion operating in Northern Ireland that are based in Northern Ireland remained similar to 2018 (15% in 2018 and 14% in 2025). While those based in the Republic of Ireland decreased slightly (from 10% in 2018 to 7% in 2025).
- 2.42 No information could be found on the location of 5% of the TPIs provided.
- 2.43 Consideration should be given to the high proportion of TPIs based in GB and the potential impact that new rules for regulating TPIs within GB could have on operations here in Northern Ireland. TPIs unwilling to meet new regulatory requirements in GB may view protections in Northern Ireland as less developed and choose to operate there instead. This creates a risk of weaker consumer outcomes in Northern Ireland.

TPIs operating between suppliers and micro generators

- 2.44 Only one supplier reported having contracts with micro generators that were acquired via the TPI channel and a low percentage of their demand/consumption was met by this contract type. We are unable to provide further detail as it is considered to be commercially sensitive.
- 2.45 Suppliers noted they were only aware of one TPI that operated between suppliers and micro generators, and this TPI was based in Northern

Ireland.

Stakeholder Engagement

- 2.46 We conducted a programme of engagement during the period January to February 2025, speaking with a range of stakeholders including suppliers and business representative organisations.
- 2.47 The aim of this engagement was to gather information from the diverse range of stakeholders, giving them the opportunity to share their experiences. This aimed to achieve a baseline knowledge and understanding of the operations of TPIs in both markets and an awareness of the areas of concern within these.
- 2.48 Notable findings from these engagements are summarised below.

Trading Standards Service (TSS)

- 2.49 TSS operate a business support service, including a telephone helpline for reporting issues/complaints and free and impartial advice to help businesses comply with Trading Standards law. TSS confirmed that it logged no complaints or enquiries over the last five years related to TPIs in relation to mis-selling.

Non-domestic Energy Market Forum

- 2.50 In 2024, UR established a forum to provide a platform for relevant key stakeholders to meet and facilitate discussion on matters relevant to the Northern Ireland non-domestic energy market. The group is made up of designated members of business representative organisations, relevant advice agencies and charities, Consumer Council NI (CCNI) and UR.
- 2.51 TPI activity was an agenda item at our March forum, enabling stakeholders to share their experience, views and relevant information in relation to TPI operations in Northern Ireland.
- 2.52 A summary of the discussion around Retail TPIs is provided below.

Attendees discussed benefits of using TPIs

- Two attendees shared the view that TPIs offer a range of essential services such as support and advice especially for businesses with outstanding bills. Businesses were said to often have positive experiences and recognise the benefits of using TPIs and therefore recommend reputable TPIs to others. Many TPIs in Northern Ireland largely gain clients through such referrals. It was suggested that businesses recognise the value in paying for TPI services, as the potential cost savings and expertise often outweigh the fees.

Attendees discussed concerns on TPI operation

- Concerns were raised around hidden commissions and lack of transparency within the Retail TPI market in Northern Ireland.
- Several attendees shared the view that due to the complex nature of the Northern Ireland energy market, small businesses often prefer using TPIs as they can lack the internal resources or expertise to navigate the market effectively. Larger businesses typically have in-house teams with this knowledge.
- It was suggested that if TPIs are needed to assist consumers because they are unable to understand the market themselves, then there is a deemed failure in terms of market complexity and accessibility.
- It was reported that consumer experiences of TPIs in GB had been very different to the experiences in Northern Ireland. Issues experienced regarding TPIs in GB included poor contracting practices and mis-selling, lack of information transparency (including payments/commissions), inadequate customer service and no access to dispute resolution.
- It was noted that these issues have since been addressed by the introduction of new protections by Ofgem but that there could be potential for similar issues to emerge in Northern Ireland.

2.53 Attendees were unable to provide any information with regard to the operation of Wholesale TPIs.

Supplier information gathering sessions

2.54 We hosted information gathering sessions in February 2025 with suppliers which aimed to facilitate discussion on supplier experiences with TPIs and provide us with further insight into TPI operations in Northern Ireland.

