

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF SSE AIRTRICITY GAS SUPPLY (NORTHERN IRELAND) LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **SSE Airtricity Gas Supply (Northern Ireland) Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
as a payment of or towards that charge.	consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic premises” and to include a new definition for the term

Modification	Reason and Effect	Licence conditions affected
business consumers and premises.	licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2, 2.27 and 4.2 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice¹ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice

¹ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF SSE AIRTRICITY ENERGY SUPPLY (NORTHERN IRELAND) LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **SSE Airtricity Energy Supply (Northern Ireland) Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
as a payment of or towards that charge.	consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic premises” and to include a new definition for the term

Modification	Reason and Effect	Licence conditions affected
business consumers and premises.	licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice² stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice

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was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF SSE ENERGY SUPPLY LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **SSE Energy Supply Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
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h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

- 4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.
- 5) On 5th January 2016, the Authority published a notice³ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by

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them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF FIRMUS ENERGY (SUPPLY) LIMITED'S GAS SUPPLY LICENCE FOR THE TEN TOWNS AREA

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **firmus energy (Supply) Limited** ("the Licensee") **for the Ten Towns area**⁴.
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

⁴ Licence for supply of gas in the Ten Towns area granted on 24 March 2005.

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charge in any single transaction as a payment of or towards that charge.	will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic

Modification	Reason and Effect	Licence conditions affected
definitions of domestic and business consumers and premises.	<p>be classified as domestic under the gas supply licence.</p> <p>Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.</p>	<p>premises” and to include a new definition for the term “business consumer”.</p> <p>See section 2.6 in the Authority’s decision paper for further details.</p>
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	<p>Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences.</p> <p>Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.</p>	<p>Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion</p> <p>See section 2.8 in the Authority’s decision paper for further details.</p>
h) The licence will be modified to remove duplications in the Marketing Condition.	<p>Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two.</p> <p>Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.</p>	<p>Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated.</p> <p>See section 2.9 in the Authority’s decision paper for further details.</p>
i) The licence will be modified to ensure the correct references to legislation are used.	<p>Reason: Some pieces of legislation that are referenced the licence have been superseded.</p> <p>Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.</p>	<p>Conditions 1.1, 1.2, 2.27 and 4.5 will be updated.</p> <p>See section 2.12 in the Authority’s decision paper for further details.</p>
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	<p>Reason: The licence is being amended to update the terms “non-domestic” and “customer” to be “business” and “consumer” respectively. The terms “non-domestic” and “customer” are not defined in the licence and therefore the amendment will update these to terms that are defined.</p> <p>Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.</p>	<p>Conditions 2.1, 2.5, 2.19 and 2.28 will be updated.</p> <p>See section 2.13 in the Authority’s decision paper for further details.</p>

- 4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

- 5) On 5th January 2016, the Authority published a notice⁵ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.
- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

⁵ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF FIRMUS ENERGY (SUPPLY) LIMITED'S GAS SUPPLY LICENCE FOR THE GREATER BELFAST AREA

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **firmus energy (Supply) Limited** ("the Licensee") **for the Greater Belfast area**⁶.
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
k) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
l) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

⁶ Licence for supply of gas within the Greater Belfast area, granted on 9 June 2006.

Modification	Reason and Effect	Licence conditions affected
charge in any single transaction as a payment of or towards that charge.	will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.	
m) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
n) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
o) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
p) The licence will be modified to amend and update the	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic

Modification	Reason and Effect	Licence conditions affected
definitions of domestic and business consumers and premises.	be classified as domestic under the gas supply licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	premises” and to include a new definition for the term “business consumer”. See section 2.6 in the Authority’s decision paper for further details.
q) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority’s decision paper for further details.
r) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority’s decision paper for further details.
s) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2, 2.26 and 2.27 will be updated. See section 2.12 in the Authority’s decision paper for further details.
t) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms “non-domestic” and “customer” to be “business” and “consumer” respectively. The terms “non-domestic” and “customer” are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority’s decision paper for further details.

