



07 May 2015

Steven Preece
Competition and Markets Authority
Victoria House
Southampton Row
London
WC1B 4AD

Dear Steven,

The Competition and Markets Authority (CMA) consults on extending energy licence modification appeals rules to Northern Ireland appeals

Firmus energy is pleased to have the opportunity to engage with the CMA in helping determine a procedural framework for appeals to the CMA regarding The Northern Ireland Authority for Utility Regulation licence modification decisions.

Firmus energy is aware of the need to align the Northern Ireland appeals regime with that of Great Britain as a result of the Gas and Electricity Licence Modification and Appeals Regulations (Northern Ireland) 2015. Firmus energy note the CMA has not yet published a definitive set of licence modification appeals rules for Northern Ireland, and instead have stated their intention to construct the rules on the basis of the current rules applicable to OFGEM modifications (The Competition Commission Energy Licence Modification Appeals Rules) (CC14).

Given the near identical powers conferred upon the CMA by the relative legislation for Great Britain and Northern Ireland, namely Schedule 3A – Procedure for appeals under Article 14B of the Gas (Northern Ireland) Order 1996 and Schedule 4A – Procedure for appeals under section 23B of the Gas Act 1986, firmus energy agrees that the modification appeals rules that are utilised in Great Britain can be amended to ensure compliance with Northern Ireland legislation.

Therefore, firmus energy supports the CMA's decision to construct the Northern Ireland Licence Modification Appeals Rules based on the existing Great Britain CC14 document. In addition firmus energy would welcome the CMA consulting upon a draft version of the new Northern Ireland rules prior to their implementation.

Firmus energy looks forward to further engagement with the CMA throughout this process.

Yours sincerely,

Peter McClenaghan
Regulatory Affairs Manager