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Will Fletcher
Project Manager
Competition and Markets Authority
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5 August 2015

Dear Mr Fletcher

Flow Energy is a relatively new entrant to the market and is a small independent supplier focusing solely on the domestic market for both gas and electricity. All responses are on this basis and we have responded only to those questions we feel most able to offer insight and direct experience on.

Flow welcomes the opportunity to respond to the CMA's provisional findings and possible remedies which it considers is a positive step for the industry. Overall Flow agrees with the general scope and bearing of the majority of the potential remedies and that they represent a step in the right direction. We do feel that there are some suggestions that will need to be revisited and revised whilst others will require careful refinement to achieve the desired results. In particular we have strong concerns about the effects on competition of the proposed Safeguard Tariff. Any such measure would effectively nurture apathetic customer behavior and further homogenize the public perception of suppliers, hampering their ability to differentiate themselves which would be to the detriment of competition.

We are of the opinion that a major reduction of the amount of regulation placed on the retail market would be the biggest boon to competition, putting retail energy on a par with all the other industries that manage to flourish under market forces alone. Whilst we firmly believe that it is important to have a strong regulator for both the transmission and distribution monopolies and the wholesale energy markets, any major regulatory intervention in the retail business can only have a detrimental effect.

Please see Annex for our detailed response.

Yours sincerely

Mike Gibson
Operations Director

ANNEX

Flow Energy's detailed response to the CMA Energy Market Provisional Findings and Potential Remedies

Remedy 1 – Introduction of a new standard condition to electricity generators', suppliers', interconnectors', transmission, and distribution licences to require that variable transmission losses are priced on the basis of location in order to achieve technical efficiency

What would be an appropriate method for ensuring that variable transmission losses are priced on the basis of location?

How should the variable transmission losses be allocated between generators and suppliers?

Is the 45-55 split appropriate or could efficiency be improved further by changing this allocation?

Flow is of the opinion that in aggregate there would be little material difference as the cost will filter down to the consumer regardless of the generation/supply split.

Remedy 3 – Remove from domestic retail energy suppliers' licences the 'simpler choices' component of the RMR rules

Would this remedy be effective in increasing competition between domestic retail energy suppliers and/or between PCWs? What additional tariffs would energy suppliers be likely to offer that they currently do not due to the RMR restrictions?

Flow believes that this remedy would be effective in promoting and strengthening competition between suppliers, the greater the scope for innovation the more companies can differentiate themselves, increasing the ability to sell the benefits of switching.

The sorts of additional tariffs we may see include:

- Vulnerable customer tariffs
- Innovative Time of Use tariffs
- Flexible tariffs
- Custom user defined tariffs
- Seasonal Time of Day tariffs

Removing the four-tariff rule is likely to increase the range of tariffs on offer and result in different tariffs being offered on different PCWs. Are there, therefore, any remedies that the CMA should consider alongside this remedy, to encourage

domestic customers to use more than one PCW in order to facilitate effective competition between PCWs and domestic energy suppliers?

If an independent PCW is established (see Remedy 6), it could show a comprehensive list of prices including PCW exclusive deals. Private PCWs could be required to link to the independent PCW. This would help mitigate potential distortion of the market by the dominant PCWs and provide consumers with a neutral site to benchmark the available deals, simplify the process and provide visibility for lesser known PCWs.

We note that if this remedy were to be imposed, Ofgem's Confidence Code requirement for PCWs to provide coverage of the whole market appears likely to become impractical as the number of tariffs offered increases and PCWs agree different tariff levels and commissions with energy suppliers. Should this element of the Confidence Code be removed, therefore, as part of this remedy? If so, are alternative measures to increase confidence in PCWs required? For example, in order to maintain transparency and trust, should PCWs be required to provide information to customers on the suppliers with which they have agreements and those with which they do not?

PCWs would display all common tariffs plus their own exclusive deals (clearly highlighted) and also display a prominent link to any independent PCW. This will help ensure that consumers are always able to view the whole market and prevent individual PCWs obscuring the market in favour of deals that earn them commission.

Rather than removing all limits on tariff numbers and structures, would it be more effective and/or proportionate to increase the number of permitted tariffs/structures? If so, how many should be permitted and which tariff structures should be allowed?