- 4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

- 5) On 5th January 2016, the Authority published a notice⁷ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.
- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

⁷ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF VAYU LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **Vayu Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice⁸ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by

⁸ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF ESB INDEPENDENT ENERGY (NI) LIMITED T/A ELECTRIC IRELAND'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **ESB Independent Energy (NI) Limited T/A Electric Ireland** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
as a payment of or towards that charge.	consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic premises” and to include a new definition for the term

Modification	Reason and Effect	Licence conditions affected
business consumers and premises.	licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice⁹ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice

⁹ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF LCC POWER LIMITED T/A GO POWER'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **LCC Power Limited T/A Go Power** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice¹⁰ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by

¹⁰ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF FLOGAS NATURAL GAS LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **Flogas Natural Gas Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
single transaction as a payment of or towards that charge.	consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic premises” and to include a

Modification	Reason and Effect	Licence conditions affected
domestic and business consumers and premises.	licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	new definition for the term “business consumer”. See section 2.6 in the Authority’s decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority’s decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority’s decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1 and 2.27 will be updated. See section 2.12 in the Authority’s decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms “non-domestic” and “customer” to be “business” and “consumer” respectively. The terms “non-domestic” and “customer” are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority’s decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice¹¹ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice

¹¹ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF ONI GAS LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **ONI Gas Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice¹² stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by

¹² http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF VIRIDIAN ENERGY SUPPLY LIMITED T/A ENERGIA'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **Viridian Energy Supply Limited T/A Energia** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
as a payment of or towards that charge.	consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic premises” and to include a new definition for the term

Modification	Reason and Effect	Licence conditions affected
business consumers and premises.	licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2, 1.8 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice¹³ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice

¹³ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF VIRIDIAN ENERGY LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **Viridian Energy Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

- 4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.
- 5) On 5th January 2016, the Authority published a notice¹⁴ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.
- 6) Each of the modifications detailed above will take effect from **1 September 2016**.

¹⁴ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF POWER NI ENERGY LIMITED'S GAS SUPPLY LICENCE FOR SUPPLY TO THE GREATER BELFAST & TEN TOWNS AREAS

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **Power NI Energy Limited**¹⁵ ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

¹⁵ Licence for the supply of gas in Greater Belfast and Ten Towns, granted on 24 September 2014

Modification	Reason and Effect	Licence conditions affected
charge in any single transaction as a payment of or towards that charge.	will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic

Modification	Reason and Effect	Licence conditions affected
definitions of domestic and business consumers and premises.	be classified as domestic under the gas supply licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	premises” and to include a new definition for the term “business consumer”. See section 2.6 in the Authority’s decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority’s decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority’s decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1 and 2.27 will be updated. See section 2.12 in the Authority’s decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms “non-domestic” and “customer” to be “business” and “consumer” respectively. The terms “non-domestic” and “customer” are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.5, 2.19 and 2.28 will be updated. See section 2.13 in the Authority’s decision paper for further details.

- 4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

- 5) On 5th January 2016, the Authority published a notice¹⁶ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.
- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

¹⁶ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF POWER NI ENERGY LIMITED'S GAS SUPPLY LICENCE FOR SUPPLY TO BALLYLUMFORD POWER STATION

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **Power NI Energy Limited**¹⁷ ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

¹⁷ Licence originally granted to NIE Plc on 21 May 1999 for the supply of gas to Ballylumford Power Station.

Modification	Reason and Effect	Licence conditions affected
charge in any single transaction as a payment of or towards that charge.	will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.	
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the	Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer	Condition 1.1 – paragraph 6 will be updated to amend the definitions of “business premises” and “domestic

Modification	Reason and Effect	Licence conditions affected
definitions of domestic and business consumers and premises.	be classified as domestic under the gas supply licence. Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	premises” and to include a new definition for the term “business consumer”. See section 2.6 in the Authority’s decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority’s decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority’s decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.3, 1.4, 2.26 and 2.27 will be updated. See section 2.12 in the Authority’s decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms “non-domestic” and “customer” to be “business” and “consumer” respectively. The terms “non-domestic” and “customer” are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.19 and 2.28 will be updated. See section 2.13 in the Authority’s decision paper for further details.

