



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

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Commission for Regulation of Utilities

Compliance and Enforcement Annual Report 2021

Information Paper

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Commission for Regulation of Utilities (CRU) Strategic Plan 2022-24

<h2>Our Mission</h2> <ul style="list-style-type: none">• Protecting the public interest in water, energy and energy safety.	<h2>Our Strategic Priorities</h2> <ul style="list-style-type: none">• Ensure Security of Supply• Drive a Low Carbon Future• Empower and Protect Customers• Enable our People and Organisational Capacity
<h2>Our Vision</h2> <ul style="list-style-type: none">• Safe, secure and sustainable supplies of energy and water, for the benefit of customer now and in the future.	

Executive Summary

This Compliance and Enforcement Annual Report provides an insight into compliance and enforcement activities undertaken by the CRU in 2021. The report aims to ensure transparency of the CRU's compliance monitoring and enforcement processes and decisions, and to allow public scrutiny of this work.

The CRU takes an outcome-focused approach to compliance monitoring, continuously seeking to strengthen the culture of compliance within the sectors it regulates through engagement, providing information, audit, and taking enforcement action as necessary and appropriate.

In 2021, the CRU compliance and enforcement activities fell into three general categories:

- **Informing**
 - four general clarifications in relation to: the publishing of publicly available tariffs ([CRU2115](#)), the obligations of the CRU accredited Price Comparison Websites in displaying Time of Use tariffs ([CRU21031](#)), the timings for issuance of the Time of Use Primer ([CRU/21037](#)), and the publishing of upcoming tariffs on electricity and gas supplier websites ([CRU/21130](#)).
- **Compliance monitoring and enforcement**
 - requesting and reviewing compliance reports from licensed electricity and gas network owners/operators, suppliers, and electricity interconnector operator, market operator and generators.
 - seventeen compliance audits and spot checks in relation to licence conditions, handbook obligations and other regulatory requirements.
 - twelve investigations in relation to electricity and gas suppliers concerning marketing and advertising, billing, and other customer protection requirements.
 - one investigation in relation to Irish Water's handling of issues related to discoloured water from Bailieborough Public Water Supply.
- **Compliance framework development**
 - a decision paper on the approach to administrative sanctions and the specification of standards of performance ([CRU/21029](#)).

Public/Customer Impact Statement

Compliance and enforcement activities are a vital element in achieving the CRU's mission to protect the public interest in water and energy. The purpose of this report is to inform customers, the industry, and other interested stakeholders on the compliance and enforcement activities and investigations in economic regulation conducted by the CRU in 2021.

In line with the CRU Compliance and Enforcement Policy Statement ([CRU/19134](#)), the publication of this report seeks to further strengthen the regulatory principle of transparency, ensuring the CRU is accountable for its compliance monitoring and enforcement processes, and allowing public scrutiny of this work.

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Glossary of Terms and Abbreviations

Abbreviation	Definition or Meaning
ACER	European Union Agency for the Cooperation of Energy Regulators
BMPS	Balancing Market Principles Statement
CRU	Commission for Regulation of Utilities
EIDAC	EirGrid Interconnector Designated Activity Company
ESB	Electricity Supply Board
EWIC	East West Interconnector
GNI	Gas Networks Ireland
HE CHP	High Efficiency Combined Heat and Power
PCWs	Price Comparison Websites
REMIT	EU Regulation on Energy Market Integrity and Transparency
SEM	Single Electricity Market
SEMO	Single Electricity Market Operator
SST	Standard Smart Tariff
ToU	Time of Use
TSO	Transmission System Operators
UR	Utility Regulator, Northern Ireland

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1. Introduction

The CRU is Ireland's independent energy and water regulator. The work of the CRU impacts every Irish home and business ensuring safe, secure and sustainable energy and water supplies for the benefit of all customers. The CRU operates within a policy and statutory framework set by Government and has responsibility for the economic regulation of energy and water, energy safety and customer protection.

This report details compliance and enforcement activities with respect to the CRU's economic regulatory remit. Energy safety compliance and enforcement activities are detailed in [Annual Energy Safety Reports](#).

