

## **Condition 12. Matters relating to Electricity Meters**

### **Detection and prevention of electricity theft**

- 12.1 The licensee must take and must ensure that its agents take all reasonable steps to detect and prevent:
- (a) the theft or abstraction of electricity at premises supplied by it;
  - (b) damage to any electrical plant, electric line or Metering Equipment through which such premises are supplied with electricity; and
  - (c) interference with any Metering Equipment through which such premises are supplied with electricity.

### **Apparatus on Customer's side of Non-Half-Hourly Meter**

- 12.2 This paragraph applies where the licensee installs or arranges for the installation of a second Electricity Meter or other apparatus on the Customer's side of a Non-Half-Hourly Meter for the purpose of ascertaining or regulating:
- (a) the amount of electricity supplied;
  - (b) the period of supply; or
  - (c) any other quantity or time connected with the supply.
- 12.3 If paragraph 12.2 applies, the power consumed by the second Electricity Meter or other apparatus described in that paragraph must not exceed 10 watts when added to the power consumed by any other Electricity Meter or apparatus installed by or on behalf of the licensee in a similar position or for a similar purpose in relation to the Customer, except if the Customer otherwise agrees.

### **Services for Prepayment Meters using tokens**

- 12.4 This paragraph applies where the licensee supplies or offers to supply a system of services (for this condition only, "Prepayment Meter services") within its Supply Services Area for Prepayment Meters operated by the use of tokens.
- 12.5 Where paragraph 12.4 applies, the licensee must, if any other Electricity Supplier requests it to do so, offer to enter into or procure an agreement for the provision of Prepayment Meter services

for Prepayment Meters operated by the use of tokens within its Supply Services Area for that supplier on non-discriminatory terms.

- 12.6 When providing or arranging to procure Prepayment Meter services for Prepayment Meters operated by the use of tokens, the licensee must do so in the most efficient and economical manner that it reasonably can, having regard to the alternatives available and all the other circumstances of the case.
- 12.7 The obligations of the licensee under paragraphs 12.5 and 12.6 will stop having effect on and from 1 August 2010.

### **Services for Prepayment Meters using cards**

- 12.8 This paragraph applies where the licensee supplies or offers to supply Prepayment Meter services within its Supply Services Area for Prepayment Meters operated by the use of cards.
- 12.9 Where paragraph 12.8 applies, the licensee must, if any other Electricity Supplier requests it to do so, offer to enter into or procure an agreement for the provision of Prepayment Meter services for Prepayment Meters operated by the use of cards within its Supply Services Area for that supplier on non-discriminatory terms.
- 12.10 When providing or arranging to procure Prepayment Meter services for Prepayment Meters operated by the use of cards, the licensee must do so in the most efficient and economical manner that it reasonably can, having regard to the alternatives available and all the other circumstances of the case.
- 12.11 The licensee may by Notice given to all other Electricity Suppliers and the Authority specify a date, being not less than two years after the date of the Notice, on and from which it will stop offering to provide or procure the provision of Prepayment Meter services for Prepayment Meters operated by the use of cards for other Electricity Suppliers in its Supply Services Area.
- 12.12 If a Notice under paragraph 12.11 has been given, the obligations of the licensee under paragraphs 12.9 and 12.10 will stop having effect on and from the date specified in the Notice unless, at least three months before that date, the Authority directs the licensee that it considers that the ending of those obligations would be likely to be detrimental to the interests of Customers.
- 12.13 Where the Authority issues a direction under paragraph 12.12, it will, after consulting with the licensee, give Notice to the licensee and all other Electricity Suppliers specifying a further date

on and from which the licensee will stop offering to provide or procure the provision of the relevant Prepayment Meter services.

12.14 Not Used

12.15 Not Used

12.16 Not Used

#### **Advanced meters for Non-Domestic Premises**

12.17 This paragraph has effect on and after 6 April 2009 and applies where the licensee installs or arranges for the installation of an Electricity Meter at Non-Domestic Premises where the metering point falls within profile class 5, 6, 7 or 8 as defined in the Balancing and Settlement Code (for this condition only, “relevant premises”).

12.18 If paragraph 12.17 applies, the Electricity Meter installed at the relevant premises must be an advanced meter.

12.19 For the purposes of this condition, an advanced meter is an Electricity Meter that, either on its own or with an ancillary device, and in compliance with the requirements of any relevant Industry Code:

- (a) provides measured electricity consumption data for multiple time periods, and is able to provide such data for at least half-hourly time periods; and
- (b) is able to provide the licensee with remote access to such data.

12.20 The licensee must ensure that a Customer supplied with electricity at relevant premises through an advanced meter, or that Customer’s nominated agent, has timely access, on request, to the data provided by that meter.

12.20A The requirements of paragraph 12.20 cease to apply in respect of any relevant premises from the date that Part C2 of standard condition 51 (Smart Metering – Customer Access to Consumption Data) applies in respect of such premises.

12.21 As from 6 April 2014, the licensee must not supply electricity to any relevant premises other than through an advanced meter.

12.22 The prohibition imposed by paragraph 12.21 does not apply where the licensee is unable to install or arrange for the installation of any advanced meter at the relevant premises in question despite taking all reasonable steps to do so.