Any cap to the number of tariffs that is high enough to alleviate the issues with the current cap would have to be at such a level that it would be of no material impact. Tariffs, and tariff structures, provide one of the most useful tools for innovation and competition for suppliers providing many benefits. The benefits include promoting switching to customers, as suppliers are able to differentiate themselves, or specific tariffs for vulnerable customers and higher risk groups, which provide a greater social benefit.

For example, would requiring domestic energy suppliers to structure all tariffs as a single unit rate in pence per kWh, rather than as a combination of a standing charge and a unit rate, reduce complexity for customers, while avoiding restricting competition between PCWs? Alternatively, would such a restriction on tariff structures have a detrimental impact on innovation in the domestic retail energy markets?

Flow considers that any restrictions or regulation of tariffs and tariff structure limits innovation and acts as a brake to competition.

Whilst a ban on standing charges may make some comparison simpler, a lot of potential advantages would be lost.

Standing charges can be used to offset the unit rate which can be beneficial for certain customers. While a low usage customer may well be better off on a tariff without a standing charge there are plenty for whom a high standing charge may lower the unit rate to benefit them, either by lowering the unit rate for higher use customers, or by lessening the impact of fluctuating usage patterns and therefore making it easier to budget.

However it is our opinion that the removal of restrictions will allow innovation and market forces will provide a much better indicator of the most advantageous tariff structures than any preconceived assumption of what customers will prefer.

Remedy 4 – Possible measures to address barriers to switching by domestic customers

Remedy 4a – Measures to address barriers to switching by domestic customers

Will the roll-out of smart meters address the feature of uncertified electricity meters? If not, what additional remedies should we consider to address this feature?

Yes; any current uncertified meters would be replaced and newer meters should be more robust and easier to identify.

Will the roll-out of smart meters address the barriers to switching faced by customers with Dynamic Teleswitched (DTS) meters? If not, what additional remedies should we consider to address this feature?

The industry needs to find a viable solution to DTS setups in a SMETS 2 environment before they can be included in the rollout.

Should PCWs be given access to the ECOES database (meter point reference numbers) in order to allow them to facilitate the switching process for customers?

PCWs need to ensure that data passed to suppliers is accurate; it is not clear that current checks are adequate.

To what extent would this reduce the rate of failed switches and/or erroneous transfers?

Flow's experience shows a marked increase in the number of ETs during periods where we were acquiring customers via PCWs. PCWs should be required to carry out checks of the electricity MPAN and gas MPRN before passing data to suppliers and should be required to report on errors that lead to a subsequent erroneous transfer.

Making wider use of the UPRN may help to add an extra layer of verification to this process

Are there any data protection issues we should consider in this respect?

Access should be limited to minimum requirements: full MPAN (top and bottom lines), MPRN,

Address, MSNs and Green Deal indicator. The industry must have systems in place to prevent, identify and react to, misuse of ECOES (and xoserve DES) data- including the ability to limit access to ECOES/DES data where abuse has been identified.

Will access to this database still be relevant once smart meters have been introduced?

Until all meters are handled via the DCC access will still be of value. Similar access would be required for any future systems performing the same role.

Should there be penalties for firms that fail to switch customers within the mandated period (currently 17 days, next day from 2019)? How should these penalties be administered? At what level should the penalties be set? Should customers who suffer a delayed or erroneous switch receive the penalty as compensation?

No, these issues are largely due to factors outside individual supplier's control and the time and resource required to rectify them provide suppliers with enough incentive to avoid them where possible.

This would also remove any choice or flexibility for the customer, who with the increases in efficiency surrounding switching, would be best served by being able to choose when their switch happens and not be bound to the shortest possible period.

The current role of Ofgem covers any intentional misuse of the system by suppliers.

Due to the varied cases and circumstances surrounding ETs, each case should be investigated individually by suppliers and compensation issued directly to customers as appropriate.

When next-day switching is introduced, will a 'cooling-off' period still be required? Could it be avoided by requiring that no exit fees are charged within two weeks of switching?

The cooling-off period is required by the UK transposition of the Consumer Rights Directive, and as such it is not clear that it could currently be removed. If removed, the only way of effectively implementing and still maintaining the current level of protection for the customer would be to waive all charges for a customer who switches back to the previous supplier within the first 2 weeks. This would create a loophole in which customers could consistently switch suppliers within the 2 week window and avoid all charges. If a legal way of removing the cooling off period, whilst still protecting consumer and supplier interest could be found we would support this, as it would significantly improve the efficiency of the market.

