

Non-domestic Consumer Protection Team
Utility Regulator
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5th November 2025

To whom it may concern,

firmus energy welcomes the opportunity to respond to the Consultation Paper, 14 August 2025, on Third Party Intermediaries (TPI's) in the Energy Market.

As a gas supplier to non-domestic consumers across all 3 network areas in Northern Ireland, we have provided our response to the questions posed on this market sector and not that of micro/small scale generators.

Q1. Do you agree with our proposed strategic aim, objectives and scope in relation to this TPI project?

firmus energy agrees with both the strategic aim of ensuring non-domestic customers who engage with a TPI are adequately informed and protected, and the scope and definition of Retail TPI (TPI). We are broadly supportive of the objectives, however, question the benefits of methods outlined in protecting customers and would consider a number of the measures identified would be associated directly with the TPI and not the supplier.

Q2a. Do you think development, publication and promotion of relevant Retail TPI information on the UR's website would be beneficial to consumers?

We believe the provision of information to any class of consumer that provides clarity and assists with making an informed choice regarding their energy provider and tariff/cost of energy is beneficial. As non-domestic consumers in the NI Energy Market use TPI's to meet the energy needs of their business, albeit for limited numbers of consumers, provision of information may assist in highlighting services that can be provided which a consumer may wish to consider. We are supportive of the suggested information that could be provided on the UR website to include an explanation of the role of TPI's, how they operate, how they are paid, important questions to ask, relevant consumer protection laws and advice agencies.

We would suggest that in addition, this information could highlight the services provided by a TPI can vary and include more than obtaining an energy tariff or contract and that a consumer should speak directly with the TPI for full details of what they are offering.

Q3a. Would you consider enhanced monitoring and reporting (to include 1. Regular supplier information submission and 2. a programme of engagement) to be beneficial in ensuring that consumers are adequately protected?

As a gas supplier, firmus energy has a range of measures in place to protect non-domestic consumers and we are supportive of this extending to other parties operating in the energy market, such as TPI's. As outlined in the consultation paper (2.37), the change of customer engagement of TPI's is low and has seen a marginal increase of 1.2% over a period of 7 years. Alongside an overall low engagement rate of 9.3% in comparison to GB, in which levels of 60% of large and 25% of small non-domestic employ the expertise of brokers. Areas that have seen the largest increases in engagement are in the higher consuming consumption bands and we believe there is a strong correlation between the sophistication of an entity and its consumption of energy. Based on these points we are unclear how the provision of information from the supplier regarding a third party can provide protection for the consumer.

Q3b. Should a regular supplier information submission be voluntary or implemented through a licence requirement.

A supplier's licence already permits the provision of information to the Utility Regulator. As with our response to Q3a, we do not believe that a supplier providing information on TPI's would deliver the aim identified to adequately inform and protect. We would propose that such information requests should be directed to the TPI's who could outline the services that are offered, what they can provide to the consumer, pricing transparency, levels of customer service provided, complaints etc. Viewing TPI's through the lens of the supplier is limiting, covering a limited scope to what can be a multi faceted service that is provided.

Q3c. Can you suggest any alternative methods of monitoring and reporting TPI activity?

We would suggest that the monitoring and reporting of TPI activities is carried out directly with the TPI's. We are appreciative of the restraints currently in place within Northern Ireland that make this difficult to implement. We note the recent intention to regulate TPI's in the UK to address the risk of TPI activity for some market participants, improve customer experience and give the customer confidence in their choice.

Question 3d. Would it be beneficial for the TPI information gathered by the UR to be anonymised and published?

Whilst we are not clear on what information the UR would intend to publish, we do not believe anonymised TPI information would benefit the consumer. As the data is anonymised we are unsure how this would assist a customer with making an informed decision.

Question 4a. Are you of the view that TPI commissions being published would increase levels of transparency and benefit consumers.

At a high level it could be assumed that the publishing of this information would provide increased transparency. However, providing a like for like comparison could prove difficult due to the range of services that TPI's can offer consumers, based on a consumers individual requirements.

We agree that consumers should receive full and transparent details of any commission that the TPI is charging for the service provided in advance of entering any agreement.

Question 4b. Which publication format should be used for Third Party costs 1. Consumer bills and on request, 2. A customers Principle Terms and upon request, both 1 & 2 or another publication?

Depending on the commission structure it may not be possible for a supplier to publish the TPI costs on the consumer bill. If the commission was a one-off fee this would not be published on the bill but still applicable for the consumer.

For consistency of approach, we would suggest that information provided to the supplier regarding Third Party costs are included in Principle Terms and upon request. However, we would again reiterate the importance of this information being clearly and fully addressed with the consumer directly and outside of supplier processes.

firmus recognises that it is not always appropriate to draw a line comparison to other energy markets and our own, however, the recent publication from Ofgem of updated guidance and license requirements for licensed suppliers in GB regarding TPI's addresses this particular area. firmus would be in favor of a similar approach of clear and transparent disclosures but Ofgem did not mandate a line item on a consumer bill. Stating that at the point of billing the contract is in play and so knowing the level of commission isn't particularly useful or meaningful.

Question 4c. Which publication cost structure would be most beneficial to consumers 1. A lump sum for contract duration 2. A cost per unit 3. Combined approach or other?

The cost structure would reflect the individual agreement between the consumer and the TPI. The supplier could outline the agreed costs in Principle Terms, both as a lump sum or cost per unit but only if this is in line with the structure agreed between the two parties.

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 bill?

Any change to billing arrangements typically requires system development and updates to billing documentation. The firmus energy billing system would permit the publication of TPI commission on a consumer bill. That being said, and as per our response to Q4b, we would have concerns regarding this being the best place to publish such detail.

Question 5a. Do you agree with the exclusion of the potential measures (4-6) for the reasons described above?

We are mindful of the limitations to implement measures 4-6, however in the context of the aim of the TPI project to inform and protect consumers, it is difficult to ascertain how this can be achieved with no requirements levied against the TPI industry and its participants.

In conclusion, we are supportive of the role of TPI's within the Energy Market in NI and acknowledge they can provide consumers with a choice of tariff or supplier options to best suit the needs of their business alongside guidance or additional services. This coupled with the expertise that can be provided by energy suppliers should ensure that non-domestic consumers can access the information required to navigate the market. We recognise, and welcome, the requirement for transparency and consumer protection in their dealings with TPI's. However, such measures should be enforceable within the TPI sector.

As previously outlined in Q3b, the information provided by suppliers in 2018 and again in 2025, reflects minimal increase in the number of consumers using TPI's within the Energy Market. This is particularly evident in the gas sector, and for the tariff sized non-domestic customers (total increase of 3.4% for consumers burning less than 732,000 kWh over a 7-year period). This coupled with the limited evidence of widespread issues, would suggest that the approach to TPI's in the Energy Market should be proportionate and not place additional regulatory burden on the supplier.

We trust this response proves useful in the consideration of Third Party Intermediaries within the NI Energy Market and look forward to our continued involvement with the Utility Regulator on this.

Yours sincerely,

Sharleen Winning
firmus energy