

COMPETITION AND MARKETS AUTHORITY ENERGY MARKET INVESTIGATION



Response to the Supplemental Notice of Possible Remedies

16 November 2015

EDF ENERGY'S RESPONSE TO THE SUPPLEMENTAL NOTICE OF POSSIBLE REMEDIES

Remedies to encourage customer engagement by prohibiting the use of evergreen tariffs

- 1.1 This submission is made by EDF Energy plc ("EDF Energy") on behalf of EDF Group companies. EDF Energy welcomes the opportunity to respond to the Competition and Markets Authority's ("CMA") Supplemental Notice of Possible Remedies ("Remedies Notice"), dated 26 October 2015, as part of its market investigation in respect of the supply and acquisition of energy in Great Britain.
- 1.2 EDF Energy wishes to see fully engaged and empowered customers making informed decisions with respect to their choice of tariff and supplier, within a trusted and trustworthy market. EDF Energy therefore supports remedies that increase customer engagement.
- 1.3 EDF Energy also strongly believes that more should be done to support vulnerable people in society with respect to the cost of their energy supply. We are proposing a 'new deal' for these vulnerable customers which would enable them to benefit from an expansion to the current system of discounts for energy supplies.
- 1.4 In response to this Remedies Notice we propose a package of measures for domestic and microbusiness customers designed to increase the number of customers who actively choose their energy tariff.
- 1.5 Our proposal includes:
 - The introduction of a term of 12 months for all tariffs a customer has not actively chosen at a fixed price,
 - Regulated prompts every six months for customers who have not chosen a tariff,
 - There will be no cost to exit the tariff if the customer wishes to switch to an alternative tariff with the same or an alternative supplier,
 - Monitoring of the relative rate at which suppliers engage customers by Ofgem,
 - Additional powers for Ofgem to ensure that the tariffs suppliers offer disengaged customers are fair, and
 - A new deal for vulnerable customers including a discount for those identified as eligible through enhanced data sharing with Government.
- 1.6 Price transparency is a key element of our package, which is enhanced through the following measures:
 - (a) Customers who have not chosen a tariff will receive an increased volume of regular, personalised prompts. These would go further than the current cheapest tariff messaging which highlights the savings available by switching tariffs within a supplier, to include an indication of the savings available in the wider market. The prompts would be regulated by Ofgem and be jointly branded by both Ofgem and the supplier.
 - (b) Making this tariff fixed price and 12 months in length will ensure that it can more directly be compared with tariffs offered to customers making active choices. This will help in terms of creating transparency of any price discrimination for non-engagement. Customers desiring smoothed prices would still be able to fulfil this desire through a long term fixed price. Transparency would be maximised if all tariffs issued by suppliers occurred on (say) the 1st of a month.

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- (c) Ofgem would be required to monitor and compare the prices of all tariffs to further enhance transparency.

- 1.7 The regulator has a very important role to play in our proposal, to ensure that all suppliers engage with their customers in a fair way.
- 1.8 Extending the protection of the requirement to 'not be unduly onerous' to all customers who have not chosen a tariff acts as a deterrent to undue price discrimination and gives Ofgem additional powers to act if they think price differentials are unjustified.
- 1.9 We believe our proposal will result in a very significant increase in customer engagement across the energy industry and a more trusted market. However, we also believe that measures to support vulnerable customers must be an important part of the package.

