



T: 02871878545

F: 02871878745

M: 07810 837378

E: garethstrain@p2bgroup.com

Non-domestic Consumer Protection Team
Utility Regulator
First Floor – Millennium House
Great Victoria Street
Belfast
BT2 7BN

RE: THIRD PARTY INTERMEDIARIES IN THE ENERGY MARKET Consultation Paper 14th August 2025

Power 2 Business Ltd (The P2B Group) are Energy Procurement Consultants who act on behalf of our commercial clients in Ireland by group tendering on their behalf for their electricity and gas supplies and reviewing suppliers offers.

We welcome the opportunity to respond to UREGNI's consultation Paper on Third Party Intermediaries in the Energy Market

Whilst The P2B Group can be categorised as a TPI we are energy procurement consultants acting on our client's behalf by way of tender negotiation, contract placement and account management with the chosen supplier and in effect are an extension of our clients by becoming a full outsource of their energy procurement function. For further information on The P2B Group please visit our website at www.p2bgroup.com

Prior to response to the questions posed within the paper we would bring forward views to be considered alongside our direct response to each question.

We welcome the recognition of UREGNI that "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." However this does not go far enough to encapsulate the full role of the P2B Group who perform a much greater function to our clients than merely helping to negotiate contracts. Most consultants come from a background of being employed by a supplier in a direct role gaining a deep understanding of the market and through interfaces with customers believe they can provide a better service to them without having a conflict of interest in representing a single supplier only. Price is generally the primary focus for the P2B Group when acting on behalf of a client and having access to a wide range of products allows ourselves to have a greater chance of securing the best rate and being able to compare and present supplier products and offerings on a like for like basis. When working closely with a



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client an understanding of their needs develops so when recommending and advising contracts the P2B Group will consider all aspects of supply including, but not limited to, the customer service of suppliers and the type of contract recommended. Bill validation is also a function provided to our clients as part of our overall energy procurement service which is a function that saves clients from overcharges (which is common) that likely could be undiscoverable without having an expert knowledge of supplier bills that TPI's can bring.

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

Whilst we agree that both non-domestic consumers and micro/small scale generators engaging with TPI's are adequately informed and protected the opening word of the strategic aim is to "Ensure" which we feel is a leading word as it implies at an early outset that there is a gap between what a consumer currently understands of TPI's (in terms of being informed and protected) and at the end of this consultation and further work needed as a result of it. The evidence of this gap we do not feel is present based on information at hand.

If we consider the findings of the review of Non-Domestic Consumer Insight tracker of July 2025 it shows that more than half of customers for electricity and gas report some or good knowledge of offers provided by their suppliers and find it easy to compare deals and three quarters state they were completely aware that their business can choose between multiple energy suppliers. The proportion of businesses who reported using the consumer council energy price comparison tool doubled to a fifth in 2 years. The awareness of brokers doubled in the same time. There are extremely low levels of selling / marketing complaints in the I&C sector demonstrating customers have a good grasp and understanding of the offers made that they are not feeling they need to complain with how they were acquired as customers. Therefore this shows a market that is performing in an effective and competitive nature so any introduction or new rules or regulations can have the potential to upset the current state.

From what can be garnered of the stakeholder engagement programme in Jan/Feb 25 the overall view of TPI's is extremely positive and was suggested that businesses recognise the value in paying for TPI services, as the potential cost savings and expertise often outweigh the fees with several attendees sharing 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



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resources or expertise to navigate the market effectively. Larger businesses typically have in-house teams with this knowledge. Indeed Trading standards Service, where consumers would currently be able to bring complaints to of any accusations of poor selling practices, stated they have not received any complaints or enquiries over the last five years related to TPIs in relation to mis-selling. We cannot see from the findings of the stakeholder engagement programme in Jan/Feb 25 where there was TPI engagement in this process and would consider that a failing of the process. TPI engagement should be encouraged in a manner where the resources needed by them are not too great as to not engage as there is great time and resources needed for submissions such as this and previous. P2B Group are privileged to be in a position to dedicate time to submissions as being one of the first TPI's in Ireland have built up a large client base meaning there are no immediate financial pressures to taking time out to submit.

