

Terms of reference

The Gas and Electricity Markets Authority in exercise of its powers under sections 131 and 133 of the Enterprise Act 2002 (as provided for by section 36A of the Gas Act 1986 and section 43 of the Electricity Act 1989), hereby makes an ordinary reference to the chair of the Competition and Markets Authority for the constitution of a group under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 for an investigation into the Supply and Acquisition of Energy in Great Britain.

The Gas and Electricity Markets Authority has reasonable grounds for suspecting that a feature or a combination of features of the market or markets for the Supply and Acquisition of Energy in Great Britain prevents, restricts or distorts competition.

For the purposes of this reference:

'Acquisition' means the wholesale purchase or trading of Energy for purposes which may ultimately include Retail Supply;

'Energy' means:

- a) electricity generated for purposes which include its potential conveyance to any Relevant Premises and/or
- b) gas which has been or is intended to be conveyed through pipes to any Relevant Premises;

'Relevant Premises' means premises at which Energy is or is to be consumed by a person who:

- a) is a relevant consumer for the purposes of article 2(1) of The Gas and Electricity Regulated Providers (Redress Scheme) Order 2008 (S.I. 2008/2268); or
- b) has an annual electricity consumption of not more than 100,000 kWh; or
- c) has an annual consumption of gas of not more than 293,000 kWh;

'Retail Supply' means supply to Relevant Premises by a person pursuant to a gas supply licence granted or treated as granted under section 7A(1) of the Gas Act 1986 and/or an electricity supply licence granted or treated as granted under section 6(1)(d) of the Electricity Act 1989;

'Supply' means the activities of, and activities connected with, wholesale supply and Retail Supply of Energy.

David Gray
Chairman
26 June 2014