EDF Energy's Proposal

- 1.10 EDF Energy proposes that suppliers should only be allowed to provide tariffs of 12 months in length to customers who have not made an active choice. Customers would get a tariff renewal notice towards the end of their tariff period which will provide them with information to make an active choice about their next tariff. There would be no charges for leaving the contract early, so customers who had not yet made a choice would be able to do so at any time.
- 1.11 The prices for these tariffs should be fixed for the full 12 months. This gives customers certainty of cost for the period of the contract. At the end of the contract a new fixed price would be offered. The alternative of presenting a new fixed term tariff with a variable price would not allow the customer to compare their quoted price with alternative advertised prices as easily, due to the prospect of price changes.
- 1.12 Customers receiving notice of their tariff renewal would be able to easily see how their new price compares to other fixed-price 12 month tariffs which are widely available and advertised by their existing or alternative suppliers, and make a choice of whether to switch or not. They would also be prompted to look for alternatives, in plain language, including an explanation that there is likely to be a tariff more suitable for them. This message should indicate the scale of the pricing differential across the industry, endorsed by Ofgem and jointly branded by their supplier and Ofgem.
- 1.13 We believe that a single annual message close to tariff renewal is not enough; therefore we propose that all customers on tariffs they have not chosen should receive an additional call to action every six months.
- 1.14 The format and messaging within the prompts should be regulated to ensure consistent and fair treatment of customers. The relative success of suppliers in engaging their customers should be monitored by Ofgem. Suppliers with historic incumbent areas that have higher proportions of disengaged customers should be required to accelerate their efforts to match, and then maintain, equivalent levels of engagement to the better performing suppliers with historic incumbent areas.
- 1.15 All suppliers would be required to publish their prices for customers who had not made a choice as well as statistics of customers who remain on tariffs they had not actively chosen. Ofgem should publish these on a regular basis to allow easy cross-industry comparison by consumer advocates, journalists, politicians and other interested parties.
- 1.16 Ofgem should also actively monitor the differential between tariffs offered to engaged and disengaged customers and notify suppliers if they have concerns over the relative levels of these prices.
- 1.17 The microbusiness and domestic customers currently on 'deemed' contracts, where no contract has ever been agreed, have protection in the form of a licence requirement (Supply Licence Condition 7)

that their prices should 'not be unduly onerous'. We are concerned that suppliers currently have the scope to interpret this requirement very differently. Nevertheless, we believe that effectively monitored by Ofgem, this licence condition could be an effective measure to extend to all customers who have not chosen a tariff. This additional power for Ofgem would allow it to monitor and act if there was a problem with the pricing differential.

- 1.18 All suppliers should be able to effectively manage their exposure to the uncertainty of how many customers remain on these tariffs, through the ability to alter prices for those customers being renewed onto a new 12 month tariff. Suppliers would thereby be able to adjust their prices to reflect changes in costs on a rolling 12 month basis. If suppliers still have a concern, this will act as an incentive to engage their customers and sell tariffs with exit fees to them.
- 1.19 Phasing of the introduction of these alternative arrangements is important to ensure that customers do not suffer customer service issues as a result of suppliers managing big spikes in demand for their services. Some suppliers will also need to invest in new systems and introduce new processes for a large proportion of their customers, which will take some time to implement. Further exploration of a timescale that is practical is needed.
- 1.20 A different arrangement will be necessary for Prepayment Meter customers. The infrastructure for setting prices for Prepayment Meter customers will not be able to accommodate the many new tariffs that monthly price changes would create. For these customers an enduring variable price may be required or a common date for the start of all Prepayment Meter 12 month contracts, until smart metering is deployed.
- 1.21 We recognise a need to protect those consumers who are the most vulnerable, such as those on low incomes where the cost of energy is a significant proportion of their income. It is with this in mind that we have considered additional support for the vulnerable as an important element of our proposal. We do not believe a safeguard tariff is a suitable mechanism to protect vulnerable customers as they would pay the 'headroom' necessary to encourage engagement and competition, but may not be in a position to engage.
- 1.22 We believe an enduring solution would be for a Warm Home Discount type mechanism to be offered to a wider range of those on low incomes. This would use data provided by Government to identify who is eligible. In this way vulnerable customers will benefit from what is offered in the competitive market, which is suited to their needs, and also have additional support. We believe suppliers and organisations like Citizens Advice would be able to help many people to find tariffs that suit their needs as well as benefitting from a discount.
- 1.23 We also strongly believe that such a discount should be available to all eligible vulnerable customers no matter who their supplier is and all suppliers should be party to the scheme.
- 1.24 The combination of effective prompts and improved price transparency to boost competition, while protecting the vulnerable, represents a compelling package of reforms. 70% of customers in GB would be changing their tariff, providing a powerful and effective call to action that would naturally attract media and political comment and coverage. We believe our proposal will make the energy market similar to other markets which enjoy greater engagement, such as motor insurance, and be a major step in re-building trust that customers have in the essential service the industry provides.
- 1.25 Our confidence in this proposal is reinforced by the fact that we currently have some of our microbusiness customers on a tariff that already has many of the features we describe. Our customers on the Easy Fix tariff have certainty on price but flexibility for when they wish to switch tariffs. This is valuable for business people who might not always have the time to consider tariffs at the end of a contract, but want the ability to do so at a more convenient time to them. We see the value in applying this same approach to many more customers, although ultimately success must be

measured by how many customers make active choices to select the energy tariff that best suits their needs.