Are specific measures required to facilitate switching for customers living in rented accommodation (either social or private)?

Not specifically, as tenants are not restricted in the suppliers they choose.

In light of the introduction of smart meters, we are considering whether any other remedies may be required to address barriers to switching for domestic

customers. For example:

Does the 'Midata' programme, as currently envisaged, provide sufficient access to customer data by PCWs to facilitate ongoing engagement in the market? Should PCWs – with customer permission – be able to access consumer data at a later date to provide an updated view on the potential savings available?

It is not clear that the Midata programme adds much value if a customer has access to their consumption history via a smart meter.

Do customers need more or better information or guidance on how their new smart meters will work?

As the full potential of smart meters won't be utilised by most suppliers for some time, it would be better to allow suppliers to market the features and benefits as and when they become useful. This will ensure that only supported features are publicised, they will have more impact individually rather than risking being a flood of information that loses credibility if they aren't universally available and they are marketed properly as selling points for companies rather than companies just doing the bare minimum to fulfil their responsibilities.

The promotion of the benefits of smart metering is currently the mandate of Smart Energy GB and any crossover of this work from other parts of the industry may hamper this and cause confusion to customers.

Remedy 4b – Removal of exemption for Centrica on two-year inspection of gas meters

Would this remedy be effective in removing the distortion to competition that currently exists as a result of Centrica's derogation on the inspection of gas meters?

Yes, considering Centrica's dominance in the gas market, there are a large number of customers transferring from Centrica to independent suppliers where the independent then has to complete the outstanding inspections at its cost or pay charges if it fails to do so. Flow, like most independent suppliers have vastly less resource than Centrica in the gas market, and have been placed at a large disadvantage effectively paying a premium for the customers gained.

Would it be preferable to remove Centrica's derogation, or extend the derogation to other suppliers?

The inspection of meters is currently being consulted on by Ofgem, which we feel is a step in the right direction and will be providing our response in due course.

If Centrica's derogation were removed, should it be phased out over a period of time? If so, how long should Centrica be given in this respect?

The inspection of meters is currently being consulted on by Ofgem. However we strongly believe that Centrica's derogation should be removed immediately and recompense paid to suppliers for

the costs arising from it. Leaving the derogation in place until the completion of the consultation will further disadvantage independent suppliers gaining customers from Centrica.

Remedy 5 – Requirement that energy firms prioritise the roll-out of smart meters to domestic customers who currently have a prepayment meter

Would this remedy be effective in allowing prepayment customers to engage fully in the market and benefit from a wider range of tariffs? Would it be effective in reducing the costs of supply to prepayment customers?

Smart pre-payment is likely to be one of the first areas to benefit from the rollout, with suppliers already starting to take advantage of its capabilities. Due to this, there is already an incentive for suppliers to prioritise targeting the PPM market as soon as possible. Therefore, Flow considers that mandating that PPMs are prioritised is unnecessary.

Which version of this remedy would be more effective and/or proportionate?

A ban on installing legacy pre-payment meters would be the simplest and least disruptive option. The advantages of smart pre-payment for suppliers will provide the market forces to complete the process in the most effective manner. There may be an issue with regards to availability of meters if suppliers are required to install them earlier than expected.

Would any additional or alternative measures be required to ensure that this remedy comprehensively addressed the overarching feature of weak customer response arising in particular from those with prepayment meters?

A ban on installing dumb pre-payment meters would be the simplest and least disruptive option. The advantages of smart pre-payment for suppliers will provide the market forces to complete the process in the most effective manner.

What issues may arise as a result of prioritising the installation of smart meters in the homes of customers who currently have prepayment meters?

Any mandated action in this area would be unnecessary and the resulting disruption to existing rollout plans. It could disrupt suppliers rollout plans at a late stage to the detriment to the whole project. Not all “SMETS type” meters currently support prepayment mode properly and availability of meters could become an issue.

Would it be more effective and/or proportionate to require energy suppliers to accelerate the roll-out of smart meters across the retail markets as a whole, in order to facilitate engagement more broadly, rather than focusing on customers on prepayment meters?

Considering the advanced stage of rollout plans and the lack of infrastructure in place, accelerating the rollout risks creating and compounding issues, as well as forcing suppliers to complete remaining work by doing the bare minimum at the lowest possible cost. Which would be of major detriment to customer experience.