#### **Advanced meters – Designated Premises**

12.23 This paragraph has effect on and after 6 April 2014 and applies where the licensee installs or arranges for the installation of a Current Transformer Electricity Meter at any Designated Premises.

12.24 If paragraph 12.23 applies, the Current Transformer Electricity Meter installed or arranged to be installed at the Designated Premises must be an advanced meter.

#### **Advanced meters – Domestic Premises**

12.25 This paragraph has effect from the date specified by the Secretary of State in a direction issued to the licensee under this paragraph and applies where the licensee installs or arranges for the installation of a Current Transformer Electricity Meter at any Domestic Premises.

12.26 If paragraph 12.25 applies, the Current Transformer Electricity Meter installed or arranged to be installed at the Domestic Premises must be an advanced meter.

#### **Current Transformer Electricity Meters from 2021**

12.27 After the ARS Specified Date, the licensee must not supply electricity to any Designated Premises or Domestic Premises through a Current Transformer Electricity Meter which is not also an advanced meter.

#### **Customer Access to Data**

12.28 The licensee must ensure that a Customer supplied with electricity at Designated Premises or Domestic Premises through an advanced meter, or that Customer's nominated agent, has timely access, on request, to the data provided by that meter.

12.28A The requirements of paragraph 12.28 cease to apply in respect of any Designated Premises from the date that Part C2 of standard condition 51 (Smart Metering – Customer Access to Consumption Data) applies in respect of such premises.

#### **Exception**

12.29 The prohibition imposed by paragraph 12.27 does not apply where the licensee is unable to install or arrange for the installation of an advanced meter at the Designated Premises or the Domestic Premises in question despite taking all reasonable steps to do so.

**Condition 47: Smart Metering — Matters Relating To Obtaining and Using Consumption Data**

**Application**

47.1 Part A of this condition applies only in respect of each Domestic Premises (the **relevant premises**):

- (a) to which electricity is supplied through an Electricity Meter which forms part of a Smart Metering System; or
- (b) to which electricity is supplied through a Remote Access Meter; and
- (c) in respect of which the quantity of electricity supplied is measured by that Electricity Meter.

47.2 Part B of this condition applies only in respect of each Designated Premises at which the Customer is a Micro Business Consumer (the **micro business premises**):

- (a) to which electricity is supplied through an Electricity Meter which forms part of a Smart Metering System; or
- (b) to which electricity is supplied through a Remote Access Meter; and
- (c) in respect of which the quantity of electricity supplied is measured by that Electricity Meter.

**PART A. APPLICATION TO RELEVANT PREMISES**

**Prohibition on obtaining consumption data**

47.3 Subject to paragraphs 47.4 and 47.7, the licensee must not, in respect of any relevant premises, obtain any Electricity Consumption Data which relates to a period of less than one month.

**Exception to Prohibition — Obtaining consumption data for periods of less than one month**

47.4 Paragraph 47.3 does not apply where:

- (a) the Electricity Consumption Data that is obtained relates to a period of less than one month but not less than one day; and
- (b) the requirements of either paragraph 47.5 or 47.6 are satisfied.

47.5 The requirements of this paragraph are that:

- (a) the licensee has given Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:
  - (i) that the licensee intends to obtain Electricity Consumption Data which relates to any one or more periods of a length referred to in paragraph 47.4(a);
  - (ii) of the purposes (which purposes must not include Marketing) for which the licensee may use that Electricity Consumption Data; and
  - (iii) that the Domestic Customer may at any time object to the licensee obtaining that Electricity Consumption Data and of the process by which he may do so; and
- (b) the Domestic Customer has either:
  - (i) given explicit consent to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice (and such consent has not been withdrawn); or
  - (ii) after at least seven days have elapsed from the date on which the Notice was given to him, not objected to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice.

47.6 The requirements of this paragraph are that one of the following applies:

- (a) the licensee has reasonable grounds to suspect that there is an occurrence of theft or abstraction of electricity at the relevant premises, and it obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in paragraph 47.4(a) only for the purposes of investigating that suspected theft or abstraction;
- (b) the licensee obtains Electricity Consumption Data which relates to a single period of a length referred to in paragraph 47.4(a) only for the purposes of:
  - (i) verifying the quantity of electricity supplied to the relevant premises since the last date in respect of which the licensee obtained Electricity Consumption Data that was used for the purposes of sending a Bill or a statement of account to the Domestic Customer (the **Billing Date**); and
  - (ii) calculating and sending an accurate and up to date Bill or statement of account (including a final Bill or statement of account) to the Domestic Customer in

respect of the Charges for the Supply of Electricity to the relevant premises since the Billing Date;

- (c) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in paragraph 47.4(a) only for the purposes of responding to an enquiry from or a complaint made by, or on behalf of, the Domestic Customer at the relevant premises and relating to the supply of electricity by the licensee to the relevant premises;
- (d) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in paragraph 47.4(a), only following receipt of a request of the type referred to in, and for the purposes of complying with the requirement of, paragraph ~~51.9(b)~~~~51.4(b)~~ of standard condition 51 (Smart Metering – Customer Access to Consumption Data); or
- (e) the Electricity Meter forming part of the Smart Metering System or Remote Access Meter at the relevant premises is a Prepayment Meter, and the Electricity Consumption Data:
  - (i) is obtained only by virtue of the Remote Access Meter or Smart Metering System registering an advance payment made by the Domestic Customer through that Prepayment Meter; and
  - (ii) relates to a single period of a length referred to in paragraph 47.4(a) which corresponds to the period since the previous advance payment made by the Domestic Customer through that Prepayment Meter.