The CRU takes an outcome focused approach to compliance monitoring, continuously seeking to strengthen the culture of compliance within the sectors it regulates through engagement, providing information, audit and taking enforcement action as necessary and appropriate.

The Electricity Regulation Act 1999, as amended, the Gas (Interim) Regulation Act 2002, as amended, and the Water Services (No.2) Act 2013 set out the scope of the CRU's duties and powers in relation to compliance and enforcement.

As outlined in the CRU Strategic Plan 2022-24, one of the CRU's strategic priorities is to enable and protect customers with a strategic objective to implement compliance frameworks and develop incentives for the benefit of customers.

To implement this objective, the CRU undertakes the following:

- **Informing** – engaging with regulated entities to provide guidance and clarity on their obligations to ensure they understand, and are equipped, to meet their obligations and avoid inadvertent non-compliance.
- **Compliance monitoring and enforcement** –
 - **Compliance Reporting** – requesting and reviewing compliance reports from electricity and gas licensees on an annual basis.
 - **Auditing** – conducting or directing audits and spot checks of regulated entities.
 - **Investigating** – carrying out investigations on ad hoc issues.
 - **Enforcement** – taking enforcement actions as necessary and appropriate.
- **Compliance Framework** – developing and improving the compliance framework.

When undertaking compliance monitoring and taking enforcement action, the CRU follows six key principles as set out in the Compliance and Enforcement Policy Statement ([CRU/19134](#)): Clarity, Proportionality, Targeting, Consistency, Transparency, and Effectiveness.

The publication of this report seeks to further strengthen the regulatory principle of transparency providing an overview of the compliance and enforcement activities conducted in 2021. Previous annual reports are also available on the [CRU website](#).

2. Informing

To inform regulated entities and clarify an issue emerging from a query, complaint, or investigation, the CRU issues general clarifications. The publication of a general clarification intends to provide clarity around the interpretation of the existing regulatory framework for customer protection.

In 2021, the CRU published four general clarifications, as outlined in Table 1.

Table 1: General Clarifications published in 2021

Reference	About	Whom
CRU2115	<p>Publishing of publicly available tariffs:</p> <ul style="list-style-type: none"> Suppliers and CRU accredited Price Comparison Websites (PCWs) must ensure that all publicly available tariffs for household customers are published on their websites. 	<ul style="list-style-type: none"> All licensed electricity and gas suppliers. All CRU accredited PCWs.
CRU21031	<p>Displaying of Time of Use (ToU) tariffs:</p> <ul style="list-style-type: none"> PCWs are required to display all publicly available Standard Smart Tariffs (SSTs), but not other ToU tariffs. PCWs are required to include messages to inform customers that if they choose a ToU tariff, their meter configuration will be updated, and that additional ToU tariffs may be available directly from the supplier. 	<ul style="list-style-type: none"> All CRU accredited PCWs.
CRU21037	<p>Timings for issuance of the ToU Primer:</p> <ul style="list-style-type: none"> All customers who have had a smart meter installed up until 26 May 2021 must receive a primer no later than 26 August 2021. 	<ul style="list-style-type: none"> All licensed electricity suppliers.

	<ul style="list-style-type: none"> For all smart meters installed post 26 May 2021, the primer must be issued no later than three calendar months after installation. 	
CRU21130	<p>Publishing of upcoming tariffs on supplier websites:</p> <ul style="list-style-type: none"> once a price change is announced by a supplier, the upcoming unit rates and applicable annual standing charges for all publicly available tariffs and meter configurations should be published simultaneously on the customer-facing tariff page(s) of the supplier's website. Suppliers should publish upcoming tariffs alongside the existing tariff rates and clearly indicate when the new rates apply to avoid confusion. 	<ul style="list-style-type: none"> All licensed electricity and gas suppliers. All CRU accredited PCWs.

3. Compliance Monitoring and Enforcement

Compliance monitoring aims to assess the regulated entities' compliance with their regulatory obligations and to resolve any compliance issues identified. These processes also enhance the regulated entities' understanding of regulatory requirements and promote a culture of compliance.

This is mainly achieved in four approaches: compliance reporting, auditing, investigating, and enforcement.

