

AM03

Notice of administrator's proposals



Companies House

WEDNESDAY



A21 *A7F9U5TV* #369
26/09/2018
COMPANIES HOUSE

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1 Company details

Company number 0 9 4 8 5 4 4 2

Company name in full Electraphase Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Administrator's name

Full forename(s) Gerald

Surname Irwin

3 Administrator's address

Building name/number Station House

Street Midland Drive

Post town Sutton Coldfield

County/Region West Midlands

Postcode B 7 2 1 T U

Country

4 Administrator's name ①

Full forename(s)

Surname

① Other administrator
Use this section to tell us about
another administrator.

5 Administrator's address ②

Building name/number

Street

Post town

County/Region

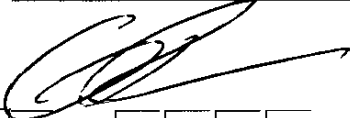
Postcode

Country

② Other administrator
Use this section to tell us about
another administrator.

AM03
Notice of Administrator's Proposals

6	Statement of proposals	
	<input checked="" type="checkbox"/> I attach a copy of the statement of proposals	

7	Sign and date									
Administrator's Signature	<div>Signature ✕  ✕</div>									
Signature date	<table><tr><td>^d1</td><td>^d7</td><td>^m0</td><td>^m9</td><td>^y2</td><td>^y0</td><td>^y1</td><td>^y8</td></tr></table>	^d 1	^d 7	^m 0	^m 9	^y 2	^y 0	^y 1	^y 8	
^d 1	^d 7	^m 0	^m 9	^y 2	^y 0	^y 1	^y 8			

AM03 Notice of Administrator's Proposals



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

Craig Partridge

Company name

Irwin & Company

Address

Station House

Midland Drive

Post town

Sutton Coldfield

County/Region

West Midlands

Postcode

B 7 2 1 T U

Country

DX

Telephone

0121 321 1700



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 and dated 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 or email 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

TO ALL KNOWN CREDITORS

Our ref: GI/cp/L/P/M

17 September 2018

Dear Sir

**ELECTRAPHASE LIMITED ALSO TRADING AS EPHASE (“the Company”)
IN ADMINISTRATION
IN THE HIGH COURT OF JUSTICE,
BUSINESS AND PROPERTY COURTS IN BIRMINGHAM
COMPANY AND INSOLVENCY LIST (ChD) NUMBER 8202 of 2018
COMPANY NUMBER: 09485442**

I refer to my appointment as Administrator of the above Company on 26 July 2018 and now enclose a copy of my Administrator’s proposals.

I am seeking decisions from creditors at a virtual meeting to approve the Administrator’s proposals, approve the Administrator’s pre-administration costs, fix the basis of the Administrator’s remuneration and to approve certain disbursements known as category 2 disbursements. Access to the virtual meeting can be gained at 2.30 p.m. on Wednesday 3rd October 2018 by calling telephone number 0871 8111 666 (calls will cost 11 pence per minute, plus your phone company’s access charge) and inserting the following conference number and pin when prompted.

Conference Number: 260805
Conference Pin: 1234

If you have not already submitted proof of your debt, please complete the enclosed form and return it to me, together with the relevant supporting documentation. Your vote on the resolutions at the meeting will not count unless you have lodged proof of your debt by no later than 4 p.m. on the business day before Wednesday 3rd October 2018.

If you do not wish to attend the virtual meeting in person and wish to nominate a person as your proxy holder, or alternatively request the chair of the meeting to act as your proxy holder, you should complete and return the enclosed proxy form. Proxy forms must be lodged before the meeting.

Resolutions are also being sought from creditors on the formation of a Creditors’ Committee, and a notice of invitation to form a Creditors’ committee and further instructions are enclosed. To enable you to make an informed decision as to whether you wish to either seek to form a Committee, or to nominate yourself to serve on a Committee, further information about of the role of the Committee and what might be expected from its members has been

prepared by R3 and can be found is available at the link <https://www.r3.org.uk/media/documents/publications/professional/R3%20Guide%20to%20Creditors%20Committees.pdf>.

The following documents are enclosed with this letter:

- The Administrators Proposals;
- Notice of resolutions for which approval is sought;
- Notice of invitation to form a Creditors' Committee
- Proof of debt form; and
- Proxy form

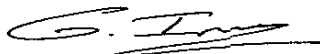
Should any creditor or group of creditors wish to request a physical meeting of creditors, they must do so within 5 business days of the delivery of the notice that accompanies this letter, such requests must be supported by valid proof of their debt if not already lodged. I will convene a meeting if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at <https://www.r3.org.uk/what-we-do/publications/professional/fees>. There are different versions of these Guidance Notes, and in this case please refer to the April 2017 version. Please note that we have also provided further details in the practice fee recovery sheet.

If you have any queries regarding the conduct of the Administration, or if you want hard copies of any of the documents made available on-line, you should contact Craig Partridge by email at craig.partridge@irwinuk.net, or by phone on 0121 321 1700.

Finally, please note that the affairs, business and property of the Company are being managed by the Administrator, Gerald Irwin. The Administrator act as an agent of the Company and contracts without personal liability.

Yours faithfully
For and on behalf of
Electraphase Limited



Gerald Irwin
Administrator

Licensed in the United Kingdom to act as an Insolvency Practitioner by the Association of Chartered Certified Accountants

Enc

**ADMINISTRATOR'S PROPOSALS RELATING TO
ELECTRAPHASE LIMITED ALSO TRADING AS EPHASE ("THE COMPANY")
IN ADMINISTRATION**

ISSUED ON: 17 SEPTEMBER 2018

I am the Administrator of the Company and these are my statutory proposals relating to the Company.

1. STATUTORY INFORMATION

Statutory information relating to the Company is attached.

2. CIRCUMSTANCES LEADING TO THE APPOINTMENT OF THE ADMINISTRATOR

The Company was incorporated on 12 March 2015. The objective was to provide electricity for both business and domestic customers with exceptional levels of service and competitively priced tariffs, with a view to try and eliminate the need of its customers to regularly switch their suppliers.

The nature of the industry is such, however, that it takes a considerable amount of time before a completely new start-up Company can obtain the necessary accreditations and licences that it requires before it can actually trade as an electricity provider and, as such, the Company did not actually started to provide electricity until 1 July 2016.

The initial phase of the business model required significant 'upfront' investment which accounted for the associated cost of set up, as reference above. The next 'phase' was growing the business and developing the customer base from a starting point of nil.

A team of four handling the sales, customer service, administration and trading departments were employed. By 30 June 2018 the Company had developed a business customer base of 188 comprising of both large commercial sites and small domestic customers.

The next phase of the business model required an 'up scaling' of the 'day to day' operational side of the business which was to be achieved by opening an appropriate business centre allowing the employment of a significant number of new call centre staff to develop both the sales and customer service side of the business. It was always the case that this phase of the business model would require significant further investment, however, this was a necessary part of the business model if the business was to ultimately become 'financially viable' within an extremely competitive market place.

This further investment, however, did not materialise, and so the directors were required to reassess the future 'financial viability' of the business, accordingly. Consequently, it was decided that the Company should wind down with the ultimate aim of ceasing to trade. Whilst no new customers were to be taken on, electricity supply would be maintained for current customers until such time that their accounts could be migrated to alternative suppliers. At the same time all industry obligations were to be maintained with the anticipation that ultimately a valuable realisable asset in the form of a 'shell Company' would exist with the hard earned Electricity Supply Licence, SEC Security Audit approval and relevant accreditation from the industry.

Shortly prior to the date of Administration Order, however, one of the directors resigned resulting in a disagreement between them and the remaining director. The circumstances of that disagreement was such that the remaining director decided to take professional advice firstly speaking to a Solicitor and then Irwin Insolvency, following which a decision was made to have the Company put into Administration.

A summary of the Company's recent trading accounts is shown below.