It can be seen on retail TPI findings that there were only 7.5% of micro businesses acquired through TPI's which was a drop of 1.2% on previous figures however those consumers of whom are classed as non-microbusiness show almost 25% of contracts placed via a TPI which was approx. a 20% increase on previous figures. Non microbusiness are seen to be more astute with regards to contracts and terms and conditions so to have such a large trust in TPI's in this cohort is very much supportive of positive outcomes being seen using a TPI so any new rules need careful consideration at this stage so as not to harm our ability to perform our role and we would disagree in moving straight to a minded to position or indeed implementation.

Almost half of I&C customers have never switched supplier indicating the incumbent suppliers retain a large market share and TPI's could help bridge that gap of uncertainty with customers as we could be considered more unbiased. Naturally consultants could be viewed by certain suppliers (and their employees) as a risk to market share and job security and as such their views on any regulation could be viewed through a prism. It is our view that concerns or negative comments on TPI's have come from a small selection of suppliers which again can be seen from stakeholder engagement programme in Jan/Feb 25. This is not to have the same view with all suppliers and indeed many suppliers have supported and see the benefits of TPI's both to the consumer and to them as a supplier which is especially the case with smaller suppliers whom have lower market share who want to grow through acquisition.

A supplier has stated in a previous consultation that TPI's operate under the radar and little evidence of commission agreed with the customer but for a TPI to be harmful to consumers suppliers would need to be implicit in the setting up of the contract also and we do not see any



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evidence of suppliers doing this in Ireland as we would have to show our customer contracts (commonly known as LOA) to suppliers showing they detail the level of commission payable. A supplier has noted in the past on a submission that TPI's are making more than suppliers without the risk but there is no way of knowing this as suppliers are not obligated to disclose their earnings either on a supply contract or at the wholesale purchasing side of energy procurement. Indeed we have recent experience of requesting transparency of charges for multiple customers through our bill validation process on a variable / market tracker contract with a particular supplier whom refused to provide transparent figures to show how a customer's charges on their bill were calculated but the same supplier have made submissions in the past requesting transparency of TPI commissions which shows an inconsistent system of values within this supplier.

In our opinion it is too early to consider regulatory policy changes and their implications without fully exercising the inform, identify, and consider stage.

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.*

Yes we would agree that this would be beneficial to consumers if carried out in a positive way with TPI engagement along with other stakeholders as it could help promote the use of the TPI channel in the market as a whole to a wider audience. P2B are concerned of the current framing of the TPI function though with use of terminology as provided in this paper with reference to "understand the advantage and disadvantage (including associated costs)" This immediately implies there is a cost to dealing with a TPI and could read in a more balanced manner as follows: understand the advantage (including cost savings) and disadvantage (including associated costs).

With regard to how examples of TPI information could be provided to consumers on the UR website a clear distinction of the different type of TPI's would need to be made to aid consumers understanding and how TPI's are paid for their service and what a consumer can expect in return. The P2B Group agree of listing important questions to ask a TPI before considering using their services and any relevant consumer protection laws and where to go for support (advice agencies).



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The P2B Group would agree with TPI information being made available on the UR website along with their contact details in the same manner as currently with suppliers (<https://www.uregni.gov.uk/business-supplier-contact-information>) and to 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 in a fair and consistent manner.

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

None other than recommendations made by UREGNI and the P2B Group in response to question 2a

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.*

The view of the P2B Group is any enhanced monitoring and reporting with suppliers needs to be in a subjective manner with consultations on the subjective information being sought prior to any measures introduced to ensure what is being measured is beneficial to all stakeholders for any future decision making

With regards to a programme of engagement this is very welcome but again needs to be all stakeholders, including TPI's, so as to have a balanced view on whether consumers are being adequately protected if any changes are brought about due to this and any future consultations.

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

Voluntarily runs the risk of suppliers only submitting information they would like considered as



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evidence so any information submissions need to be in an subjective format developed after careful consideration of a consultation of all stakeholders that all suppliers must provide.

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

The Non-domestic Consumer Tracker Survey has the potential to further inform and we are pleased that the most recent survey published in July 25 highlighted that 30% of respondents have heard of brokers with 57% in the larger consumer cohort and 46% of respondents feeling that brokers would do a better job at comparing energy deals than themselves. It is important to note the findings that “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 which clearly shows the there is a clear knowledge and that commissions or entitlement to remuneration are not being hidden by brokers and despite any concerns expressed, there is no evidence of widespread issues.

