



For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 9 3 1 0 4 2 7

Company name in full Eversmart Energy Ltd

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Administrator's name

Full forename(s) Andrew James

Surname Stone

### 3 Administrator's address

Building name/number 1 St Peter's Square

Street Manchester

Post town M2 3AE

County/Region

Postcode

Country

### 4 Administrator's name ①

Full forename(s) William James

Surname Wright

#### ① Other administrator

Use this section to tell us about  
another administrator.

### 5 Administrator's address ②

Building name/number 1 St Peter's Square

Street Manchester

Post town M2 3AE

County/Region

Postcode

Country

#### ② Other administrator

Use this section to tell us about  
another administrator.

# AM10

## Notice of administrator's progress report

### 6 Period of progress report

From date	<sup>d</sup> 1	<sup>d</sup> 3	<sup>m</sup> 0	<sup>m</sup> 9	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0
To date	<sup>d</sup> 1	<sup>d</sup> 2	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 1

### 7 Progress report

☒ I attach a copy of the progress report

### 8 Sign and date

Administrator's  
signature

Signature

X

*A. S. [Signature]*

X

Signature date

<sup>d</sup> 3	<sup>d</sup> 1	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 1
-------------------	-------------------	-------------------	-------------------	-------------------	-------------------	-------------------	-------------------

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Mariya Patel**

Company name **KPMG LLP**

Address **1 St Peter's Square**

**Manchester**

Post town **M2 3AE**

County/Region

Postcode

Country

DX

Telephone

**Tel +44 (0) 161 246 4000**

**Checklist**

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

**Important information**

**All information on this form will appear on the public record.**

**Where to send**

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)**



Joint  
Administrators'  
progress  
report for the  
period 13  
September  
2020 to 12  
March 2021

Eversmart Energy Ltd - in  
Administration

31 March 2021

Deemed delivered: 31 March  
2021

# Notice to creditors

This progress report provides an update on the administration of the Company.

We have included (Appendix 2) an account of all amounts received and payments made since the date of our appointment.

We have also explained our future strategy for the administration and how likely it is that we will be able to pay each class of creditor.

You will find other important information in this progress report such as the costs which we have incurred to date.

A glossary of the abbreviations used throughout this document is attached (Appendix 6).

Finally, we have provided answers to frequently asked questions and a glossary of insolvency terms on the following website, <http://www.insolvency-kpmg.co.uk/case+KPMG+JJ83050026.html>. We hope this is helpful to you.

**Please also note that an important legal notice about this progress report is attached (Appendix 7).**

# Contents

<b>1</b>	<b>Executive summary</b>	<b>1</b>
<b>2</b>	<b>Progress to date</b>	<b>2</b>
<b>3</b>	<b>Dividend prospects</b>	<b>4</b>
<b>4</b>	<b>Joint Administrators' remuneration and disbursements</b>	<b>5</b>
<b>5</b>	<b>Future strategy</b>	<b>6</b>
<b>Appendix 1</b>	<b>Statutory information</b>	<b>7</b>
<b>Appendix 2</b>	<b>Joint Administrators' receipts and payments account</b>	<b>8</b>
<b>Appendix 3</b>	<b>Schedule of expenses</b>	<b>10</b>
<b>Appendix 4</b>	<b>Joint Administrators' revised expenses estimate</b>	<b>11</b>
<b>Appendix 5</b>	<b>Joint Administrators' charging and disbursements policy</b>	<b>13</b>
<b>Appendix 6</b>	<b>Glossary</b>	<b>17</b>
<b>Appendix 7</b>	<b>Notice: About this report</b>	<b>19</b>

# 1 Executive summary

This progress report covers the period from 13 September 2020 to 12 March 2021.

We have continued to progress the administration in line with the strategy outlined in our proposals and progressing realisation of the Company's principal asset comprising its debtors' ledger. The billing process is nearing completion, with the key focus being collecting the remaining sums due from the Company's customers (Section 2 – Progress to date).