	Unaudited Accts Year Ended 31.03.17 £	Unaudited Accts Period Ended 31.03.16 £
Turnover	227,021	0
Gross Profit	115,276	0
Net Profit/(Loss)	(17,885)	(41,313)
Dividends	-	-
Director's Remuneration	-	-
Fixed Assets	10,002	10,002
Net Current Assets/(Liabilities)	170,624	2,002
Total Assets less current liabilities	180,626	12,004
Total Net (liabilities)/Assets	(58,197)	(40,313)
Share Capital	1,000	1,000
Dated	23.01.18	12.12.16

Prior to the actual commencement of the Administration, Gerald Irwin and his firm, acted as advisor to the Board of Directors as a whole. No advice was given to individual directors regarding the impact of the insolvency of the Company on their personal financial affairs. Whilst not formally in office, at that time, Gerald Irwin was still required to act in his dealings with the Company in accordance with the Insolvency Code of Ethics.

As required by the Insolvency Code of Ethics, I considered the various threats to my objectivity arising from this prior involvement. I concluded that those threats were at an acceptable level such that I could still act objectively and hence could be appointed Administrator to the Company.

On 26 July 2018, I was appointed by the Company Directors as Administrator of the Company and took over from the Board responsibility for the management of the affairs, business and property of the Company.

3. OBJECTIVES OF THE ADMINISTRATION AND THE ADMINISTRATOR'S STRATEGY FOR ACHIEVING THEM

As Administrator of the Company, I am an officer of the Court, and must perform my duties in the interests of the creditors as a whole in order to achieve the purpose of the Administration, which is to achieve one of the three objectives set out in the insolvency legislation, namely to:

- (a) rescue the Company as a going concern; or
- (b) achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration); or
- (c) realise property in order to make a distribution to one or more secured or preferential creditors.

Whilst objective (a) may be achievable, in anticipation that no one will wish to purchase the shares of the Company, I will be pursuing objective (b) below.

I am therefore seeking to achieve objective (b) for the Company, and will do this by an orderly 'wind down' of the business, under the protective umbrella of the Administration ultimately achieving a sale of the assets.

I am not seeking to achieve objective (c) for the Company as no secured creditors are owed money and it is questionable if there are any preferential creditors.

The insolvency legislation has set a 12 month maximum duration for Administrations, unless the duration is extended by the Court or the creditors. If I am unable to complete the Administration of the Company within 12 months then I will either apply to the Court, or seek a decision from the creditors to extend the duration of the Administration.

4. ACTIONS OF THE ADMINISTRATOR FOLLOWING APPOINTMENT

Since I was appointed Administrator I have taken steps to look into the Company's assets. I am expected to undertake this work either as part of my routine administrative functions, or in order to protect and realise the assets of the Company.

In addition, I have undertaken routine statutory and compliance work. These are tasks that are required by statute or regulatory guidance, or are necessary for the orderly conduct of the proceedings, and whilst they do not produce any direct benefit for creditors, they still have to be carried out. A description of the routine work undertaken since my appointment is as follows:

Administration:

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up physical and electronic case files.
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and others required, on appointment of the office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond (this is insurance required by statute that every insolvency office holder has to obtain for the protection of each estate).
- Preparing, reviewing and issuing the proposals to the creditors and the members.
- Filing the proposals and other paperwork at Companies House.
- Convening and preparing the paperwork for a virtual meeting of creditors to consider these proposals.
- Dealing with all routine correspondence and emails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking regular reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.

Realisation of Assets:

- Arranging suitable insurance over assets.

- Regularly monitoring the suitability and appropriateness of the insurance cover in place.
- Corresponding with debtors and attempting to collect outstanding book debts.
- Liaising with the bank regarding the continued realisation of funds into that the accounts and in anticipation of its ultimate closure.
- Instructing agents to value known assets.
- Liaising with agents to realise known assets.
- Instructing solicitors to assist in the realisation of assets and agreement of creditors' claims.

Creditors:

- Obtaining information from the case records about claims including employees.
- Corresponding with former employees regarding their potential claims.
- Dealing with creditor correspondence, emails and telephone conversations regarding claims.
- Maintaining up to date creditor information on the case management system.

Investigations:

- Recovering the books and records for the case.
- Listing the books and records recovered.
- Submitting an online return on the conduct of the directors as required by the Company Directors Disqualification Act.
- Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, accountants, solicitors, creditors, claimants and the former directors etc.
- Reviewing books and records to identify any transactions or actions the office holder may take against third parties in order to recover funds for the benefit of creditors

I decided that the objective of the Administration was best achieved by the Company continuing to trade to wind down' its operations. I have, therefore, chosen to carry on the strategy as initiated by the directors in the period immediately prior to the date of the Administration.

The aforementioned strategy requires the Company to continue to trade in order that it can supply electricity to its remaining customers, but only until such time that every customer has been able to 'switch' their supply of electricity to an alternative supplier. This should also enhance debtor realisations.

The anticipation being that this strategy will ensure that the Company remains compliant with the 'industry rules and regulations' and in doing so offer the best opportunity to protect and realise certain assets which may otherwise be lost. I am advised that there is an opportunity to sell the shares of the Company should it remain 'compliant' and creditors demands are satisfied.

As at the date of this report 17 customers remain under contract with the Company, in respect of their electricity supply, however, all of these customers are actively engaging in the process of switching their electricity supply to an alternative supplier. As such, I am hopeful that the Company will not be required to supply electricity to any customer beyond the end of October 2018. Once the last customer has 'switched' their electricity supply, I anticipate that it will be shortly thereafter that I will no longer be required to trade the business. I will, however, continue to try and maximise the realisations in respect of the Company assets.

Role of the Insolvency Practitioner

My manager Paul Haggett first met the director, Laura Hunt, on 12 July 2018 to discuss the financial affairs of the Company. Prior to the commencement of the Administration my firm advised the Board as a whole, acting on behalf of the Company, about the Company's financial difficulties and provided advice about the options available to the Company to help determine an appropriate course of action to take. No advice was given to the individual directors regarding the impact of the insolvency of the Company on their personal financial affairs. Whilst not formally in office at that time, I was still required to act in my dealings with the Company in accordance with the Insolvency Code of Ethics.

Ultimately, the Company was placed into Administration, by the directors, and I was appointed Administrator with the approval of the floating charge creditor. As Administrator, I am an officer of the Court and I have taken over responsibility for management of the Company. As indicated above, the purpose of this Administration is achieve objective (b).

In order to help me achieve the objective I have a wide range of powers, as set out in the insolvency legislation. I must, never the less, act in the interests of the creditors of the Company as a whole.

Pre-appointment considerations

At the initial board meeting, the financial state of the Company was considered.

It was discussed whether a Company Voluntary Arrangement may be a viable option but there was a possibility that not all of the creditors and financial institutions would be co-operative going forward.

The possibility of a Liquidation was also considered and an Administration was discussed. In the final analysis, the directors decided to appoint an Administrator, which afforded the protection of the Court.

Therefore, the floating charge holder was approached regarding the making of my appointment and their consent was obtained.

Valuation of the business and assets

Mr James Gregory (ARICS) and his colleague Richard Mascall (FRICS), of MGR Appraisals, in Birmingham, carried out a desk top valuation of the Company's assets. The valuation summary of the assets are as detailed in the attached estimated Statement of Affairs.

Marketing of the business and assets

Details of interested parties were made available to MGR Appraisals and details of the business and assets have been listed on their website.

In the event that as part of the Administration process it may be possible to preserve the Company together with its Supply Licence, SEC Security Audit approval and relevant accreditation it is proposed that it will be marketed, by the agents, for that purpose. The tangible assets are likely to be marketed in a similar fashion, separately, but the likelihood of a 'going concern sale' is considered to be remote.

5. FINANCIAL POSITION OF THE COMPANY

I have asked the directors to prepare a summary of the Company's estimated financial position as at 26 July 2018, which is known as a Statement of Affairs, but they have not yet prepared it. I understand that the reason for the delay is that they are still involved in the day to day trading of the Company. It is, however, expected shortly.

In the absence of a Statement of Affairs I have prepared an estimate of the financial position of the Company as at 26 July 2018 from the records of the Company. I attach a copy of the estimate, together with a list of names and addresses of all known creditors and the amounts of their debts, subject to disputed claims.

5.1. Unencumbered Office Furniture and IT Equipment

The Company owns unencumbered Office Furniture and IT Equipment with an estimated book value of £4,176. Messrs MGR Appraisals carried out a valuation on the assets which they estimate may realise £1,350 on a forced sale basis.