**Exception to Prohibition — Obtaining consumption data for periods of less than a day**

47.7 Paragraph 47.3 does not apply where:

- (a) the Electricity Consumption Data that is obtained relates to a period of less than one day; and
- (b) the requirements of either paragraph 47.8 or 47.9 are satisfied.

47.8 The requirements of this paragraph are that:

- (a) the licensee has given Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:



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- (i) that the licensee intends to obtain Electricity Consumption Data which relates to any one or more periods of less than one day;
  - (ii) of the purposes for which the licensee may use that Electricity Consumption Data;
  - (iii) that the licensee requires the Domestic Customer's consent to obtain that Electricity Consumption Data; and
  - (iv) that where the Domestic Customer gives consent he may withdraw it at any time and of the process by which he may do so; and
- (b) the Domestic Customer has given his explicit consent to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice and such consent has not been withdrawn.

47.9 The requirements of this paragraph are that:

- (a) where:
  - (i) there is a Remote Access Meter and the Authority has approved the Trial; or
  - (ii) the Electricity Meter forms part of a Smart Metering System and the Secretary of State has approved the Trial; and
- (b) the relevant premises fall within that category;
- (c) the licensee has given at least 14 days advance Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:
  - (i) of the nature and purpose of the Trial;
  - (ii) that he may at any time object to being included in the Trial;
  - (iii) of the process by which the Domestic Customer may object; and
- (d) the Domestic Customer has not objected to being included in the Trial.

**Prohibition on use of consumption data**

47.10 Subject to paragraph 47.11, the licensee must not use Electricity Consumption Data obtained in respect of any relevant premises other than for any of the following purposes:

- (a) calculating and sending a Bill or a statement of account to the Domestic Customer;
- (b) complying with a relevant condition or a relevant requirement;
- (c) where the requirements of paragraph 47.5 are satisfied, the purpose set out in the Notice given to the Domestic Customer under paragraph 47.5(a);
- (d) where any of the requirements of paragraph 47.6 are satisfied, the purpose for which the data was obtained in accordance with paragraph 47.6;
- (e) where the requirements of paragraph 47.8 are satisfied, the purpose set out in the Notice given to the Domestic Customer under paragraph 47.8(a);
- (f) where the requirements of paragraph 47.9 are satisfied, the purpose of the Trial.

**Exception to prohibition on use of consumption data**

47.11 The licensee may use Electricity Consumption Data for purposes other than the purposes specified in paragraph 47.10 where:

- (a) it has given at least seven days advance Notice informing the Domestic Customer that it intends to use Electricity Consumption Data for the purposes specified in the Notice; and
- (b) the requirements of paragraph 47.12 are satisfied.

47.12 The requirements of this paragraph are that:

- (a) where the Electricity Consumption Data relates to any period of less than one day, the Domestic Customer has given explicit consent for that Electricity Consumption Data to be used for the purposes specified in the Notice;
- (b) where the Notice given under paragraph 47.11(a) specifies that the licensee intends to use Electricity Consumption Data for Marketing, the Domestic Customer has given explicit consent for the Electricity Consumption Data to be used for Marketing; and
- (c) in all other cases, the Domestic Customer has not objected to the Electricity Consumption Data being used for the purposes specified in the Notice.

**Maintaining records and informing customers**

47.13 The licensee must, in respect of each of its Domestic Customers at relevant premises, at all times maintain an accurate and up to date record of:

- (a) the date of any Notice sent to the Domestic Customer under this condition and of the information contained in it;
- (b) the nature of the Domestic Customer's response (if any) to that Notice;
- (c) the time periods (by reference to length) in relation to which the licensee obtains or may obtain Electricity Consumption Data; and
- (d) where the licensee obtains Electricity Consumption Data by virtue of the requirements of paragraph 47.6(a) a statement setting out the reasons why such requirements are satisfied in the circumstances of the case.

47.14 The licensee must, in accordance with paragraph 47.15, inform the Domestic Customer in Writing of:

- (a) the time periods (by reference to length) in relation to which the licensee obtains or may obtain Electricity Consumption Data;
- (b) the purposes for which that Electricity Consumption Data is, or may be, used by the licensee; and
- (c) where any of the time periods is of less than one month, the Domestic Customer's right, if any, to object or withdraw consent (as the case may be) to the licensee obtaining or using (as the case may be) that Electricity Consumption Data.

47.15 The licensee shall inform the Domestic Customer of the matters set out in paragraph 47.14:

- (a) where it installs or arranges for the installation of the Remote Access Meter or Smart Metering System at the Domestic Premises, on, or at any time during the 14 days prior to, the date of installation or as soon as reasonably practicable after the date of installation; and
- (b) in all cases, at such intervals as are determined appropriate by the licensee for the purposes of ensuring that the Domestic Customer is regularly updated of such matters.

