

## **The Electricity Act 1989**

### **Revocation Order under section 25(2) of the Electricity Act 1989 and 28(2) of the Gas Act 1986**

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") under section 6(1)(d) of the Electricity Act 1989 and holder of a gas supply licence issued by the Authority under section 7A (1) of the Gas Act 1986.

#### **WHEREAS:**

- A. As a holder of gas and electricity supply licences granted by the Authority, Delta is required to comply with the "relevant conditions" for the purpose of the Electricity Act 1989 and the Gas Act 1986 ("The Acts").
- B. Standard Licence Condition 5 ("SLC 5") requires licensees to provide information to the Authority upon request. The information which Delta had failed to provide included: key financial information, such as balance sheets, cashflows, profits and loss, and customer granular meter data and balances.
- C. On 2 September 2022, the Authority issued a Request for Information (RFI) to Delta requiring a response, in full, in accordance with SLC 5, by no later than 6 September 2022. The RFI sought information necessary for the performance of the Authority's functions. Delta failed to provide all the relevant information requested. The Authority therefore re-issued the RFI with a deadline of 10 November 2022. Delta failed to provide the totality of the required information by that date.
- D. It appeared to the Authority that Delta was contravening SLC 5 because it had failed to respond in full and on time to the RFI. Therefore, having regard to the matters set out in section 25(2) of the Electricity Act 1989 and section 28(2) of the Gas Act 1986, the Authority made a Provisional Order on 29 November 2022 (the "PO") requiring Delta to comply with the RFI, and therefore to come into compliance with SLC 5, by no later than 5pm on Monday 5 December 2022.

- E. The Authority decided not to proceed to confirm the PO pursuant to section 25(4) of the Electricity Act 1989 for the reasons set out in paragraph F below;
- F. Delta responded adequately to the RFI on 19 December 2022 and, as such, the Authority is now satisfied that the provisions of the PO dated 29 November 2022 are no longer requisite for the purpose of securing Delta's compliance with SLC 5. The Authority therefore hereby revokes the PO.

**NOW THEREFORE:**

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

Dated: 21 December 2022

Signed:

**Charles Hargreaves**

**Deputy Director, Enforcement**

**Duly Authorised on behalf of the Gas & Electricity Markets Authority**