5.2. Book Debts

The book and records of the Company indicate that there are book debts outstanding and due to the Company, as at the date of the Administration Order, in the amount of £181,724.

A provision of 30% has, however, been made against this in the estimated statement of affairs in recognition of potential disputed or bad debts.

5.3. Lodged Credits

In order to trade as a provider of electricity the Company was required to first 'lodge credits' with distribution network operators and accreditation bodies. As at the date of the Administration, credits that had been 'lodged' with 7 institutions were, I understand, in the total amount of £93,304.

It is the anticipation of the director that the 'lodged credits', subject to any associated costs of the institutions holding the deposits, will be recoverable in full in the event that the Company can remain compliant with industry requirements until such time that the customer base has been 'switched' to alternate electricity providers.

5.4. Cash at Bank – Business Current 'Trading' Account

The Company utilised what could be termed a 'trading' Business Current Account with National Westminster Bank plc. As at the date of the Administration Order there was a credit balance in the amount of £12,406.

Whilst every step has been taken to protect any funds held in this account the decision has been taken to keep the account open until such time that the remaining customers have 'switch' their electricity provider and have paid their 'final bills'. It is hoped that this will minimise any disruption to the customers in order to maximise debtor realisations. My staff continue to review the account on a daily basis to ensure to request that credit balances be transferred to the Administration estate account at the earliest opportunity.

5.5. Cash at Bank – Business Holding Account

The Company also utilises a second Business Current Account with National Westminster Bank plc that was referred to as a 'Holding Account'. As at the date of the Administration Order there was a credit balance in the amount of £2,119.

I have been contacted by a creditor who provided the Company with £150,000 as what I would term 'start up funds' and also Solicitors who represent a former director and shareholder. They are of the opinion that these funds were subject to 'trust' provisions. For this reason I have held these funds separately whilst I obtain my own legal advice in this regard. It is also claimed, if my understanding is correct, that the £150,000 was specifically intended in connection with the aforementioned 'lodged credits' and hence, I understand it is argued that as, and if, these 'credits' are returned they also should be put 'on one side' for the benefit of that creditor and hence are not treated as general realisations in the Administration. I am currently taking legal advice on this matter.

6. LIABILITIES

6.1. Secured Creditors

According to the Company's mortgage register held by the Register of Companies, National Westminster Bank plc holds a debenture, created on 21 June 2016, comprising fixed and floating charges over the Company's assets.

National Westminster Bank plc has confirmed, however, that there is no outstanding indebtedness due to them.

6.2. Preferential Creditors

As yet there are no known preferential creditors of the Company although the former director may have a claim for accrued holiday pay which could rank as preferential.

6.3. Crown Creditors

According to information provided to me by the director there is a liability due to HM Revenue & Customs in respect of unpaid PAYE, in respect of July 2018, in the amount of £809.

An amount of £33,345 remains outstanding to HM Revenue & Customs in respect of unpaid VAT also in respect of July 2018.

An amount of £12,000 additionally remains outstanding to HM Revenue & Customs in respect of Climate Charge Levy for the quarter period ending December 2017 and through until the date of Administration.

6.4. Other Non-Preferential Unsecured Creditors

Information provided to me by the director indicates that there are 23 non-preferential unsecured creditors with an estimated total liability of £304,465, which includes £120,000 owed to the remaining director and former director in respect of their directors loan accounts.

Also included in this amount is the 'funds' in the amount £150,000, referenced to above, owed to Leaderville Enterprises Ltd. It should be noted, however, that whilst the remaining director is of the opinion that this is an unsecured liability the exact nature of this liability is the subject

of an, as yet, unresolved dispute as it is being argued that it may be 'trust' monies advanced for, as I understand, a specific purpose.

Prescribed Part

There are provisions of the insolvency legislation that require an Administrator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "floating charge" over its assets to a lender on or after 15 September 2003. This is known as the "prescribed part of the net property." A Company's net property is that left after paying the preferential creditors, but before paying the lender who holds a floating charge. An Administrator has to set aside:

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property;

up to a maximum of £600,000.

Whilst the Company gave a fixed and floating charge to National Westminster Bank plc on 21 June 2016, as I am not aware of any outstanding liability in this respect as such the prescribed part provision will probably not apply.

7. ADMINISTRATOR'S RECEIPTS AND PAYMENTS ACCOUNT

I attach a summary of the receipts and payments relating to the Company for the period from when it entered Administration, 26 July 2018, to the date of these proposals.

The services of the former director have been retained on a 'consultancy' basis to assist with the day to day running of the business until such time that all of the customers have 'switched' to an alternative energy provider. The associated charges are detailed as Consultancy Costs in the amount of £2,168.

It has also been necessary to make a payment of £5,633 to maintain the necessary meter reading services to allow the final bills to be raised as and when customers 'switch' their electricity provider.

8. PROPOSED FUTURE ACTIONS OF THE ADMINISTRATOR TO ACHIEVE THE OBJECTIVE OF THE ADMINISTRATION

In order to achieve the objective of the Administration of the Company I propose to:-

- i. Continue to 'trade' the business until such time that all of the remaining customers have 'switched' their electricity supply to an alternative provider.
- ii. Market and sell the business and assets of the Company.
- iii. Investigate various amounts received by the Company from the directors and a third party.
- iv. Investigate the conduct of the director(s) and report to the Insolvency Service accordingly; and
- v. Investigate other matters raised by the creditors, director and former director.
- vi. Liaise with the regulator, OFGEM, to facilitate an orderly wind-down of the business.

9. ADMINISTRATOR'S REMUNERATION AND EXPENSES

I attach a copy of my practice fee recovery policy. In this case I am seeking to fix the basis of my remuneration on a time cost incurred to date by way of a SIP 9 statement.

Time costs:

As the majority of work cannot be identified with enough certainty for me to seek remuneration on a fixed fee or percentage basis, I propose to seek approval on a time cost basis. i.e. by reference to time properly spent by me and members of staff of the practice at our standard charge out rates. When I seek approval for my fees on a time cost basis I have to provide a fees estimate. That estimate acts as a cap on my time costs so that I cannot draw fees of more than the total estimated time costs without further approval from those who approved the fees. I attach a "Fees Estimate Summary" that sets out the work that I intend to undertake, the hourly rates I intend to charge for each part of the work, and the time that I think each part of the work will take. It includes a summary of that information in an average or "blended" rate for all of the work being carried out within the estimate.

As indicated in the fees estimate the following areas of work will be charged on a time cost basis. The following explains about the areas of work for which I am seeking approval on a time cost basis, whilst full information about the work that I will undertake on a time cost basis attached.

Administration: This represents the work that is involved in the routine administrative functions of the case by the office holder and his staff, together with the control and supervision of the work done on the case by the office holder and his managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet his requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

Investigations: The insolvency legislation gives the office holder powers to take recovery action in respect of what are known as antecedent transactions, where assets have been disposed of prior to the commencement of the insolvency procedure and also in respect of matters such as misfeasance and wrongful trading. The office holder is required by the Statements of Insolvency Practice to undertake an initial investigation in all cases to determine whether there are potential recovery actions for the benefit of creditors and the time costs recorded represent the costs of undertaking such an initial investigation. If potential recoveries or matters for further investigation are identified then the office holder will need to incur additional time costs to investigate them in detail and to bring recovery actions where necessary, and further information will be provided to creditors and approval for an increase in fees will be made as necessary. Such recovery actions will be for the benefit of the creditors and the office holder will provide an estimate of that benefit if an increase in fees is necessary.

The office holder is aware that the following specific matters are require to be investigated being monies provided by the directors and connected third parties. The estimated time required to be spent to do so and the time costs of doing so are included in the estimate. The office holder is, at this time, unable to quantify the benefit to creditors of these investigations but will include such information in their future statutory reports to creditors once the legal position is made clear.

The office holder is also required by legislation to report to the Department for Business, Innovation and Skills on the conduct of the directors and the work to enable them to comply with this statutory obligation is of no direct benefit to the creditors, although it may identify potential recovery actions.

Realisation of Assets: This is the work that needs to be undertaken to protect and then realise the known assets in the case.

