



E.ON's response to the Draft Undertakings - Consultation on the Energy Market Investigation (Gas Tariff Codes) Undertakings 2016 – 09 November 2016

1. In response to Susannah Meeke's letter of 02 August 2016 (our response) E.ON confirmed that in principle, subject to the points made in that letter, we were willing to provide undertakings in accordance with those set out in the CMA's Final Report at paragraph 12.251 in preference to a CMA recommendation for a licence condition.
2. We hold 10 Gas Tariff Pages and do not anticipate that we will need to hold more than 12 at any time so, as such, are willing in principle to provide the undertakings proposed within Section 3.
3. We believe that Ofgem's existing powers, particularly under the Gas Act 1989, can be utilised to deliver the requirements of Clause 6.1 and feel it unnecessary to be included within the undertaking. If the clause is to remain then we would suggest that it should make reference to these existing powers, insert 'reasonably' after 'time to time' and before 'require' in clause 6.1.
4. E.ON continues to review the Final Report and is considering its options in this respect. This response to the Initial Consultation is without prejudice to any appeal that E.ON may wish to pursue in relation to the Final Report and findings which underpin the remedy these undertakings relate to.