2.55 During these sessions many suppliers shared the view that a much lower percentage of non-domestic consumers in Northern Ireland use TPIs in comparison to GB and that the majority of TPIs are single consultants or small businesses.

2.56 It was acknowledged that there is a particular lack of transparency of commission fees and there was broad support for improvement in this area. It was suggested that while enhanced regulation in the market may be welcomed, it would be preferable that such measures are not difficult for suppliers to implement.

- 2.57 Regarding Wholesale TPIs, no information was available and it was suggested that activity in this area was limited.

Non-domestic Consumer Tracker Survey

- 2.58 We commissioned Perceptive Insight Market Research to carry out a statistically robust and repeatable survey with non-domestic electricity and gas consumers in Northern Ireland. This study is now completed annually (previously biennially) with the aim being to provide data for planning and activity under our Corporate Strategy. One of the sections of the survey includes questions in relation to energy brokers²⁶.
- 2.59 The 2024/2025 survey²⁷ published in July 2025 (referred to as '2025 survey'), found that awareness of brokers had increased since the previous 2022/2023 survey (referred to as '2023 survey'). 30% of respondents reported they had heard of energy brokers in 2025 compared to 17% in 2023. However, the proportion of those who have never used an energy broker had increased slightly from 57% in 2023 to 62% in 2025.
- 2.60 Large businesses were most likely to have heard of brokers compared to small and medium sized businesses (57% of large businesses compared to 29% of small businesses).
- 2.61 The 2025 survey showed that 46% felt that energy brokers would do a better job at comparing energy deals than the business could themselves (down from 56% in 2023). Businesses were now more likely than previous years to disagree that brokers provide independent, unbiased advice, and to state that TPIs would do a better job at comparing energy deals than the business could.
- 2.62 Three quarters (75%) of businesses who were aware of energy brokers confirmed that they were aware they would pay a commission to an energy broker for this service. One quarter of businesses were not aware.
- 2.63 Businesses were asked to what extent they agree or disagree with the statement that "energy is always going to cost more when using a broker since they are ultimately paying for their time". The survey showed that 28% disagreed with this statement (up from 10% in 2023).

Key Findings

- 2.64 Our research highlights several important themes that helps shape both the need for, and the level of, any potential regulatory intervention.

²⁶ The term 'energy broker' was used in the survey as it would be more widely understood than the term 'TPI'.

²⁷ [2025 Non-domestic Consumer Insight Tracker survey](#)

- TPI usage Northern Ireland has increased in recent years but still remains relatively limited.
- A broad range of stakeholders expressed clear concerns about potential risks associated with TPI activity, particularly regarding commission structures, price transparency, and the potential for customer detriment; and
- Despite these concerns, there is limited evidence of widespread issues. This is especially the case regarding Wholesale TPIs, where both market activity and stakeholder awareness appears minimal.

3. Potential Measures for Consultation – Retail Market TPIs

- 3.1 Section A outlines three measures (1–3) that we have explored. These measures address Retail TPI activity between suppliers and non-domestic consumers (as defined in Section 1.11), fall within our current vires, and are presented for stakeholder feedback.
- 3.2 Section B sets out three measures (4 – 6) which we have explored but determined to be unsuitable for implementation in Northern Ireland at present and will therefore not be taking forward.
- 3.3 Wholesale TPIs (as defined in Section 1.12) are considered separately in Section 4.

Section A - Potential measures

- 3.4 This section explores three potential measures in relation to TPIs operating in the non-domestic energy retail market in Northern Ireland and includes a series of consultation questions to gather stakeholder views.
- 3.5 The measures are presented below in increasing order of regulatory impact; from those requiring a 'light-touch' approach to those involving more significant intervention. Stakeholders should also consider the potential for several of these measures to be implemented collectively, as part of a broader package of interventions.