Trading: The office holder has decided to 'trade the business' of the Company in order to achieve an orderly wind down and possible sale of the business. It is anticipated any sale of assets will be for a greater amount than a disposal of assets on a break up basis in order to maximise the recoveries on behalf of creditors. The particular tasks scheduled in this category of work are required to be undertaken in order to enable the office holder to monitor and control the trading of the business, and include statutory functions that are required to be undertaken when running this particular business.

Creditors:

Employees - The office holder needs to deal with any ex-employee in order to ensure that their potential claims are processed appropriately by the Redundancy Payments Office (RPO). That work will include dealing with queries received from both any ex-employees and the RPO to facilitate the processing of the claim. The office holder is required to undertake this work as part of his statutory functions.

Claims of creditors - the office holder needs maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holder will also have to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions.

Dividends - the office holder has to undertake certain statutory formalities in order to enable him to pay in due course a dividend to creditors. This include writing to all creditors who have not lodged proofs of debt and reviewing the claims and supporting documentation lodged by creditors in order to formally agree their claims, which may involve requesting additional information and documentation from the creditors.

Case specific matters:

As previously stated I need to investigate the nature of the third party funds received from Leaderville Enterprises Limited which appears to be the subject of a 'difference of opinion' between the various directors and Leaderville Enterprises Limited, itself. In this respect I am taking legal advice.

Fee Estimate:

The estimate has been provided to creditors at a relatively early stage in the administration of the case. Whilst all possible steps have been taken to make this estimate as accurate as possible, it is based on the office holder's current knowledge of the case and his knowledge and experience of acting as office holder in respect of cases of a similar size and complexity. As a result, the estimate does not take into account any currently unknown complexities or difficulties that may arise during the administration of the case. If the time costs incurred on the case by the office holder exceed the estimate, or is likely to exceed the estimate, the office holder will provide an explanation as to why that is the case in his progress reports sent to creditors. Since the office holder cannot draw remuneration in excess of this estimate without first obtaining approval to do so, then where the office holder considers it appropriate in the context of the case, they will seek a resolution to increase the fee estimate so that they will then be able to draw additional remuneration over and above the estimate.

More details of the tasks included in these categories are included in the fees estimate. I estimate that the total time costs that I will incur in undertaking these tasks in this case will be £69,000 at a "blended" rate of £205.97 per hour, as attached.

To date a total of 115.60 hours have been spent working on the above tasks in the Administration, and total time costs to date are £24,140 charged at an average charge out rate of £208.82, as per the attached SIP9 statement. Details of the time units used and current charge-out rates are provided in our practice fee recovery sheet, a copy of which is enclosed. I attach, in respect of the areas of work where I am seeking to charge fees on a time cost basis, an analysis of time costs incurred to date by reference to grade of staff and work done.

The work for which fee approval is being sought includes the work that will need to be undertaken should the Administrator be appointed Liquidator either following conversion to Creditors' Voluntary Liquidation or upon the making of a winding up order.

If a Creditors' Committee is appointed, it will be for the Committee to approve the basis of the Administrator's remuneration and category 2 expenses as defined by SIP9. If a Committee is not appointed, then I will be seeking a decision from the creditors at the same time I seek a decision from them on whether or not to approve these proposals.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at <https://www.r3.org.uk/what-we-do/publications/professional/fees>. There are different versions of these Guidance Notes, and in this case please refer to the April 2017 version. Please note that we have also provided further details in the practice fee recovery sheet.

I have used the following agents or professional advisors since my appointment as Administrator:

Professional Advisor	Nature of Work	Fee Arrangement
MGR Appraisals	Valuer/Auctioneer	Time Costs
HCB Solicitors	Solicitors	Time Costs

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money.

The following category 1 disbursements have been incurred to date:

Type of expense	Amount incurred/accrued since appointment	Amount still to be paid
Statutory Advertising	£79.00	£79.00
Subsistence	£44.08	£44.08
Postage	£57.62	£57.62
Specific Bond	£1,288.00	£0.00

I also propose that I am permitted to charge and recover what are known as category 2 expenses. Details of my category 2 disbursement recovery policy are included within our practice fee recovery sheet enclosed.

The following category 2 disbursements have been incurred to date:

Type of category 2 disbursement	Amount incurred/accrued since appointment	Amount still to be paid
Mileage	£111.60	£111.60
Stationery and Photocopying	£90.30	£90.30

10. PRE-ADMINISTRATION COSTS

The Board of Directors instructed me to assist them in placing the Company in Administration on 12 July 2018. They agreed that I should be paid my pre-administration costs on a time cost basis. I attach a detailed time cost table showing the pre-appointment time costs incurred by category and staff grade at my firm.

A payment was made on account of pre-administration costs of £5,000, plus VAT, which was paid prior to Administration on 19 July 2018 by the Company.

In addition to my own firm's time costs, the following expenses were incurred

Nature of Expense	Amount incurred pre appointment
Swear Fee	£20.00
Legal Fees – HCB Solicitors	To be confirmed on a Time Cost basis
Legal Fees – Hatchers	£574.00 plus VAT
Court Fees	£50.00
Travelling Expenses	£179.40

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and I am satisfied that they are reasonable in the circumstances of this case.

I also assisted the Board take the appropriate steps to place the Company into Administration. This task, together with some of the other tasks mentioned above are required by statute or regulatory guidance, and whilst they do not produce any direct benefit for creditors, they still have to be carried out.

If a Creditors' Committee is appointed, it will be for the Committee to approve payment of the pre-administration costs that have not yet been paid. If a Committee is not appointed, then since the pre-administration costs that have not yet been paid cannot be approved as part of these proposals, I will be seeking a separate decision from the creditors in accordance with rule 3.52 at the same time I seek a decision from them on whether or not to approve these proposals.

11. ADMINISTRATOR'S INVESTIGATIONS

I have a duty to consider the conduct of those who have been directors of the Company at any time in the three years preceding the Administration. I am also required to investigate the affairs of the Company in general in order to consider whether any civil proceedings should be taken on its behalf. I should be pleased to receive from you any information you have that you consider will assist me in this duty. I would stress that this request for information forms part of my normal investigation procedure.

12. EC REGULATION ON INSOLVENCY PROCEEDINGS

I consider that the EC regulation on insolvency proceedings apply to the Administration of the Company. I also consider that they are “main” proceedings since the Company’s registered office and its trading address is in the United Kingdom.

13. ADMINISTRATOR’S PROPOSALS

In order to achieve the objective set out at section 3 above, I formally propose to creditors that:

- (a) I continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration. In particular that I:
 - (i) Continue to trade the business until such time that all of the remaining customers have ‘switched’ their electricity supply to an alternate provider and market the Company with a view to its sale;
 - (ii) sell the Company’s business and/or business assets at such time(s) on such terms as I consider appropriate;
 - (iii) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or Company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or Company which supplies or has supplied goods or services to the Company; and
 - (iv) do all such things and generally exercise all their powers as Administrator as I consider desirable or expedient at my discretion in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals
- (b) the Administration of the Company will end either by filing notice of dissolution with the Registrar of Companies, the Company will then automatically be dissolved by the Registrar of Companies three months after the notice is registered, or by progression into Creditors’ Voluntary Liquidation (CVL) in order to facilitate a distribution to creditors. (Please note that Creditors may nominate a different person(s) as the proposed Liquidator(s), but they must make the nomination(s) at any time after these proposals are delivered to them, but before they are approved). Information about the approval of the proposals is set out at section 14.
- (c) Alternatively, the Administration will end by the presentation of a winding up petition to the Court for the Compulsory Liquidation of the Company.

14. APPROVAL OF PROPOSALS

I am seeking resolutions at a virtual meeting from the creditors to approve my proposals, approve my pre-administration costs, fix the basis of my remuneration, and to approve my category 2 disbursements. Access to the virtual meeting can be gained by dialling telephone number 0871 8111 666 (calls will cost 11 pence per minute, plus your phone Company’s access charge) at 2.30 p.m. on Wednesday 3 October 2018 and inserting the following conference number and pin when prompted.

Conference Number: 260805

Conference Pin: 1234

If a creditor has not already submitted proof of their debt, they should complete the enclosed form and return it to me, together with the relevant supporting documentation. A vote on the resolutions by a creditor will not count unless they have lodged proof of their debt by no later than 4.00 p.m. the business day before being Tuesday 2 October 2018.