## **PART B. MICRO BUSINESS PREMISES**

### **Prohibition on obtaining consumption data**

47.16 Subject to paragraph 47.17, the licensee must not, in respect of any micro business premises, obtain any Electricity Consumption Data which relates to a period of less than one month.

**Exception to prohibition on obtaining consumption data**

47.17 Paragraph 47.16 does not apply where the requirements of paragraphs 47.17A, ~~or~~ 47.17B or 47.17C are satisfied.

47.17A The requirements of this paragraph are:

- (a) the licensee has given at least seven days advance Notice to the Micro Business Consumer at the micro business premises informing the Micro Business Consumer:
  - (i) that the licensee intends to obtain Electricity Consumption Data which relates to any one or more periods of less than one month;
  - (ii) of the purposes for which the licensee may use that Electricity Consumption Data; and
  - (iii) that the Micro Business Consumer may at any time object to the licensee obtaining that Electricity Consumption Data and of the process by which he may do so; and
- (b)
  - (i) the Micro Business Consumer has not objected to the licensee obtaining that Electricity Consumption Data for the purposes set out in the Notice; or
  - (ii) the Micro Business Consumer has objected to the licensee obtaining Electricity Consumption data, which relates to any one or more periods of less than one month and the licensee is unable to remotely configure the Remote Access Meter to prevent Electricity Consumption Data from being automatically sent to the licensee or a third party, but as soon as reasonably practicable the licensee:
    - (1) takes all reasonable steps to prevent the third party passing that Electricity Consumption Data to the licensee or any other third party;
    - (2) takes all reasonable steps to ensure the third party permanently erases that Electricity Consumption Data; and
    - (3) permanently erases any of that Electricity Consumption Data it has obtained.

47.17B The requirements of this paragraph are that the Electricity Consumption Data that is obtained relates to a period of less than one month but not less than one day, and that one of the following applies:

- (a) the licensee has reasonable grounds to suspect that there is an occurrence of theft or abstraction of electricity at the micro business premises, and it obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in this paragraph 47.17B only for the purposes of investigating that suspected theft or abstraction;
- (b) the licensee obtains Electricity Consumption Data which relates to a single period of a length referred to in this paragraph 47.17B only for the purposes of:
  - (i) verifying the quantity of electricity supplied to the micro business premises since the last date in respect of which the licensee obtained Electricity Consumption Data that was used for the purposes of sending a Bill or a statement of account to the Micro Business Consumer (the **Billing Date**); and
  - (ii) calculating and sending an accurate and up to date Bill or statement of account (including a final Bill or statement of account) to the Micro Business Consumer in respect of the Charges for the Supply of Electricity to the micro business premises since the Billing Date;
- (c) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in this paragraph 47.17B only for the purposes of responding to an enquiry from or a complaint made by, or on behalf of, the Micro Business Consumer at the micro business premises and relating to the supply of electricity by the licensee to the micro business premises; or
- ~~(d) the licensee obtains Electricity Consumption Data which relates to any one or more periods of a length referred to in this paragraph 47.17B only following receipt of a request of the type referred to in, and for the purposes of complying with the requirement of, paragraph 51.12 of standard condition 51 (Smart Metering – Customer Access to Consumption Data); or~~
- ~~(e)~~(d) the Electricity Meter forming part of the Smart Metering System or Remote Access Meter at the micro business premises is a Prepayment Meter, and the Electricity Consumption Data:

- (i) is obtained only by virtue of the Remote Access Meter or Smart Metering System registering an advance payment made by the Micro Business Consumer through that Prepayment Meter; and
- (ii) relates to a single period of a length referred to in this paragraph 47.17B which corresponds to the period since the previous advance payment made by the Micro Business Consumer through that Prepayment Meter.

47.17C The requirements of this paragraph are that the licensee obtains Electricity Consumption Data which relates to any one or more periods of less than one month following receipt of a request of the type referred to in, and for the purposes of complying with the requirements of, paragraph 51.21 of standard condition 51 (Smart Metering – Customer Access to Consumption Data).

### **Use of consumption data**

47.18 The licensee must not use Electricity Consumption Data obtained in respect of any micro business premises other than for any of the following purposes:

- (a) calculating and sending a Bill or a statement of account to the Micro Business Consumer;
- (b) complying with a relevant condition or a relevant requirement;
- (c) where the requirements of paragraph 47.17A are satisfied, the purpose set out in the Notice given to the Micro Business Consumer under paragraph 47.17A(a);
- (d) where any of the requirements of paragraph 47.17B are satisfied, the purpose for which the data was obtained in accordance with paragraph 47.17B.

### **Interpretation and Definitions**

47.19 In this condition, any reference:

- (a) to Electricity Consumption Data being 'obtained' by the licensee shall be read as incorporating a reference to the licensee requesting any other person to obtain that Electricity Consumption Data on its behalf (and references to 'obtain' and 'obtaining' shall be construed accordingly);
- (b) to the licensee obtaining Electricity Consumption Data which 'relates to' a specified period, shall be read as incorporating a reference to the licensee obtaining any data

which would allow it to calculate Electricity Consumption Data in respect of that period (and references to Electricity Consumption Data being 'in relation to' a period of time shall be construed accordingly).