Measure 1: Information and Awareness

- 3.6 It is important that relevant TPI information is readily available to consumers to ensure that they are empowered and have the required market knowledge to make the best choices for their businesses. It is essential that consumers are aware of the role of TPIs, understand the advantages and disadvantages (including the associated costs) and the protections that are available to ensure that TPIs operate in a fair and transparent manner.
- 3.7 This measure would entail establishment of a 'programme of information and awareness' by the UR and/or consumer representative groups. This would include publication of enhanced UR TPI information on our website, aiming to boost consumer awareness and understanding of TPI operations, reminding consumers of their rights and support that is available.
- 3.8 Some examples of TPI information that could be provided to consumers

on the UR website:

- a) An explanation of what TPIs are and how they operate in the market;
- b) How TPIs are paid for their services;
- c) Important questions to ask a TPI before considering using their services;
- d) Relevant consumer protection laws;
- e) Where to go for support (advice agencies); and
- f) FAQs and answers.

- 3.9 This TPI information on the UR website would then be promoted via collaboration with appropriate stakeholders such as suppliers, business and consumer representative organisations, and advice agencies, to ensure that TPI information is provided to relevant consumers and shared widely. The aim of this approach would be to promote transparency by ensuring that key information on TPIs is readily accessible and clearly presented to consumers.
- 3.10 We are keen to gather views on the effectiveness of this measure and how it could be implemented.

Question 2a. Do you think development, publication and promotion of relevant Retail TPI information on the UR's website would be beneficial to consumers? Please provide a clear rationale for your answer.

Question 2b. Do you suggest any alternative/additional methods of sharing this TPI information with non-domestic consumers? If so, please describe.

Measure 2: Enhanced Monitoring and Reporting

- 3.11 In order to gather insight into how the TPI market is developing, how operations may have changed over time and to ensure that consumers are adequately protected we could enhance our monitoring of TPI activity. This measure would be implemented via supplier reporting and a programme of engagement.

Supplier Reporting

- 3.12 This would entail regular information submissions from suppliers to UR and the results being reported, with the aim of monitoring how the TPI market has developed and reporting of any new concerns that are shared by suppliers.

- 3.13 The regular information submission from suppliers would cover areas such as:
- a) Retail TPIs - information on the proportion of their customer base acquired through the TPI channel, the number of TPIs they are working with as well as information on methods of paying Third Party Costs; and
 - b) Wholesale TPIs - information on the proportion of their total demand that has been acquired through the TPI channel, the number of TPIs they are working with as well as information on methods of paying Third Party Costs.

Stakeholder engagement and reporting

- 3.14 This would involve establishment of a framework of engagement with relevant consumer representative organisations and stakeholders in order to monitor and report on TPI activity. This would ensure a structured approach to facilitate interaction, collaboration, and participation.
- 3.15 This would entail new regular engagement sessions to monitor TPI activity and any complaints that may have been received. This would enable us to discuss and further understand any problems that may exist with the aim of developing resolution where possible and within our vires, for example, to consider if regulatory intervention is required.

Question 3a. Would you consider enhanced monitoring and reporting (to include i) regular supplier information submission and ii) a programme of engagement) to be beneficial in ensuring that consumers are adequately protected? Please provide clear rationale for your answer.

Question 3b. Should a regular supplier information submission be voluntary or implemented through a licence requirement?

Question 3c. Can you suggest any alternative methods of monitoring and reporting TPI activity?

Question 3d: Would it be beneficial for the TPI information gathered by UR to be anonymised and published (in addition to being used internally by UR for market monitoring)?

Measure 3: Information on Third Party Costs

- 3.16 Any fee/commissions/other benefits, processed by the supplier and paid to the third party in connection with a supply contract, that are passed on to the customer are referred to as Third Party Costs (as defined in Section 2.19).
- 3.17 Efficient non-domestic markets require contracts to be fair, transparent and clearly understood by consumers empowering them to make the right decisions for their businesses.
- 3.18 A TPI can charge an upfront fee for their service but in most cases, their service fee is paid as part of a customer's energy bill from their supplier, and then later transferred from supplier to the TPI.
- 3.19 This measure would involve publication of Third Party Costs (in an appropriate format such as on consumer bills and/or in Principal Terms²⁸ of the contract or both) in order to increase transparency and knowledge around fees and costs being applied, to empower consumers to compare supplier costs, and to be more aware of any Third Party Costs being added to their energy costs.
- 3.20 We seek to gather further information on how Third Party Costs are applied currently within the Northern Ireland market and to consider how this information could best be communicated to consumers, for them to understand and make comparisons of contract options.
- 3.21 Therefore, consideration should be given to the best publication format and cost structure for Third Party Cost information to be made available to non-domestic consumers; both the format and cost structure are discussed below.