If a creditor does not wish to attend the virtual meeting in person and wishes to nominate a person as their proxy holder, or alternatively request the Chair of the meeting to act as their proxy holder, they should complete and return the enclosed proxy form. Proxy forms must be lodged before the meeting.

Creditors are also invited to determine whether to form a Creditors' Committee, and a notice of invitation to form a Creditors' Committee and further instructions are enclosed. To enable the creditors to make an informed decision as to whether they wish to either seek to form a Committee, or to nominate themselves to serve on a Committee, further information about of the role of the Committee and what might be expected from its members has been prepared by R3 and can be found is available at the link <https://www.r3.org.uk/media/documents/publications/professional/R3%20Guide%20to%20Creditors%20Committees.pdf>.

Please note that I must receive at least one vote by the decision date or the decisions will not be made. I would therefore urge creditors to respond promptly.

Should any creditor or group of creditors wish to request a physical meeting of creditors, they must do so within 5 business days of the receipt of the notice that accompanies this report. Such requests must be supported by proof of their debt, if not already lodged. I will convene a meeting if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."

15. FURTHER INFORMATION

To comply with the Provision of Services Regulations, some general information about Irwin Insolvency, including about our complaints policy and Professional Indemnity Insurance, can be found in the attached summary sheet.

If creditors have any queries regarding these proposals or the conduct of the Administration in general, or if they want hard copies of any of the documents made available on-line, they should contact Craig Partridge by email at craig.partridge@irwinuk.net, or by phone on 0121 321 1700.



Gerald Irwin
Administrator

Licensed in the United Kingdom to act as an Insolvency Practitioner by the Association of Chartered Certified Accountant

The Administrator is an agent of the Company and acts without personal liability.

STATUTORY INFORMATION

Company name: Electraphase Limited
Previous name: n/a
Trading name: 'Electraphase' and also 'Ephase'
Company number: 09485442
Date of incorporation: 12 March 2015
Trading address: 2 High Street, Church Stretton, Shropshire SY6 6BT
Current registered office: Station House, Midland Drive, Sutton Coldfield, West Midlands B72 1TU
Former registered office: 2 High Street, Church Stretton, Shropshire SY6 6BT
Principal trading activity: Energy Supplier
Appointment Details: Administration
Administrator: Gerald Irwin
Administrator's address: Station House, Midland Drive, Sutton Coldfield, West Midlands B72 1TU
Date of appointment: 26 July 2018
Court name and reference: In the High Court of Justice, Business and Property Courts in Birmingham, Company and Insolvency List (ChD) No. 8202 of 2018
Appointment made by: Directors of the Company

Directors/Former Directors:	Name:	Shareholding
	Laura Hunt	250 Ordinary Shares
	Raymond Hunt	Nil
	Simon Lloyd-Jones	750 Ordinary Shares
	(Resigned as at 29.06.2018)	

Share capital:

Authorised	Allotted, called up and fully paid
1000 ordinary shares of £1.00 each	1000 ordinary shares of £1.00 each

Charges

National Westminster Bank plc holds a debenture, created on 21 June 2016, conferring fixed and floating charges over the company's assets.

Notice of Virtual Meeting

**Electraphase Limited also trading as Ephase (“the Company”)
In Administration
In the High Court of Justice, Business and Property Courts in Birmingham
Company and Insolvency List (ChD) Number 8202 of 2018**

Company Number: 09485442

NOTICE IS GIVEN by Gerald Irwin to the creditors of Electraphase Limited also trading as Ephase that a virtual meeting of creditors has been summoned under paragraph 51 of Schedule B1 of the Insolvency Act 1986 for the purpose of seeking resolutions on the following:

- i). That the Administrator’s proposals (as detailed in paragraph 13 of his report) be approved.
- ii). That the Administrator’s pre-Administration costs and remuneration, the details of which are enclosed with the Administrator’s report, be approved.
- iii). That the Administrator’s fees will be charged by reference to the time properly spent by them and their staff in dealing with the matters relating to the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken and subject to the fees estimate set out in the Administrator’s proposals and issued with the notice of the meeting.
- iv). That the Administrator be permitted to recover category 2 disbursements.

The meeting will be held as follows:

Date Wednesday 3rd October 2018, The Decision Date.

Time 2.30 p.m.

1. Access to the virtual meeting can be gained from 2.30 p.m. on Wednesday 3rd October 2018 by calling telephone number 0871 8111 666 and inserting the following conference number and pin when prompted.

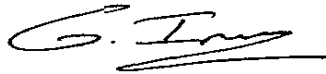
Conference Number: 260805

Conference Pin: 1234

2. Creditors entitled to attend and vote at the virtual meeting may do so personally or by proxy. A creditor can attend the virtual meeting and vote, and are entitled to vote if they have submitted proof of their debt by no later than 4 p.m. on the business day before the meeting. Failure to do so will lead to their vote(s) being disregarded.
3. Any creditor unable to attend in person, but wishing to vote at the meeting can either nominate a person to attend on their behalf, or nominate the chair of the meeting to vote on their behalf. Creditors must lodge their proxy in advance of the meeting.
4. All proofs of debt and proxies must be lodged with Irwin Insolvency, Station House, Midland Drive, Sutton Coldfield, West Midlands B72 1TU.
5. Creditors with claims of £1,000 or less must have lodged proof of their debt for their vote to be valid.
6. Any creditors who have previously opted out from receiving documents in respect of the insolvency proceedings are entitled to vote on the resolution provided they have lodged proof of their debt.
7. Creditors may, within 5 business days of delivery of this notice to them, request a physical meeting of creditors be held to determine the outcome of the resolution(s) below. Any request for a physical meeting must be accompanied by valid proof of their debt (if not already lodged). A meeting will be convened if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."
8. Creditors have the right to appeal the decision made by the resolution(s) by applying to court under Rule 15.35 of the Insolvency Act within 21 days of the Wednesday 3rd October 2018.
9. The chair of the meeting may adjourn or suspend the meeting if necessary, and must do so if so resolved by creditors.
10. Any creditors excluded from the meeting, may complain to the chair during the meeting, or the convener of the meeting by no later than 4 p.m. the business day following the exclusion, in accordance with rule 15.38.

Creditors requiring further information regarding the above, should either contact me at Irwin Insolvency, Station House, Midland Drive, Sutton Coldfield, West Midlands B72 1TU, or contact Craig Partridge by email at craig.partridge@irwinuk.net, or by telephone on 0121 321 1700.

DATED THIS 17TH DAY OF SEPTEMBER 2018

A handwritten signature in black ink, appearing to read 'G. Irwin', with a horizontal line extending from the end of the signature.

**GERALD IRWIN
ADMINISTRATOR**

Notice of invitation to form a Creditors' Committee

**Electraphase Limited ("the Company")
In Administration
In the High Court of Justice, Business and Property Courts in Birmingham
Company and Insolvency List (ChD) Number 8202 of 2018**

Also trading as: Ephase

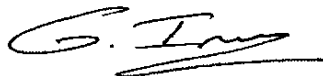
Company Number: 09485442

NOTICE IS GIVEN by Gerald Irwin to the creditors of Electraphase Limited also trading as Ephase of an invitation to form a Creditors' Committee under rule 3.39 of The Insolvency (England and Wales) Rules 2016.

1. In addition to seeking a decision on the matters set out in the accompanying notice, creditors are also invited to determine, at the same time, whether a Creditors' Committee should be established.
2. A Committee may be formed if a minimum of 3 and a maximum of 5 creditors are willing to become members.
3. Nominations can only be accepted for a creditor to become a member of the Committee if they are an unsecured creditor and have lodged a proof of their debt that has not been disallowed for voting or dividend purposes.
4. The specified date for receipts of nominations for creditors to act as a member of the Committee under rule 3.39 of The Insolvency (England and Wales) Rules 2016 is Wednesday 3rd October 2018, the Decision Date.
5. Please complete the form sent with this notice with the name and address of any person you wish to nominate to act as a member of the Committee, and return the completed form to Gerald Irwin of Irwin Insolvency, Station House, Midland Drive, Sutton Coldfield, West Midlands B72 1TU. Ideally it should be received by Irwin Insolvency before the start of the meeting due to be held at 2.30 p.m. on Wednesday 3rd October 2018, the decision date, at which the decision to appoint a Committee will be considered, although nominations for Committee members must be received by no later than 23.59 on that date.