47.20 For the purposes of this condition:

**Electricity Consumption Data** means, in respect of a relevant premises or a micro business premises, the quantity of electricity measured by the Electricity Meter as having been supplied to the relevant premises or the micro business premises.

**Marketing** means:

- (a) any activities of the licensee or its Representatives which are directed at or incidental to identifying and communicating with Domestic Customers for the purpose of promoting the provision of goods or services by any person and includes entering into contracts for the provision of goods or services with such customers;
- (b) the licensee or its representatives disclosing Electricity Consumption Data to any other person for the purposes of that person undertaking activities which are directed at or incidental to identifying and communicating with Domestic Customers for the purpose of promoting the provision of goods or services by any person, including the entering into contracts for the provision of goods or services with such customers,

but for these purposes 'goods or services' shall be taken to exclude the supply of electricity by the licensee.

**Micro Business Consumer**

has the meaning given to it in standard condition 7A (Supply to Micro Business Consumers).

**Remote Access Meter**

means an Electricity Meter that, either on its own or with an ancillary device:

- (a) provides measured Electricity Consumption Data for multiple time periods and is able to provide such data for periods of less than one month;
- (b) is able to provide the licensee with remote access to such data; and
- (c) is not a Smart Metering System or part of a Smart Metering System.

**Trial**

means proposals submitted by the licensee for obtaining Electricity Consumption Data which relates to any one or more periods of less than one day, in respect of a particular category of relevant premises and for a particular purpose (in each case as specified in the proposal), on a trial basis.

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**Condition 51. Smart Metering – Customer Access to Consumption Data**

**Application**

51.1 Parts A and D of this Condition apply to the licensee in respect of any Domestic Premises at which:

- (a) it is the Relevant Electricity Supplier; and
- (b) there is installed a Smart Metering System,

**(the relevant premises)**

51.2 Parts B and D of this Condition apply to the licensee in respect of any Domestic Premises at which:

- (a) it is, pursuant to the Master Registration Agreement, registered as being responsible for a metering point at which there is Export (the **export supplier**); and
- (b) there is installed a Smart Metering System,

**(the relevant export premises).**

51.3 Parts C1 and D of this Condition apply to the licensee in respect of any Designated Premises and (to the extent to which they are not Designated Premises) any Micro Business Premises at which:

- (a) it is the Relevant Electricity Supplier; and
- (b) there is installed a Smart Metering System,

**(the relevant designated or micro business premises).**

51.4 Parts C2 and D of this Condition apply to the licensee in respect of any Non-Domestic Premises at which:

- (a) it is the Relevant Electricity Supplier; and
- (b) there is installed a Smart Metering System or an Advanced Meter,

**(the relevant non-domestic premises).**

51.5 Parts C3 and D of this Condition apply to the licensee in respect of any Designated Premises at which:

(a) it is the Relevant Electricity Supplier; and

(b) there is installed a Smart Metering System or an Advanced Meter,

(the relevant designated premises).

51.6 Part C1 of this Condition ceases to apply from the date Part C2 applies.

51.7 Part C2 of this Condition applies from 1 December 2022 or such later date as may be specified in a direction given to the licensee by the Secretary of State pursuant to this paragraph 51.7.

51.8 Part C3 of this Condition applies from 1 October 2024 or such later date as may be specified in a direction given to the licensee by the Secretary of State pursuant to this paragraph 51.8.

## **PART A - OBLIGATIONS IN RESPECT OF RELEVANT PREMISES**

### **Customer Access to Relevant Consumption Data**

~~51.4~~51.9 In respect of each relevant premises, the licensee must:

- (a) within a reasonable period of time after the Effective Date, notify the Domestic Customer at the premises that the licensee can, if requested, make available Relevant Consumption Data such that it can be accessed by the Domestic Customer in accordance with paragraph (b) below; and
- (b) as soon as is reasonably practicable after receiving any request to do so from the Domestic Customer at those premises, make available (free of charge and in a readily understandable format) Relevant Consumption Data such that it can be accessed, at any time, by the Domestic Customer via:
  - (i) the internet; or
  - (ii) where the licensee does not provide access via the internet, a Consumer Device provided, free of charge, by the licensee to the Domestic Customer for the purposes of meeting the Domestic Customer's request.

~~51.5~~51.10 The requirements of paragraph ~~51.4~~51.9 are subject to paragraph 51.~~13~~8.

### **Retention of Consumption Data**

~~51.6~~51.11 Paragraph 51.~~7~~12 applies where:

- (a) the licensee makes available Relevant Consumption Data such that it can be accessed by the Domestic Customer in accordance with paragraph ~~51.4~~51.9(b); and
- (b) the Smart Metering System (or any part of it) at the relevant premises does not retain consumption data for the Relevant Period.