1.26 In summary, our proposal is:

- Suppliers must put customers who have not made an active choice of tariff onto a tariff of 12 months,
- Suppliers must notify customers who have not chosen a tariff that they may not be on the best deal,
- The price of these tariffs will be fixed for the 12 month term of the tariff,
- There will be no cost to exit the tariff if the customer wishes to switch to a different tariff with the same or an alternative supplier,
- Disengaged customers on the new tariffs will receive a prompt every six months to say they could be on a better tariff, with an indication of the savings available, jointly branded with Ofgem, and also 30 days ahead of being transferred to the new tariff,
- Prepayment Meter customers will need to remain on variable prices, or have just one fixed price period for practical purposes until smart meters are rolled out,
- An enduring discount for the vulnerable should be introduced, using data provided by Government to identify those eligible,
- Ofgem would monitor the effectiveness and fairness with which suppliers treat disengaged customers and whether any supplier needs to improve their efforts to engage,
- Ofgem should apply the requirement to not be 'unduly onerous' to the prices of tariffs for all customers who have not made a choice,
- Suppliers would provide Ofgem with the information to publish tariffs for customers who have not engaged to allow easy comparison,
- Further analysis is required of the appropriate timescale for introducing these changes. Phasing will be needed to manage the potential impact on customer service.

Specific questions

(a) **Would this remedy be effective in encouraging customers to engage more frequently in the market? Are there certain groups of customers who could not be covered by this remedy and, therefore, would not benefit, e.g. those on prepayment, DTS or other meters?**

1.27 We believe this remedy, in combination with the additional measures we outline above, would be effective in encouraging customers to engage more frequently in the market.

1.28 As outlined in our previous submission to the CMA's request for information on the restrictions around Prepayment Meters, there are limitations associated with the current industry infrastructure which could prevent suppliers offering multiple default fixed term/price contracts to this group. Therefore prepayment customers may need to remain on variable price tariffs or have one common fixed price period until the smart meter roll out is complete.

i) **To what extent is the higher level of engagement observed in response to end of fixed-term contract notifications the result of the type of customer who has chosen those products, rather than a response to the notification itself?**

1.29 Our experience has shown that for customers who have engaged at least once and taken a fixed term tariff, end of tariff notifications resulted in [X]% of customers transferring to another fixed term tariff internally, [X]% transferring to another supplier and [X]% lapsing onto standard variable (for fixed term tariffs that ended in the 12 months up to July 2015). However, many of these customers who lapse only do so for a short period before moving to another fixed term tariff with just [X]% (of those who originally signed up for the tariff) remaining on standard variable tariffs one year following their end of tariff notification.

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- 1.30 We recognise that this may in part be because these customers have engaged once already and probably relatively recently. As demonstrated by our relatively high proportion of customers on fixed tariffs, there is scope for other suppliers to increase the number of customers who exhibit these behaviours and increase engagement.
- 1.31 Furthermore we do see the benefits of an industry-wide message that evergreen standard variable tariffs are ending and a public call to action to customers, particularly if supported by national media activity. Some customers may be more likely to respond to a message that their current arrangements are coming to an end and they need to act than a price change or other message.
- (b) Would this remedy be effective in protecting those customers who failed to engage in the market, even after receiving prompts, from paying high prices? Would the extension of SLC 7 in the manner proposed by Centrica, provide such protection?**
- 1.32 We believe that SLC 7 should be extended to all customers (domestic and microbusiness) on a default tariff.
- 1.33 We believe increased transparency will also be effective in protecting customers. As outlined in our response to part (e), we support a fixed price, fixed term, default tariff with no exit fees as being beneficial compared to a variable price default tariff or the current evergreen approach. Price differentials between default and non-default fixed price tariffs would be more transparent as the default tariff(s) could be more easily compared to non-default tariffs.
- 1.34 To further increase transparency, Ofgem could publish default rates for all suppliers to allow easier comparison and provide some pressure from engaged customers when choosing tariffs, who might be concerned over the possibility of ending up on such rates at the end of their tariff term.
- (c) Should this remedy apply to domestic customers only, or should it also be extended to microbusiness customers?**
- 1.35 EDF Energy supports our proposal being applied to microbusiness as well as domestic customers.
- 1.36 [X] of our microbusiness customers are already on Easy Fix, our fixed term, fixed price auto-rollover contract with no exit fees which we developed for customers whose fixed term contract had ended.
- 1.37 We believe that a prompt which communicates the end of a contract alongside a price change versus a prompt that simply communicates a price change is more likely to stimulate a response and therefore engagement.
- 1.38 In determining the design of this remedy, the specific characteristics of the microbusiness energy market compared to the domestic market should be considered carefully. In the microbusiness market there are currently a range of standard variable tariffs which include deemed, extended supply, tariff and roll-over tariffs. This is in contrast to the domestic market where a single variable evergreen tariff exists. All of these tariffs reflect different customer types, behaviour and risk profiles. As a result there are marked price differentials between the tariffs to reflect different costs.
- 1.39 The solution for microbusinesses should, in our view, allow flexibility for suppliers to offer a number of fixed term default contracts at different price levels to reflect these differences in risk profiles. To have a single default tariff would necessitate the need for the prices to converge to average costs and risk across the different tariff types. This would result in customers with lower than average risk profiles and cost burden having to pay a higher price and, in effect, pay for the risk burden of less engaged customers that are more likely to be in debt. We do not believe this would be appropriate or fair unless this was implemented in tandem with an intervention designed to limit debt liability/exposure with deemed customers by providing suppliers with the ability to object to customers that are in debt from changing supplier.