- 4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

- 5) On 5th January 2016, the Authority published a notice¹⁸ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.
- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

¹⁸ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF AES BALLYLUMFORD LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **AES Ballylumford Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.4, 1.8, 2.26 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice¹⁹ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by

¹⁹ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF COOLKEERAGH ESB LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **Coolkeeragh ESB Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.3, 1.4 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice²⁰ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by

²⁰ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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

Article 14 Licence Modification Notice of Decision

The Northern Ireland Authority for Utility Regulation

DECISION UNDER ARTICLE 14(8) OF THE GAS (NORTHERN IRELAND) ORDER 1996

MODIFICATION OF BRITISH GAS TRADING LIMITED'S GAS SUPPLY LICENCE

In accordance with Article 14(2) of the Gas (Northern Ireland) Order 1996 ("the Order") the Northern Ireland Authority for Utility Regulation ("the Authority") published a notice of its intention to modify the conditions of the licence.

In accordance with Article 14(5) of the Order the Authority has considered representations duly made to it.

The Authority has decided to proceed with the making of modifications of the conditions of the licence in exercise of its powers under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows: -

- 1) The Authority will modify the [gas supply licence](#) (the "Licence") held by **British Gas Trading Limited** ("the Licensee").
- 2) The licence will be amended as set out in the table below.
- 3) Further detail on the licence modifications are set out in the Authority's decision paper entitled "Decision paper on modifications to gas and electricity licences" published on 3 June 2016. The table below provides a reference to the relevant section in the decision paper for each modification.

Modification	Reason and Effect	Licence conditions affected
a) The licence will be modified to prevent prepayment meter vend blocking.	<p>Reason: This modification will increase customer protection provisions for gas consumers. It will prevent the 'disconnection' of prepayment meter consumers through blocking vends.</p> <p>Effect: The modification will ensure that suppliers are explicitly prohibited via their licence from blocking or preventing a consumer from purchasing gas via a prepayment meter.</p>	<p>Condition 2.9 – insertion of new paragraph 5. The remaining paragraphs will be renumbered to accommodate this insertion.</p> <p>See section 2.1 in the Authority's decision paper for further details.</p>
b) The licence will be modified to ensure that prepayment meters must not be calibrated to recover more than 40% of any outstanding charge in any single transaction as a payment of	<p>Reason: This modification will help to afford the necessary level of protection to prepayment meter energy consumers. All debt being recovered through prepayment meters, irrespective of how it originated, should be treated and recovered in the manner intended in the Code of Practice on Payment of Bills.</p> <p>Effect: This modification will ensure that suppliers are unable to take more than 40% of a single prepayment meter transaction to cover debt. This will help to ensure the equal and fair treatment of consumers in debt, irrespective of how it originated.</p>	<p>Condition 2.9 - insertion of new paragraph 3(g).</p> <p>See section 2.2 in the Authority's decision paper for further details.</p>

Modification	Reason and Effect	Licence conditions affected
or towards that charge.		
c) The licence will be modified to require any credit balances are to be passed back to consumers within eight weeks of account closure.	<p>Reason: Licences do not provide adequate direction on how credit on closed accounts should be treated. This modification will provide this direction.</p> <p>Effect: This modification will ensure that after closing an account with a supplier, any refunds owed are passed back to consumers within eight weeks of account closure.</p> <p>Change from notice of proposed modifications: We had proposed to allow six weeks for the credit balances to be returned to consumers; however we having considered the consultation responses we decided to extend this timeframe to eight weeks.</p>	<p>Condition 2.19 – paragraph 13 will be updated to include the requirement as explained.</p> <p>See section 2.3 in the Authority's decision paper for further details.</p>
d) The licence will be modified to require supply companies to inform consumers they are coming to the end of a fixed term contract at least 21 days but no more than 42 days before the expiry date.	<p>Reason: The current licence requirements have the potential to cause additional costs for suppliers and confusion for consumers. This cost and confusion can be avoided.</p> <p>Effect: This modification will minimise cost for suppliers and confusion for consumers by aligning the timeframe in which consumers must be notified that they are coming to the end of a fixed term contract, and notified of any other changes to their terms and conditions (including a tariff change).</p>	<p>Condition 2.18 – paragraph 12(b)(i) will be updated with the replacement of 28 days with 21.</p> <p>See section 2.4 in the Authority's decision paper for further details.</p>
e) The licence will be modified to include a new condition placing an obligation on supply companies to offer terms to domestic consumers.	<p>Reason: There is currently no obligation on gas suppliers to supply to domestic consumers. The modification introduces a duty on gas suppliers to offer terms to domestic consumers.</p> <p>Effect: The new condition will require that where a domestic consumer accepts the terms of the contract offered by the gas supplier, the licensee would then supply gas in accordance with that contract. This condition would mean that all domestic gas consumers will have equal opportunities to change supplier provided that they are willing to accept the supplier's terms.</p> <p>Change from notice of proposed modifications: The new condition provides some circumstances where the supplier would not be required to offer terms. We considered the consultation responses and decided to amend the wording of the new condition in paragraph 4(c) to allow for additional circumstances.</p>	<p>New condition 2.17A will be inserted into licence.</p> <p>See section 2.5 in the Authority's decision paper for further details.</p>
f) The licence will be modified to amend and update the definitions of domestic and business	<p>Reason: The modifications are being made so that domestic premises will be defined as any premises taking gas wholly or mainly for domestic purposes. This means that small businesses would no longer be classified as domestic under the gas supply licence.</p>	<p>Condition 1.1 – paragraph 6 will be updated to amend the definitions of "business premises" and "domestic premises" and to include a new definition for the term</p>