~~51.7~~51.12 Where this paragraph applies:

- (a) the licensee must establish arrangements which enable consumption data to be retained for the Relevant Period; and
- (b) until such date as consumption data is retained for the Relevant Period, the reference to 24 months in the definition of Relevant Consumption Data shall be construed as a reference to the period for which consumption data is retained.

### **Exception**

~~51.8~~51.13 The requirements in paragraph ~~51.9~~51.4 do not apply:

- (a) where:
  - (i) either:
    - (A) the Smart Metering System at the relevant premises was not installed or arranged to be installed by the licensee; or
    - (B) the licensee replaces any apparatus forming part of the Smart Metering System pursuant to paragraph 50.9 of standard condition 50 (Smart Metering – Continuation of Arrangements on Change of Supplier); and
  - (ii) a connection that enables the exchange of information between the Smart Metering System and the licensee's Communications System has not at any time been established (whether directly to the licensee's Communications System or indirectly through the DCC's Communications System); or
- (b) where:
  - (i) the Smart Metering System at the relevant premises was installed or arranged to be installed by the licensee; and

- (ii) the obligations in paragraph 49.4 of standard condition 49 (Smart Metering Systems and In-Home Displays – Operational Requirements) do not apply in respect of the relevant premises by virtue of the exception at either paragraph 49.8 or paragraph 49.13 of that standard condition.

## **PART B - OBLIGATIONS IN RESPECT OF RELEVANT EXPORT PREMISES**

### **Access to Relevant Export Data**

~~51.9~~51.14 In respect of any relevant export premises at which the Smart Metering System measures the quantity of Export, the licensee must:

- (a) within a reasonable period of time after the Effective Date or the Export Date (whichever is the later), notify the Domestic Customer at the premises that the licensee can, if requested, make available Relevant Export Data such that it can be accessed by the Domestic Customer in accordance with paragraph (b) below; and
- (b) as soon as is reasonably practicable after receiving any request to do so from the Domestic Customer at those premises, make available (in a readily understandable format) Relevant Export Data such that it can be accessed by the Domestic Customer.

~~51.10~~51.15 The requirements of paragraph 51.~~149~~ are subject to paragraph 51.~~16~~.

### **Exception**

~~51.11~~51.16 The requirements in paragraph 51.~~149~~ do not apply where a connection that enables the exchange of information between the Smart Metering System at the relevant export premises and the licensee's Communications System has not at any time been established (whether directly to the licensee's Communications System or indirectly through the DCC's Communications System).

## **PART C1 – OBLIGATIONS IN RESPECT OF RELEVANT DESIGNATED OR MICRO BUSINESS PREMISES**

~~51.12~~51.17 In respect of each relevant designated or micro business premises, the licensee must, on request of the Customer at the premises, ensure that the Customer or that Customer's nominated agent has timely access to the half-hourly consumption data which is held by or stored in the Smart Metering System at such premises.

~~51.13~~51.18 In the case of Smart Metering Systems at Non-Domestic Premises which are enrolled under the Smart Energy Code, the requirements of paragraph 51.~~172~~ shall only apply from the

date (if any) on which the licensee becomes a DCC User (as defined in standard condition 54 (Enrolment of Smart Metering Systems)).

~~51.14~~51.19 Paragraph ~~51.15~~51.20 shall apply until the licensee becomes a DCC User (as defined in standard condition 54 (Enrolment of Smart Metering Systems)).

~~51.15~~51.20 Before the licensee enters into a Non-Domestic Supply Contract, the licensee must take (and ensure that any Representative takes) all reasonable steps to:

- (a) ascertain whether a Smart Metering System enrolled under the Smart Energy Code is installed at the Non-Domestic Premises; and
- (b) where such a Smart Metering System is installed at the premises, communicate to the Customer in plain and intelligible language an explanation of the nature and effect of any potential variations to the services related to the functionality of such a Smart Metering System that might be to the disadvantage of the Customer and which would arise if the Customer enters into the contract.

## **PART C2 – OBLIGATIONS IN RESPECT OF RELEVANT NON-DOMESTIC PREMISES**

### **Access to Consumption Data on Request**

~~51.16~~51.21 In respect of each relevant non-domestic premises, the licensee must where requested by:

- ~~(a) the Non-Domestic Customer at those premises;~~
- ~~(b) a Nominated Agent of the Non-Domestic Customer,~~

~~make available in a machine readable format Relevant Non-Domestic Consumption Data such that it can be accessed, free of charge and via the internet, by the person making the request.~~

### **Exception**

~~51.22~~ The requirement in paragraph 51.21 does not apply where:

- ~~(a) in respect of a request made before Part C3 of this Condition applies for data provided by an Advanced Meter, the licensee is unable to obtain the Relevant Non-Domestic~~

Consumption Data except at a cost which is manifestly excessive, and the licensee has taken all such steps as were reasonable to prevent this circumstance from occurring; or

(b) the licensee, having taken all reasonable steps, is unable to obtain the Relevant Non-Domestic Consumption Data due to material technical reasons.