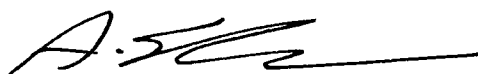
The Secured creditor, CNGL, has suffered a significant shortfall in respect of the funding provided to the Company (Section 3 - Dividend prospects and dividends paid).

We anticipate the preferential creditors will be repaid in full. (Section 3 – Dividend prospects and dividends paid).

Based on current estimates, it is likely that a distribution will be made to the unsecured creditors, however we are not yet able to confirm the quantum or timing of the dividend because we have not finalised the realisation of all of the Company's assets, nor have we begun the process of agreeing the unsecured claims. (Section 3 - Dividend prospects and dividends paid).

The administration is currently due to end on 12 September 2021

Please note: you should read this progress report in conjunction with our previous progress reports and proposals issued to the Company's creditors which can be found at <http://www.insolvency-kpmg.co.uk/case+KPMG+JJ83050026.html>. Unless stated otherwise, all amounts in this progress report and appendices are stated net of VAT.



Andrew Stone  
Joint Administrator

## 2 Progress to date

This section updates you on our strategy for the administration and on our progress to date. It follows the information provided in our previous progress report which was issued 8 October 2020.

### 2.1 Strategy and progress to date

#### Strategy

As previously reported, on 11 September 2019 the Company's Electricity Supply Licence was revoked by the Regulator, Ofgem, and all of its customers were transferred to Utilita under the Supplier of Last Resort ('SoLR') process. Consequently, the Company ceased to trade.

The Company's principal assets were: - (1) book debts due from customers for energy supplied to the date of the SoLR transfer; and (2) cash balances held in the Company's pre-appointment bank accounts. Since our appointment, our key priorities have been to secure these cash balances and to maximise realisations from the Company's debtor book for the benefit of the creditors as a whole.

#### Debtor collection – agreement with Utilita

It was considered that Utilita (acting in their capacity as SoLR) were best placed to assist us in realising the Company's debtor book and as such, we entered into a Debt Services Agreement ("DSA") with them on 13 September 2019. Since that date, Utilita have utilised their existing credit control department to realise the Company's debtors and in return, have been paid on an incentivised ratchet basis.

At the time of writing, the collection of the Company's debtor book has slowed and Utilita are forecasting future realisations to be between £96,302 on a low case and £123,328 on a high case. Further, Utilita are estimating that these future realisations could take as long as eight months. Consequently, we are now exploring the options available to us in relation to selling the remaining debtor book and exiting the Administration to avoid the need for a second extension and the associated costs.

### 2.2 Asset realisations

Realisations during the period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant realisations during the period are provided below.

#### Book debts

During the period of this report, Utilita have continued to assist with the collection of the Company's debtor book under the contractual terms of the DSA and £113,267 has been collected during this reporting period.



#### Contribution to costs

You may recall from previous reports that under the terms of the DSA, the Company was obliged to pay certain costs to suppliers of the Company to facilitate the SoLR Transfer and to maximise realisations from the Company's debtor book. Under the terms of the DSA, a significant amount of these costs could be passed on to Utilita and during the period of this report, £60,400 has been received from Utilita in this regard.

#### Bank Interest

A small amount of bank interest has been received during the period of this report.

#### Sundry refunds

£3,959 of sundry refunds have been received during this reporting period and this relates to funds held by Siemens Plc which were due to the Company.

#### Investigations

We have continued to review the affairs of the Company to find out if there are any actions which can be taken against third parties to increase recoveries for creditors.

## 2.3 Costs

Payments made in this period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant payments made during the period are provided below.

#### IT systems

During the reporting period we have made payments totalling £14,800 to certain I. T. suppliers who were critical to the success of the SoLR transition and also the collection of the Company's debtors. Under the terms of the DSA, these costs are recoverable from Utilita and at the time of writing, we are in the process of raising the final recharge invoice to Utilita.

