

NOTICE UNDER SECTION 11(2) OF THE ELECTRICITY ACT 1989

The Director General of Electricity Supply (hereafter referred to as 'the Director') pursuant to section 11(2) of the Electricity Act 1989 (hereafter referred to as 'the Act') hereby gives notice as follows:

1. He proposes to modify the conditions of the electricity supply licence (hereafter referred to as 'the Licence') granted to Southern Electric plc [formerly Southern Electricity plc] (hereafter referred to as 'the Licensee') under section 6(2) of the Act by inserting new Conditions 21 (Compulsory acquisition of land, etc.) and 22 (Power to carry out streetworks, etc.);
2. The purpose and effect of these modifications is is to re-instate in the Licence for a further period the powers set out in schedules 3 and 4 of the Act formerly held by the Licensee but which lapsed on the 31 March 1997, the Licensee having satisfied the Director that it is appropriate for him to do so.

A copy of the proposed modifications can be obtained (free of charge) from the Office of Gas and Electricity Markets ('Ofgem'), Stockley House, 130 Wilton Road, London, SW1V 1LQ [and will be available also on the Ofgem website (www.ofgem.gov.uk) for a period of 28 days from the date of this Notice]. Any representations or objections to the proposed modifications may be made on or before 25 February 2000 to Ofgem at the address stated above, marked for the attention of Rosalind Cole.

Dated: 28 January 2000

Rosalind Cole
Director, Retail Markets
duly authorised on behalf of the Director

SOUTHERN ELECTRIC PLC

Condition 21. Compulsory acquisition of land etc.

1. All the powers and rights conferred by or under the provisions of Schedule 3 of the Act (compulsory acquisition of land etc.) shall have effect in relation to the Licensee

to the extent that they are required for the installation, maintenance, removal or replacement of the Licensee's System or any part thereof which are necessary to enable the Licensee to supply electricity to the premises specified in Schedule 1 to this Licence.

2. Paragraph 1 shall cease to have effect on 26th February 2002 or such later date as the Director may from time to time direct.

Condition 22. Powers to carry out street works etc.

1. The powers and rights conferred by or under the provisions of Schedule 4 to the Act (powers to carry out street works etc.) shall have effect and may, subject to paragraph 2, be exercised by carrying out works in relation to, or in pursuance of, the installation, inspection, maintenance, adjustment, repair, alteration, replacement and removal of:
 - (a) electric lines which are necessary to enable the Licensee to supply electricity to premises specified in Schedule 1 to this Licence;
 - (b) electrical plant associated with such lines; and
 - (c) any structures for housing or covering such lines or plant.

2. Works which are under, over, in, on, along or across any street, which for the purposes of the Highways Act 1980, constitutes a highway or part of a highway maintainable at the public expense, may be undertaken in pursuance of paragraph 1 subject to the following conditions:
 - (a) that such works shall not be carried out except with the consent, which shall not unreasonably be withheld, of the highway authority and in accordance with such reasonable conditions as may be attached to such consent;
 - (b) that any question as to whether or not a consent of the highway authority is unreasonably withheld, or as to the reasonableness of conditions attached to such consent, shall be determined by a single arbitrator to be appointed:
 - (i) by agreement between the Licensee and the highway authority; or

(ii) in default of such agreement, by the Director on the application of either party.

3. Paragraph 1 shall cease to have effect on 26th February 2002 or such later date as the Director may from time to time direct.