QUESTION	RESPONDENT DETAILS	RESPONSE	CODE MANAGER COMMENTS
	ScottishPower Energy Retail Energy Supplier	Yes	
1. Do you agree with the proposed solution, as set out in the document 'R0035 – Proposed Solution v2.0'? If not, please explain why.	**EDF** Energy Supplier	No. We continue to be concerned that transaction (RMP or switch) level data will not be available to suppliers to enable them to validate the invoices they receive under the scheme. Without access to this detailed information, it is not clear how energy suppliers will be able to validate the invoices they receive in order to raise a query or, if necessary, a dispute. The fact that this invoice will be issued with no data to validate becomes even more of an issue when things like Erroneous Transfers, cooling off switches and fixed term contracts are not excluded from the calculation of the charges. This calls into question the robustness of the MSC enactment when it is based on validating a high-level number which includes switches which should not attract charges. We also note that while there is refence to testing of the IT solution before implementation, there is no mention of this testing involving energy suppliers, or their having visibility of the results. It is not clear how energy suppliers will be able to get confidence that the scheme is being implemented in line with the design and using the right data on the calculations.	The scheme was designed to be implemented as soon as practicable after the MSC came into effect (14 April 2022), and to mitigate the impact on incumbent Energy Suppliers' finances that may be caused by large scale switching. It was not practicable to implement a scheme incorporating MPRN/MPAN level data into invoices by the target effective date, and to the extent that this may involve many thousands of lines, may remain impracticable. In agreement with Ofgem, the IT solution and invoicing requirements have been designed and built on that basis. However, RECCo will continue to explore the possibility of corresponding reports being made available to Energy Suppliers on request. To the extent that this would be additional reporting that is not covered under the existing contracts, such reports may be chargeable. The IT solution will be tested as part of the RECCo led project. We understand that the scope of the Ofgem appointed independent assurance provider will also ensure that appropriate testing has been completed

			successfully. RECCo has confirmed that it will also consider the issuance of 'test' statements being issued to suppliers, to the extent that these may be available to show switching activity in advance of the MSC charge being triggered, and such statements needing to be 'live'.
	Utilita Energy Limited Energy Supplier	In our opinion there are a few outstanding pieces of information regarding the data collection, and dispute management. It is unclear what level of data validation will take place ahead of the invoices being sent out to Energy Suppliers. Where there is discrepancy between the invoices and Energy Suppliers data how will this be resolved when there is only aggregated data available to RECCo and the PAB? We welcome the reduction in the level of dispute invoices to £1,000, but we also hold the opinion that the value should be as low possible as the invoicing should be accurate, if the data is analysed correctly. The details around the timeline for resolving disputes needs to be put into the solution requirements or a guidance document, to remind all that a resolution of a dispute is to be resolved a quickly as possible, and that all information needs to be readily available to PAB in a timely manner.	The scheme is utilising industry switching data for the identification of switches, taken from industry sources where validation will have already been completed. Prior to the invoice production, basic reconciliation and validation will be completed (e.g., checking that aggregated volumes and payment amounts reflect the sum of the Energy Supplier/MPID level numbers). We will seek to resolve any dispute and give effect the any determination of the PAB as soon as practicable, and ideally ahead of the following invoice cycle, as this may require a reconciliation involving both the gaining and losing Energy Supplier(s).
2. Do you agree with the proposed legal text? If not, please explain why.	**ScottishPower Energy Retail** Energy Supplier	Generally, yes, we welcome that our comments made during the IA were taken onboard. Our preference would still be for a timescale for resolution of a dispute but that can be reviewed if required. We still disagree with Clause 10.3 and our comments to the IA still applies. No feedback or comment has been provided in the change documentation.	The scheme cannot remain open indefinitely, and it is important that any outstanding position are reconciled in a timely fashion. Given the 4-weekly invoicing cycle and resolution of any Events of Default, the 12-week cessation period appears to be sufficient