### **Licensee's Procedures**

51.23 The licensee must:

(a) establish, maintain and give effect to clear and transparent procedures and processes by which a Non-Domestic Customer or a Nominated Agent may make a request for Relevant Non-Domestic Consumption Data;

(b) as a minimum, set out in its procedures and processes:

(i) the information to be provided by the Non-Domestic Customer or the Nominated Agent (as the case may be) for the purposes of enabling the licensee to accede to the request; and

(ii) the methods, including contact details, by which the Non-Domestic Customer or the Nominated Agent (as the case may be) can contact the licensee in respect of any request made by it to the licensee; and

(c) publish its processes and procedures on and make them readily available from its Website.

51.24 The licensee must, within 10 working days of receiving a request for access to Relevant Non-Domestic Consumption Data from a Non-Domestic Customer or a Nominated Agent, respond to that request by:

(a) making available the requested Relevant Non-Domestic Consumption Data in accordance with paragraph 51.21; or

(b) informing the Non-Domestic Customer or the Nominated Agent (as the case may be) that the licensee is unable to accede to the request, together with reasons why that is the case and the further steps the Non-Domestic Customer or the Nominated Agent (as the case may be) may wish to take for the purposes of the licensee being able to accede to the request.

### **Customer Updates**

51.25 The licensee must, at such intervals as are determined appropriate by the licensee for the purposes of ensuring that the Non-Domestic Customer is regularly updated of such matters, notify the Non-Domestic Customer at a relevant non-domestic premises of:

- (a) their right to make, or authorise a Nominated Agent to make, a request to the licensee for access to Relevant Non-Domestic Consumption Data in accordance with paragraph 51.21;
- (b) where appropriate, the benefits of being able to have access to Relevant Non-Domestic Consumption Data.

### **PART C3 – OBLIGATIONS IN RESPECT OF RELEVANT DESIGNATED PREMISES**

#### **Provision of information relating to electricity consumption**

51.26 In respect of each relevant designated premises, the licensee must provide or otherwise make available (in either case free of charge and in a user-accessible format) consumption information to the Non-Domestic Customer at the relevant designated premises.

51.27 The consumption information provided or made available pursuant to the requirement in paragraph 51.26 must:

- (a) relate to and/or be based on Non-Domestic Consumption Data;
- (b) be provided or made available to the Non-Domestic Customer at a level of detail and in a Form and frequency that is sufficient to enable the Non-Domestic Customer to:
  - (i) understand, assess, evaluate, and gain insights into the patterns and trends emerging over time in relation to how much electricity the Non-Domestic Customer consumes at the relevant designated premises; and
  - (ii) make informed judgments and choices as to when, and how much, electricity the Non-Domestic Customer consumes, enabling them to consider ways to be more efficient and/or flexible in how and when they consume electricity.

#### **Exception**

51.28 The requirement in paragraph 51.26 does not apply where the licensee, having taken all reasonable steps, is unable to obtain the Non-Domestic Consumption Data due to material technical reasons.

## Customer Updates

51.29 The licensee must, at such intervals as are determined appropriate by the licensee for the purposes of ensuring that the Non-Domestic Customer is regularly updated of such matters, notify the Non-Domestic Customer at a relevant designated premises of:

- (a) the means by which the licensee provides or makes available (pursuant to the requirement in paragraph 51.26), and the Non-Domestic Customer can access, the consumption information;
- (b) where appropriate, the benefits of being able to have access to the consumption information; and
- (c) where the relevant designated premises are Relevant Micro Business Premises, the steps the Non-Domestic Customer can take in order for the licensee to provide or make available consumption information which is based on the quantity of electricity supplied to the premises in each half-hour (or shorter) period.

## **PART D - DEFINITIONS**

### **Definitions**

51.1751.30 In this Condition:

**Advanced Meter** has the meaning given to it in standard condition 39 (Smart Metering System – Roll-out, Installation and Maintenance).

**Applicable Date** means the date on which the licensee grants the request made by the Non-Domestic Customer or the Nominated Agent (as the case may be) for the purposes of paragraph 51.21.

**Consumer Device** means any device located at the relevant premises which:

- (a) is capable of providing the Domestic Customer with access (whether directly or indirectly) to Relevant Consumption Data; and



- (b) is capable of connecting through the HAN to a device forming part of the Smart Metering System at the relevant premises.

**DCC** has the meaning given to it in standard condition 49 of this licence.

**DCC Communications System** has the meaning given to it in standard condition 49 (Smart Metering Systems and In-Home Displays — Operational Requirements).

**Effective Date** means:

- (a) in respect of any Domestic Premises which is a relevant premises on the date this Condition takes effect, the date this Condition takes effect;
- (b) in respect of any Domestic Premises which is a relevant premises only from a date after the date on which this Condition takes effect, the date on which that Domestic Premises first becomes a relevant premises.

**Export** has the meaning given to it in Schedule A to standard condition 33 (Feed-in Tariffs).

**Export Date** means the date on which the Smart Metering System installed at the relevant premises first starts to measure the quantity of Export.

**Micro Business Consumer** has the meaning given to it in standard condition 7A (Supply to Micro Business Consumers).

**Micro Business Premises** means premises at which the Customer is a Micro Business Consumer.

**Nominated Agent** means any person acting within the scope of a valid Written consent of the Non-Domestic Customer at a relevant non-

domestic premises to make a request to the licensee for access to Relevant Non-Domestic Consumption Data.

