

Condition 26. Smart Metering Systems and Provision of Information to the Secretary of State

Introduction

- 26.1 This condition provides for the Secretary of State to be able to obtain from the licensee information, as relating to the licensee's activities or otherwise available to or held by the licensee, in respect of matters relating to the provision, installation, operation, maintenance, and use of meters.

Purposes

- 26.2 The purposes of this condition are to ensure that the Secretary of State may obtain such Information as he may reasonably require to enable him, from time to time, to:
- (a) keep under review matters relating to the provision, installation, operation, maintenance and use of Smart Metering Systems;
 - (b) identify and evaluate the costs associated with, and benefits attributable to, the provision, installation, operation, maintenance and use of Smart Metering Systems, including in particular costs savings and improvements in services resulting from changes made to energy industry activities and procedures;
 - (c) decide whether or when there may be a need for him to exercise any of his powers under:
 - (i) the conditions of this licence which impose obligations or contain provisions in relation to Smart Metering Systems; or
 - (ii) section 88 of the Energy Act 2008; and
 - (d) publish information in respect of the matters set out in paragraphs (a) - (c).

Information Request

- 26.3 The Secretary of State may, for the purposes of this condition, from time to time issue a request for Information to be provided to him (an **Information Request**).
- 26.4 An Information Request (or any part of it) may be addressed to the licensee alone, to all Gas Transporters or to a category of Gas Transporters.
- 26.5 An Information Request may in particular specify:

- (a) the type and nature of Information to be provided;
- (b) that the Information is to be accompanied by such supporting documents or data as may be described;
- (c) that all or some of the specified Information shall continue to be provided at the intervals specified until such date as is specified or until the Secretary of State issues a subsequent Information Request to the licensee or to the category of Gas Transporters of which it is a member; and
- (d) the form and manner in which, and the date by which, the specified Information is to be provided.

26.6 The licensee must comply with an Information Request addressed to it or to a category of Gas Transporters of which it is a member.

26.7 The licensee must ensure that the Information it provides in response to an Information Request is complete and accurate.

26.8 The licensee is not required under this condition to provide any Information which it could not be compelled to produce or give in evidence in civil proceedings before a court.

Cessation

26.9 This condition shall cease to apply to the licensee from the date which is ~~12 months~~ five years after the ARS Specified Date ~~date specified in paragraph 33.1 of standard condition 33 of the Standard Conditions for Gas Supply Licences.~~

Interpretation and Definitions

26.10 In this condition:

<u>ARS Specified Date</u>	<u>has the meaning given to it in standard condition 1 of the Standard Conditions of Gas Supply Licences.</u>
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Information	includes information (other than information subject to legal privilege) in any form or medium and of any description specified by the Secretary of State and includes any documents, accounts, estimates, returns, records or reports and data of any kind, whether or not prepared specifically at the request of the
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Secretary of State.