Remedy 6 – Ofgem to provide an independent price comparison service for domestic (and microbusiness) customers

Would this remedy be effective in increasing customers' trust in PCWs and thereby encourage engagement in the markets and switching?

Provided that an independent PCW is marketed well and operates correctly it will build confidence in people's ability to switch. However we consider that it may be better placed with Citizens Advice.

Should this service be online-only, or should it also operate over the telephone for those customers without access to the internet?

As those with the most to benefit from switching are often unable to access PCWs, a telephone service should be offered.

Is there a risk that such an independent service could undermine the development of other PCWs in the energy sector? How could this risk be mitigated?

If the "Simpler tariffs" requirement was removed and the "Confidence Code" amended accordingly PCWs would be able to offer exclusive deals to differentiate themselves. PCWs would therefore still add value to the marketplace.

Should the Ofgem website quote the energy suppliers' list prices only? Or should it seek to provide full details of all quotes available on the market (including on other PCWs), ie function as a meta-PCW?

To be of worth, the site would need to show all available quotes, signposting customers to any particular PCW which could have a better offer.

How could we ensure that an Ofgem price comparison service was robust in terms of offering all tariffs available on the market? Should there be an obligation on retail energy suppliers and/or PCWs to provide information to Ofgem on their tariffs?

Suppliers should only be required to provide Ofgem with their tariff data (including PCW exclusive deals). This would be central source for all PCWs to use. This will ensure consistency and increase efficiency.

Should any price comparison service operated by Ofgem be transactional, i.e. be able to carry out switches for consumers, or should it provide information only?

Any independent site should provide information only, with links to suppliers for switching. This will reduce the technical difficulties of creating the site and ensure it is viewed as impartial.

How should customers be made aware of the existence of this service? Should information be provided by energy suppliers on bills/during telephone calls? Should PCWs be required to provide links to the Ofgem website during the

search process to allow customers to cross-check prices?

Both, for the PCW to have a proper impact it needs to become ubiquitous. This can only be achieved by using every opportunity to increase its visibility to consumers.

Is there any additional information that Ofgem should provide on its website relating to energy suppliers and/or tariffs to facilitate the customer search and switching process?

The PCW could provide complaints data. After price, customer service is probably the biggest driver for customers. Providing meaningful complaints data will help customers make better decisions and increase their confidence in independent suppliers.

Remedy 10 – Measures to prompt customers on default tariffs to engage in the market

What information should be included in the prompts to customers on default tariffs in order to maximise the chances that they are acted upon?

Should customers who have failed to engage be informed that they are ‘no longer under contract for energy’, that they have been ‘rolled onto a safeguard tariff’, or an alternative message, for example, emphasising how many customers in their area have switched in the last year?

Flow does not support a ‘safeguard’ tariff and considers that customers are generally aware of their ability to choose supplier, even if they have not done so.

How should prompts be communicated to customers? For example, there is some evidence from the financial sector that text prompts are particularly effective at raising awareness in terms of overdrafts etc.

Suppliers are already required to notify customers as they reach the end of a fixed term contract. This requirement could be extended to include sending a prompt to the customer’s smart meter IHD.

What should be the timing and frequency of prompts in order to balance effectiveness in terms of encouraging engagement with the cost and potential irritation that might arise from repeated prompts?

Customers are regularly reminded on bills, statements and Annual Statements of their ability to change supplier.

Who should provide the prompts: customers’ energy suppliers, Ofgem or another party?

Suppliers are already providing prompts which is supported by Ofgem’s ‘Be an Energy Shopper’ initiative.

Are there particular groups of customers who should receive prompts at specific points? For example, should house-buyers be prompted to engage with the

market on completion of their purchase?

House buyers will be contacted by the registered supplier and encouraged to make contact so that they can be put on the most appropriate tariff.

Is there benefit in others in the markets, such as rival energy providers or TPIs, being made aware of which customers remain on default tariffs (or have been rolled on to the safeguard tariff)? In this respect, data protection issues would need to be carefully considered. The ability of other market participants to identify inactive customers, however, has the benefit of potentially encouraging the customer to switch tariffs once out of contract.

This does not seem a viable option due to the data protection issues involved, which if not completely insurmountable, would be likely to create bad publicity and undermine public trust.

Remedy 11 – A transitional ‘safeguard regulated tariff’ for disengaged domestic and microbusiness customers

Should the safeguard tariffs be set on a cost-plus basis, or should they be related to other retail prices?

