



UK Government

Non-Domestic Smart Meter Rollout Post-2025

Driving Smart Meter Uptake in support of the Clean Power Mission and Protecting Non-Domestic Consumers in the Transition to Smart-Contingent Contracts

Annex B: Proposed Amendments to Electricity Supply Standard Licence Conditions and Gas Supply Standard Licence Conditions



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Proposed Amendments to Electricity Supply Standard Licence Conditions

Proposed New Condition 53

Information Note: The reader should note that the square brackets around the highlighted drafting in paragraph 53.1 and in paragraph 53.3 (and its heading) reflect the possible options for policy scope as set out in Section Three of the consultation. Dependent on final policy decisions, the appropriate term/drafting would be used in the licence condition accordingly.

Condition 53: Smart Metering – Terms of Non-Domestic Supply Contracts

53.1 This Condition applies in respect of any [Designated/Non-Domestic Premises] (a relevant premises).

Fixed Term Supply Contracts

53.2 The licensee must not enter, or offer to enter, into a Non-Domestic Fixed Term Supply Contract which does not include a term which provides that the Non-Domestic Customer at the relevant premises agrees to:

- (a) take a supply of electricity through; and
- (b) the licensee installing, or arranging the installation of, if required:

a Smart Metering System or an Advanced Meter (in each case as determined by the licensee) at each metering point at the relevant premises.

Implementation of the Fixed Term Supply Contracts Term – [Designated Premises]

53.3 Paragraph 53.4 applies where the licensee:

- (a) has entered into a Non-Domestic Fixed Term Supply Contract which complies with the requirements of paragraph 53.2 [in respect of a relevant premises which is a Designated Premises]; and
- (b) determines to install, or arrange the installation of, a Smart Metering System or an Advanced Meter in accordance with the terms of that Non-Domestic Fixed Term Supply Contract.

- 53.4 Where this paragraph applies, the licensee must ensure that its determination to install, or arrange the installation of, a Smart Metering System or an Advanced Meter at each metering point at the relevant premises, is compliant with the requirements set out in Part B (Duty in relation to replacement meters and new connections and exceptions from the duty) of standard condition 39 (Smart Metering System – Roll-out, Installation and Maintenance).

TPI Contracts

- 53.5 Paragraph 53.6 applies where the licensee enters, or offers to enter, into a TPI Contract.

- 53.6 Where this paragraph applies, the licensee must take all reasonable steps to ensure that the TPI Contract includes a term which provides that any fixed term contract relating to the supply of electricity to the relevant premises which:

(a) is entered, or to be entered, into between the TPI and the Non-Domestic Customer; and

(b) takes effect, or will take effect, on or after 1 January 2027,

includes a term which provides that the Customer agrees to take a supply of electricity through, and to the licensee installing, or arranging the installation of, a Smart Metering System or an Advanced Meter (in each case as determined by the licensee) at each metering point at the relevant premises.

Customer Awareness

- 53.7 The licensee must, in accordance with paragraph 53.8, inform each Non-Domestic Customer, at a relevant premises in respect of which it is the Relevant Electricity Supplier, in Writing (and drafted in plain and intelligible language) of:

(a) the licensee's obligations under this condition in respect of Non-Domestic Fixed Term Supply Contracts; and

- (b) the actions (if any) which can be taken by such Non-Domestic Customer in advance of considering whether to enter into and/or entering into a Non-Domestic Fixed Term Supply Contract.

53.8 The licensee shall inform the Non-Domestic Customer of the matters set out in paragraph 53.7:

- (a) as soon as practicable and, in any event, before 1 January 2027; and
- (b) at such intervals thereafter as are determined appropriate by the licensee for the purposes of ensuring that the Non-Domestic Customer is regularly updated of such matters.

Retail Energy Code

53.9 The licensee must, in complying with the requirements of this condition, comply with the Relevant Requirements of the Retail Energy Code.

Definitions

53.10 In this Condition:

Advanced Meter	means an Electricity Meter which satisfies the definition of ‘advanced meter’ in paragraph 12.19 of standard condition 12 (Matters relating to Electricity Meters) but which does not form part of a Smart Metering System.
Non-Domestic Fixed Term Supply Contract	means a Non-Domestic Supply Contract (or where applicable part of a Non-Domestic Supply Contract) which: (a) takes effect, or is to take effect, on or after 1 January 2027; and (b) is for a fixed term period.

Relevant Requirements	means the requirements set out in Schedule [XX] to the Retail Energy Code.
TPI Contract	means a contract entered into, or to be entered into, between the licensee and any person acting as a third party intermediary for a Non-Domestic Customer at a relevant premises, under which the third party intermediary: (a) purchases the electricity supplied, or to be supplied, to the relevant premises; and (b) is liable for the payment to the licensee of Charges for the Supply of Electricity in respect of the supply of electricity to the relevant premises.

Condition 12 Changes (shown in redline) – the changes shown will only be required if proposed new Condition 53 is to apply to all Non-Domestic Premises (i.e. these changes will not be required if Condition 53 is to apply only to Designated Premises)

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.

12.23 The requirements of paragraphs 12.17 and 12.21 apply only in respect of relevant premises to which paragraph 53.2 of standard condition 53 (Smart Metering – Terms of Non-Domestic Supply Contracts) does not apply.

Proposed Amendments to Gas Supply Standard Licence Conditions

Proposed New Condition 47

Information Note: The reader should note that the square brackets around the highlighted drafting in paragraph 47.1 and in paragraph 47.3 (and its heading) reflect the possible options for policy scope as set out in Section Three of the consultation. Dependent on final policy decisions, the appropriate term/drafting would be used in the licence condition accordingly.

