



Office of Utility Regulation

**Notice of Proposal to Modify the Licence
issued to Guernsey Electricity Ltd under
Section 2(1) of the Electricity (Guernsey)
Law, 2001**

Information Notice

Document No: OUR 03/03

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Office of Utility Regulation
Suites B1 & B2, Hirzel Court, St Peter Port, Guernsey, GY1 2NH
Tel: [0]1481 711120, Fax: [0]1481 711140, Web: www.regutil.gg

Notice of proposal to Modify the Licence of Guernsey Electricity Ltd

In accordance with

- Section 8 of the Electricity (Guernsey) Law, 2001,
- Condition 6 of the Licence issued to Guernsey Electricity Ltd under section 2(1) of the Electricity (Guernsey) Law, 2001, and
- States Directions to the Director General of Utility Regulation under Section 3 of the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001 which were agreed by the States of Guernsey at its meeting on 29th February 2002¹,

the Director General of Utility Regulation hereby gives notice of her intention to modify the Licence issued to Guernsey Electricity Ltd on 1st February 2002 under section 2(1) of the Electricity (Guernsey) Law, 2001.

Modification of Condition 25.3

The Director General proposes to delete the existing condition 25.3 and replace it with the following condition

“Notwithstanding the rights of any holder of an exemption granted by direction under section 1(2) of the Electricity Law to convey electricity without licence, the Licensee shall have the exclusive right to convey electricity in the Authorised Area for the first ten years of the Term. The Director General may extend or amend the duration of this exclusive right if so directed by States Direction under the Regulation Law.”

The reason for this modification is to comply with the States Directions issued to the Director General on 29th January 2003 in accordance with section 3 of the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001.

Modification of Condition 36.3

The Director General proposes to delete the existing condition 36.3 and replace it with the following condition

“Notwithstanding the rights of any holder of an exemption granted by direction under section 1(2) of the Electricity Law to supply electricity without licence, the Licensee shall have the exclusive right to supply electricity in the Authorised Area for the first ten years of the Term. The Director General may extend or amend the duration of this exclusive right if so directed by States Direction under the Regulation Law.”

¹ See Recommendations 2 and 3 of the Board of Industry Policy letter as set out page 55 of Billet I 2003 reproduced in the attached Annex.

The reason for this modification is to comply with the States Directions issued to the Director General on 29th January 2003 in accordance with section 3 of the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001.

Representations or Objections

In accordance with section 8(2)(c) of the Electricity (Guernsey) Law, 2001, interested parties are invited to submit written representations or objections to the proposals in this notice within 7 days of publication of this notice.

Written representations or objections should be clearly marked “Representations re proposals to modify the licence of Guernsey Electricity Ltd” and be submitted by 12 noon on Monday 10th February 2003 to

The Office of Utility Regulation
Suites B1&B2
Hirzel Court
St Peter Port
Guernsey
GY1 2NH

Following consideration of any representations or objections the Director General will publish notice of her decision to modify or not to modify the licence.

/END

ANNEX: Extract from Billet 1 2003 – page 55

Recommendations

The Board of Industry recommends to the States, having considered the “Review of Guernsey’s retail and generation of electricity markets” produced by the Office of Utility Regulation to and having considered the comments in this policy letter on strategic independence to:

1. Prepare for the potential introduction of retail competition in future by amending the licensing regime within the Electricity (Guernsey) Law 2001 to reflect a functional split (Retail, Network, and Generation) as outlined in the Office of Utility Regulation report.
2. Issue a States Direction to the Director General of Utility Regulation that an exclusive licence be issued to Guernsey Electricity for supply activities subject to any exemptions granted by the Director General under Section 1(2) of the Electricity (Guernsey) Law 2001 for the period ending 31st January 2012.
3. Issue a States Direction to the Director General of Utility Regulation to issue to Guernsey Electricity an exclusive licence for conveyance activities, subject to any exemptions granted by the Director General under Section 1(2) of the Electricity (Guernsey) Law 2001 for the period ending 31st January 2012.
4. Direct the Director General of Utility Regulation that the exclusive licences set out in Recommendation 3 and 4 above should be replaced with exclusive licences for retail and network activities respectively when new legislation consistent with Recommendation 1 is enacted.
5. Direct the Board of Industry to monitor the development of the energy sector in the Channel Islands and bring forward a review of these arrangements by 31st January 2011 or sooner in the event of any material changes to the structure of the sector.
6. Endorse the diverse generation source approach to security of supply as set out in this report.
7. Remove any reference to security of supply in the States guidance to the Advisory and Finance Committee in exercising on behalf of the States its role as shareholders of Guernsey Electricity Limited.