			to allow all reasonable prospect of monies to be recovered and distributed in accordance with the rules of the scheme. At the end of that period, any outstanding positions will be crystallised, and to the extent there are non-allocatable credits, for these to be retained to offset costs (and therefore reduce RECCo charges to suppliers). Whilst any such charge reduction would also apply to non-Domestic Energy Suppliers who are not party to the scheme, this is balanced against them having also contributed to the development costs of the scheme. RECCo will in any case endeavour to ensure that all monies are recovered and redistributed to appropriate parties and that the scheme closes with a zero balance.
	EDF Energy Supplier	Yes - We have not identified any issues with the draft legal text.	
	Utilita Energy Limited Energy Supplier	Yes	
3. Do you agree with the proposed implementation date and implementation technique? If not, please explain why.	**ScottishPower Energy Retail** Energy Supplier	Yes	
	EDF Energy Supplier	Yes. We agree that this change should made as soon as possible and included in the June 2022 REC release.	
	Utilita Energy Limited Energy Supplier	Yes	
4.	**ScottishPower Energy Retail**	Yes	

Do you agree with the Code Manager's assessment of the Change Path, that this Change Proposal should be subject to Authority Determination?	Energy Supplier		
	EDF Energy Supplier	Yes. Given the relationship to the licence obligations we agree that this change should be subject to Authority Determination.	
	Utilita Energy Limited Energy Supplier	Yes	
5. Do you agree with the Code Manager's assessment of impacts against the REC Objectives? If not, please explain why?	**ScottishPower Energy Retail** Energy Supplier	Yes	
	EDF Energy Supplier	Yes. We agree with the Code Manager's assessment of impacts against the REC Objectives.	
	Utilita Energy Limited Energy Supplier	Yes	
6. Are there any other impacts or considerations the Code Manager should take into account when developing the Codes Manager's Recommendation, as part of the Final Change Report?	**ScottishPower Energy Retail** Energy Supplier	None at this time	
	EDF Energy Supplier	No	
	Utilita Energy Limited Energy Supplier	Ofgem are constantly reviewing and making changes to the MSC, it is unclear if this solution is agile enough to adapt to the changes quickly.	Ofgem's changes to the MSC have so far been limited to its own calculation of the applicable MSC value and do not impact upon the operation of the scheme. If any further changes are made that would alter the parameters of the scheme, such as the data requirements or other aspects of the MSC calculation, these would need to be impact

			assessed and may require a further Change Proposal to the REC.
7. Do you agree with the Code Manager's minded to position, that this Change Proposal should be approved for implementation on 30 June 2022? If not, please explain why.	**ScottishPower Energy Retail** Energy Supplier	Yes	
	EDF Energy Supplier	Yes. We agree that this change should be made as soon as possible and included in the June 2022 REC release.	
	Utilita Energy Limited Energy Supplier	Yes	
8. Do you have any other comments relating to this Change Proposal?	**ScottishPower Energy Retail** Energy Supplier	-	
	EDF Energy Supplier	It is unfortunate that non-relevant switches (such as ETs and fixed term contract switches) will also be included in the source data as they are unable to be identified and removed. This means that the solution will not be wholly targeted at the right switches, which creates a situation of winners and losers. We will be unable to determine the level of inaccuracy/detriment as we cannot validate the backing data at a sufficiently granular level.	Erroneous Switches will be separately monitored by the PAB, and quantifiable for the relevant period. However, for the purposes of the MSC the resolution of an Erroneous Switch is appropriately a second switch back to the original supplier. That will affect the return of money to the supplier that has temporarily, albeit erroneously, gained from the initial switch. It is possible that the applicable MSC Value may be differ between the initial and return switch, though we do not yet know to what extent. Further, as the resolution of Erroneous Switches not generally a fixed period, it is not practicable to prescribe an alternative treatment for those charges within R0035.

	Utilita Energy Limited Energy Supplier	It is still unclear as to whether consideration has been given to some unique switching scenarios, for example, what solution is available where there may be multiple SoLRs involved in a single administration, or if there is a private sale agreement for proportion of Energy Consumers? Further clarification would be reassuring, and all scenarios have been thought out in line with MSC administration. Otherwise: No further comments.	To our knowledge, it is not currently possible for Ofgem to appoint multiple Suppliers of Last Resort for a single failed Energy Supplier portfolio, or for an Energy Supplier to secure a trade sale of only a select part of their portfolio, beyond a segmentation between Domestic and non-Domestic Consumers. However, if a multiple SoLR event did occur, as long as RECCo was informed in a timely manner it would be able to identify the relevant MPIDs within the reporting data and apply the same procedures as for a 1:1 SoLR event.