Note: Further information on the rights, duties and the functions of a Committee is available in a booklet published by the Association of Business Recovery Professionals (R3). This booklet can be accessed at <https://www.r3.org.uk/media/documents/publications/professional/R3%20Guide%20to%20Creditors%20Committees.pdf>. If you require a hard copy of the booklet please contact me or Craig Partridge of Irwin Insolvency by email at craig.partridge@irwinuk.net or by phone on 0121 321 1700.

DATED THIS 17TH DAY OF SEPTEMBER 2018



**GERALD IRWIN
ADMINISTRATOR**

Electraphase Limited ("the Company")
In Administration
In the High Court of Justice, Business and Property Courts in Birmingham
Company and Insolvency List (ChD) Number 8202 of 2018

Also trading as: Ephase

Company Number: 09485442

Decision

1. That a Creditors' Committee should be established.

For/Against

I wish to nominate the following creditor to act as a member of the committee:

Name of nominated creditor _____

TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM:

Name of creditor: _____

Signature of creditor: _____

(Complete the following if signing on behalf of creditor, e.g. director/solicitor)

Capacity in which signing document: _____

Dated: _____

Note: The completed form should be delivered to Gerald Irwin of Irwin Insolvency, Station House, Midland Drive, Sutton Coldfield, West Midlands B72 1TU.

Rule 14.4 The Insolvency (England and Wales) Rules 2016

Proof of Debt – General Form

IN THE

HIGH COURT OF JUSTICE, BUSINESS AND PROPERTY COURTS IN
BIRMINGHAM COMPANY AND INSOLVENCY LIST (ChD)

Number:

8202 of 2018

Name of Company in Administration:

ELECTRAPHASE LIMITED
TRADING AS EPHASE

Company Registration Number:

09485442

Date of Administration:

26 JULY 2018

1 Name of creditor

(If a company, please also provide the company
registration number).

2 Correspondence address of creditor (including
any email address)

3 Total amount of claim (£)
(include any Value Added Tax)

4 If amount in 3 above includes (£)
outstanding uncapitalised interest, state amount.

5 Details of how and when the debt was incurred.
(If you need more space, attach a continuation
sheet to this form)

6 Details of any security held, the value of the
security and the date it was given.

7 Details of any reservation of title claimed in
respect of goods supplied to which the debt
relates.

8 Details of any document by reference to which
the debt can be substantiated

9 Signature of creditor
(or person authorised to act on the creditor's
behalf)

10 Address of person signing if different from 2
above

11 Name in BLOCK LETTERS:

12 Position with, or relation to, creditor

13 Date of signature

Admitted to vote for

Amount (£)

Date

Admitted for dividend for

Amount (£)

Date

**GERALD IRWIN
ADMINISTRATOR**

Notes:

1. There is no need to attach them now but the office holder may ask you to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.

2. This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office holder. If completing on behalf of a company, please state your relationship to the company.

Rule 16.3

Insolvency Act 1986

Proxy

Notes to help
completion of the
form

Re: Electraphase Limited also trading as Ephase - In Administration

Please give full name of
person (who must be
18 or over) or the
"Chair". If
you wish to provide
for alternative proxy-
holders in the
circumstances that
your first choice is
unable to attend
please state the
name(s) of the
alternatives as well.

Name of creditor _____

Address _____

Name of proxy-holder _____

1. _____

2. _____

3. _____

Please delete words in
brackets if the proxy-holder
is only to vote as directed
i.e. he has no discretion

I appoint the above person to be my/the creditor's proxy-holder at the meeting of creditors to be held on Wednesday 3rd October 2018 or at any adjournment of that meeting. The proxy-holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

Voting instructions for resolutions

Any other resolutions
which the proxy-
holder is to propose or vote
in favour of.

1. That a Creditors' committee be established

For / Against

2. That the Administrators' proposals be approved

With the following modifications: (insert details of modifications)

For / Against

3. That the Administrators' pre-Administration costs, the details of which are set out in the Administrators' proposals and issued with the notice of the meeting, be approved.

For / Against

4. That the Administrators' fees will be charged by reference to the time properly spent by them and their staff in dealing with the matters relating to the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken and subject to the fees estimate set out in the Administrators' proposals and issued with the notice of the meeting.

For / Against

5. That the Administrators be permitted to recover category 2 disbursements.

For / Against

This form must be
signed

Signature _____ Date _____

Name in CAPITAL LETTERS _____

Only to be completed
if the creditor
has not
signed in person

Position with creditor or relationship or other authority for signature _____

Insolvency Act 1986

Electraphase Limited
Estimated Statement Of Affairs as at 26 July 2018

	Book Value £	Estimated to Realise £	£
ASSETS			
Office Furniture & IT Equipment	4,176.00		1,350.00
Book Debts	181,724.00		127,207.00
Lodged Credits	93,304.00		93,304.00
Cash at Bank - Current Account	12,406.00		12,406.00
Cash at Bank - Holding Account	2,119.00		2,119.00
			<u>236,386.00</u>
LIABILITIES			
PREFERENTIAL CREDITORS:-			
			<u>NIL</u>
			236,386.00
DEBTS SECURED BY FLOATING CHARGES PRE 15 SEPTEMBER 2003			
OTHER PRE 15 SEPTEMBER 2003 FLOATING CHARGE CREDITORS			
			<u>NIL</u>
			236,386.00
Estimated prescribed part of net property where applicable (to carry forward)			
			<u>NIL</u>
			236,386.00
DEBTS SECURED BY FLOATING CHARGES POST 14 SEPTEMBER 2003			
			<u>NIL</u>
			236,386.00
Estimated prescribed part of net property where applicable (brought down)			
			<u>NIL</u>
			236,386.00
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)			
Trade & Expense Creditors		304,465.00	
Directors Loan Accounts		120,000.00	
Other Loan Account		150,000.00	
HM Revenue & Customs - PAYE		809.00	
HM Revenue & Customs - VAT		33,345.00	
HM Rev & Customs - Climate Change Levy		12,000.00	
		<u>620,619.00</u>	
Estimated deficiency/surplus as regards non-preferential creditors			
(excluding any shortfall in respect of F.C's post 14 September 2003)			
			<u>(384,233.00)</u>
			(384,233.00)
Issued and called up capital			
Ordinary Shareholders		1,000.00	
			<u>1,000.00</u>
TOTAL SURPLUS/(DEFICIENCY)			
			<u>(385,233.00)</u>