#### Utilita commission

As mentioned earlier in this report, Utilita were considered best placed to assist with the realisation of the Company's debtor book. In accordance with the terms of the DSA, Utilita are contractually entitled to earn commission on book debt receipts and during the period of this report they have been paid £45,307.

#### Solicitor fees'

£13,055 has been paid to our Solicitors during the period of this report. These costs relate to general matters that have arisen during the course of the Administration for which legal input was required.

#### Agents' fees

£3,000 has been paid to the Gordon Brothers during the period of this report for the valuation and property clearance services that they provided to the Company in a prior reporting period.

#### Storage costs

We have a statutory obligation to retain certain records of the Company for a prescribed period of time and we have paid £112 towards the storage of these records during this reporting period.

#### Bank charges

We have paid £75 of bank charges in the period and this is as a consequence of having to pay suppliers by bank transfer rather than cheque, due to Covid-19 restrictions.

## **2.4 Schedule of expenses**

We have detailed the costs incurred during the period, whether paid or unpaid, in the schedule of expenses attached (Appendix 3).

#### Utilita commission

Under the terms of the DSA, Utilita are contractually entitled to charge commission on book debt realisations. This commission is calculated on a percentage of realisations achieved by Utilita who are now reporting collections on a monthly basis. As such, we are only made aware of the commission charged when the net realisations are received from Utilita. Consequently, a figure of nil is shown in the Schedule of Expenses in the column entitled "Incurred in the period, but not yet paid".

#### I. T. Systems

The final invoice of £5,987 from the last I. T. supplier with whom we have contracted has now been received but not paid in the reporting period. These costs are covered in full by Utilita under the terms of the DSA.

#### Legal fees

It is estimated that legal fees of £14,593 may have been incurred in the reporting period but not yet paid.

## **3 Dividend prospects**

### **3.1 Secured creditors**

Please refer to our proposals for details of the security held and indebtedness at the date of our appointment.

We expect to make further payments to the Secured creditor but the quantum of these are dependent on future realisations and the associated costs. It is anticipated that the Secured Creditor will suffer a significant shortfall in respect of funding it provided to the Company.

### **3.2 Preferential creditors**

We estimate the amount of preferential claims to be £24,559 which is a figure that has increased from previous reports as a consequence of a Protective Award that has been awarded to certain employees at an Employment Tribunal ("ET"). At the ET, it was found that certain employees who were made redundant by the Company, prior to our appointment

were not sufficiently consulted by the Director. Our Employee Specialists are now working with the RPS to finalise their claim in the Administration.

Based on current estimates, we anticipate that preferential creditors should receive a dividend of 100p in the £. The timing and amount of any dividend are dependent upon finalising the preferential claim of the RPS.

### **3.3 Unsecured creditors**

Based on current estimates, we anticipate that unsecured creditors should receive a dividend. We have yet to determine the amount of this, but we will do so when we have completed the realisation of assets and payment of associated costs.

## **4 Joint Administrators' remuneration and disbursements**

### Time costs

From 13 September 2020 to 12 March 2021, we have incurred time costs of £112,890. These represent 281 hours at an average rate of £401 per hour.

### Disbursements

During the period, we have not incurred any disbursements.

### Additional information

It has become apparent during the period that we will exceed our previous fees estimate. Our time costs are expected to increase, primarily as a consequence of the additional time that has been incurred in working with Utilita to realise the Company's debtor book. Also, more time has been spent in dealing with customer queries than was previously anticipated. At present we do not propose to seek approval in respect of our increased time costs but reserve our right to do so at a later date. Accordingly, we are therefore not providing creditors with a revised fees estimate at this time.

We have attached a revised expenses estimate at Appendix 4. Our estimated expenses have increased because of higher book debt realisations than originally forecast, which has meant in more commission being paid to Utilita.

We have attached (Appendix 5) an analysis of the time spent, the charge-out rates for each grade of staff and the expenses paid directly by KPMG for the period from 13 September 2020 to 12 March 2021. We have also attached our charging and disbursements policy.

