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The Honourable Mr Justice Zacaroli
High Court of Justice
Business and property courts of England and Wales Insolvency and Companies List
(Chancery Division)

By email only (to the Clerk to Mr Justice Zacaroli)

22 November 2022

Dear Mr Justice Zacaroli,

In the matter of Bulb Energy Limited (in Energy Supply Company Administration) Claim number: CR-2021-002181

As you will know, Citizens Advice is the statutory consumer advocate for the energy market. In this capacity, we are concerned about the transfer of customers of Bulb Energy Ltd to Octopus Energy Ltd under the proposed Energy Transfer Scheme and associated arrangements.

We understand that the start of the proposed transfer is contingent upon the court's appointment of an 'effective time' for the Energy Transfer Scheme, and that this will be considered by you in a hearing at the end of November.

As the statutory consumer advocate, we are obliged to consider the impact on customers of deals of this nature. At present we do not have sufficient information to assess the potential impact and hence ensure consumer interests are properly safeguarded. We are concerned in particular about:

- The impact costs arising from the Bulb administration, and from this proposed deal, could have on customer bills
- The lack of assurance that the financial support provided to the new ring fenced entity will not, in any circumstances, be recovered through customer bills
- The lack of transparency over the results of Ofgem's assessment of the deal, which has not yet been published
- The potential impact on competition in the market and any long-term impacts on consumers, including publishing any Competition and Markets Authority (CMA) assessment of the proposed deal

We have put these concerns directly to the Secretary of State for Business, Energy and Industrial Strategy in our letter to him on 7th November 2022. We have attached a copy of this letter for your reference. These concerns have also been shared, in writing, with Ofgem's CEO, Mr Jonathan Brearley.

At the time of writing, Citizens Advice has not received a response to the concerns raised in this letter.

Due to the continuing lack of transparency regarding this issue, we request that the court does not exercise its power to appoint a time for the Scheme to become effective, until such time as its impact on consumer interests can be properly assessed.

It is our view that this should include an opportunity for interested parties like Citizens Advice to comment on the arrangements, and whether they are in the interests of consumers. To proceed without a proper consultation may result in consumer interests being damaged.

If you would like to discuss these points further or if we can provide additional information to support the points made above please do let me know.

Yours sincerely



Dame Clare Moriarty
Chief Executive