3.1 Compliance reporting

In 2021, the CRU requested electricity and gas network owners/operators, suppliers, and electricity interconnector operator, market operator and generators to submit a licence compliance report, to demonstrate how they had complied with each condition of the relevant licence in the previous year.

3.1.1 Networks and Market Operator Licence Compliance Reporting 2020

In 2021, the CRU requested all network licence holders – Electricity Supply Board (ESB), ESB Networks, EirGrid, and Gas Networks Ireland (GNI) – to submit a licence compliance report for the year of 2020. The CRU received compliance reports from all network licence holders.

Similarly, the CRU requested the market operator licence holder, Eirgrid, to submit a licence compliance report for 2020 which it provided.

The CRU follows up on issues as appropriate with the relevant licence holders.

- **East West (electricity) Interconnector (EWIC) licensee compliance**

The CRU granted a licence to transport electricity across and maintain an interconnector ([CRU18051](#)), the EWIC licence, to EirGrid Interconnector Designated Activity Company (EIDAC) in 2011. The interconnector links the electricity system between Dublin, Ireland and Barkby Beach, Wales.

As a result of the United Kingdom leaving the European Union on 1 January 2021, EWIC became an interconnector between Ireland and a country outside the EU.

A number of licence conditions require EIDAC to comply with applicable EU laws, e.g., Condition 15 *Capacity Utilisation Transmission Rights* specifies applicable EU laws and Condition 20 *Access to the Licensee's Interconnector* specifies CACM Regulation (*Commission Regulation (EU) 2015/1222 of 24 July 2015, establishing a Guideline on Capacity Allocation and Congestion Management*) and FCA Regulation (*Commission Regulation (EU) 2016/1719 of 26 September 2016 establishing a guideline on forward capacity allocation*).

In the short term, EIDAC is required to report annually to the CRU on its compliance with EWIC licence conditions including those requiring compliance with EU laws.

In the longer term, the CRU intends to publicly consult on modifying the interconnector licence to adjust licence conditions for BREXIT, as appropriate. Interconnector licence modification must be publicly consulted upon so that the public is informed and can make submissions on proposed licensee obligations. The CRU has included this update on EIDAC's compliance with the EWIC licence to provide the public with an update of licensee requirements in the short term until the licence is modified. The CRU will incorporate learnings during the licence modification process from recent consultation ([CRU21132](#)) and decision papers ([CRU/202217](#)) on an electricity interconnector operator licence.

The CRU will continue to include an update on this matter in the Compliance and Enforcement Annual Reports until the EWIC licence has been modified in order to adjust a number of licence conditions for BREXIT.

3.1.2 Supplier Licence Compliance Reporting 2020

In 2021, the CRU requested all licensed electricity and gas suppliers with customers to submit a licence compliance report for the year of 2020.

In total, the CRU received 20 compliance reports. The CRU follows up on issues as appropriate with the relevant licence holders.

3.1.3 Electricity Generation Licence Compliance Reporting 2020

Since January 2000, the CRU has granted 472¹ electricity generation licences. In 2021, the CRU contacted all licensed generators with capacity greater than 10 MW to request compliance submissions for the year of 2020. Submissions were required on four related conditions: financial accounts for the year, payment of the electricity levy, security of supply, and environmental.

In total, 72% of licensees provided their annual generation licence compliance reports. The CRU follows up on any issues as appropriate with the licensees.

3.2 Auditing

Compliance auditing follows a risk-based approach by considering the potential for customer harm and potential issues identified through previous audits/investigations, economic developments, and complaints received.

In 2021, in total, the CRU conducted or directed 17 audits and spot checks across all areas of economic regulation within the CRU remit, as shown in Chart 1.

