
DRAFT STATUTORY INSTRUMENTS

2022 No.

**The Electricity and Gas (Energy
Company Obligation) Order 2022**

PART 2

Overall home-heating cost reduction target

Definition of a participant

- 4.—(1) A licence-holder is a participant in relation to a phase if—
- (a) the licence-holder or, where the licence-holder is a member of a group, the group—
 - (i) supplies 300 gigawatt hours or more of electricity in the qualification year for that phase; and
 - (ii) supplies electricity or gas to 150,000 or more domestic customers at the end of that qualification year;
 - (b) the licence-holder or, where the licence-holder is a member of a group, the group—
 - (i) supplies 700 gigawatt hours or more of gas in the qualification year for that phase; and
 - (ii) supplies electricity or gas to 150,000 or more domestic customers at the end of that qualification year; or
 - (c) in the case of phase 2, 3 or 4, the licence-holder was a participant in relation to the preceding phase.
- (2) Where a dual licence-holder is a participant by virtue of paragraph (1), that licence-holder is to be treated under this Order as two participants, of which—
- (a) one is a participant in respect of the supply of electricity; and
 - (b) the other is a participant in respect of the supply of gas.
- (3) For the purposes of this article—
- (a) whether or not a licence-holder is a member of a group is to be determined according to whether the licence-holder was a member of a group at the end of the qualification year for the phase in question; and
 - (b) where a licence-holder is a member of a group, the amount of electricity or gas supplied by the group in a qualification year is the amount supplied in that year by all licence-holders in the group, whether or not they were members of the group throughout the whole of that year.
- (4) For the purpose of determining the number of domestic customers of a licence-holder under this Order, a domestic customer who receives electricity and gas from a dual licence-holder is a separate domestic customer under each licence.
- (5) In this article, “dual licence-holder” means a person holding a licence under section 6(1)(d) of the Electricity Act 1989 and a licence under section 7A of the Gas Act 1986.