Publication Format

- 3.22 We are seeking views on the format for publication of the Third Party Costs (if the measure should be taken forward) and have described two options below.

i) Publication in a customer's Principal Terms and on request

²⁸ Principal terms are defined in Northern Ireland electricity supply licences as meaning in respect of any Contract or Deemed Contract, the terms and conditions that relate to: (i) the duration of the Contract or Deemed Contract; (ii) the Charges for the Supply of Electricity, including the applicable tariff and the unit rate, expressed in "pence per kWh" of the applicable tariff; (iii) any requirement to pay Charges for the Supply of Electricity through a prepayment meter; (iv) any requirement for a Security Deposit; (v) the termination of the Contract (including any requirement to pay a termination fee) or the circumstances in which the Deemed Contract will terminate, and any other term or condition that may reasonably be considered to significantly affect the evaluation by the consumer of the Contract.

- 3.23 The first option would be publication of Third Party Costs by suppliers, as outlined in the 'Principal Terms' and 'on request'.
- 3.24 Some benefit may exist for consumers obtaining information about Third Party Costs at the point when a business is considering entering into a new contract, where this information can be used to help fully evaluate a purchasing decision.
- 3.25 In addition to this publication on Principal Terms, an individual consumer who wishes to obtain cost information partway through their contract can do so by requesting it from their supplier (on request).

ii) **Publication on a customer's bill**

- 3.26 This option would involve publication of Third Party Costs on customer bills.
- 3.27 We consulted on this measure in 2018²⁹ and the subsequent decision paper³⁰ noted that we would not proceed with the implementation of an obligation on suppliers to publish TPI commission on customer bills, but we would endeavour to review our position at a later stage in order to determine whether the TPI market has changed significantly.
- 3.28 We are aware that if suppliers were to publish TPI commissions on customer bills, it would likely require some amendments to the billing processes for those customers using TPIs. There may therefore be additional changes required to wider supplier systems and processes. We are keen to gather views from suppliers on these implications or suitable alternatives; for example, information that could be included within the bill.
- 3.29 Particularly in relation to variable/pass through contracts, we consider that there may be benefit in consumers being prompted on every bill and reminded of the amount that is being paid to a third party as they would then have the information they need to switch. If the cost is not on the bill, a consumer may be less likely to have the time and ability to reach out and request this information from their supplier (on request). This measure would be more effective if Third Party Costs were published, providing consumers with the ability to compare deals transparently.
- 3.30 We are also keen to gather views on what would be considered the best publication format (such as on a customer's Principal Terms/on request/on a customer's bill) if this measure were to be implemented.

Publication Cost Structure

- 3.31 There are a range of different charging methods used by TPIs when charging for their services such as an upfront fee or most frequently, a charge built in as part of a customer's energy bill from their supplier.
- 3.32 Within an energy supply contract, TPI service fees can be applied to the unit price, the standing charge, or both, although it is generally more common for it to be applied to the unit price only.
- 3.33 One cost structure option would be a uniform approach where brokerage costs would need to be displayed as a total annual cost in pounds/pence (lump sum), covering the duration of the contract.
- 3.34 Another option would be presented as a cost per unit, where it forms part of the unit price of energy, or a cost per day where it forms part of a daily standing charge.
- 3.35 A third option is a combined approach (both lump sum and cost per unit). Currently in GB for Micro Business Consumers, in addition to presenting the costs on a per unit basis, the costs are also displayed as a lump sum as it is considered that this may be easier for this cohort of consumers to comprehend.
- 3.36 We are keen to understand how Third Party Costs are applied currently in Northern Ireland and the format in which this information can best be presented transparently to consumers, in one of the publication formats outlined in the previous section.