Modification	Reason and Effect	Licence conditions affected
consumers and premises.	Effect: The modifications to the gas supply licence will align the definitions in the licence to how the gas industry is operating in practice and will ensure consistency throughout the licence. Therefore the modifications will add clarity for gas suppliers and network companies operating in the NI gas industry.	"business consumer". See section 2.6 in the Authority's decision paper for further details.
g) The licence will be modified to include a specific reference to the Codes of Practice minimum standards.	Reason: Suppliers are bound to the conditions of the Codes of Practice minimum standards. These minimum standards are not currently directly referenced in licences. Effect: This modification will provide maximum clarity for suppliers, new entrants and consumers.	Condition 2.13 – insertion of a new paragraph 2. The remaining paragraphs will be renumbered to accommodate this insertion See section 2.8 in the Authority's decision paper for further details.
h) The licence will be modified to remove duplications in the Marketing Condition.	Reason: The current conditions in respect to the Marketing condition were drafted before the production of the separate Marketing Codes of Practice for domestic and business consumers. The current licence condition therefore includes a number of areas of duplication and an instance of contradiction between the two. Effect: This modification will remove unnecessary duplication between the Marketing Condition and Codes of Practice. It will also correct the one contradiction that currently exists between the two.	Condition 2.21 – paragraph 2 will be updated. Paragraphs 3, 4 and 5 will be deleted. The definitions will also be updated. See section 2.9 in the Authority's decision paper for further details.
i) The licence will be modified to ensure the correct references to legislation are used.	Reason: Some pieces of legislation that are referenced the licence have been superseded. Effect: These modifications will update the licence to reference the most recent and up to date pieces of legislation.	Conditions 1.1, 1.2A, 1.7, 2.26 and 2.27 will be updated. See section 2.12 in the Authority's decision paper for further details.
j) The licence will be modified to ensure there is consistent use of defined terms throughout the licence.	Reason: The licence is being amended to update the terms "non-domestic" and "customer" to be "business" and "consumer" respectively. The terms "non-domestic" and "customer" are not defined in the licence and therefore the amendment will update these to terms that are defined. Effect: These modifications will update terms used in the licence to ensure consistency and accuracy with the definitions provided in the licence.	Conditions 2.1, 2.19 and 2.28 will be updated. See section 2.13 in the Authority's decision paper for further details.

4) The Authority considers that the modifications to the licence are an appropriate course of action in order to correct inaccuracies in the licence and afford the necessary consumer protection for energy consumers.

5) On 5th January 2016, the Authority published a notice²¹ stating that it intended to modify the licence and giving the reasons and effect of the modifications. The purpose of this notice was to bring the proposed modifications to the attention of persons likely to be affected by

²¹ http://www.uregni.gov.uk/uploads/publications/2016-01-05_Consultation_on_Licence_Modifications_FINAL.pdf

them, and to invite representations or objections in connection thereto. We have taken into account representations related to these modifications, made any necessary adjustments and explained the reasons for any changes to our proposals.

- 6) Each of the modifications detailed above will take effect from **1 September 2016**.
- 7) The Authority has, pursuant to Article 14(8) of the Order, published this notice on its website and sent a copy of this notice to the licensee. In addition, the Authority has provided a copy of this notice to the Department for the Economy and the Consumer Council.
- 8) A copy of the modifications can be obtained in hard copy from Barbara Stevenson at: Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED. Email barbara.stevenson@uregni.gov.uk

Dated this 3 June 2016



Jenny Pyper
Chief Executive

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