

Mr Nick Salter
Director – Customer Engagement
Lansdowne Gate
65 New Road
Solihull
West Midlands
B91 3DL

9 June 2017

Re: The Energy Market Investigation (ECOES/DES) Order 2016

Dear Mr Salter,

We are writing you in relation to the Energy Market Investigation (ECOES/DES) Order 2016 (the Order), which was made on 14 December 2016 and which came into effect on 28 February 2017, and our recent discussions regarding compliance with the Order.

The CMA has a duty, under section 162 of the Enterprise Act 2002, to monitor compliance with enforcement orders. On 29 March 2017, Xoserve informed the CMA that it has not been able to comply with the Order by the 28 February 2017 deadline and, therefore, is in breach of the Order.

The CMA reminds Xoserve that complying with the Order is a legal requirement and that they must do so as soon as possible.

On 8 May 2017, Xoserve confirmed that it is working towards full compliance with the Order. In particular, Xoserve has confirmed that it intends to comply with the Order through the provision of an interim telephone service by July 2017, and an Application Programme Interface (API) solution which is expected to launch at the latest in October 2017, subject to the relevant Uniform Network Code permissions being in place.

These proposed steps would achieve compliance of the Order. The CMA will continue to monitor Xoserve's progress towards compliance with the Order, and to work with Xoserve to ensure that it complies with the obligations contained in the Order by October 2017.

Finally, the CMA reminds Xoserve of its obligation under the Order to submit a compliance statement to the CMA by 31 March 2018 and annually thereafter.

Yours sincerely,

Susannah Meeke
Director, Remedies, Business and Financial Analysis