Inwin & Company
Electraphase Limited
B - Company Creditors

Key	Name	Address	£
CC00	Chestnut Growers	The Yeld Farm, Lyonshall, Kington, Herefordshire, H5 3LY	16,792.61
CD01	Dyball Associates Limited	2nd Floor of Independence House, 16 Queen Street, Worcester, WR1 2PL	4,357.92
CE00	Eneco Consulting Ltd	21 Middle Street, Brighton, Sussex, BN1 1AL	1,147.76
CE01	ElectraLink	Ground Floor, Grafton House, W1F 9HR	145.71
CE04	Elexon Ltd	4th Floor, 350 Euston Road, NW1 3AW	3,334.38
CF00	Foresight Metering	Brewery House, 34-44 Gignant Street, Salisbury, SP1 2AP	112.59
CH00	H M Revenue & Customs	Debt Management Unit, Northampton Bus Centre, Princess Hse, Cliftonville Rd, Northampton NN1 5AD	33,345.33
CH03	Laura Hunt	Penshurst, Crossways, Church Stretton, Shropshire, SY6 6PQ	30,000.00
CH04	HM Revenue & Customs	ICHU, RM BP 3202, Benton Park View, Longbenton, Newcastle Upon Tyne NE98 1ZZ	809.20
CH05	HM Revenue & Customs	Liverpool Specialist Office, 6th Floor, Regian House, James Street, Liverpool L74 4AD	12,000.00
CI00	Indepnent Power Networks LTD	Energy House, Woolpit Business Park, Woolpit, Suffolk, IP30 9UP	49.88
CJ00	Jason Gough Computing Services LTD	5 Lutwyche Close, Church Stretton, Shropshire, SY6 6BB	141.84
CJ01	Simon Lloyd Jones	Lutwyche Hall, Wenlock Edge, Much Wenlock, Shropshire TF13 6DP	90,000.00
CL00	Low Carbon Contracts Company	Fleetbank House, 2-6 Salsbury Square, EC4Y 8JX	453.62
CL01	Leaderville Enterprises LTD	Fernleigh House, Palace Road, Douglas, Isle of Man, IM2 4LB	150,000.00
CM00	IMServ	Scorpio, Rockingham Drive, Linford Wood, Milton Keynes, MK14 6LY	515.69
CM01	Meter Fit LTD	5th Floor, 1 Marsden Street, Manchester, M2 1HW	14.46
CM02	Macquarie Leasing Limited	Ropemaker Place, 28 Ropemaker Street, London, EC2Y 9HD	11.97
CN00	National Grid	1-3 Strand, WC2N 5EH	5,857.02
CN01	Northern Power Grid	Manor House, Station Road, Penshaw, Houghton-le-Spring, DH4 7LA	77.51
CN02	Northern Powergrid Metering	8 Brindley Way, Wakefield 41 industrial estate, Wakefield, WF2 0XQ	22.46
CO00	O2	260 Bath Road, Slough, Berkshire, SL1 4DX	33.60
CO01	OFGEM RO	9 millbank, london, SW1P 3GE	252,841.00
CP01	Parker Ward	247 Cophorne Road, Shrewsbury, SY3 7HJ	204.00
CS04	Southern Electric Metering	UnitG12, Main avenue, Treforest industrial estate, Pontypridd, CF37 5YL	939.99
CS05	Scottish & Southern Electricity Networks	Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ	1,746.97
CT00	Tachbrook Farming LTD	Homme Farm, Hom Green, Ross-on-Wye, Herefordshire HR9 7TF, caroline@ecdruumond.co.uk	3,888.00
CT01	Trayport Contigo Limited	7th Floor, Broadgate West, EC2A 2AP	7,776.00

Signature

Irwin & Company
Electraphase Limited
B - Company Creditors

Key	Name	Address	£
CT02	TMA Data Management	100 London Road, Kingston, KT2 6QJ, (COMMUNICATE ELECTRONICALLY)	3,999.98
29 Entries Totalling			620,619.49

Signature _____

Irwin & Company
Electraphase Limited
B1 - Company Creditors - Employees & Directors

Key	Name	Address	Pref £	Unsec £	Total £
0 Entries Totalling					
			0.00	0.00	0.00

Signature _____

Irwin & Company
Electraphase Limited
B2 - Company Creditors - Consumer Creditors

Key	Name	Address	£
0 Entries Totalling			0.00

Signature _____

Irwin & Company
Electraphase Limited
C - Shareholders

Key	Name	Address	Type	Nominal Value	No. Of Shares	Called Up per share	Total Amt. Called Up
HH00	Ms Laura Hunt	Penshurst, Crossways, Church Stretton, Shropshire SY6 6PQ	Ordinary	250.00	250	1.00	250.00
HL00	Mr Simon Lloyd-Jones	Lutwyche Hall, Wenlock Edge, Much Wenlock, Shropshire, TF13 6DP	Ordinary	750.00	750	1.00	750.00
2 Ordinary Entries Totalling				500.00	1,000		

Signature _____

Electraphase Limited
(In Administration)

Administrator's Summary of Receipts and Payments
To 17 September 2018

RECEIPTS	Statement of Affairs (£)	Total (£)
Office Furniture & IT Equipment	1,350.00	0.00
Book Debts	127,207.00	55,195.50
Lodged Credits	93,304.00	0.00
Cash at Bank - Current Account	12,406.00	12,405.74
Cash at Bank - Holding Account	2,119.00	2,119.29
		<hr/>
		69,720.53
		<hr/>
PAYMENTS		
Consultancy Costs		2,167.73
Telephone		161.47
Metre Reading Suppliers		5,633.20
Computer Maintenance		359.55
Web Hosting		349.99
Gateway Costs		121.43
Insurance Review		50.00
Specific Bond		1,288.00
Trade & Expense Creditors	(304,465.00)	0.00
Directors Loan Accounts	(120,000.00)	0.00
Other Loan Account	(150,000.00)	0.00
HM Revenue & Customs - PAYE	(809.00)	0.00
HM Revenue & Customs - VAT	(33,345.00)	0.00
HM Rev & Customs - Climate Change Levy	(12,000.00)	0.00
Ordinary Shareholders	(1,000.00)	0.00
		<hr/>
		10,131.37
		<hr/>
Net Receipts/(Payments)		59,589.16
		<hr/>

ADMINISTRATOR'S FEE AND EXPENSES ESTIMATE

FOR

ELECTRAPHASE LIMITED ALSO TRADING AS EPHASE

In respect of the virtual meeting of creditors, convened for 3 October 2018 at 2.30 p.m., it is proposed that the following resolutions below be put to the meeting:

- (a) I continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration. In particular that I:
 - (i) Continue to trade the business until such time that all of the remaining customers have 'switched' their electricity supply to an alternate provider and market the Company with a view to its sale;
 - (ii) sell the Company's business and/or business assets at such time(s) on such terms as I consider appropriate;
 - (iii) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or Company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or Company which supplies or has supplied goods or services to the Company; and
 - (iv) do all such things and generally exercise all their powers as Administrator as I consider desirable or expedient at my discretion in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals
- (b) the Administration of the Company will end either by filing notice of dissolution with the Registrar of companies, the Company will then automatically be dissolved by the registrar of companies three months after the notice is registered, or by progression into Creditors' Voluntary Liquidation (CVL) in order to facilitate a distribution to creditors. Please note that Creditors may nominate a different person(s) as the proposed liquidator(s), but they must make the nomination(s) at any time after these proposals are delivered to them, but before they are approved. Information about the approval of the proposals is set out at section 13.
- (c) Alternatively, the Administration will end by the presentation of a winding up petition to the Court for the compulsory liquidation of the Company.

As you will note, it is proposed that Administrator's remuneration is to be based upon what is known as a "time/cost basis". Details of the staff charge out rates, per grade of staff, are as attached. It is estimated that time cost charges, per classification of work, will be as detailed below with the grand total at the end. A detailed description of the work to be carried out is included in the Administrator's report. Attached is a breakdown of time Fee Estimate detailing which grade of staff may be involved in each task. A composite staff charge-out rate may be calculated at £205.97 per hour. The summary is as detailed below:-

EXPENSES AND DISBURSEMENTS

PRE APPOINTMENT – Are as detailed in the Administrator's report

POST APPOINTMENT – To date, are as detailed in the Administrator's report.

It is envisaged that the following expenses may be incurred by the Administrator's going forwards.

Legal Fees	To be advised on a Time Cost basis
Agents Fees	To be advised on a Time Cost basis
(Sale of business & assets of business)	
Postage and Stationery Costs	£150.00 + VAT (estimated)
Mileage/Travelling expenses	£300.00 + VAT (estimated)
Statutory Advertising	£400.00 + VAT (estimated)
Mail Redirection	£490.00 (Subject to Royal Mail's applicable charges)

ELECTRAPHASE LIMITED

FEE ESTIMATE SCHEDULE

<u>Grade</u>	<u>Rate p/h</u>		<u>Administration and Planning</u>		<u>Investigations</u>		<u>Realisation of Assets and Book Debt Collection</u>		<u>Creditors</u>		<u>Trading and Case Specific Matters</u>	
	<u>No of Hours</u>	<u>Time Cost</u>										
Partner / Director	20	6,000	10	3,000	10	3,000	10	3,000	10	3,000	10	3,000
Manager	15	3,750	5	1,250	10	2,500	10	2,500	10	2,500	10	2,500
Senior Administrator	40	7,000	10	1,750	30	5,250	30	5,250	20	3,500	50	8,750
Administrator	5	750	5	750	5	750	5	750	5	750	5	750
Compliance Manager	10	2,000	5	1,000	2	400	2	400	3	600	5	1,000
Senior Assistant/ Senior Cashier/ PA	3	450	3	450	3	450	3	450	3	450	3	450
Support Staff / Cashier / Secretary	2	250	2	250	2	250	2	250	2	250	2	250
	95	£20,200	40	£8,450	62	£12,600	53	£11,050	85	£16,700	TOTAL	£69,000