We do not agree with the proposal for a safeguard tariff, this would be a retrograde step in the regulation of energy, and would undermine the message that switching is what will drive competition and customer savings.

Could the imposition of a transitional safeguard price cap result in energy suppliers reducing the quality of service offered to customers on this tariff? Is this risk reduced by customers’ ability to choose alternative, unregulated tariffs?

No, customer service levels tend to be unrelated to specific tariffs and it would be uneconomical to make them so.

Should all domestic and microbusiness customers on default tariffs be rolled onto the safeguard tariff, or should this remedy only apply to a subset of these customers? If this remedy should not apply to all customers, why? And how should energy suppliers identify those customers who should be covered?

We do not believe that the remedy should apply to any customers. A strong support for switching will be less interventionist, support greater competition and lead to better customer outcomes. As stated the introduction of any social policy into a competitive market can only hamper competition and adversely affect customer’s perceptions.

How should the headroom be calculated to provide the right level of customer protection while not unnecessarily reducing healthy competition?

What regulatory information would be required to set the safeguard tariffs?

How long should the safeguard price caps be kept in place? Is it appropriate to include a specific sunset provision, or should there be a commitment to review

the need for and level of the safeguard price caps after a certain period of time?

How frequently – if at all – would the level of the cap need to be reassessed? If the cap is set on the basis of directly passing through wholesale and network costs, then it may not be necessary to revisit the safeguard price level.

Which energy suppliers should be subject to the safeguard cap, and why? Should it be restricted to the Six Large Energy Firms, or should all retail energy suppliers be covered?

How should the transition from the current arrangements be managed? We note that an immediate requirement to change the prices for all customers on standard variable tariffs, rollover, evergreen, deemed and out-of-contract tariffs might put pressures on certain suppliers more than others. Should there be, therefore, a period over which the safeguard price cap is phased in? If so, how long should this period be and how should the transition work?

Would energy suppliers have the ability to circumvent the remedy, for example, by encouraging disengaged customers to switch on to less favourable, unregulated tariffs, and how such risks could be mitigated?

It is likely that any safeguard tariff could be relatively easily circumvented by larger suppliers, whilst undermining the message that switching tariff or supplier is the best way to save money and drive competition in the industry.

Should the CMA set the level of the safeguard price caps itself, or should make a recommendation to Ofgem to do so?

Flow considers that neither body should set a safeguard tariff.

Remedy 12a – Requirement to implement Project Nexus in a timely manner

How long should the parties be given to implement Project Nexus?

The industry is already working to ensure Project Nexus is delivered as soon as possible without compromising its aims. Due to the complexity of the project, shortening current targets could risk causing issues, undermining the project as a whole.

Should the CMA implement this remedy directly (e.g. via an order and/or a licence modification) or should it make a recommendation to Ofgem to implement the remedy?

We believe that implementing this remedy will ultimately be of greater detriment than benefit to the aims of all interested parties.

Remedy 12b – Introduction of a new licence condition on gas shippers to make monthly submissions of Annual Quantity updates mandatory

Is it proportionate to require the mandatory monthly updating of AQs? Would it be more proportionate to require less frequent updating of AQs? Would less frequent updating still be effective in terms of removing the scope for gaming of the system?

Yes, providing a meter read has been provided in that period.

Remedy 13—Requirement that domestic and SME electricity suppliers and relevant network firms agree a binding plan for the introduction of a cost-effective option to use half-hourly consumption data in the settlement of domestic electricity meters

We invite views on the effectiveness and proportionality of this remedy and invite responses to the following questions:

Would this remedy be effective in stimulating tariff innovation, in particular in terms of time-of-use tariffs?

Yes, although this is already within the scope of the Smarter Markets workgroup.

How long should the parties be given to agree this plan?

It may be prudent to wait until the DDC is live and the major work complete before adding any further major commitments, to avoid complicating the current Smart project.

What are the principal barriers to the introduction of a cost-effective option to use half-hourly consumption data in electricity settlement for profile classes 1 to 4? How could these be reduced?

This would require suppliers' access to data that cannot be accessed without express written consent from each customer. Due to the current volume of projects going through the industry change process there is a lack of available resources.

Should the use of half-hourly consumption data in settlement for these profile classes (or certain of them) be optional for energy suppliers, or should it be mandatory? What are the advantages/ disadvantages of each approach?

This should be optional, due to the need to balance available resources and companies individual strategies.