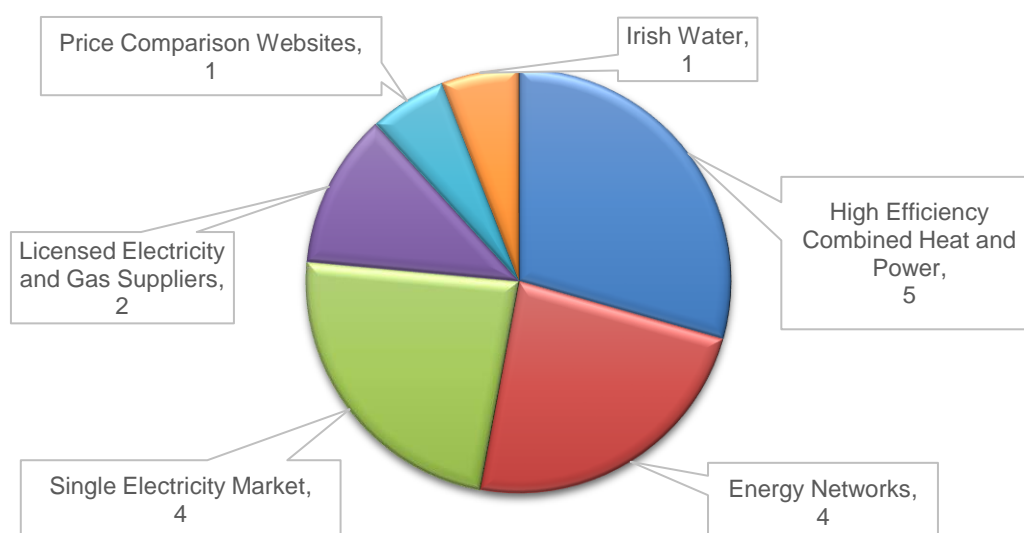


Chart 1: Compliance Audits and Spot Checks in 2021

¹ Data valid as of 7 June 2022.

3.2.1 Energy networks

The audits of energy networks in 2021 focused on two areas:

- Complaint handling procedures, as summarised in Table 2 and more detail is available in the information paper published on the CRU website ([CRU/202230](#)).
- Ringfencing requirements² in relation to the ESB staff moves on three occasions, as outlined in Table 3.

Table 2: Audit of energy networks in 2021

When	Q3 2021
About	Compliance with licence conditions in relation to complaint handling procedures.
Whom	<ul style="list-style-type: none"> • Electricity and Gas Distribution System Operator licence holders (GNI and ESB Networks).
Findings	<ul style="list-style-type: none"> • Non-compliance: ESB Networks did not publish the complaint handling procedure on its website as required by the licence.

Table 3: Audit on ESB staff moves in 2021

Staff level	No. of moves	Risk mitigating measures for business separation
Chief Executive	1	<ul style="list-style-type: none"> • Quarantine period before commencing new role • Register of material decisions post-transfer • Other measures outlined in the published letter (CRU21079)
Managing Director	1	<ul style="list-style-type: none"> • Register of material decisions post-transfer • Recusation from certain decision-making process • Other measures outlined in the published letter (CRU21129)

² Ringfencing is a regulatory measure used to separate the up and downstream activities within certain vertically integrated companies that have the potential capability to exert market power. ESB is subject to vertical ringfencing in order to prevent the retail, network and generation businesses sharing commercially sensitive information and resources and working together. As part of the suite of licences granted by the CRU to ESB covering the range of its regulated functions, there are explicit licence conditions imposed on ESB regarding staff moves, including the requirement to have Codes of Conduct in place to govern staff transfers.

Senior Manager	2	<ul style="list-style-type: none"> • Quarantine period before commencing new role • Other requirements within the relevant licences and Codes of Conduct
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3.2.2 Single Electricity Market

Under the overarching framework of the Single Electricity Market (SEM) Committee governance structure, the CRU oversees compliance activity related to aspects of the SEM. In some cases, this is done jointly with the Utility Regulator (UR) in Northern Ireland or on a jurisdictional lead basis. Table 4 outlines the relevant activities completed in 2021.

Table 4: Audits on Single Electricity Market in 2021

Trading and Settlement Code Audit (1 January – 31 December 2021)	
About	<p>Terms of Reference for the Market Audit 2021 were published on 4 November 2021 (SEM-21-082) covering, inter alia, the following areas:</p> <ul style="list-style-type: none"> • Accession and registration • Imbalance settlement price calculation and recalculation • Settlement production and reruns (to include all of the market operator charges) • Currency and balancing charges • Invoices, payments and credit cover • Queries and disputes • Code development • Information publication • Communication channels, systems and operation
Findings	<p>The CRU and UR appointed the auditor and informed the Transmission System Operators (TSOs) in June 2022. At the time of the publication of this annual report, timelines for audits are being finalised.</p>
Scheduling and Dispatch Audit (1 January – 31 December 2020)	

