

## DCUSA Redlined Drafting Proposals

### Section 1A

#### Confirmed Theft

means that a Supplier, Distributor or Revenue Protection Agent (as applicable) reasonably determines that, on the balance of probabilities and taking into account all of the evidence then available, one or more instances of Theft of Electricity has occurred. A Party may not make such a determination unless it has sufficient evidence to substantiate the occurrence of Theft of Electricity. Such evidence must include (as a minimum): (a) (where applicable) an indication of theft via a desktop review of consumption levels; and (b) a report of a site visit where access was successful; and (c) photographic evidence (or sketch) of the theft including any illegal connection/bypass or meter tamper; and (d) a determination of the value of electricity stolen; and (e) (where available) a police report or crime reference number.

### Schedule 23

## 13. TREATMENT OF VULNERABLE CUSTOMERS

### **OBLIGATION**

Each Party shall use reasonable endeavours to safeguard the personal welfare of Vulnerable Customers in respect of the activities set out in this Code of Practice.

If a Customer account is flagged as being on the 'Priority Services Register', this shall be notified to the Revenue Protection Agents so that (if Theft of Electricity is suspected or ~~confirmed~~ Confirmed Theft has occurred) appropriate actions are taken. Any additional 'vulnerable person flags' shall be notified to the Revenue Protection Agents and the Revenue Protection Agents shall have regard to the Supplier's Revenue Protection Policy when investigating Theft of Electricity.

Each Party shall take reasonable steps to ascertain who in the household might be a Vulnerable Customer, and then make a judgement regarding the action that needs to be taken in the light of this information.

## 15. OUTCOME OF INVESTIGATION

### 15.1 Theft of Electricity suspected but not ~~confirmed~~ a Confirmed Theft

#### BEST PRACTICE

Following an investigation, where Theft of Electricity is suspected but cannot be determined as a Confirmed Theft~~confirmed~~, there are a number of actions which may be taken. These include:

- exchange of the meter;
- fitting of security measures e.g. anti tamper labels;
- revisits; and
- consumption monitoring.

Where investigation has recovered no evidence of Theft of Electricity, and Theft of Electricity is no longer suspected, the investigation should be closed and no further action should be taken.

### 15.2 ~~Theft of Electricity~~ Confirmed Theft

#### OBLIGATION

~~Where a Theft of Electricity is confirmed~~In cases of a Confirmed Theft, Parties shall seek to identify the Perpetrator. In most cases the Customer shall be the Perpetrator, but this may not be the case.

~~Where Theft of Electricity is confirmed~~In cases of a Confirmed Theft, appropriate steps shall be undertaken to stop the Theft of Electricity continuing.

#### BEST PRACTICE

~~Where Theft of Electricity has been confirmed~~In cases of a Confirmed Theft, appropriate steps undertaken to remedy the situation may include one or more of the following:

- Disconnection;

- exchange of meter;
- assessment of Value of unrecorded units, and of Relevant Costs;
- assessment of the ability of the Perpetrator (or other beneficiary) to pay the Relevant Costs;
- using reasonable efforts to receive the Relevant Costs from the Perpetrator (or other beneficiary);
- prosecution of the Perpetrator; and
- request of a security deposit against future supply.

Where the meter installation has been physically tampered with and rectification work is necessary, this should be undertaken as soon as reasonable practicable. It may be necessary to temporarily de-energise supply pending the completion of remedial works.

Parties should make reasonable efforts to identify the person against whom charges should be levied. Wherever possible the assessment of charges should be completed on site with the aim of agreeing the assessment with the Customer or their representative. The aim should be to secure payments on site. Where this is not possible, an interim assessment of unrecorded units and charges should be completed and the final assessment completed and issued to the Perpetrator (or other beneficiary).

## 15.12 Reports

### OBLIGATION

The Supplier shall provide a monthly report to each Distributor setting out each of the cases of Theft of Electricity investigated, identifying ~~those where a Theft of Electricity was confirmed~~ Confirmed Theft detections and the volume of units associated with each such case.

## APPENDIX 4 – RECORD KEEPING

### Supplier Records

- Customer Name
- Property Address

- MPAN
- MSN
- Status of Theft case i.e. suspected, ~~confirmed~~, Confirmed Theft, not confirmed, Passed to DNO as Theft in Conveyance
- Date Theft suspected
- Source of information on suspected theft
- Number of investigative visits to premises

If ~~Theft confirmed~~ Confirmed Theft:

- Estimate of unrecorded units (kWh)
- Date from and date to
- Charges levied to the customer (split into unrecorded units and transactional costs)
- Nature of interference
- Necessity for a warrant
- Criminal prosecution attempted?
- Criminal prosecution successful?

## **Schedule 25**

Update references to 'Confirmed theft' to 'Confirmed ~~theft~~ Theft' within the Investigation Outcome Block in:

- Commercial Premises - Initial Outcome File Specification (Historic)
- Commercial Premises Outcome File Specification
- Residential Premises - Initial Outcome File Specification (Historic)
- Residential Premises - Outcome File Specification