

By email only: remedies.reviews@cma.gov.uk

12 December 2023

RECCo response to: CMA review of the Energy Market Investigation (ECOES/DES) Order 2016

We welcome the opportunity to respond to your review of the Energy Market Investigation (ECOES/DES) Order 2016 ('the Order'). Our non-confidential response is based on our role as operator of the Retail Energy Code (REC).

The REC Company Ltd (RECCo) is a not-for-profit corporate vehicle ensuring the proper, effective, and efficient implementation and ongoing management of the REC arrangements. We seek to promote trust, innovation and competition, whilst maintaining focus on positive consumer outcomes. We are committed to ensuring that RECCo is an *"intelligent customer"*, ensuring efficacy and value-for-money of the services we procure and manage on behalf of REC Parties and others.

Created as part of the Ofgem Retail Code Consolidation project, from September 2021 the REC incorporated the provisions previously set out in several different industry codes, most significantly the Master Registration Agreement (MRA) previously overseen by MRASCo Ltd, and the Supply Point Administration Agreement (SPAA) previously overseen by SPAA Ltd.

At the same time as taking over management of the new industry code, RECCo assumed contractual responsibility for the provision of services offered pursuant to that code, including the Electricity Enquiry Services formerly known as the Electricity Central Online Enquiry Service (ECOES). Subsequently, as part of the Ofgem Switching Programme, we took over responsibility for the Gas Enquiry Service, formerly known as the Data Enquiry Service (DES).

It is our understanding that the intent of the Order had been fully discharged prior to the responsibility of the enquiry services transferring to the REC. We can confirm that all previous access to ECOES or DES data was maintained when those services transferred to the governance of the REC, including that of Price Comparison Websites and Third-Party Intermediaries. Since September 2021 we have continued to grant reasonable requests for access in accordance with the rules set out in the REC, as overseen by the REC Performance Assurance Board and ultimately by Ofgem. We have also implemented changes to streamline the process for new or varied applications.

We are therefore of the view that the intent of the Order has been fulfilled in its entirety and that it can now be released. If you would any further detail or to discuss the content of this letter please contact me.

Yours sincerely,

Jon Dixon

Director, Strategy and Development

Cc: Jayne McGlone, Xoserve (GES) and Sarah Mower, C&C Group (EES)