Question 4a. Are you of the view that TPI commissions being published would increase levels of transparency and benefit consumers? Please provide clear rationale for your answer.

Question 4b. Which publication format should be used for Third Party Costs: i) consumer bills and on request, ii) a customer's Principal Terms and upon request iii) both i and ii or iv) another publication? Please provide information to support your answer.

Question 4c. Which publication cost structure would be most beneficial to consumers: i) a lump sum for contract duration ii) a cost per unit iii) combined approach (both i&ii) iv) other? Please provide information to support your answer.

Question 4d. What changes to billing systems—or wider systems and processes— would be required in order to enable the publication of TPI commissions on a customer's bill? Do respondents have any view of the difficulty and cost of these changes?

- 3.37 In addition to the three measures that we have consulted on above, measures 4 – 6 below explore alternative approaches that we have considered but determined to be unsuitable for implementation in Northern Ireland at this stage. This determination may be due to limitations in our vires, constraints within the existing market framework, or a view that the measure would not constitute a proportionate initial response (that is, alternative less interventionist measures should be considered and their implementation monitored first).
- 3.38 The three additional measures are presented below followed by ‘UR Comment’ providing a view on each. Subsequently, we pose questions to allow us to gather views on the exclusion of such measures and to aid us in identifying if there are any alternative measures that should be considered.

Measure 4: Code of Practice

(i) Voluntary CoP

- 3.39 Voluntary schemes such as CoPs are reported in other jurisdictions to have made some valuable contributions to enhancing consumer protection and promoting best practice in the absence of regulatory intervention. However, as participation in these schemes is voluntary, market-wide coverage and consistent protections for all consumers cannot be guaranteed. The lack of our ability to monitor and enforce may limit the effectiveness of these voluntary initiatives.
- 3.40 This measure would involve the introduction of a voluntary CoP for Retail TPIs to ensure common standards and best practices for accredited members³¹ who have voluntarily agreed to adhere to these specified requirements.
- 3.41 This measure would be a form of industry self-regulation. A code could address themes such as:
- a) fair and honest marketing and selling;
 - b) clear offers that are understood by business customers; and
 - c) transparency of commissions.
- 3.42 Such a measure could include:
- a) a code that would be a guide for TPIs which would not be enforceable or require TPIs to be accredited to it; or

³¹ TPIs that have formally agreed to adhere to the principles and standards set out in the voluntary CoP.

- b) a code that TPIs can voluntarily sign up to, but which would require a body responsible for accreditation and monitoring of the TPIs who have chosen to opt in.

UR Comment: We do not currently consider this measure suitable for implementation in Northern Ireland as there is (a) no existing TPI trade association in Northern Ireland and (b) the UR itself does not have the powers to introduce such a Code or scheme for TPIs, even a voluntary one (as it does not have the vires to do so).

(ii) Mandatory CoP

- 3.43 We first consulted on the measure of seeking to regulate TPI activity in the Northern Ireland energy market via energy suppliers in our 2018 position paper. This measure considered implementation of a new licence condition to obligate energy suppliers to have in place arrangements to ensure a reasonable level of customer protection regarding TPI activity via monitoring and governance of those TPIs the supplier has contracted with.
- 3.44 We decided not to proceed with implementation of a mandatory CoP via any route as there is no legislation in Northern Ireland that allows us to have direct authority over TPIs in the energy market. Currently, we do not have the direct remit to regulate these third party bodies and as such cannot enforce measures (e.g. a CoP) onto them.
- 3.45 Since our 2018 review there has been no legislative change and therefore direct TPI regulation remains ultra vires (and we are not seeking views on this).

UR Comment: We do not currently consider this measure suitable for implementation in Northern Ireland as there is neither a current CoP nor a specific accreditation scheme which the UR would be able to refer to. Nor does it have the powers to introduce such a Code or scheme for TPIs – as it does not have the vires to do so.

