

MODIFICATION NOTICE

In pursuance of its duties and powers under Article 14(3) of the Gas (Northern Ireland) Order 1996 (the “Order”), the Northern Ireland Authority for Utility Regulation (“the Authority”), having obtained the consent of Phoenix Natural Gas Limited and firmus Energy Limited, hereby gives notice as follows:

1. It proposes to modify the ‘Provisions and Return of meters’ condition specifically conditions 2.6.1(a), 2.6.1(d), 2.6.2 (c) and 2.6.3(c) of the conveyance licence held by Phoenix Natural Gas Limited by removing the percentage cap on the number of prepayment meters for which the licensee can recover their costs. It proposes to modify the ‘Provisions and Return of meters’ condition specifically conditions 2.5.1(a), 2.5.1(b), 2.5.1(d), 2.5.2 (a) (iii), 2.5.2(b), 2.5.2(A), 2.5.3 (a) (iii), 2.5.3(b) and 2.5.3(A) of the conveyance licence held by firmus Energy Limited by removing the percentage cap on the number of prepayment meters for which the licensee can recover their costs. The licensees will be allowed to charge a supply company an annual additional conveyance charge in respect of the installation and maintenance of prepayment meters subject to the Utility Regulator’s approval.

2. The effect of the proposed modifications will be:

a) to remove the cap on the number of prepayment meters for which the distribution companies are reimbursed.

d) to enable the distribution company to charge the gas supply company an additional charge in respect of the additional costs associated with installing and maintaining a prepayment meter.

c) by facilitating the provision of prepayment meters to all customers on request, these modifications will help customers to budget for their gas supply in advance and avoid gas suppliers having to employ resources to recover outstanding payments from these customers in respect of their gas usage.

3. The reasons for the proposed modifications are to:

a) help achieve our objective to promote development of the gas industry;

b) ensure the availability of a prepayment meter for all customers who requests one.

c) deliver optimum outcomes for customers who choose to pay for their gas supply via prepayment.

4. Representations or objections with respect to the proposed modifications (which are available on the Authority’s website or can be obtained by contacting the person named below) may be made on or before 5pm on the 15th December 2009 to:

Eimear Smyth
Gas Distribution and Supply
Utility Regulator,
Queens House
14 Queen Street
Belfast BT1 6ED
or by email to eimear.smyth@niaur.gov.uk

The Authority intends and prefers to publish all comments received to its consultations, but will consider facilitating those respondents who wish certain sections of their submission to remain confidential. Accordingly, respondents that so wish should submit these sections in an appendix that is clearly marked “Confidential”, and explain why they believe such content to be so categorised.

5. The Authority has, pursuant to Article 14(4) (b) of the Order served a copy of this notice on the Licensee and sent a copy to the Department of Enterprise Trade and Investment.

Dated this 17th November 2009

Brian McHugh

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