1.40 EDF Energy currently has an actively 'chosen' variable tariff available to microbusiness customers called Freedom with no credit score required. This has been created to meet a customer need for a more flexible tariff. We would propose that this tariff, and others like it, be permissible on the basis that this remedy is designed to target disengaged customers and Freedom is in contrast a tariff which customers actively elect to take.

(d) The wording of the end of fixed-term notifications appears to be critical to the effective functioning of this remedy. Should Ofgem take responsibility for developing and testing appropriate wording, or should the energy suppliers retain responsibility for this?

1.41 As stated above, to ensure the notifications are consistent and effective, we propose that Ofgem should have a role in ensuring suppliers deploy effective prompts, working with suppliers to test appropriate wording and formats. We believe there should be prompts to disengaged customers every six months, with additional prompts closer to the point at which customers are transferred to the new tariff.

1.42 We have also highlighted previously that the proposed removal of the RMR simpler choices tariff restrictions would make it difficult to implement Cheaper Tariff Messaging (CTM) in its current form in the future as it would no longer be practical or helpful for customers due to the increased number and variety of available tariffs (e.g. discounts, bundling, exclusive offers with PCWs). Instead, we believe the notifications and prompts should include the scale of the savings possible should a customer switch, with clear signposting to further independent sources of information such as the proposed Ofgem independent price comparison service.

i) If suppliers design these prompts, how can they be incentivised to maximise their effectiveness?

1.43 The effectiveness of the prompts should be monitored by Ofgem to ensure that no supplier is adopting an approach which systematically engages fewer customers. Where it suspects this is the case, Ofgem should issue a notice for improvement, and if that is not effective, to investigate suppliers under Standards of Conduct.

1.44 Ofgem should ensure that all suppliers reduce the proportion of their default domestic customers to at least the current best performance of those suppliers with historic incumbent areas. Relative targets for microbusinesses would be more difficult to set due to the varying nature in the types of businesses in the customer bases of different suppliers but Ofgem would be able to review whether these customers are being treated fairly.

1.45 It is important to ensure that we are able to measure the success of any remedies over time. We believe Ofgem has a crucial role to play and that the assessment of performance should be built around the relative success of suppliers to reduce the numbers of disengaged customers. In our view, setting absolute targets is not a desirable option for customers or suppliers, as it is not possible to predict how many customers will remain very difficult to reach and it could prove very costly to engage the most resistant, a cost borne by suppliers and ultimately reflected in costs to all customers.

(e) Should the default tariff be fixed price as well as fixed term, or should suppliers be allowed to roll customers onto a variable price tariff?

1.46 We support a fixed price and fixed term default tariff with no exit fees as being beneficial compared to a variable price (or the current evergreen approach) because of the introduction of calls to action and improved transparency of prices. This is not to say that variable tariffs would be disallowed completely as there may be a demand from some customers for variable priced products. However, this needs to be an active choice and is not the best approach for a default tariff.