# 5 Future strategy

## 5.1 Future conduct of the administration

We will continue to manage the affairs, the business and the property of the Company in order to achieve the purpose of the administration. This will include but not be limited to:

- In conjunction with Utilita, we will continue with the debt recovery process and explore available option to us with a view of achieving a sale of the remaining debtor book;
- Making further distributions to the Secured creditor;
- Agreeing and paying the claims of the preferential creditors;
- Agreeing and paying a Prescribed Part dividend to the unsecured creditors;
- Finalising the VAT affairs of the Company and obtaining VAT clearance;
- Attending to all statutory and compliance obligations.

## 5.2 Future reporting

We intend to provide our final progress report by 12 September 2021.

## Appendix 1      Statutory information

### Company information

Company name	Eversmart Energy Ltd
Date of incorporation	13 November 2014
Company registration number	09310427
Present registered office	1 St Peter's Square, Manchester, M2 3AE

### Administration information

Administration appointment	The administration appointment granted in High Court of Justice, The Business and Property Courts in Manchester, 000921 of 2019
Appointor	Contract Natural Gas Limited
Date of appointment	13 September 2019
Joint Administrators' details	Andrew Stone and Will Wright
Estimated values of the Net Property and Prescribed Part	<p>Estimated Net Property is £1,290,285 and £1,513,109 on a low and high case, respectively. Estimated Prescribed Part is £261,057 and 305,622 on a low case and high case, respectively.</p> <p>The Prescribed Part has been taken into account when determining the dividend prospects for unsecured creditors (Section 3).</p>
Prescribed Part distribution	<p>The Joint Administrators do not intend to apply to Court to obtain an order that the Prescribed Part shall not apply.</p> <p>Accordingly, the Joint Administrators intend to make a distribution to the unsecured creditors.</p>
Functions	The functions of the Joint Administrators are being exercised by them individually or together in accordance with Paragraph 100(2)
Current administration expiry date	12 September 2021

## Appendix 2 Joint Administrators' receipts and payments account

### Eversmart Energy Ltd - in Administration

#### Abstract of receipts & payments

Statement of affairs (£)		From 13/09/2020 To 12/03/2021 (£)	From 13/09/2019 To 12/03/2021 (£)
ASSET REALISATIONS			
	Deposit from Utilita	NIL	50,000.00
	Contribution to costs	60,400.00	478,192.22
	Funds to be paid to UEL	NIL	566,923.01
14,057.00	Furniture & equipment	NIL	2,500.00
	Retention	NIL	60,000.00
	Book debts	113,266.90	1,387,498.57
	Retention monies to be repaid	NIL	140,000.00
	Cash at bank	NIL	899,622.61
		173,666.90	3,584,736.41
OTHER REALISATIONS			
	Bank interest, gross	10.00	5,615.27
	Sundry refunds	3,959.00	67,566.94
		3,969.00	73,182.21
COST OF REALISATIONS			
	Finance subcontractors	NIL	(4,080.00)
	Administrators' fees	NIL	(199,980.00)
	Utilita commission	(45,306.76)	(372,603.51)
	IT systems	(14,800.00)	(471,087.30)
	Agents'/Valuers' fees	(3,000.00)	(3,000.00)
	Legal fees	(13,055.00)	(28,271.48)
	Pre administration legal fees	NIL	(32,820.50)
	Heat & light	NIL	(594.11)
	Storage costs	(112.05)	(178.16)
	Funds paid to UEL	NIL	(566,923.01)
	Statutory advertising	NIL	(73.00)
	Rent	NIL	(8,967.35)
	Rates	NIL	(1,562.21)
	Other property expenses	NIL	(472.26)
	Insurance of assets	NIL	(1,628.48)
	Wages & salaries	NIL	(33,121.46)
	Bank charges	(75.00)	(540.00)
		(76,348.81)	(1,725,902.83)

