



The Electricity Network Company Limited

Scheme in respect of supplies of electricity illegally taken

Introduction

The Electricity Network Company Limited (ENC) is a licensed electricity distributor owning and operating electricity distribution networks in England, Wales and Scotland.

This Scheme is made pursuant to the provisions of Schedule 6 of the Electricity Act 1989 ("the Schedule"). This Scheme sets out the manner in which, and the persons by whom, any quantity of electricity taken illegally from ENC is to be determined in the circumstances described below.

A copy of this Scheme has been provided to the Gas and Electricity Markets Authority and to the Energy Ombudsman, and is available to any person on request.

ENC's entitlement to recover the value of electricity illegally taken

1. Schedule 6(4) of the Electricity Act 1989 entitles ENC to recover the value of a supply of electricity taken by any person through a connection to its distribution system where it is in the course of being conveyed by ENC and where it:
 - (i) has been conveyed by ENC to premises at which the connection has been restored in contravention of paragraph 5(1) of the Schedule; or
 - (ii) is taken otherwise than in pursuance of a contract (deemed or actual) with an authorised supplier.
2. In this Scheme, the term "**value**", in relation to any electricity taken in the circumstances mentioned above, means the amount which, if the electricity had been taken in the circumstances mentioned in paragraph 3(2) of the Schedule, could reasonably be expected to have been payable in respect of the electricity under a contract deemed to have been made because of that paragraph.
3. Where a person takes a supply of electricity under the circumstances described in paragraph 1 above, and ENC exercises its entitlement to recover the value of electricity taken, it shall do so by:
 - (a) estimating the quantity of electricity so taken (see paragraph 4 below); and by
 - (b) applying the notional tariffs that a supplier would reasonably expect to apply if the person had entered into a contract with that supplier.

Calculation of the quantity of electricity taken

4. For the purpose of calculating charges under this Scheme, ENC will estimate the quantity of electricity taken by reference to the following factors:
 - (a) the consumption experience of the types of apparatus connected to the customer's installation;
 - (b) the usage of customers with a similar pattern of use (relying, where appropriate, on electricity industry data); and
 - (c) the length of time that the connection is assessed to have been energised.

Additional actions

5. In addition to the rights that ENC has under this Scheme, we may also take additional action, including but not limited to:
 - (a) Disconnecting the connection and recovering the costs of doing so;
 - (b) Recovering the costs of any damage to our distribution system, meters, plant or equipment;
 - (c) Recovering the costs of the investigation; and
 - (d) Pursuing actions for electricity theft under the relevant legislation

Electricity illegally taken where a supply contract is in force

6. Where a supply of electricity is taken illegally, and where a supply contract (actual or deemed) is in force at the premises or with the person illegally taking the supply of electricity, the responsibility for calculating the quantity of electricity taken and recovering the value thereof will lie with the supplier.