

The Electricity Act 1989

Revocation Order under section 25(7)(c) of the Electricity Act 1989

To: Delta Gas and Power Limited ("Delta"), (company number 09933244) of 344-354 Gray's Inn Road, London, England, WC1X 8BP, holder of an electricity supply licence issued by the Gas and Electricity Authority ("the Authority") on 27 April 2016 under section 6(1)(d) of the Electricity Act 1989 ("the Act").

WHEREAS:

- A. As a licensed electricity supplier, Delta is required to comply with SLC 33 (Feed-in Tariffs). SLC 33.3 provides that licensees shall comply with Part 3 of Schedule A (FIT obligations applicable to all licensees) with effect on and after 1st April 2010. SLC 33.5 provides that Section C and Schedule A of SLC 33 are "relevant conditions" for the purposes of section 25(8) of the Act and a non-complying licensee shall be subject to the enforcement powers of the Authority under the Act. Condition 3.1 of Part 3 to Schedule A of SLC 33 provides that licensees shall participate in levelisation as set out in Part 6 of the Feed-in Tariffs Order 2012, in accordance with the Authority's instructions. Condition 3.1.2 of Part 3 of Schedule A, further provides that licensees will make FIT levelisation payments in accordance with the Authority's instructions.
- B. Delta was required to make a FIT levelisation payment in respect of the period 1 July to 30 September 2022 (Year 13 Quarter 2) of £56,707.09 ("the Payment") on or before 10 November 2022. The Year 13 levelisation schedule was published by the Authority on 21 February 2022, outlining the deadlines of each levelisation payment. Delta was sent an invoice for the FIT levelisation payment due in respect of Year 13 Quarter 2 on 27 October 2022, which required Delta to make payment by 10 November 2022.
- C. Having regard to the matters set out in sections 25(2) of the EA 1989, the Authority made a Provisional Order on 29 November 2022 (the "PO") requiring Delta to make payment of £56,707.09.

- D. The Authority has not been required to confirm the PO pursuant to section 25(4) of the EA 1989 owing to the information set out in paragraph E below;
- E. Delta made payment of £56,707.09 to the Authority on 9 December 2022 and, as such, the Authority is now satisfied that the provision made by the PO dated 29 November 2022 is no longer requisite for the purpose of securing Delta's compliance with its FIT levelisation payment as stated in paragraph A of this Order, and the Authority hereby revokes the PO.

NOW THEREFORE:

The Authority, pursuant to section 25(7)(c) of the EA 1989, revokes the PO.

Dated: 13 December 2022

Signed:

Charles Hargreaves
Deputy Director, Enforcement
Duly Authorised on behalf of the Gas & Electricity Markets Authority