
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Electricity and Gas (Carbon Emissions and
Community Energy Saving) (Amendment) Order 2011**

PART 2

Amendment of the Electricity and Gas (Carbon Emissions Reduction) Order 2008

Amendment of the Electricity and Gas (Carbon Emissions Reduction) Order 2008

2. The Electricity and Gas (Carbon Emissions Reduction) Order 2008(1) is amended in accordance with the following provisions of this Part.

Amendment of article 4 (definition of supplier)

3.—(1) Article 4 (definition of supplier) is amended as follows.

(2) For paragraph (2) substitute—

“(2) A person must supply—

- (a) at least 50,000 domestic customers on 31st December of the year 2007, 2008, 2009 or 2010; or
- (b) at least 250,000 domestic customers on 31st December 2011.”.

(3) For paragraph (3) substitute—

“(3) A company that belongs to a group of companies must supply domestic customers and—

- (a) on 31st December of the year 2007, 2008, 2009 or 2010 the number of domestic customers of that company and of other companies in the group must be at least 50,000; or
- (b) on 31st December 2011 the number of domestic customers of that company and of other companies in the group must be at least 250,000.”.

Amendment of article 8 (review of obligations by the Authority)

4.—(1) Article 8 (review of obligations by the Authority) is amended as follows.

(2) For paragraph (5) substitute—

“(5) The number of domestic customers under paragraph (3)(b) on each 31st December subsequent to the commencement of the obligation period, or under paragraph (4)(c), is deemed to be zero where—

- (a) in respect of any 31st December other than 31st December 2011—

(1) [S.I. 2008/188](#) as amended by the Electricity and Gas (Carbon Emissions Reduction) (Amendment) Order 2009 ([S.I. 2009/1904](#)) and the Electricity and Gas (Carbon Emissions Reduction) (Amendment) Order 2010 ([S.I. 2010/1958](#)).

- (i) a supplier belongs to a group of companies and that group has fewer than 50,000 domestic customers on that date; or
 - (ii) for any other supplier, that supplier has fewer than 50,000 domestic customers on that date;
- (b) in respect of 31st December 2011—
- (i) a supplier belongs to a group of companies and that group has fewer than 250,000 domestic customers on that date; or
 - (ii) for any other supplier, that supplier has fewer than 250,000 domestic customers on that date.”.

Amendment of article 18 (transfers)

5. In article 18 (transfers), in paragraph (3)(a) for “31st March 2012” substitute “31st December 2012”.