

Domestic Gas and Electricity (Tariff Cap) Bill

AMENDMENT
TO BE MOVED
IN GRAND COMMITTEE

Clause 1

LORD MACKAY OF CLASHFERN
LORD CARLILE OF BERRIEW
LORD HUNT OF WIRRAL

Page 2, line 20, at end insert –

- “(8) Subject to subsections (9) to (12), sections 11C to 11H of the Electricity Act 1989 and sections 23B to 23G of the Gas Act 1986 apply to modifications of the standard supply licence conditions made under this section.
- (9) Any appeal against modifications to the standard supply licence conditions made pursuant to this section –
- (a) may not challenge the decision to impose a price control in principle; but
 - (b) subject to paragraph (a), may relate to –
 - (i) the principles applied in setting the tariff cap conditions in question,
 - (ii) the methods applied or calculations used or data used in setting the tariff cap conditions, or
 - (iii) what the provisions contained in the tariff cap conditions should or should not be (including at what level the tariff cap control should or should not be set).
- (10) The decision of the Authority to modify the standard supply licence conditions to include tariff cap conditions is to have full effect pending the determination by the Competition and Markets Authority (CMA) of any appeal.
- (11) Paragraph 2 of Schedule 5A to the Electricity Act 1989 and paragraph 2 of Schedule 4A to the Gas Act 1986 do not apply to modifications of the standard supply licence conditions made under this section.
- (12) Notwithstanding section 11G(1) of the Electricity Act 1989 and section 23F(1) of the Gas Act 1986, the CMA must determine an appeal against modifications of the standard supply licence conditions made under this section within the period of 4 months beginning with the day on which it accepts the appeal.”

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23 May 2018