Measure 5: Alternative Dispute Resolution (ADR) scheme

- 3.46 A robust dispute resolution process provides a structured process to address disagreements between brokers and consumers, and a more collaborative approach to conflict management. It can enhance fairness and trust by providing a mechanism for consumers to resolve disputes with brokers outside of court.
- 3.47 This measure involves the introduction of a supply licence condition to

require suppliers to only work with brokers that have signed up to an ADR scheme.

- 3.48 This would enable small business consumers to raise a complaint to the ADR provider if they cannot resolve a dispute with their broker directly.
- 3.49 Similar to Ofgem, we would not have formal powers to certify QDSS (as defined in Section 2.11) or to appoint a TPI dispute settlement provider(s). Ofgem does not approve any ADR provider but have issued the QDSS guidance³² and if an ADR provider self certifies that they adhere to QDSS then brokers are free to use them.
- 3.50 In GB, the Energy Ombudsman has been the sole provider of ADR in the energy sector since 2007³³ and as such were approached by Ofgem to assist with development of the proposal, including running of a pilot programme.
- 3.51 In contrast to the rest of the UK, Northern Ireland currently has no independent dispute resolution service, such as the Energy Ombudsman, to handle unresolved disputes between energy suppliers and both domestic and non-domestic consumers.
- 3.52 Currently, CCNI is the statutory body responsible for consumer complaints in Northern Ireland; however, it has no dispute resolution or redress roles. The UR has limited quasi-judicial powers in relation to a narrow set of dispute areas; however, this is not an adequate substitute for a comprehensive, independent complaints resolution framework with financial redress, such as provided by the Energy Ombudsman in GB.

UR Comment: We do not currently consider this measure suitable for implementation in Northern Ireland as there is no appointed ADR in the Northern Ireland energy sector.

Measure 6: General Authorisation Regime

- 3.53 Under a General Authorisation Regime (such as the one described in Section 2.28), TPIs could carry out their activity as long as they met a set of conditions. This approach would entail a regulatory framework that would

³² [Decision on Guidance for Third Party Intermediary Alternative Dispute Resolution scheme criteria](#)

³³ Ofgem have appointed The Ombudsman Service (Ombudsman Services) as the alternative dispute resolution (ADR) body for the energy sector under the Alternative Dispute Resolution for Consumer Disputes Regulations 2015. They are appointed in line with The Consumers, Estate Agents and Redress Act 2007. Ofgem are designated the relevant regulator for Energy under this act and as such have appointed the Energy Ombudsman and continue to monitor their performance as defined under the act.

allow entities to provide services to operate in a certain market without the need for specific, individual licences.

- 3.54 Government would be required to deliver legislation and a regulator would oversee the regime, enforcement activities could be carried out by the regulator if it was identified that the TPI is not abiding by the conditions.
- 3.55 At present, this measure cannot be considered in Northern Ireland due to the limitation of UR vires.

UR Comment: We do not currently consider this measure suitable for implementation in Northern Ireland as it would require new legislation and would not be appropriate or proportionate initial response.

Question 5a. Do you agree with the exclusion of the potential measures (4-6) for the reasons described above? If not, please provide reasoning.

Question 5b. Are there any alternative measures, not discussed that you think should be considered? If so, please provide a description.

Overview

- 3.56 We have outlined six measures above and have indicated that three of these should not be considered further at this stage due to limitations in our vires, constraints within the existing market framework, or a view that the measure would not constitute a proportionate initial response.
- 3.57 We request feedback on the exclusion of the three potential measures (4-6) and if there are any alternative measures, not discussed that you think should be considered.
- 3.58 As the market continues to develop we will keep the relevance of excluded measures under review.
- 3.59 We are seeking feedback from respondents on the potential measures as summarised in the table. The questions posed on each measure can be found in Annex 1 which provides an overview of all consultation questions.