Are there any distributional considerations that we should take into account in relation to time-of-use tariffs? For example, might vulnerable customers end up paying more if they fail to change their consumption patterns? Or will the decline in the required generation capacity outweigh any increase in peak prices?

This could be avoided with tariffs tailored to individual customer's usage patterns.

When should the (optional/mandatory) use of half-hourly consumption data replace settlement based on assumed customer profiles? Is it necessary to wait

until 2020 when all domestic customers have smart meters installed? Alternatively, could the use of half-hourly consumption data be phased in for those customers with smart meters prior to 2020?

We support 2020 for all. This will ensure that it is implemented correctly without the complications that may arise implementing it during the smart meter rollout.

Remedy 15 – More effective assessment of trade-offs between policy objectives and communication of impact of policies on prices and bills

Is there a sufficient case to justify creating a new, independent body tasked with scrutinising the impact assessments of policymaking bodies and/or providing authoritative analysis to inform the public debate?

No, we are of the opinion this would add further unnecessary red tape to the industry.

Remedy 16 — Revision of Ofgem’s statutory objectives and duties in order to increase its ability to promote effective competition

What specific changes should be made to Ofgem’s statutory objectives and duties in order to ensure that it is able to promote effective competition in the energy sector?

We consider that to promote effective competition in retail markets, Ofgem should focus on regulating the transmission and distribution monopolies. This would free up resources, encourage more new entrants and promote the innovation required to allow market forces to provide effective competition.

Remedy 17 – Introduction of a formal mechanism through which disagreements between DECC and Ofgem over policy decision-making can be addressed transparently

In which circumstance should Ofgem have the right or duty to express views on DECC’s policies and DECC/Ofgem strategy for their implementation? What format should such views take? Should DECC have a duty to formally respond?

Ofgem should have the right to express views on policy and a duty to comment if DECC’s policies were in active conflict with Ofgem’s objectives. For the process to have any value DECC should be required to respond.

In what circumstances should Ofgem have the right to seek a formal direction from Ofgem to implement a certain policy?

Ofgem should have this option when it is a policy that is either the result of, or conflicts with a DECC decision or when their policy would be at the manifest detriment to the GB energy market.

Would DECC's formal direction undermine (or appear to undermine) Ofgem's independence?

No, the system is already well established in government and the ability of a Permanent Undersecretary of State to seek direction from a Minister or Secretary of State has not undermined the independence of the Civil Service. The same ethos will remain between DECC and its NDPBs

Remedy 18a – Recommendation to DECC to make code administration and/or implementation of code changes a licensable activity

Is this recommendation likely to result in a positive change in the initiation, development and/or implementation of code changes that pursue consumers' interests?

Codes are administered/modified as defined in accordance with the governance laid out in them. Accessing to a Code is generally a Licence requirement so a further Licence appears to be unnecessary. Additionally the Code Administrators Code of Practice is positioned to ensure best practice is adopted.

Would this remedy be more effective if certain functions currently carried out by code panels and/or network owners (eg setting up working groups) were transferred to code administrators?

These arrangements are best left to Code Parties to arrange under the Code's Governance.

Remedy 18b – Granting Ofgem more powers to project-manage and/or control timetable of the process of developing and/or implementing code changes

Is this recommendation likely to result in a positive change in the development and/or implementation of code changes that pursue consumers' interests?

Flow considers that this could be better served under the Code Administrators Code of Practice.

Would this undermine the principle (and effectiveness) of industry-led code changes?

Codes modifications should continue to be industry-led.

Should this power be limited to the completion of certain elements of the development or implementation phase (e.g. consultation, setting up working groups)?

Codes have existing process for modifications which should remain independent of Ofgem.

Should Ofgem's ability to use this power be limited to defined circumstances (e.g. modification proposals which are relevant to Ofgem's principal objectives) or should it be left to Ofgem's discretion?

Ofgem has introduced the process of Significant Code Reviews which should be adequate to address

this issue.

Remedy 18c – Appointment of an independent code adjudicator to determine which code changes should be adopted in the case of dispute

Are there benefits in terms of independence, impartiality and/or industry know-how of an independent code adjudicator that are not available with Ofgem, given its other responsibilities, when undertaking the adjudicator role?

We do not see that this role is necessary.

Would there be unintended consequences, arising for instance from an increased lack of coordination between code modification governance, licence modifications and legislation?