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- 1.47 Price differentials between default and non-default fixed prices would be more transparent as the default tariff can be compared, like for like, with alternative and likely widely available 12 month fixed tariffs
- 1.48 This approach would also mean that customers will have price certainty for a year, but that suppliers are able to respond to changes in costs and the volumes of customers on the tariff incrementally, as they are able to change the prices for customers renewing their fixed term tariffs each month.
- 1.49 Pricing announcements would in effect become monthly events for a smaller proportion of the customer base rather than annual or biannual events for the majority of customers. The larger price announcements can prove to be a prompt for action but they also attract some misinformation and can be misleading because of the average prices quoted, which undermines trust.
- 1.50 Price transparency will remain important and we propose a requirement on Ofgem to publish default rates alongside each other to aid comparison. Suppliers could be compelled to publish at the same date each month to facilitate this approach. This would also provide some pressure from engaged customers when choosing tariffs, who might be concerned over the possibility of ending up on such rates at the end of their competitive deal.

i) If the default tariff were variable price, should energy suppliers be required to roll all customers who did not take action onto the same tariff, such that in effect there was only a single variable price default tariff per supplier?

- 1.51 Allowing customers to roll onto a single fixed term, variable price default tariff does not allow the same price transparency through comparison as a fixed price tariff and weakens the call to action at the end of each fixed term for customers. We therefore propose fixed term and fixed price tariffs as a more effective way to encourage engagement.

ii) If the default tariff were fixed price, should energy suppliers be required to roll all customers who did not take action within a given period, e.g. one month, onto the same default tariff? Is there a risk that the existence of multiple default tariffs (e.g. one for every month) would reduce the pressure on SVT pricing that currently results from media attention on changes to SVTs?

- 1.52 We believe that if the default tariff were fixed price, suppliers should be free to determine the timing and frequency of the introduction of further default tariffs in order to manage the customer volume risk. This may depend on a number of factors, for example, the extent to which underlying costs have moved, which will be driven in part by the suppliers' hedging strategy and the volumes of customers transferring from or to the default tariff. Customers on any of the default tariff(s) would be free to move, with no exit fees, to an alternative tariff or supplier at any point should they wish.
- 1.53 Price announcements do provide an element of price transparency, although only at an average level across regions and consumption levels, which does not tell individual customers the impact on them. That is why we have proposed measures to enhance more personalised price transparency with the prompts sent to customers with a call to action. We also propose that Ofgem publish a comparison of default tariffs on a regular basis, perhaps monthly, and monitor those tariffs, to consider whether prices are 'unduly onerous'.

(f) How should this remedy be implemented in order to ensure it is effective and proportionate?

i) How long should energy suppliers be given to phase existing customers off their SVTs?

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- 1.54 Appropriate phasing of customers to the new default tariff arrangements is vital to maintain customer service levels and trust in both the switching process and market in general. It is therefore important to allow suppliers an appropriate time to manage the practical considerations and challenges around implementation. Notifying significant volumes of customers within impractical timescales would result in a considerable spike in contact levels and call volumes and could lead to significant operational problems across the industry. This requires further investigation.
- 1.55 Suppliers should also be prevented from acquiring new customers onto their SVT whilst it is being phased out. The exception to this should be those customers who move house and are assigned a deemed tariff and those currently on a fixed price tariff who do not take action at the end of their tariff term and who will need to be defaulted onto the SVT during the first 12 months. In our experience many of these customers only stay on a default tariff for a short period before re-engaging and choosing an alternative tariff.
- ii) Should the remedy be phased in starting with customers who have been on the SVT longest? Alternatively, should it be organised geographically in order to facilitate marketing by competitors and support from consumer groups in later years? For example, energy suppliers might be required to move all SVT customers in a region to the default tariff in the same month, such that the following year energy suppliers, PCWs and other TPIs would know that a large number of customers in that region might be looking to move in that month.**
- 1.56 We support the principle of notifying customers who have been on SVT the longest. However, in order to manage the impacts described in part i) most efficiently we believe that suppliers should be allowed to define this phasing and timing of notifications during the period. The CMA should determine a target date by which suppliers will need to have moved their entire SVT customer base onto other non-default products or the new fixed term default tariff.
- iii) Should energy suppliers be required to provide contact details for all SVT customers or a subset of SVT customers (e.g. those who have been on the default tariff for several years in a row, e.g. three or five years) to Ofgem, which could then seek to contact them with further prompts? Alternatively, should suppliers be required to place the contact details of these customers on a shared database, available to all licensed energy suppliers, in order to allow targeted marketing to these customers? We note that GDF has been required to share such information on those of its customers who remain on the regulated tariff in France.**
- 1.57 In our response to Remedy 10, we have stated that customers generally expect to receive prompts and notifications about their energy from their supplier and if the message is from a source that they do not recognise there is a risk they may just ignore it. However, for those customers who have not responded to the notification and further prompting, roll onto the default tariff and remain on it for an extended period, prompts that are co-branded with both the supplier's and Ofgem's logos may be more effective.
- 1.58 We also outlined concerns that opening this group to multiple sales contacts is unlikely to have a net positive effect on their engagement with the energy market. If all suppliers were to receive details of these customers with current tariff details, whilst personalised savings messages could be developed, they would be likely to receive multiple communications and information from many suppliers / third parties which may not be welcome. In addition, there are important data protection issues which would require customers consent to receive information from third parties / other suppliers.
- (g) What should the default tariff be called? Should it be the 'emergency' tariff to further prompt engagement or would some other wording be more appropriate? Is there a risk that certain customers will be concerned that their energy supply will be cut off if they do not engage following an end of contract prompt?**