Condition 47: Smart Metering – Terms of Non-Domestic Supply Contracts

47.1 This Condition applies in respect of any [Designated/Non-Domestic Premises] (a **relevant premises**).

Fixed Term Supply Contracts

47.2 The licensee must not enter, or offer to enter, into a Non-Domestic Fixed Term Supply Contract which does not include a term which provides that the Non-Domestic Customer at the relevant premises agrees to:

- (a) take a supply of gas through; and
- (b) the licensee installing, or arranging the installation of, if required:

a Smart Metering System or an Advanced Meter (in each case as determined by the licensee) at each metering point at the relevant premises.

Implementation of the Fixed Term Supply Contract Terms – [Designated Premises]

47.3 Paragraph 47.4 applies where the licensee:

- (a) has entered into a Non-Domestic Fixed Term Supply Contract which complies with the requirements of paragraph 47.2 [in respect of a relevant premises which is a Designated Premises]; and
- (b) determines to install, or arrange the installation of, a Smart Metering System or an Advanced Meter in accordance with the terms of that Non-Domestic Fixed Term Supply Contract.

47.4 Where this paragraph applies, the licensee must ensure that its determination to install, or arrange the installation of, a Smart Metering System or an Advanced Meter at each metering point at the relevant premises, is compliant with the requirements set out in Part B (Duty in relation to replacement meters and new connections and exceptions from the duty) of standard condition 33 (Smart Metering System – Roll-out, Installation and Maintenance).

TPI Contracts

47.5 Paragraph 47.6 applies where the licensee enters, or offers to enter, into a TPI Contract.

47.6 Where this paragraph applies, the licensee must take all reasonable steps to ensure that the TPI Contract includes a term which provides that any fixed term contract relating to the supply of gas to the relevant premises which:

(a) is entered, or to be entered, into between the TPI and the Non-Domestic Customer; and

(b) takes effect, or will take effect, on or after 1 January 2027,

includes a term which provides that the Customer agrees to take a supply of gas through, and to the licensee installing, or arranging the installation of, a Smart Metering System or an Advanced Meter (in each case as determined by the licensee) at each metering point at the relevant premises.

Customer Awareness

47.7 The licensee must, in accordance with paragraph 47.8, inform each Non-Domestic Customer, at a relevant premises in respect of which it is the Relevant Gas Supplier, in Writing (and drafted in plain and intelligible language) of:

(a) the licensee's obligations under this condition in respect of Non-Domestic Fixed Term Supply Contracts; and

(b) the actions (if any) which can be taken by such Non-Domestic Customer in advance of considering whether to enter into and/or entering into a Non-Domestic Fixed Term Supply Contract.

47.8 The licensee shall inform the Non-Domestic Customer of the matters set out in paragraph 47.7:

- (a) as soon as practicable and, in any event, before 1 January 2027; and
- (b) at such intervals thereafter as are determined appropriate by the licensee for the purposes of ensuring that the Non-Domestic Customer is regularly updated of such matters.

Retail Energy Code

47.9 The licensee must, in complying with the requirements of this condition, comply with the Relevant Requirements of the Retail Energy Code.

Definitions

47.10 In this Condition:

Advanced Meter	means a Gas Meter which satisfies the definition of 'advanced meter' in paragraph 12.22 of standard condition 12 (Matters relating to Gas Meters) but which does not form part of a Smart Metering System.
Non-Domestic Fixed Term Supply Contract	means a Non-Domestic Supply Contract (or where applicable part of a Non-Domestic Supply Contract) which: (a) takes effect, or is to take effect, on or after 1 January 2027; and (b) is for a fixed term period.
Relevant Requirements	means the requirements set out in Schedule [XX] to the Retail Energy Code.
TPI Contract	means a contract entered into, or to be entered into, between the licensee and any person acting as a third party intermediary for a Non-Domestic

	Customer at a relevant premises, under which the third party intermediary: (a) purchases the gas supplied, or to be supplied, to the relevant premises; and (b) is liable for the payment to the licensee of Charges for the Supply of Gas in respect of the supply of gas to the relevant premises.
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Condition 12 Changes (shown in redline) – the changes shown will only be required if proposed new Condition 47 is to apply to all Non-Domestic Premises (i.e. these changes will not be required if Condition 47 is to apply only to Designated Premises)

Advanced meters for Non-Domestic Premises

12.20 This paragraph has effect on and after 6 April 2009 and applies where the licensee installs or arranges for the installation of a Gas Meter at Non-Domestic Premises at a metering point at which the measured consumption of gas is more than 732,000 kWh (for this condition only, “relevant premises”).

12.21 If paragraph 12.20 applies, the Gas Meter installed at the relevant premises must be an advanced meter.

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

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

- 12.23 The licensee must ensure that a Customer supplied with gas 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.
- 12.23A The requirements of paragraph 12.23 cease to apply in respect of any relevant premises from the date that Part B2 of standard condition 45 (Smart Metering –Customer Access to Consumption Data) applies in respect of such premises.
- 12.24 As from 6 April 2014, the licensee must not supply gas to any relevant premises other than through an advanced meter.
- 12.25 The prohibition imposed by paragraph 12.24 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.
- 12.26 The requirements of paragraphs 12.20 and 12.24 apply only in respect of relevant premises to which paragraph 47.2 of standard condition 47 (Smart Metering – Terms of Non-Domestic Supply Contracts) does not apply.