

**Centrica response to the CMA's Formal
Consultation on the Energy Market Investigation
(ECOES/DES) Order 2016**

18 November 2016

Introduction

This document provides Centrica's comments on the CMA's draft of:

- The Energy Market Investigation (ECOES/DES) Order 2016.

Summary

We are supportive of the proposals to enable Price Comparison Websites (PCWs) and Third Part Intermediaries (TPIs) access to both ECOES and DES. We are continuing to actively support the industry working groups that are responsible for the progression of the necessary changes to the Uniform Network Code (UNC) and the Master Registration Agreement (MRA).

We do not have any specific comments to make on Part 2 of the Order 'Access to ECOES' or Part 3 'Access to DES'.

Monitoring and Compliance

The MRA governance arrangements should provide an adequate safeguard against any party of the agreement undertaking any action that would prevent MRASCo from giving PCWs access to ECOES. Any attempt to negatively amend the arrangements would require a change to be made to MRA Agreed Procedure 15, which would be identified by MRASCo as part of the change process.

Therefore whilst we agree that the practical impact to Retail Electricity Suppliers and other MRA parties, of completing an annual ECOES Remedy Compliance Statement, is negligible, we believe that given there is a similar requirement upon the MRASCo Board (which includes Retail Electricity Suppliers) to also complete an annual ECOES Remedy Compliance Statement, there is unnecessary duplication being introduced.

We therefore recommend that the completion of an annual ECOES Remedy Compliance Statement need only be undertaken by the MRASCo Board, submitted on behalf of all MRA signatories.

Comments on drafting of the Order

We have the following observations on the Order:

Article 1.2 – In respect of the drafting, the whole Order could be in force but certain obligations could be expressed to take effect at a later date as otherwise, if the effectiveness of the Order is staggered, some provisions of the Order refer to other provisions which are

not yet technically in existence. For instance, under Article 4.3, Gas Transporters are obliged to amend the UNC to put in place obligations under Article 4.1 at a time when Article 4.1 isn't in force

The cross reference in the definition of Gas Transporter Licence should be to s.7(2) of the Gas Act 1986.

The company number of MRA Service Company could be included (as is the case with Elexon and Xoserve).

In the definition of PCW, there is a typographical error in the second line; it should state "internet-based TPI" rather than "interned-based TPI". Also, "Tariff" is used in the definition but "Tariff" is not defined.

Article 5.4 – This could read "After 31 March 2017, each subsequent..."