We shall discuss in further detail as part of question 5a the possibility of the General Consumer council to act as stand in until a more formalised Alternative Dispute Resolution (ADR) scheme is introduced. This will allow complaints or issues (if any) that are brought to their attention where TPI’s are involved could then be measured and provided in a subjective manner for consideration in any future consultations.

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)?*

The P2B Group feel this would be beneficial but only where TPI information is gathered on a subjective basis through a consultation process of what is to be measured and by which stakeholders.

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.*



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The publication method is the key to answering this question which will be discussed further in question 4b.

The P2B Group are transparent on our commissions and verbally explain this to our clients at the outset as well as having mutually signed contracts that detail this commission before both parties agree to form a relationship. These contracts are covered under NI law and state same. As with many commercial businesses The P2B Group consider the time and energy investment required to work with any potential client at the outset and at contract renewal stage.

The position paper of 3rd July 2025 Advice NI suggested non-domestic consumers can lack the time and resources to contact multiple suppliers in search of the best deals. It therefore suggested that suppliers should have tariffs advertised clearly on their own websites and include details on CCNI's price comparison tool as this will create "healthy competition" and allow consumers to make "informed decisions". The same position paper of 3rd July 2025 has mandated suppliers to have a licence requirement "to provide transparent price information (which includes standing charges, unit rates and all other associated charges per electricity meter and gas meter) for Small Business Consumers on their website" therefore any consumer who wishes to consider if they are getting value for money in dealing with a TPI can see what suppliers are charging through various mediums if they so wish.

The paper also acknowledges that contracts can be negotiated individually but is highly dependant on the consumers ability, time and knowledge to do so.

The P2B Group at this stage would also like to point out what it feels is an unfair use of the word "added" in section 3.19 of this paper and feel the use of the word "included" would be more suitable as the word "added" has the potential to lead to a conclusion for a consumer that engaging a TPI will be an added cost whereas one of the reasons why there is a rise in TPI activity is the benefit of savings they bring to consumers.

The P2B Group are also confused as to the statement on the paper "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". This statement implies that there is a cost added to a consumers contract / bill after signing a new contract to which they are not aware which to our knowledge we have never seen happening in the market nor seen referenced in any previous consultations or positional papers as being feedback by any stakeholder.



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Furthermore The P2B Group would like clarity on the statement of the paper with reference to publication on customers' bills: "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." This statement in our view has the potential to cause confusion to bill holders as it has caused confusion to ourselves, is the meaning of this in reference to third party costs such as the network operator and government levies or in relation to the supplier margin or in relation to consultants / brokers? In any case it implies that after viewing this information a bill payer could after consideration conclude to "switch" if they can source a better deal but this may not be possible due to the presence of a contract being in place.

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.*

The P2B Group support the inclusion of our commissions on the principle terms of any supply contract entered which is already the case with some suppliers. This is no different, nor should it be any different, to references currently made on supplier contracts to any third party costs such as pass through charges and government levies and we recommend this is detailed on the same terms so as to not bring an unfair spotlight onto only one third party that makes up the overall cost of a consumer bill.

Whilst we are not entirely against having the information present on consumer bills there are various measures that would need to be taken so as not to mislead or confuse and the findings of the review of Non-Domestic Consumer Insight tracker of July 2025 concluded businesses are not as engaged with correspondence from suppliers

As UREGNI have previously commented "several respondents also commented, if the UR were to mandate the publication of TPI commissions in the interest of transparency, then the same



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consideration ought to be given to supplier margins. Whilst customers are likely aware suppliers make a margin on their contract, we accept that highlighting the TPIs commission and not the supplier's margin has the potential to inadvertently cultivate a negative perception of TPIs. It also does not seem to be a balanced approach or applying the same logic regarding transparency to the supply contract as is being applied to the broker contract, The aim of this measure would be to increase transparency around what customers are paying for their energy. However, we acknowledge the comment from one respondent that TPIs offer range of different services and service levels. Therefore, a standard "pence per kWh Commission" bill component may not necessarily reflect the services received"

In conclusion to this question The P2B group recommend the inclusion of TPI's commission on the principle terms of contract and should also be detailed on any contract to act on a clients behalf / Letter of authority which would also be low cost and easily introduced. We would object if the TPI's commission is the only item listed as a third party cost on a consumer bill as it brings an unfair spotlight on one small portion of a much larger bill.