Table 2: Summary of Potential Measures Retail TPIs

Ref	Measure	Further Consideration
1	Information and Awareness	✓
2	Enhanced Monitoring and Reporting	✓
3(i)	Third Party Costs - Publication in a customer's Principal Terms and on request	✓
3(ii)	Third Party Costs- Publication on a customer's bill	✓
4(i)	Code of Practice- Voluntary	✗
4(ii)	Code of Practice- Mandatory	✗
5	Alternative Dispute Resolution (ADR) scheme	✗
6	General Authorisation Regime	✗

4. Consultation – Wholesale TPIs

- 4.1 This section explores Wholesale TPIs as defined in Section 1.12.
- 4.2 UR's legal authority regarding TPIs is consistent across both the retail and wholesale energy markets, as the regulatory framework is the same in each instance.
- 4.3 Therefore, UR does not have any express power to regulate TPIs or mandate the practice of TPIs. Nor has the UR (unlike Ofgem) been granted any general powers under Regulation 13 of the BPMMRs 2008 to take action against entities that market energy products and services to businesses in a misleading manner.
- 4.4 As this is a new area of research, we have initiated information gathering via our information request to suppliers (Section 2.34) and our Programme of Engagement (Section 2.46). However, limited information on Wholesale TPIs was provided through both the information request and the Programme of Engagement, indicating activity here is likely minimal.
- 4.5 Some areas of concern were highlighted anecdotally, which were similar to those found in the retail market, such as a lack of transparency in relation to commission being paid to the TPI. We are also aware of issues experienced by some small-scale generators in relation to the commercial contracts entered into with a TPI.
- 4.6 However, TPI operation in this area appears to be sparse currently within Northern Ireland, few suppliers said that they engage in this type of contract and that it accounts for only a small amount of consumption.
- 4.7 There is limited information on how this type of contract operates, and neighbouring jurisdictions have not to date published any relevant information on Wholesale TPI operation.
- 4.8 We acknowledge that there may be similarities between Retail and Wholesale TPI operations such as similar concerns with regard to transparency of commissions. Therefore, there is potential for similar measures and protections to be considered in both markets.
- 4.9 However, there are also significant differences and since this is a new area of investigation, we are keen firstly to fully understand concerns that may exist in Wholesale TPI operations and to determine if any regulatory intervention is required at all, prior to further considering development of measures to address such concerns.
- 4.10 Therefore, four questions are posed below to allow us to gather further

information on Wholesale TPI operations within Northern Ireland.

Question 6. Are you aware of any issues/concerns impacting micro/small scale generators through their arrangements with TPIs? If yes, please specify.

Question 7. Do micro/small scale generators require regulatory protection when engaging with TPIs in the energy market in Northern Ireland? Please provide any information to support your answer.

Question 8. If you answered yes to Q7, what regulatory protections do you feel would benefit micro/small scale generators in Northern Ireland? Please provide examples to support your answer where necessary.

Question 9. Do you think that any of the potential measures outlined in Section 3 in relation to Retail TPIs could or should be considered for application to Wholesale TPI operations? Please provide any information to support your answer.

5. Responding to this consultation

- 5.1 In this section we provide information on how to respond to the consultation as well as next steps.

How to Respond

- 5.2 We are keen to receive stakeholder views on the questions posed within this paper and would welcome your views on anything else that you consider relevant to this project.
- 5.3 We welcome comments from all stakeholders on these proposals by 5pm on 6th November 2025.
- 5.4 Responses to this consultation should be forwarded to:

Non-domestic Consumer Protection Team
Utility Regulator
First Floor- Millennium House
Great Victoria Street
Belfast
BT2 7BN
Email: NonDomesticConsumers@uregni.gov.uk

- 5.5 As a public body and non-ministerial government department, UR is required to comply with the Freedom of Information Act (FOIA). The effect of FOIA may be that certain recorded information contained in consultation responses is required to be put into the public domain. Hence it is now possible that all responses made to consultations will be discoverable under FOIA, even if respondents ask us to treat responses as confidential. It is therefore important that respondents take account of this, in particular, if asking the Authority to treat responses as confidential, should specify why they consider the information in question should be treated as such.
- 5.6 This paper is available in alternative formats such as audio, Braille etc. If an alternative format is required, please contact UR, and we will be happy to assist.