# Eversmart Energy Ltd - in Administration

## Abstract of receipts & payments

Statement of affairs (£)		From 13/09/2020 To 12/03/2021 (£)	From 13/09/2019 To 12/03/2021 (£)
FLOATING CHARGE CREDITORS			
(9,725,235.00)	Floating charge	NIL	(400,000.00)
		NIL	(400,000.00)
UNSECURED CREDITORS			
(2,523,788.00)	Trade & expense	NIL	NIL
(62,731.00)	Employees	NIL	NIL
		NIL	NIL
DISTRIBUTIONS			
(1.00)	Ordinary shareholders	NIL	NIL
		NIL	NIL
<b>(12,297,698.00)</b>		<b>101,287.09</b>	<b>1,532,015.79</b>
REPRESENTED BY			
	Floating ch. VAT rec'able		224,169.60
	Floating charge current		1,534,947.30
	Floating ch. VAT payable		(95,942.66)
	Floating ch. VAT control		(131,158.45)
			<b>1,532,015.79</b>

## Appendix 3 Schedule of expenses

Schedule of expenses (13/09/2020 to 12/03/2021)			
Expenses (£)	Incurred and paid in the period (£)	Incurred in the period not yet paid (£)	Total (£)
<b>Cost of realisations</b>			
Utilita commission	45,306.76	0.00	<b>45,306.76</b>
IT systems	13,600.00	5,987.00	<b>19,587.00</b>
Legal fees	13,055.00	14,593.00	<b>27,648.00</b>
Storage costs	112.05	0.00	<b>112.05</b>
Bank charges	75.00	0.00	<b>75.00</b>
<b>TOTAL</b>	<b>72,148.81</b>	<b>20,580.00</b>	<b>92,728.81</b>

Please note that there is a difference between the payments made during the period of £4,200 (per the receipts and payments account) and the expenses incurred and paid in the period of £72,149 (per the schedule of expenses).

This is due to the fact that payments for some IT systems and agent fees made in the period relate to expenses incurred in a prior period.

### Requests for further information and right to challenge our remuneration and expenses

Creditors' requests for further information

If you would like to request more information about our remuneration and expenses disclosed in this progress report, you must do so in writing within 21 days of receiving this progress report.

Requests from unsecured creditors must be made with the concurrence of at least 5% in value of unsecured creditors (including, the unsecured creditor making the request) or with the permission of the Court.

Creditors' right to challenge our remuneration and expenses

If you wish to challenge the basis of our remuneration, the remuneration charged, or the expenses incurred during the period covered by this progress report, you must do so by making an application to Court within eight weeks of receiving this progress report.

Applications by unsecured creditors must be made with concurrence of at least 10% in value of unsecured creditors (including the unsecured creditor making the challenge) or with the permission of the Court.

The full text of the relevant rules can be provided on request by email to [Mariya.Patel@kpmg.co.uk](mailto:Mariya.Patel@kpmg.co.uk)



## Appendix 4 Joint Administrators' revised expenses estimate

Summary of Expenses from appointment					
		Total for Administration			
Expenses (£)	Note	Initial Estimates (£)	Paid to date (£)	Future costs (£)	Total (£)
<b>Cost of realisations</b>					
Finance subcontractors		3,500.00	4,080.00	-	<b>4,080.00</b>
Utilita commission	1	212,493.00	375,248.80	-	<b>375,248.80</b>
Agents'/Valuers' fees	2	500.00	3,000.00	-	<b>3,000.00</b>
Legal fees and disbursements	3	47,500	28,271.48	14,593.00	<b>42,864.48</b>
Joint Administrators' pre-administration costs	4	66,744.75	-	66,744.75	<b>66,744.75</b>
Pre administration legal fees – Pinsent Masons	4	25,788.50	25,788.59	-	<b>25,788.59</b>
Pre-administration legal fees - Shoosmiths	5	-	7,032.00	-	<b>7,032.00</b>
Storage costs		-	178.16	-	<b>178.16</b>
Statutory advertising		-	73.00	80.00	<b>153.00</b>
Insurance of assets		3,000.00	1,628.48	-	<b>1,628.48</b>
Wages, salaries and associated taxes	6	33,277.00	33,121.46	-	<b>33,121.46</b>
Bank charges		-	540.00	100.00	<b>640.00</b>
<b>Costs covered by Utilita</b>		-	-	-	-
Rent, Rates and utilities	7	-	-	-	-
IT/key supplier costs	7	-	-	-	-
<b>TOTAL</b>		<b>392,803</b>	<b>478,961.88</b>	<b>81,517.75</b>	<b>560,479.63</b>

