

COMUNICADO

ERSE fines EDP Gás SU 70 000 euros

The supplier cooperated, paid compensation and waived legal proceedings

ERSE – the Energy Services Regulatory Authority – has imposed a fine of €70,000 on EDP Gás SU, currently known as Gás SU.

The penalty was imposed because, in the period following the entry into force of Decree-Law No. 57-8/2022 of 6 September, which provided for the possibility of end customers with annual consumption of less than or equal to 10,000 m³ (domestic customers and low-consumption businesses) to switch to the regulated natural gas sales tariff regime, the company did not submit the contract requests made by customers to the Logistics Operator for Change of Supplier (OLMC) within a maximum of five working days. As a result, it did not guarantee the maximum period of three weeks for the change of supplier to take effect.

Under the settlement procedure provided for in the Energy Sector Sanctioning Regime, Gás SU submitted a Settlement Proposal to ERSE, admitting the facts and acknowledging its negligence, and ERSE's Board of Directors reduced the single fine from €140,000 to €70,000. Gás SU waived its right to litigation, demonstrated that it had corrected the infringements detected and paid the fine in full, as well as compensation to the consumer.

The administrative offence proceedings were initiated following a complaint lodged by a consumer alleging that the deadline for submitting a request to change supplier to the OLMC had been breached. Subsequently, the elements contained in the Administrative Offence Report sent to ERSE by ENSE - Entidade Nacional para o Setor Energético, E.P.E. (National Energy Sector Entity) were attached and investigations were carried out, namely with the OLMC.

On 16 May 2025, the ERSE Board of Directors decided on the investigation, initiating proceedings through a Notice of Illegality notified to Gás SU, highlighting the breach of the duty to submit requests from customers to the OLMC within a maximum of five working days, in that it submitted a total of 2,065 cases in October and November 2022, between 22 and 80 days after the request for contracting, and did not guarantee the maximum period of three weeks for the change of supplier to take effect.

The obligation to provide information in energy supply contracts with customers regarding their right to choose the methodology to be used for estimating consumption was also breached.

[Access Process No. 11/2023](#)

Lisbon, 21 de agosto de 2025