



An Coimisiún
um Rialáil Fóntas
**Commission for
Regulation of Utilities**



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Commission for Regulation of Utilities

Compliance Investigation

Electric Ireland

Information Note

Reference: CRU/20170

Date Published: 05/01/2021

Closing Date: N/A

Commission decision to close the investigation into Electric Ireland's compliance with the requirements of Condition 18 of the Electricity Supply Licence.

1. Electric Ireland currently holds an electricity supply licence granted by the Commission for Regulation of Utilities ('the Commission') under section 14(1)(b) of the Electricity Regulation Act 1999.
2. On 20 October 2020 the Commission issued a notification to Electric Ireland under Section 24(2) of the Electricity Regulation Act (1999) stating that it was of the opinion that Electric Ireland was in breach of certain elements of its licence.
3. Under Section 24(2), the Commission may issue a notification to a licence holder where it is of the opinion that a licence holder has contravened, is contravening, or may be likely to contravene a condition or requirement of the licence.
4. Based on the findings of its investigation the Commission was of the opinion that Electric Ireland had contravened Condition 18 of its electricity supply licence by its failure to protect consumers and issue a notification to a number of customers in the form of a Fixed Term Notice to inform them of the options available, 30-60 days in advance of their contract expiring.
5. Electric Ireland was given 28 days in which to make comment and/or representation.
6. The Commission has now considered Electric Ireland's response and has concluded that Electric Ireland was in breach of Condition 18 of its electricity supply licence during the period 27 December 2019 – 16 April 2020.
7. Condition 18(3)(a) requires that EI provide all customers with a copy of the terms and conditions which are applicable to their contract. Electric Ireland's Residential General Terms and Conditions from 4 April 2011 state under Section 2 Sale and Supply of Electricity: *k) For fixed term contracts, 30 – 60 days in advance of the expiry date, we will issue a notification to inform you of the options available to you when the contract expires.* Customers under the affected tariff contract were not provided with this Fixed Term Notice when required during the period 27 December 2019 – 16 April 2020.
8. The Commission has reviewed the issue considering the scale of the impact and behaviour of the regulated entity as outlined in the CRU-Compliance-and-Enforcement-Policy-Statement¹ also notes the following

¹ CRU19134 CRU Compliance and Enforcement Policy Statement¹

- Electric Ireland brought this issue to the Commission’s attention at the outset, cooperating fully and promptly providing all material requested as part of the investigation.
 - The Commission is satisfied that this was an error and there is no evidence to suggest that Electric Ireland intentionally failed to issue the Fixed Term Notice to the affected customers.
 - The Commission is satisfied that the issue has been fully resolved by Electric Ireland and that all affected customers (where possible) have been contacted by Electric Ireland.
 - The Commission also notes that Electric Ireland has implemented compensation arrangements for affected customers.
9. Noting that the breach was limited to the stated time period, and the actions taken by Electric Ireland as outlined above, the Commission will not take any further compliance actions in this matter.