# Expression of Interest - Questionnaire forms

## Form A: Basic organisational information

Full name of the organisation:

### Organisation details

Registered office address:

Company or charity registration number:

VAT registration number:

Name of immediate parent company:

Name of ultimate parent company:

Legal status (eg public limited company, private limited company, overseas company, other corporate body, partnership, unincorporated associated, sole trader or another entity):

Are you applying to be the licence holder or are you applying on behalf of another organisation that will hold the licence?

Details:

Does your organisation have an ultimate holding company? "Ultimate holding” means a holding company (within the meaning of sections 1159 and 1160 of the Companies Act 2006) of the applicant which is not itself a subsidiary of another company, which is in the position to control, or exercise significant influence over, a policy of the applicant by virtue of rights under contractual arrangements or rights of ownership which are held by the company or of which the company is a beneficiary:

Answer: Yes/ No

Details:

Is your organisation currently a Related Undertaking[[1]](#footnote-2) of a parent organisation or Ultimate Controller[[2]](#footnote-3)?

Answer: Yes/ No

Details:

Does your organisation have any ‘persons in effective control of your organisation’ which has the same meaning as the meaning of a ‘person with significant control’ as under section 790C of the Companies Act 2006?

Answer: Yes/ No

Details:

Are there any shareholders with a holding of 20% or more of any class of shares in your organisation?

Answer: Yes/ No

Details:

### Contact details

Name:

Job title:

Address:

Phone:

Email:

### Declaration of understanding:

Please confirm that, having read and understood this document, your organisation is interested in the Smart Meter Communication Licence, or in forming a separate body for the purposes of holding the Smart Meter Communication Licence:

Yes, I confirm that my organisation is interested in the Smart Meter Communication Licence.

Yes, I confirm that my organisation is interested in forming a separate body for the purposes of holding the Smart Meter Communication Licence.

## Form B: Suitability to hold the licence

*Please confirm whether or not any of the below circumstances apply and if so, please provide details.*

1. Do any of the persons named on this form (or any other person with significant managerial responsibility or influence in your organisation) have any criminal convictions in any jurisdiction? (You may exclude references to offences under the Road Traffic Offenders Act 1988 or convictions in respect of which the person has become rehabilitated under the Rehabilitation of Offenders Act 1974)
2. Are any of the persons named on this form (or any other person with significant managerial responsibility or influence in your organisation) disqualified to any extent from acting in connection with the affairs of a company in any jurisdiction?
3. Has any person named on this form (or any other person with significant managerial responsibility or influence in your organisation):
   * been undischarged bankrupt
   * is, or has been, subject to insolvency proceedings (including any period of receivership or administration in connection with the affairs of a company), or
   * is, or has been, subject to any County Court Judgments (CCJs) in any jurisdiction, OR provide details of any such bankruptcy/insolvency/CCJs.
4. Has any person named on this form (or any other person with significant managerial responsibility or influence in your organisation) been a director, shareholder or person with significant managerial responsibility or influence at a gas or electricity supply company which triggered a Supplier of Last Resort event either at the time of the Supplier of Last Resort event or within the 12 months preceding the Supplier of Last Resort event?
5. Has your organisation, any person named on this form, or any other person with significant managerial responsibility or influence in your organisation been involved in any Ofgem compliance or enforcement investigations in the last 3 years?
6. Has your organisation, any person named on this form, or any person with significant managerial responsibility or influence in your organisation in relation to activities regulated by any other regulatory body ever been refused, had revoked, restricted, or terminated, any licence, authorisation, registration, notification, membership or other permission granted by any such body?
7. Do any of the persons named on this form (or any other person with significant managerial responsibility in your organisation) not meet the fit and proper test *(please refer to Condition 4C.3 of the* [*Electricity Supplier Licence Standard Conditions*](https://www.ofgem.gov.uk/sites/default/files/2023-03/Electricity%20Supply%20Standard%20Consolidated%20Licence%20Conditions%20-%20Current.pdf)*)*?

I confirm that none of the above apply to my organisation or any person with significant responsibility or influence in my organisation.

1. If any of the above apply, please state which and the details:

## Form C: Independence and conflicts of interest

*This form outlines the expected eligibility requirements of the future selection process.*

*In the Answer column, you must indicate:*

1. *that you are willing to satisfy these requirements, AND*
2. *whether you current satisfy the requirement OR if you do not currently satisfy them, your plan to do so by the commencement of the selection process in summer 2025.*

*Please note that providing a negative answer to the requirements at this stage will not render your organisation ineligible to participate in the future selection process.*

*Please note for the following questions ‘your organisation’ refers to the entity that will hold the licence.*

1. **Not-for-profit requirement**

Is your organisation capable and willing to operate the authorised business of the licence on a not-for-profit basis?