Below are further explanatory notes, which should be read in conjunction with the report as a whole and in addition to the information previously disclosed in our Proposals.

### Note 1

The commission paid to Utilita is calculated on a percentage of realisations achieved. These costs have increased as a result of higher book debt realisations than originally forecast.

### Note 2

Gordon Brothers were engaged to value and dispose of the small quantity of office equipment that was owned by the Company and to provide general advice on certain of the finance agreements that the Company had entered into, prior to our appointment.

### Note 3

Additional legal fees have been incurred in relation advice provided in respect of debtor recoveries and other matters arising during the course of the administration as reported in our previous and current reports.

#### Note 4

Details of these costs were disclosed in our Proposals. We have obtained approval from the relevant parties to discharge these costs as an expense of the administration.

#### Note 5

Additional pre-administration legal costs of £7,032 were incurred by Shoosmiths, who were providing advice to the director of the Company in relation to the SoLR regime and the interaction with the subsequent administration process. These costs were reported to creditors in our second progress report. We have obtained the relevant approval from the Secured and preferential creditors to discharge these costs.

#### Note 6

As previously reported, arrears of wages and employee taxes incurred during September 2019 were paid as part of the commercial terms of the DSA.

#### Note 7

These costs are covered in full by Utilita under the terms of the DSA and we have received the appropriate contribution from Utilita as noted in the attached receipts and payments account in Appendix 2.

## Appendix 5 Joint Administrators' charging and disbursements policy

### Joint Administrators' charging policy

The time charged to the administration is by reference to the time properly given by us and our staff in attending to matters arising in the administration. This includes work undertaken in respect of tax, VAT, employee and pensions from KPMG in-house specialists.

Our policy is to delegate tasks in the administration to appropriate members of staff considering their level of experience and requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility are dealt with by senior staff or us.

A copy of "A Creditors' Guide to Joint Administrators Fees" from Statement of Insolvency Practice 9 ('SIP 9') produced by the Association of Business Recovery Professionals is available at:

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29113/page/1/guide-to-administrators-fees/>

If you are unable to access this guide and would like a copy, please contact Mariya Patel on 0113 2313566.

### Hourly rates

Set out below are the relevant hourly charge-out rates for the grades of our staff actually or likely to be involved on this administration. Time is charged by reference to actual work carried out on the administration; using a minimum time unit of six minutes.

All staff who have worked on the administration, including cashiers and secretarial staff, have charged time directly to the administration and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the administration but is reflected in the general level of charge-out rates.

Charge-out rates (£) for: Restructuring			
Grade	From 01 Jan 2020 £/hr	From 01 Oct 2020 £/hr	From 01 Jan 2021 £/hr
Partner	690	690	690
Director	620	620	620
Senior Manager	560	560	560
Manager	467	467	467
Senior Administrator	325	325	325
Administrator	236	236	236
Support	147	147	147

### Table of charge-out rates

The charge-out rates used by us might periodically rise (for example to cover annual inflationary cost increases) over the period of the administration. In our next statutory report, we will inform creditors of any material amendments to these rates.

## Policy for the recovery of disbursements

Where funds permit the officeholders will seek to recover both Category 1 and Category 2 disbursements from the estate. For the avoidance of doubt, such expenses are defined within SIP 9 as follows:

*Category 1 disbursements:* These are costs where there is specific expenditure directly referable to both the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the officeholder or his or her staff.

