

# ENERGY MARKET INVESTIGATION

## Disclosure of interests

The Competition and Markets Authority (CMA) does not believe that the following matters will prejudice the ability of the Inquiry Group or its staff to discharge its functions in an independent and impartial manner.

**8 August 2014**

### *Member disclosures*

#### *Lesley Ainsworth*

Lesley Ainsworth has 565 shares in Royal Dutch Shell. She has 51,250 units in Foresight Venture Capital Trust, which focuses on investing in solar energy projects. Her husband has shares in a number of energy companies whose net current value is below £10,000.

Lesley was a partner with Hogan Lovells until June 2013. Hogan Lovells has in the last three years advised Ofgem and a number of gas and electricity companies regulated by it, and parents of such companies. However, Lesley Ainsworth herself was not involved in any such work during the last two years.

#### *Roger Witcomb*

Roger Witcomb worked for National Power plc from 1990 to 2000, being their Finance Director from 1996 to 2000. He has a pension from its successor company, RWE npower. From 2005 to 2009 Roger was a non-executive director for Utilita Energy Ltd, an independent retailer of gas and electricity (identified as such in Figure 38 (p78) of the Ofgem/OFT/CMA market assessment). Finally, from 2009 to 2010 Roger was a non-executive director of a then AIM-listed wind power energy developer, Renewable Energy Holdings plc.

All of the Inquiry Group members are consumers of gas and electricity in their private capacity.

## ***Staff disclosures***

### *Nenad Njegovan*

Nenad Njegovan, a Director of Economics on the staff team, was employed by Ofgem until July 2012. During his time at Ofgem he worked on, among other things licence enforcement proceedings against each of British Gas, EDF, E.ON, EDF Energy, National Grid, RWE Npower, Scottish Power and SSE.

Nenad was also involved in competition issues relating to the energy sector, in respect of which formal proceedings were not commenced.

### *Duncan Mills*

Duncan Mills, an economist on the staff team, was employed as a Regulatory Manager with British Gas between January 2011 and January 2012.

## **15 May 2015: update to disclosure**

## ***Staff disclosures***

### *Martin Bell*

Martin Bell, an economist on the staff team, is currently on secondment from Ofgem from July 2014 to 29 May 2015. During his time at Ofgem he worked on, among other things, liquidity, European financial regulation and routes to market for renewable generators. Before joining Ofgem, Martin had a six-month internship with EDF in France, working on Combined Heat and Power in the French market. Within the context of the energy market investigation he has worked on, among other things, the CMA's analysis of market liquidity, customer foreclosure and microbusinesses.

### *Francesca Caputo*

Francesca Caputo, an economist on the staff team, is currently on secondment from Ofgem from May 2015 to October 2015. During her time at Ofgem she worked on, among other things, assessing the presence of market power in the Great British gas flexibility market, delivery of the Isle of Grain phase 4 gas import facility, and Ofgem's European Transmission Policy. Within the context of the energy market investigation she has worked on, among other things, the CMA's analysis of industry codes.

### *Duncan Mills*

Duncan Mills, an economist on the staff team, was employed as a Regulatory Manager with British Gas between January 2011 and January 2012. He was part of the investigation's staff team from June 2014 to November 2014 where he worked on, among other things, the CMA's analysis of the wholesale gas market.

## **15 July 2015: update to disclosure**

### ***Staff disclosures***

#### *Victoria Ellis*

Victoria Ellis, a policy adviser on the staff team, was employed by Ofgem until August 2014. During her time at Ofgem she worked in the Enforcement and Competition Policy team. Within the context of the energy market investigation she will assist the group in identifying and assessing possible remedies.

#### *Dan Rock*

Dan Rock, a financial and business adviser on the staff team, was employed by Ofgem until August 2014. During his time at Ofgem he worked on ongoing regulation of the transmission and distribution businesses and on the competitive tender process for offshore transmission. Within the context of the energy market investigation he will work, among other things, on the identification and assessment of possible remedies.

## **25 August 2015: update to disclosure**

### ***Staff disclosure***

#### *Andrea Gomes da Silva*

On 27 July 2015, Andrea Gomes da Silva joined the CMA as Senior Legal Director for Mergers, Markets and Sector Regulation. In that role she provides senior oversight of the legal advice and analysis on projects within the CMA's mergers, markets and regulatory appeals/reference portfolio. Andrea was previously a partner in the competition group at Freshfields in London.

As part of her role, it is proposed that Andrea will provide senior oversight of the legal input on the Energy Market Investigation with effect from 24 August 2015.

Freshfields has been instructed on this matter by SSE. However, Andrea has had no involvement in the project (the legal team was and is led by another partner) nor any access to confidential information or strategic thinking. Hence it is the CMA's view that no conflict of interest arises. We are nonetheless making this disclosure in the interests of full transparency.

## **23 September 2015: update to disclosure**

### ***Staff disclosure***

#### *Bob Davey*

Bob Davey, a financial and business adviser on the staff team, was employed by Ofgem until March 2015. During his time at Ofgem he worked in the Cost and Outputs and Regulatory Finance teams. Within the context of the energy market investigation, he will assist the group in identifying and assessing possible remedies.

## **20 May 2016: update to disclosure**

### ***Staff disclosure***

#### *Ofgem review support*

An economist (equivalent of senior executive officer grade) currently employed by Ofgem will provide the investigation's staff team with assistance in reviewing analyses that will support the development of one of the investigation's proposed remedies. He will assist the investigation for one week and will remain employed by Ofgem during this period. During his time he will not have access to any other of the investigation's materials outside of those which he is reviewing.