Next Steps

- 5.7 Following closure of the consultation period, all consultation responses that have been received will be analysed and based on that information we will then determine the appropriate next steps. We plan to notify stakeholders of our next steps via publication of a decision paper in Q1 2026.
- 5.8 Should the outcomes of this project conclude that any proposed

measures within this consultation are required, any new and/or amended licence conditions (including new and/or amended Codes of Practice) will require a 28-day statutory consultation. We will publish the statutory consultation notice on the proposed licence condition(s) when publishing our final decision paper on the mandatory regulatory requirements.

- 5.9 If the outcomes of this project should conclude that guidance documents are required, additional information would be published in the decision. A guidance document could provide further explanation of the expectations which underpin the regulatory framework.
- 5.10 Further details on the implementation timelines and monitoring of compliance with any new/amended licence conditions and any new/amended Codes of Practice, will be included in the final decision paper.

Annex 1: Summary of Consultation Questions

Question 1. Do you agree with our proposed strategic aim, objectives and scope in relation to this TPI project? If no, please provide reasoning.

Question 2a. Do you think development, publication and promotion of relevant Retail TPI information on the UR's website would be beneficial to consumers? Please provide a clear rationale for your answer.

Question 2b. Do you suggest any alternative/additional methods of sharing this TPI information with non-domestic consumers? If so, please describe.

Question 3a. Would you consider enhanced monitoring and reporting (to include i) regular supplier information submission and ii) a programme of engagement) to be beneficial in ensuring that consumers are adequately protected? Please provide clear rationale for your answer.

Question 3b. Should a regular supplier information submission be voluntary or implemented through a licence requirement?

Question 3c. Can you suggest any alternative methods of monitoring and reporting TPI activity?

Question 3d. Would it be beneficial for the TPI information gathered by UR to be anonymised and published (in addition to being used internally by UR for market monitoring)?

Question 4a. Are you of the view that TPI commissions being published would increase levels of transparency and benefit consumers? Please provide clear rationale for your answer.

Question 4b. Which publication format should be used for Third Party Costs: i) consumer bills and on request, ii) a customer's Principal Terms and upon request iii) both i and ii or iv) another publication? Please provide information to support your answer.

Question 4c. Which publication cost structure would be most beneficial to consumers: i) a lump sum for contract duration ii) a cost per unit iii) combined approach (both i&ii) iv) other? Please provide information to support your answer.

Question 4d. What changes to billing systems—or wider systems and processes - would be required in order to enable the publication of TPI commissions on a customer's bill? Do respondents have any view of the difficulty and cost of these changes?

Question 5a. Do you agree with the exclusion of the potential measures (4-6) for the reasons described above? If not, please provide reasoning.

Question 5b. Are there any alternative measures, not discussed that you think should be considered? If so, please provide a description.

Question 6. Are you aware of any issues/concerns impacting micro/small scale generators through their arrangements with TPIs? If yes, please specify.

Question 7. Do micro/small scale generators require regulatory protection when engaging with TPIs in the energy market in Northern Ireland? Please provide any information to support your answer.

Question 8. If you answered yes to Q7, what regulatory protections do you feel would benefit micro/small generators in Northern Ireland? Please provide examples to support your answer where necessary.

Question 9. Do you think that any of the potential measures outlined in Section 3 in relation to Retail TPIs could or should be considered for application to Wholesale TPI operations? Please provide any information to support your answer.

Glossary

Term	Description
BPMMRs	Business Protection from Misleading Marketing Regulations
CCNI	Consumer Council Northern Ireland
CfE	Call for Evidence
CfI	Call for Input
CoP	Code of Practice
CRU	The Commission for Regulation of Utilities
DESNZ	Department for Energy Security and Net Zero
DRO	Dispute Resolution Ombudsman
FAQs	Frequently Asked Questions
FOIA	Freedom of Information Act
GB	Great Britain
NIEN	Northern Ireland Electricity Networks
PPA	Power Purchase Agreement
QDSS	Qualifying Dispute Settlement Scheme
REC	Retail Energy Code
RECCo	Retail Energy Code Company
RoI	Republic of Ireland
TSS	Trading Standards Service
TPI	Third Party Intermediary
UIA	The Utilities Intermediaries Association
UR	The Utility Regulator