



**The Electricity Act 1989
Provisional Order under Section 25 (2)**

To : TXU UK Limited (In Administration)
Having its registered office at Becket House, 1 Lambeth Palace Road
London, SE1 7EU, the holder of a licence issued under section 6(1)(d) of
the Electricity Act 1989 ('the Act').

Whereas:

- (1) The Gas and Electricity Markets Authority ('the Authority') has been in discussions with TXU UK Limited (In Administration) on its requirement to meet its obligations under the Act and the Renewables Obligation Order 2002 and the Renewables Obligation (Scotland) Order 2002 ('the Orders') and has now been informed by the company that, due to it having been placed in administration on the grounds that it is insolvent or likely to become insolvent, TXU UK Limited (In Administration) is not in a position to confirm that it will meet its obligations in full. It therefore appears to the Authority that TXU UK Limited (in Administration) is likely to contravene the relevant requirements imposed by sections 32 to 32C of the Act and the relevant Articles of the Orders; and
- (2) Having regard to the consequences, particularly the potential effect on the value of the buy-out fund it is requisite to issue a Provisional Order.

The Authority pursuant to section 25 (2), and for the purpose of securing compliance with the above mentioned provisions of the Act and the Orders, hereby orders TXU UK Limited (In Administration) to do the following:

Before 1 October 2003 TXU UK Limited (In Administration) shall produce to the Authority either:

- a) evidence in the form of certificates (ROCs) issued by the Authority showing that it has supplied to customers in Great Britain during the period 1 April 2002 to 31 March 2003 electricity generated from renewable sources as determined under Article 6 of the relevant Order, and/or

- b) that it has discharged its renewables obligation in relation to the period 1 April 2002 to 31 March 2003 by making a payment to the Authority as provided by Article 7 of the relevant Order. In the absence of any certificates under paragraph (a) the full amount calculated by the Authority for the period is £23,106,270.

This order shall cease to have effect on 1 October 2003 unless previously confirmed by the Authority.

Dated 25 September 2003

Signed

John Neilson
Managing Director Customers & Supply

Duly authorised on behalf of the Gas and Electricity Markets Authority