<p>About</p>	<p>Terms of Reference were published on 25 March 2021 (Terms of Reference for 2020 and 2021) on the Single Electricity Market Operator (SEMO) website, covering the following requirements:</p> <ul style="list-style-type: none"> • Priority Dispatch and Cross Zonal Actions • Dispatch Instructions • Merit Orders • Operational Constraints • Constraint Flagging • IT General Controls required to support the above
<p>Findings</p>	<p>No findings of non-compliance.</p>
<p>Further action</p>	<p>The CRU Compliance & Enforcement team hold quarterly meetings with the TSOs to monitor the implementation of recommendations from the 2020 audit management letter.</p>
<p>Scheduling and Dispatch Audit (1 January – 31 December 2021)</p>	
<p>About</p>	<p>Terms of Reference published on 25 March 2021 (same as 2020)</p>
<p>Findings</p>	<p>At the time of the publication of this annual report, the CRU and UR are awaiting an update from the TSOs on the conclusion of this audit with an audit report to issue in Q3 2022.</p>
<p>Balancing Market Principles Statement (BMPS) 2021</p>	
<p>About</p>	<p>The BMPS is a transparency document on the TSOs' scheduling and dispatch processes. The TSOs are required to review the BMPS at least once a year to ensure it continues to be accurate and up-to-date and remains consistent with the framework of obligations. They must consult with market participants on changes and submit all changes to the CRU and UR in accordance with the process and timeline set out in their TSO licence. The CRU and UR review the changes before granting approval to the TSOs to publish the amended BMPS.</p>
<p>Publication</p>	<p>The consultation for the 2021 revision of the BMPS was published on 26 February 2021. Six responses were received by the date the consultation closed on 26</p>

March 2021. The 2021 BMPS was subsequently published on 28 April 2021 ([Version 5.0](#)) on the SEMO website.

3.2.3 Electricity wholesale markets

In 2021, the CRU, jointly with the Market Monitoring Unit of the UR – and collaboratively with the European Union Agency for the Cooperation of Energy Regulators (ACER) – actively monitored instances of high prices in the SEM. The Regulatory Authorities’ conclusion was that there was no obvious indication nor evidence of systematic manipulative behaviour or insider trading under the EU Regulation on Energy Market Integrity and Transparency (REMIT) causing high energy prices at that time.

The Regulatory Authorities, as recommended by the EU Commission’s [REPowerEU Plan](#), continue to closely monitor high prices in the markets, which have been exacerbated by trade and production disruptions caused by the Russian invasion of Ukraine.

3.2.4 Energy suppliers

In 2021, the CRU conducted two audits of energy suppliers to determine their compliance with the Electricity and Gas Suppliers’ Handbook ([CRU21111a](#)), as outlined in Table 5 and more details are available in the [information papers](#) published on the CRU website.

Table 5: Audits of energy suppliers in 2021

	Publishing of tariffs information (CRU/21100)	Protection of vulnerable customers (CRU/21128)
When	Q1 2021	Q2 2021
About	Accuracy of the Estimated Annual Bill (EAB) and tariffs information	Identification and registration of and communication methods for vulnerable customers
Whom	14 electricity and gas suppliers of household customers	14 electricity and gas suppliers of household customers

<p>Findings</p>	<ul style="list-style-type: none"> • 14 findings of non-compliance against eight suppliers in relation to the requirement on easy to understand, complete, accurate, transparent and non-misleading information, and display of EAB and discount information. 	<ul style="list-style-type: none"> • Nine findings of non-compliance against six suppliers in relation to effective identification and sign up of vulnerable customers, raising customer awareness of Code of Practice for Vulnerable Customers, and registration form. • Six examples of good practice in relation to areas such as staff training, raising customer awareness, and assessing changes in the status of vulnerable customers.
<p>Further actions</p>	<p>The CRU liaised with the relevant suppliers to ensure that the information was updated as required.</p>	<p>The CRU liaised with the relevant suppliers to complete the required remedial actions satisfactorily.</p>

3.2.5 Price Comparison Websites

Currently there are three CRU accredited PCWs: Bonkers.ie, Power to Switch, and Switcher.ie. These PCWs are audited annually by independent third-party auditors in line with the Price Comparison Website Accreditation Framework ([CRU/19033](#)).