Total 335 hrs £205.97

ELECTRAPHASE LIMITED

Summary of Office Holder's time costs from 26 July 2018 to 1 September 2018

Classification of work function	Hours				Time cost £	Average Hourly Rate £
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	
Administration and planning Statutory Matters	10.5	6.7	29.6	0.8	47.6	212.08
Investigations	0.1	0	0.1	0	0.2	237.50
Realisation of Assets	4.9	0	18.1	0	23	201.63
Trading	7.3	4	23.4	0	34.7	209.94
Creditors	0.2	0.4	0.7	0	1.3	201.92
Case specific matters - Cashiering	2.3	0.8	4.3	1.4	8.8	205.97
Total hours	25.30	11.9	76.2	2.2	115.60	208.82

Chargeout Rates

Partner	£300 per hour
Manager	£250 per hour
Senior Administrator	£175 per hour
Administrators	£150 per hour
Compliance Manager	£200 per hour
Senior Assistant	£150 per hour
Senior Support Staff/ Senior Cashier/PA	£150 per hour
Support Staff/Cashier/ Secretary	£125 per hour

**IRWIN INSOLVENCY - INSOLVENCY PRACTICE
STATEMENT OF OFFICE HOLDER'S CHARGING AND
DISBURSEMENT RECOVERY POLICIES**

1. OFFICE HOLDER'S REMUNERATION – (CHARGE-OUT RATES FOR TIME COSTS)

	£/hour
Partner/Director	300
Manager	250
Senior Administrator	175
Administrator	150
Compliance Manager	200
Senior Assistant/Senior Cashier/PA	150
Support Staff/Cashier/Secretary	125

For resolution purposes it is proposed to charge the above rates for Office Holder's and staff time incurred or those prevailing at the time the costs are incurred. Charge-out rates will therefore be subject to periodic review and advised to creditors following the change. "Time" is charged in units of 6 minutes.

2. DISBURSEMENTS

CATEGORY 1

- i) **Postage** – Royal Mail or other Courier rates – prevailing either 1st/2nd or other class, as appropriate, plus VAT.

CATEGORY 2

- i) **Stationery and Photocopying** – 15p per sheet/item of stationery, plus VAT.
ii) **Internal Room Hire** – (usually only charged for meetings of creditors) - £75.00 plus VAT.
iii) **Office Holder Mileage Allowance** – Current prevailing HM Revenue & Customs Flat Scale Rate (as published) plus VAT.

Engine Size	Per Mile
Any	45p

For resolution purposes, it is proposed to charge the above disbursements at the above rate or those prevailing at the time the costs are incurred. Charging rates are, therefore, subject to period reviews as advised to creditors.

NOTES

References above to Category 1 and Category 2 Disbursements are as defined in Statement of Insolvency Practice 9 ("SIP 9") effective from 1 December 2015 (also available are the historic versions of "SIP9s") can be obtained by visiting the Association of Business Recovery Professionals (R3) at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice>. These Statements and "Creditors Guides to Fees" are also available in printed form upon request.

As laid out in Statement of Insolvency Practice 1 ("SIP 1") Para 5, I am obliged to inform creditors that I am bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

15/04/16

PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR IRWIN INSOLVENCY

The following information is designed to draw the attention of interested parties to the information required to be disclosed by the Provision of Services Regulations 2009.

Licensing Body

Gerald Irwin is licensed to act as an Insolvency Practitioner ("IP") in the United Kingdom by the Association of Chartered Certified Accountants ("ACCA") whom he is a member of.

Rules Governing Actions

All IPs are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences Gerald Irwin can be found at <http://www.accaglobal.com>.

In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice>.

Ethics

All IPs are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at <http://www.accaglobal.com/gb/en/member/standards/ethics/acca-code-of-ethics-and-conduct.html>.

Complaints

At Irwin Insolvency, we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of a particular case then in the first instance you should contact the IP acting as office holder.

If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to our complaints officer, Mrs Denise Sutton. This will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a member of staff unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned.

Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner, or you can email insolvency.enquiryline@insolvency.gsi.gov.uk or you may phone 0300 678 0015. Information on the call charges that apply is available at <https://www.gov.uk/call-charges>.

Professional Indemnity Insurance

Irwin Insolvency's Professional Indemnity Insurance is primarily provided by China Re Syndicate 2088 at Lloyds and Axis Speciality Europe S.E. C/o PIB Risk Services Limited, Rossington Business Park, West Carr Road, Retford, DN22 7SW. Geographical cover, worldwide excluding USA and Canada.

VAT

Irwin Insolvency is registered for VAT under registration no. 990 3331 21

02/01/2018

IN THE HIGH COURT OF JUSTICE, BUSINESS AND PROPERTY COURTS IN
BIRMINGHAM, COMPANY AND INSOLVENCY LIST (ChD) NO. 8202 OF 2018

IN THE MATTER OF THE INSOLVENCY ACT 1986 AND IN THE MATTER OF
ELECTRAPHASE LIMITED
ALSO TRADING AS EPHASE

STATEMENT REGARDING PRE-APPOINTMENT COSTS

I, Gerald Irwin, Administrator of Electraphase Limited also trading as Ephase, as appointed on 26 July 2018 by the directors of the company, hereby give notice that I intend to seek approval, under Rule 3.35(10) and Rule 3.36 of the Insolvency (England and Wales) Rules 2016, of my firm's pre appointment time costs and expenses, at a virtual meeting of creditors on 3 October 2018 at 2.30 p.m.

In accordance with Rule 3.36 of the Insolvency (England and Wales) Rules 2016, I make the following statement:

- (a) The Board of Directors and members of the Company agreed that I should be paid my pre-appointment fees on a time costs basis and the expenses incurred;
- (b) Prior to my appointment as Administrator, I undertook the following work:
 - (i) Held an initial meeting with the Board of Directors of the Company;
 - (ii) Instructed legal advisors to assist with my appointment;
 - (iii) Liaised with various parties regarding the proposed course of action having conducted appropriate enquiries into the company's financial state of affairs and prospects;
- (c) The work was undertaken before the Company entered Administration in order to achieve one of the statutory purposes.
- (d) (i) Below is a breakdown showing the pre-appointment time costs incurred by category and staff at my firm.

<u>Grade</u>	<u>Time spent</u>	<u>Charge out rate</u>	<u>Time Costs</u>
Partner/Director	6 hours	£300.00 per hour	£1,800
Manager	19 hours	£250.00 per hour	£4,750
Case Administrator	0.8 hours	£175.00 per hour	£140
Total	25.8 hours		£6,690

Average cost per hour is, therefore, £259.30 hour.

- (ii) In addition to my firm's time costs, the following expenses were also incurred:

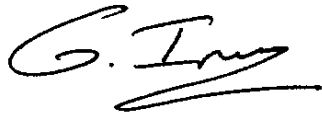
Legal Fees - HCB Solicitors	To be confirmed on a Time Cost basis.
Legal Fees – Hatchers Solicitors	£574.00 (plus VAT)
Court/Swearing Fees	£70.00
Mileage/Travel:	£179.40

(iii) No other fees were charged by any other person qualified to act as an insolvency practitioner.

(iv) No other expenses were incurred by any other person qualified to act as an insolvency practitioner.

(e) I can confirm that £5,000 plus VAT was paid to my firm in the period prior to Administration on account of the above.

Dated this the 17th day of September 2018

A handwritten signature in black ink, appearing to read 'G. Irwin', with a stylized flourish underneath.

Gerald Irwin
Administrator

ELECTRAPHASE LIMITED

Summary of Office Holder's Pre Appointment Time Costs

Classification of work function	Hours				Time cost £	Average Hourly Rate £
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff		
Administration Pre Appointment Time Costs	6	19	0.8	0	6,690.00	259.30
Total hours	6	19	0.8	0	6,690.00	259.30

Chargeout Rates

Partner	01.11.11 to date
Manager	£300 per hour
Senior Administrator	£250 per hour
Administrators	£175 per hour
Compliance Manager	£150 per hour
Senior Assistant	£200 per hour
Senior Support Staff/ Senior Cashier/PA	£150 per hour
Support Staff/Cashier/ Secretary	£125 per hour