*Category 2 disbursements:* These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Category 2 disbursements charged by KPMG Restructuring include mileage. This is calculated as follows:

Mileage claims fall into three categories:

Use of privately-owned vehicle or car cash alternative – 45p per mile.

Use of company car – 60p per mile.

Use of partner's car – 60p per mile.

For all of the above car types, when carrying KPMG passengers an additional 5p per mile per passenger will also be charged where appropriate.

We have not incurred any disbursements during the period.

We have the authority to pay Category 1 disbursements without the need for any prior approval from the creditors of the Company.

Narrative of work carried out for the period 13 September 2020 to 12 March 2021

The key areas of work have been:

Statutory and compliance	collating initial information to enable us to carry out our statutory duties, including creditor information, details of assets; posting information on a dedicated web page; preparing statutory receipts and payments accounts; ensuring compliance with all statutory obligations within the relevant timescales.
Strategy documents, Checklist and reviews	monitoring and reviewing the administration strategy; briefing of our staff on the administration strategy and matters in relation to various work-streams; regular case management and reviewing of progress, including regular team update meetings and calls; reviewing and authorising junior staff correspondence and other work; dealing with queries arising during the appointment; reviewing matters affecting the outcome of the administration; allocating and managing staff/case resourcing and budgeting exercises and reviews; liaising with legal advisors; complying with internal filing and information recording practices, including documenting strategy decisions.
Reports to	providing written and oral updates to representatives of the Secured Creditor regarding

debenture holders	the progress of the administration and case strategy.
Cashiering	preparing and processing vouchers for the payment of post-appointment invoices; creating remittances and sending payments to settle post-appointment invoices; reconciling post-appointment bank accounts to internal systems; ensuring compliance with appropriate risk management procedures in respect of receipts and payments.
Tax	analysing VAT related transactions; dealing with post appointment VAT compliance.
General	reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9; Dealing with the ongoing storage of the Company books and records.
Asset realisations	working with Utilita to realise the Company's debtor book and management of debt collection strategy; liaising with the Utilita in regarding debtor recoveries.
Creditors and claims	updating the list of unsecured creditors; responding to enquiries from creditors regarding the administration and submission of their claims; drafting our progress report.

## Time costs

### SIP 9 –Time costs analysis (13/09/2020 to 12/03/2021)

	Hours	Time Cost (£)	Average Hourly Rate (£)
<b>Administration &amp; planning</b>			
Cashiering			
General (Cashiering)	<b>13.16</b>	3,841.70	291.92
Reconciliations (& IPS accounting reviews)	<b>4.20</b>	1,869.00	445.00
General			
Books and records	<b>1.60</b>	747.20	467.00
Fees and WIP	<b>0.30</b>	140.10	467.00
Statutory and compliance			
Budgets & Estimated outcome statements	<b>9.30</b>	5,062.20	544.16
Checklist & reviews	<b>36.10</b>	9,671.20	267.90
Strategy documents	<b>9.90</b>	3,313.80	334.73
Tax			
Post appointment corporation tax	<b>0.90</b>	335.10	372.33
Post appointment VAT	<b>11.00</b>	4,764.00	433.09
<b>Creditors</b>			
Creditors and claims			
Agreement of preferential claims	<b>6.00</b>	2,802.00	467.00
Agreement of unsecured claims	<b>7.70</b>	2,556.40	332.00
General correspondence	<b>11.95</b>	4,169.10	348.88
Legal claims	<b>5.90</b>	2,755.30	467.00
Statutory reports	<b>18.50</b>	8,967.50	484.73
Employees			