The 2021 annual audit is outlined in Table 6. More detail is available in the information paper published on the CRU website ([CRU/202202](#)).

Table 6: Annual Audit of Price Comparison Websites in 2021

<p>When</p>	<p>October 2021</p>
<p>About</p>	<p>Compliance with the 11 principles in the Price Comparison Website Accreditation Framework</p>
<p>Whom</p>	<p>All CRU accredited PCWs</p>

Findings	<ul style="list-style-type: none"> • Generally compliant with the 11 principles. • One minor infringement in relation to the publishing of all publicly available tariffs.
Further action	<ul style="list-style-type: none"> • The infringement was rectified satisfactorily. • The CRU was satisfied that all three PCWs maintain CRU accreditation, entitling them to display the CRU logo on their websites to verify the accreditation status.

3.2.6 Irish Water

In the water sector, the CRU conducted one audit in 2021, as outlined in Table 7. More detail is available in the information paper published on the CRU website ([CRU202241](#)).

Table 7: Audit of Irish Water in 2021

When	Q4 2021
About	Irish Water's compliance with the revised Customer Handbooks (CRU/20/116a , CRU/20/117b)
Findings	<ul style="list-style-type: none"> • Generally compliant with the Handbooks. • One finding of non-compliance in relation to non-domestic customer communications.
Further action	<ul style="list-style-type: none"> • Irish Water completed the relevant remedial action satisfactorily.

3.2.7 High Efficiency Combined Heat and Power

The EU and Irish legislation provide incentives for the development and operation of High Efficiency Combined Heat and Power (HE CHP) plants. To receive these supports, CHP plants require a valid performance HE CHP certification from the CRU.

In 2021, the CRU assessed over 80 applications for certification as HE CHP. To ensure the robustness of the certification process, the CRU conducts periodic auditing. While no audits were conducted during 2020 due to the COVID-19 pandemic, five audits were conducted in 2021. The CRU follows up on issues, as appropriate with the relevant certificate holders. Further information is available [here](#).

3.3 Investigating and enforcement

Investigations are conducted on an ad hoc basis. The purpose is mainly to establish whether and to what extent the regulated entity being investigated has breached or is breaching a regulatory requirement on a specific occasion.

In cases where a breach is detected, the CRU liaises with the relevant regulated entities to take remedial action(s) to ensure that the breach is rectified and that consumer interests are protected and considers taking enforcement action.

In 2021, the CRU closed 13 investigations in total, including one concerning Irish Water and 12 concerning electricity and gas suppliers.

3.3.1 Irish Water: Bailieborough Public Water Supply

In 2021, the CRU conducted an investigation into Irish Water's handling of issues related to discoloured water from Bailieborough Public Water Supply ([CRU/21128](#)), as the findings of an audit conducted by the Environmental Protection Agency raised concerns for the CRU about Irish Water's compliance with the approved Codes of Practice.

Through the investigation, the CRU found nine non-compliances, in relation to the Communications Code of Practice, Complaint Handling Code of Practice, and the Billing Code of Practice. Amongst the findings was a failure to appropriately categorise all contacts expressing dissatisfaction and an expectation for a response/resolution as complaints, and a failure to escalate the cluster of customer complaints, contributing to a considerable delay in resolving the issues.

The CRU required a set of remedial actions to address the process failings which led to the non-compliances. Irish Water submitted a progress report on remedial actions to the CRU on 12 November 2021 and the CRU is continuing to liaise with Irish Water on any outstanding issues.

3.3.2 Other investigations

During the course of 2021, the CRU opened 15 and closed 12 investigations in relation to energy suppliers and price comparison websites. Three investigations were ongoing into 2022.

In the 12 closed investigations, the CRU did not identify any non-compliances in four cases and identified non-compliances in eight cases. These investigations are outlined in Chart 2 and Table 8.