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.*

Currently The P2B Group contract to provide services to our clients on a cost per unit of electricity consumed and this is clear and transparent to our clients. Suppliers only pay agreed commission on customer paid for consumption and given the drive for energy efficiency and renewable replacing import electricity any lump sum figure has the potential to be erroneous and potentially overinflate what would actually be paid in the term of the contract thereby giving rise to a consumer to have based any decision on incorrect information at the outset.

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?*

The P2B Group would not be in a position to answer this question.



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

No The P2B Group do not agree with the exclusions of these measures and believe the correct approach should be what is ultimately the best end result solution for consumers and all stakeholders and not just what is currently within the vires of the UR. Our belief is that some of the measures 4i on a voluntary COP similar to The Retail Energy code company (RECCo) can be explored in consultation with UREGNI, any potential TPI trade association for NI and other stakeholders in the first instance during 2026. It's effectiveness in providing further confidence in the TPI sector could be measured in future consumer insight tracking.

In relation to measure 4ii where there would be a mandatory COP Ofgem have recently noted that there may be, on the face of it, a breach of the Chapter I Prohibition in the Competition Act 1998. This is because, when competitors in the market pre-determine who they will do business with, it can amount to what is called a "horizontal boycott" (where competitors at the same level in the market agree to refuse to deal with a third party), which is prohibited by the Competition Act.

The P2B Group also consider that measure 5 has merit to further enhance consumer confidence in the TPI sector and similar to Ofgem approaching the Energy Ombudsman in GB we would hope that UREGNI could approach the General Consumer Council to act as a stand in for dispute resolution where TPI's are involved. Whilst the General consumer council currently have no powers over suppliers or TPI's they do have significant influence when a complaint is brought to them about supplier practices and are able to bear weight on the supplier to bring to an acceptable conclusion for the consumer. A further benefit is the possibility then to measure in a subjective manner complaints (if any) that are brought to them by consumers with TPI's.

Given the recent publication by the UK Government of 23rd October 2025 it would seem that there will be direct regulation of the TPI market in GB with Ofgem being mandated to carry out the function. It would seem short sighted to move forward with any proposal here in this paper in Northern Ireland without first considering the end result of the GB model once it has been set in place to see if asymmetries are desired. The initial information from the consultation outcome in GB does support a position of consumers being aware of TPI commissions before



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signing any agreement with the TPI or on customer contracts so does support in principle parts of the measures presented here.

(<https://www.gov.uk/government/consultations/regulating-third-party-intermediaries-tpis-in-the-retail-energy-market/outcome/regulating-third-party-intermediaries-tpis-in-the-retail-energy-market-government-response-accessible-webpage>)

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

A measure of maintaining the status quo was not presented in this consultation which we believe it should have. In our opinion the lack of subjective information presented to date detailing any harm being caused to consumers by involvement of TPI's acting on their behalf in the retail market in Northern Ireland does not allow stakeholders to make a fully informed decision as to any future measures presented here and their implications of how they would impact competition in the market. Particularly given the most recent publication by the Government of 23rd October 2025 this would further support maintaining the status quo to see the impact of this measure on consumers.

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

The P2B Group are not aware of any but would comment if the role of a TPI could support an important function to micro/small scale generators then this should be encouraged and supported and would encourage UREGNI to not place barriers to entry through unnecessary regulation

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.*

The P2B Group would comment if the role of a TPI could support an important function to micro/small scale generators then this should be encouraged and supported and would encourage UREGNI to not place barriers to entry through unnecessary regulation



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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.*

N/A

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.*

The P2B Group would comment if the role of a TPI could support an important function to micro/small scale generators then this should be encouraged and supported and would encourage UREGNI to not place barriers to entry through unnecessary regulation

Thank you again for the opportunity to respond to UREGNI's consultation Paper on Third Party Intermediaries in the Energy Market and we look forward to future engagement with the UREGNI on this matter into the future

Kindest Regards,

Gareth Strain

Managing Director