**Non-Domestic  
Consumption Data**

means, in respect of any relevant designated premises, the quantity of electricity supplied to the premises:

(a) where the premises is not a Micro Business Premises, in each half-hour period (or such shorter period as the licensee may determine); or

(b) where the premises is a Micro Business Premises, in each Relevant Period of a Length,

in respect of the period:

(c) of 12 months prior to the Relevant Date;

(d) starting from the date on which the Non-Domestic Customer became the Customer at the relevant designated premises and ending on the Relevant Date;

(e) starting from the date on which the licensee became the Relevant Electricity Supplier at the relevant designated premises and ending on the Relevant Date; or

(f) starting from the date the Smart Metering System or the Advanced Meter (as the case may be) was installed at the relevant designated premises and ending on the Relevant Date,

whichever is the shorter (the **relevant period**), save that:

(g) where the Relevant Date is a date prior to 1 October 2025 or such later date as the Secretary of State may specify in a direction issued to the licensee under this paragraph, the relevant period need not be whichever is the shorter period calculated in accordance with paragraphs (c) to (f) but may be a period of up to 12 months calculated by reference to the period for which the data referred to in paragraphs (a)

or (b) (as the case may be) could reasonably be considered to be available to the licensee.

**Relevant Consumption Data** means, in respect of any relevant premises, detailed data as to the quantity of electricity supplied to the premises in each day, week, month, and year for the period:

- (a) of 24 months prior to the date on which the Domestic Customer at the premises accesses the data;
- (b) starting from the date on which the Domestic Customer became the Customer at the premises and ending on the date on which the Domestic Customer accesses the data;
- (c) starting from the date on which the licensee became the Relevant Electricity Supplier at the relevant premises and ending on the date on which the Domestic Customer accesses the data; or
- (d) starting from the date the Smart Metering System was installed at the relevant premises and ending on the date on which the Domestic Customer accesses the data,

whichever is the shorter period on the date on which the Domestic Customer accesses the data.

**Relevant Date**

means:

- (a) where the licensee provides consumption information to the Non-Domestic Customer, the date on which the licensee provides that information; or
- (b) where the licensee makes available consumption information for the Non-Domestic Customer, the date on which the Non-Domestic Customer accesses that information.

- Relevant Export Data** means, in respect of any relevant premises at which the Smart Metering System measures Export, detailed data as to the quantity of Export in each day, week, and month for the period:
- (a) for which that data is held by, or stored in the Smart Metering System on the date on which the Domestic Customer accesses the data;
  - (b) starting from the date on which the Domestic Customer became the Customer at the premises and ending on the date on which the Domestic Customer accesses the data;
  - (c) starting from the date on which the licensee became the export supplier and ending on the date on which the Domestic Customer accesses the data; or
  - (d) starting from the date the Smart Metering System was installed at the relevant export premises and ending on the date on which the Domestic Customer accesses the data,

whichever is the shorter period on the date on which the Domestic Customer accesses the data.

**Relevant Micro Business Premises** means Micro Business Premises in respect of which the licensee does not obtain electricity consumption data under paragraph 47.17A of standard condition 47 which relates to any one or more periods of a length which is half-hour or less.

**Relevant Non-Domestic Consumption Data** means, in respect of any relevant non-domestic premises, detailed data as to the quantity of electricity supplied to the premises:

- (a) where the premises is not a Micro Business Premises, in each half-hour period (or such shorter period as the licensee may determine); or

(b) where the premises is a Micro Business Premises, in each Relevant Period of a Length,

for the period:

(c) of 12 months prior to the Applicable Date;

(d) starting from the date on which the Non-Domestic Customer became the Customer at the relevant non-domestic premises and ending on the Applicable Date;

(e) starting from the date on which the licensee became the Relevant Electricity Supplier at the relevant non-domestic premises and ending on the Applicable Date;

(f) starting from the date the Smart Metering System or the Advanced Meter (as the case may be) was installed at the relevant non-domestic premises and ending on the Applicable Date, or

(g) where the request is from a Nominated Agent that has previously made a request to the licensee for the data relating to the Non-Domestic Customer at the relevant non-domestic premises, starting from the date that the Nominated Agent last requested access to such data and ending on the Applicable Date,

whichever is the shorter.

**Relevant Period**

means the period of 24 months prior to the date on which the Domestic Customer at the premises accesses consumption data.

**Relevant Period of a Length**

in respect of any Micro Business Premises, means:

(a) where the licensee is not able to obtain and use electricity consumption data for a period of length which is half-hour (or shorter) in compliance with paragraphs 47.17A or 47.17C of standard condition 47 and with data protection legislation;

(i) a period which is not more than a month; or

(ii) the period of a length for which the licensee is able to obtain and use electricity consumption data in respect of the premises in compliance with paragraphs 47.17A or 47.17C of standard condition 47 and with data protection legislation,

whichever is the shorter;

(b) where the licensee is able to obtain and use electricity consumption data for a period of length which is half-hour (or shorter) in compliance with paragraphs 47.17A or 47.17C of standard condition 47 and with data protection legislation, a half-hour period (or such shorter period as the licensee may determine).