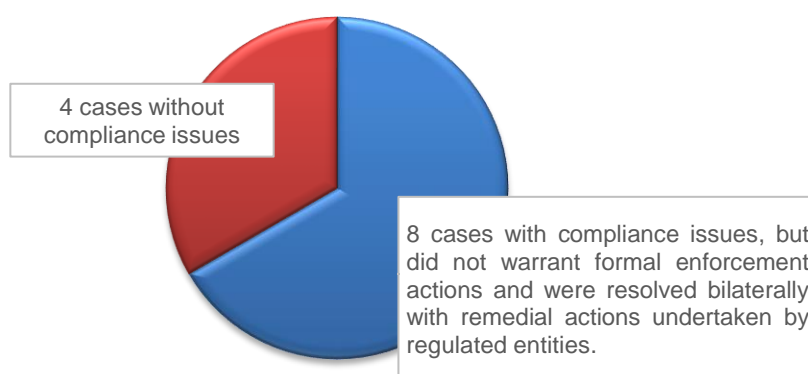


Chart 2: Twelve closed investigations in 2021

Table 8: Eight investigations with findings of non-compliance in 2021

#	Issue	Remedial action
1	A supplier did not issue final closing bills within six weeks to customers who switched supplier or closed their account. A total of 120 customers were impacted.	The supplier self-reported this issue to the CRU and took steps to resolve this issue, including issuing bills and refunds where required.
2	A supplier contacted customers during the 14-day's cooling off period advising that the customers were liable for termination fees when they switched suppliers. A total of seven customers were impacted.	The supplier acknowledged that this issue was due to a coding error following a system update and contacted all impacted customers to explain the situation. No further action was needed.
3	A supplier did not display the information regarding Fuel Mix as required on energy bills and statements.	The supplier updated the information as required to ensure accurate, transparent, and not misleading information to customers.
4	A supplier applied a price increase to customers' bills that was different from its publicly announced price increase. A total of 330 customers were impacted.	All impacted customers were refunded. The supplier applied a more robust verification system to prevent such an issue from re-occurring.

5	A supplier advertised to offer the 'cheapest energy' on the market without providing further information. This claim was not transparent, was inaccurate and misleading.	The supplier updated the information on their relevant webpages as required.
6	In a supplier's win-back communication, tariffs inclusive of VAT were not communicated to customers.	The supplier updated their win-back retention material as required.
7	A supplier mis-calculated a competitor's bill which led to inaccuracy in price comparison and quote for a potential customer. This was an isolated incident.	The supplier enhanced their internal procedures to prevent such an issue from re-occurring.
8	A supplier incorrectly charged customers the PSO levy when they switched to a new supplier, as the annual PSO levy should be collected on a monthly basis by the supplier that the customer is registered to at the end of the month instead of the previous supplier. A total of 1,290 customers were impacted.	The supplier contacted all impacted customers to make refunds and updated the billing system to prevent such an issue from reoccurring.

4. Compliance Framework Development

In March 2021, the CRU published a decision paper on the approach to administrative sanctions and the specification of standards of performance ([CRU/21029](#)). The approach outlines a customer harm model for categorising potential customer harm in terms of a licensee's regulated activities. It also sets out an assessment framework in terms of consistency, adaptability, auditability, providing certainty to market participants and strengthening the CRU's customer protection measures.

This decision paper details the comments received to the consultation paper ([CRU20081](#)) and provides a response in each case from the CRU including the rationale for the approach taken.

Next Steps in Framework Development

- Further to this decision, the CRU will publish a consultation and decision paper on proposed specification of standards of performance in electricity and gas supply licences.
- Following this, the proposed modifications to the electricity and gas supply licences will be published in line with the requirements of the Electricity Regulation Act 1999, as amended, ('the Act'), and objections or representations may be made to the CRU during the statutory notice period.
- The CRU intends to provide industry with greater clarity on investigations and enforcement procedures which will apply to all relevant licences by publishing an information paper on Investigation and Enforcement Guidance. The CRU does not intend to consult on this paper as the legislation clearly details the procedures the CRU must follow insofar as conducting investigations to identify any improper conduct by a specified body and the matters which the CRU must consider in determining a sanction to be imposed.
- The CRU will consult on an approach to calculating a financial penalty in the event of a major administrative sanction. The approach will be in line with the requirements of Section 65 of the Act.