1. **Prohibition on cross subsidy**

Is your organisation willing to refrain from receiving or transferring cross-subsidies from or to any parent companies or affiliates?

1. **Sufficiently independent governance**

Is your organisation willing to comply with the independent governance arrangements set out in the Ofgem ‘DCC Review Phase 2: Governance arrangements – conclusions’?[[3]](#footnote-4)

1. **Other licences or codes**

*For this question, please also provide details of any parent company’s compliance.*

Does your organisation currently, or intend to, hold another licence or code, including a licence to perform the role of a code manager?

If so, how would you structure the company to also hold the licence without conflicts of interest?

1. **Independence requirements**

*For this question, please also provide details of any parent company’s compliance*.

Does your organisation satisfy the independence requirements in Licence Condition 9 of the SMCL,[[4]](#footnote-5) in particular:

* Do any of your directors have financial rights or interests in DCC service users or service providers?
* Is your organisation a ‘related undertaking’[[5]](#footnote-6) of DCC service users or service providers?

If the answer is yes to either of the above questions, is your organisation willing to transfer away from that role?

1. **Conflicts of interest (real or perceived)**

Please disclose any other conflicts of interest (real or perceived).

## Form D: Capability and expertise

*This form will provide Ofgem with information regarding the capability of prospective applicants and allows gives prospective applicants the chance to ask for information from Ofgem.*

*Please note that these questions are not scored. However, the information provided in them may be used to inform Ofgem’s decision about appropriate next steps for the successor licence selection process. If your organisation does not currently have the capabilities or resources, explain how it will build these capabilities in time for the licence award (expected Q1 2026).*

1. **Not-for-profit experience**

Please describe any experience your organisation has in managing a not-for-profit business of similar size and standing to DCC. *Please use a maximum of 500 words*.

1. **Governance capabilities**

Please describe any experience your organisation has in, or related to, establishing new governance arrangements. For example, in establishing a new Board, and identifying/ recruiting people for Board positions. *Please use a maximum of 500 words.*

1. **Transitional capabilities**

Please describe any experience your organisation has in, or related to, managing the transition of an organisation. This may include experience in TUPE arrangements, business handover project planning, and plans for recruitment or retention of key staff. *Please use a maximum of 500 words*.

1. **Internal capabilities**

Please describe your ability to deliver internal services for an organisation of the size and standing of DCC? These include, people/HR (benefits, pension, H&S), payroll, IT systems, billing and invoices

Please indicate if you do not have these capacities inhouse and describe your experience in procuring these types of services. *Please use a maximum of 500 words.*

1. **Financial standing**

Please describe your ability to incur costs.

Note that after the licence award and before the completion of the business handover, the successor licensee may have to incur costs. Ofgem is considering whether the successor may be able to recover its costs during the Business Handover. *Please use a maximum of 500 words.*

1. **Licence term**

Do you have any views on the length of the licence term, ie longer, shorter, the same, or enduring?

Noting the current licence was granted for 12 years + 6 years possible extension.

1. **Required additional information**

What kind of information would you like to have *from DCC* to be able to submit an application to participate in any licence award process?

Is there any further information you require *from Ofgem* to submit an application to participate in any licence award process?

1. Related undertaking means, in relation to any person, any undertaking in which that person has a participating interest as defined in section 421A of the Financial Services and Markets Act 2000 [↑](#footnote-ref-2)
2. Ultimate controller here means any of the following: (a) a holding company of your organisation that is not itself a subsidiary of another company; (b) any person who (whether alone or with any person or persons connected with them) is in a position to control, or exercise significant influence over, the policy of your organisation or the policy of any holding company of your organisation by virtue of: (i) rights under contractual arrangements (except for the Relevant Code) to which they are a party or of which they are a beneficiary, or (i) rights of ownership (including any rights attached to or deriving from securities or rights under a trust) which are held by them or of which they are a beneficiary. (c) For the purposes of (b), a person is connected with another person if they are a party to any arrangement regarding the exercise of any such rights as are described or referred to in that sub-paragraph; (d) (b) does not include any director or employee of a corporate body in their capacity as such. [↑](#footnote-ref-3)
3. Ofgem (2025), DCC Review Phase 2: Governance arrangements – conclusions. [www.ofgem.gov.uk/decision/dcc-review-phase-2-governance-arrangements-conclusions](http://www.ofgem.gov.uk/decision/dcc-review-phase-2-governance-arrangements-conclusions) [↑](#footnote-ref-4)
4. Smart Meter Communication Licence as at 1 October 2024: <https://www.ofgem.gov.uk/sites/default/files/2023-03/Smart%20Meter%20Communication%20Licence%20-%20Current.pdf> [↑](#footnote-ref-5)
5. Related undertaking means, in relation to any person, any undertaking in which that person has a participating interest as defined in section 421A of the Financial Services and Markets Act 2000. [↑](#footnote-ref-6)