i) How should the CMA assess the costs of such potential distress to customers?

ii) Are there means by which this distress could be avoided or mitigated?

1.59 As previously stated in our response to Remedy 11, we would recommend that the CMA undertakes research on names that will invoke the desired reaction from consumers whilst accurately reflecting the key features of the default tariff and should test options with consumers to understand the potential impact on their behaviour.

1.60 Provided the wording of the notification and prompts to SVT customers during the notification period is clear and simple then there should be minimal risk that customers would be concerned that their energy supply will be cut off.

(h) Should Ofgem monitor the proportion of customers on default tariffs, their average tenure and/or the pricing of default tariffs (e.g. with a view to publishing summary information)?

1.61 Yes, we believe that Ofgem should monitor the proportion of customers on default tariffs, their average tenure and pricing differentials and publish this information where appropriate. Standards of Conduct should also be applied where applicable to ensure customers are treated fairly.

(i) Should all energy suppliers be subject to the prohibition on evergreen tariffs?

1.62 We believe that all energy suppliers should be subject to the prohibition on evergreen tariffs.

(j) Would any energy suppliers have the ability to circumvent the remedy? If so, how could they do this?

1.63 Ofgem should monitor the way suppliers engage with their disengaged customers to ensure that any change to a non-default tariff was as a result of active engagement on the part of customers, prompted by suppliers, and not an automatic transfer.

(k) Could this remedy give rise to unintended consequences and, if so, what these might be and how they might be prevented or mitigated?

1.64 The frequency of the prompts and notifications requires careful consideration to avoid 'information overload' and risk harming engagement. EDF Energy considers that a prompt every six months for those customers on default tariffs to be reasonable. As a general rule, it is important that any information used in communicating to a customer should be relevant and simple.

1.65 There is a risk that some SVT customers, particularly the least engaged and most vulnerable could become confused with an imposed change. We propose a solution that would provide financial protection to these vulnerable customers whilst supporting them to engage in the market.

(l) Are there any relevant customer benefits to which we should have regard as being affected by the proposed remedy?

1.66 We are not aware of any other customer benefits which may be affected by the proposed remedy that we have not already mentioned.

(m) What are the relevant costs and benefits that we should take into account when considering the proportionality of this remedy?

1.67 In our response to part (f) we have described the likely implementation challenges which will need to be carefully considered in order to maintain current customer service levels and trust in both the switching process and market in general. Suppliers are likely to incur significant operational costs associated with the expansion of systems and resource capability. There are also likely to be challenges in the migration of, and communication to, customers, particularly the less engaged SVT customer base. These costs can be managed more effectively through a phased transition of customers as described above.

(n) Are there any alternative remedies that would be as effective as the proposed remedy in addressing the provisional AEC and that would be less costly and/or intrusive?

1.68 We propose a package of measures that we believe will be most effective in engaging customers.

(o) Should the CMA seek to implement this remedy itself via an order (e.g. to make a licence modification), or whether it should make a recommendation that another body, such as Ofgem or DECC, implement the remedy?

1.69 We believe there is a central role for Ofgem to implement this remedy within a framework set out by the CMA. The prompts will require careful design and testing with customers to ensure they will be effective which the CMA may not have time to implement within the investigation.