**SIP 9 –Time costs analysis (13/09/2020 to 12/03/2021)**

	Hours	Time Cost (£)	Average Hourly Rate (£)
Agreeing employee claims	<b>16.75</b>	5,443.75	325.00
Correspondence	<b>9.40</b>	3,111.80	331.04
DTI redundancy payments service	<b>0.30</b>	140.10	467.00
Other			
Queries from customers	<b>27.30</b>	12,171.60	445.85
<b>Realisation of assets</b>			
Asset Realisation			
Debtors	<b>64.90</b>	28,977.50	446.49
Insurance	<b>2.20</b>	796.40	362.00
Other assets	<b>1.50</b>	700.50	467.00
Negotiations with suppliers / landlords	<b>4.30</b>	2,008.10	467.00
Post trading related matters	<b>0.40</b>	186.80	467.00
Purchases and trading costs	<b>17.90</b>	8,359.30	467.00
<b>Total in period</b>	<b>281.46</b>	<b>112,890.45</b>	<b>401.09</b>

Brought forward time (appointment date to SIP 9 period start date)	1,601.50	603,522.70
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)	281.46	112,890.45
Carry forward time (appointment date to SIP 9 period end date)	1,882.96	716,413.15

All staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates.

All time shown in the above analysis is charged in units of six minutes.

## Appendix 6      Glossary

<b>Company</b>	Eversmart Energy Ltd - in Administration
<b>DSA</b>	Debt Services Agreement
<b>ET</b>	Employment Tribunal
<b>Gordon Brothers</b>	Gordon Brothers International LLC
<b>HMRC</b>	HM Revenue and Customs
<b>Joint Administrators/we/our/us</b>	Andrew Stone and Will Wright
<b>KPMG</b>	KPMG LLP
<b>License</b>	Electricity Supply License
<b>Ofgem</b>	Office of Gas and Electricity Markets Government Office
<b>Pinsents</b>	Pinsent Masons LLP
<b>RPS</b>	Redundancy Payments Service
<b>Secured creditor</b>	Contract Natural Gas Limited
<b>Shoosmiths</b>	Shoosmiths LLP
<b>SoLR</b>	Supplier of Last Resort
<b>Utilita</b>	Utilita Energy Limited

Any references in this progress report to sections, paragraphs and rules are to Sections, Paragraphs and Rules in the Insolvency Act 1986, Schedule B1 of the Insolvency Act 1986 and the Insolvency Rules (England and Wales) 2016 respectively.



## Appendix 7      Notice: About this report

This report has been prepared by Andrew Stone and Will Wright, the Joint Administrators of Eversmart Energy Ltd – in Administration (the ‘Company’), solely to comply with their statutory duty to report to creditors under the Insolvency Rules (England and Wales) 2016 on the progress of the administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

This report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the Company.

Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for creditors.

Any person that chooses to rely on this report for any purpose or in any context other than under the Insolvency Rules (England and Wales) 2016 does so at its own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any responsibility and will not accept any liability in respect of this report to any such person.

Andrew James Stone and William James Wright are authorised to act as insolvency practitioners by the Institute of Chartered Accountants in England & Wales.

We are bound by the Insolvency Code of Ethics.

The Officeholders are Data Controllers of personal data as defined by the Data Protection Act 2018. Personal data will be kept secure and processed only for matters relating to the appointment. For further information, please see our Privacy policy at – [home.kpmg.com/uk/en/home/misc/privacy-policy-insolvency-court-appointments.html](https://home.kpmg.com/uk/en/home/misc/privacy-policy-insolvency-court-appointments.html).

The Joint Administrators act as agents for the Company and contract without personal liability. The appointments of the Joint Administrators are personal to them and, to the fullest extent permitted by law, KPMG LLP does not assume any responsibility and will not accept any liability to any person in respect of this report or the conduct of the administration.

**[www.kpmg.com](http://www.kpmg.com)**

© 2021 KPMG LLP, a UK limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved.

For full details of our professional regulation please refer to 'Regulatory Information' at [www.kpmg.com/uk](http://www.kpmg.com/uk)

The information contained herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavour to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

**The KPMG name and logo are registered trademarks or trademarks of KPMG International Cooperative.**