

March 23rd, 2012

Smart Metering Implementation Programme – Regulatory Design Team
Department of Energy & Climate Change
3 Whitehall Place
London
SW1A 2AW

Dear Sir,

Consultation on draft DCC Prohibition Order

Please find First Utility's response to the above consultation below.

Question 1: Do you think any party other than DCC would be captured by the Prohibition Order as set out? If you consider other parties would be captured please identify them and indicate whether you consider this a short term or long term issue.

We do not believe so.

Question 2: Do you have any views on the definition of a smart meter set out in the draft Order?

This definition seems appropriate as it defines a smart meter as an electricity or gas meter which enables information to be communicated to or from the meter using an external electronic communications network. This definition should remain suitable for all smart meters irrespective of future technological development.

Question 3: Do you have any further comments on the approach being adopted to structuring the licensable activity?

No.

Question 4: Do you have any comments on the draft licensable activity as set out in article 4 of the draft Order (Annex 2)?

This would seem to be appropriate.

Question 5: Do you have any comments on the conclusions set out in respect of the proposed consequential amendments or on those assessed as unnecessary?

Again, these seem appropriate.

Question 6: Do you have any comments on the consequential amendments as set out in the draft Order?

No.

first:utility

Question 7: Do you think that DCC should be included in the standards of performance framework? Do you have any general views on the regulation of DCC's relationship with consumers?

We do not believe it necessary to include DCC in standards of performance as consumers will largely be unaware of its existence. Any impact that DCC has on consumers should be dealt with through suppliers and regulated as regards that relationship.

Question 8: Do you consider it necessary for DCC (or its service providers) to be considered a "statutory undertaker"?

We do not believe that this is necessary given DCC's role.

Please do not hesitate to contact me should you have any questions or require any further information.

Best regards,