

WU15

Notice of final account prior to dissolution in a winding up by the court



Companies House

SATURDAY



ABVP2Q6B

A12

21/01/2023

#1

COMPANIES HOUSE

1 Company details

Company number 0 3 2 4 7 6 2 2

Company name in full TXU Europe Group Plc

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

2 Liquidator's name

Full forename(s) Alan Robert

Surname Bloom

3 Liquidator's address

Building name/number Ernst & Young LLP

Street 1 More London Place

Post town

County/Region London

Postcode S E 1 2 A F

Country United Kingdom

4 Liquidator's name ①

Full forename(s) Roy

Surname Bailey

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

5 Liquidator's address ②

Building name/number Ernst & Young LLP

Street 1 More London Place

Post town

County/Region London

Postcode S E 1 2 A F

Country United Kingdom

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

WU15

Notice of final account prior to dissolution in a winding up by the court

6 Liquidator's release

Did any of the creditors object to the liquidator's release?

☐ Yes

☒ No

7 Date of final account

Date

^d1 ^d1 ^m1 ^m1 ^y2 ^y0 ^y2 ^y2

8 Final account

☒ The final account is attached

9 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d1 ^d9 ^m0 ^m1 ^y2 ^y0 ^y2 ^y3

**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

Ellie Emery

Company name

Ernst & Young LLP

Address

1 More London Place

Post town

County/Region

London

Postcode

S E 1 2 A F

Country

United Kingdom

DX

Telephone

0207 197 7282

**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 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 CREDITORS

11 November 2022

Ref: ML5W/AB/RB/PK/EE/LO5680

Direct line: 020 7197 7282 – Ellie Emery

Email: txuuk@uk.ey.com

Dear Sir or Madam

TXU Europe Group Plc (in Compulsory Liquidation, formerly subject to a Company Voluntary Arrangement and formerly in Administration) (“the Company”)

Roy Bailey and I were appointed as Joint Liquidators of the Company following a Court Order made on 6 August 2012.

In accordance with section 146 of the Insolvency Act 1986 and Rule 7.71 of the Insolvency (England and Wales) Rules 2016, we are now in a position to provide you with a copy of our final account and formal notice that the Company's affairs are fully wound up. This report should be read in conjunction with my previous reports to creditors.

At Appendix 1 of this report, we provide information about the Company and the liquidators and formal notice of completion of the winding up. A copy of our receipts and payments account for the period from 6 August 2012 (the date of liquidation) to 11 November 2022 is enclosed at Appendix 2.

Background

The Company was part of the TXU Group (“the Group”) and was the parent of the Group's European operating companies, which carried out electricity and other power generation, trading, marketing, delivery and other energy related activities in Europe.

The Company was originally placed into Administration by an order of the High Court on 19 November 2002 with the other companies in the Group entering into separate insolvency processes from 2002 onwards. The Company subsequently entered into an interlocking Company Voluntary Arrangement (“CVA”) with 27 of its subsidiary companies (together, “the CVA Companies”), which took effect on 28 January 2005.

The CVAs represented a ‘package deal’ for the resolution of all disputed claims between the CVA Companies and with the holding companies’ and creditors’ claims against CVA Companies. This process was implemented to enable the cash already realised, and the cash from any future realisations, to be distributed to the creditors of the CVA Companies as quickly as possible, without the risk of protracted litigation to resolve the various disputed matters. Detailed information on this and other relevant matters is included in the CVA Explanatory Statement which was circulated to creditors on or around 10 January 2005.

Details of the Administration of the Company and the CVA proceedings have previously been reported separately to creditors.

As part of the CVA, all creditors of the Company received 100p in the £ on their CVA claims and surplus funds were then held for distribution to the Company's shareholders. The CVA Supervisors therefore sought confirmation from the High Court regarding the basis on which these funds could be distributed to the shareholders. In *Re TXU Europe Group Plc [2011] EWHC 2072 (Ch)* ("*Re TXUEG*"), the High Court directed that the CVA Supervisors of the Company were not entitled to make a payment to the shareholders pursuant to clause 21.7 of the CVA as such a payment would amount to a distribution within the meaning of section 829(1) of the Companies Act 2006 and would be unlawful.

The decision in *Re TXUEG* affected the ability of the mechanisms within the CVA document to give effect to the CVA proposal documents. On this basis, an application was made to Court to:

1. Discharge the Administration order of the Company and place the Company into compulsory liquidation
2. Modify the CVA to enable the payment of inter-company indebtedness pursuant to the distribution model which would, but for the decision in *Re TXUEG*, be payable to the Company (and subsequently to the shareholders), thereby giving effect to the commercial agreements previously agreed by the parties in the original CVA proposal documentations
3. Enable the Liquidators of the Company to make a return of capital to the shareholders under Section 154 of the Insolvency Act 1986

At the Court hearing on 6 August 2012, the applications were granted and the High Court discharged the Administration order and placed the Company into compulsory liquidation. A first distribution of £126.9m was subsequently paid to the Company's shareholders by the Joint Liquidators on 10 September 2012.

Following the granting of the winding-up order, the previously appointed Creditors' Committee in the Administration automatically continued as a Liquidation Committee.

Details of the steps subsequently taken in the liquidation have been reported to creditors in the Joint Liquidators' progress reports dated 4 October 2013, 3 October 2014, 15 October 2015 and 6 October 2016 covering matters in the liquidation to 5 August 2016. Following the introduction of the Insolvency (England and Wales) Rules 2016, and the transitional provisions which applied to liquidations commencing prior to their implementation, there has been no requirement for annual reporting. The Joint Liquidators have continued to report to the Liquidation Committee periodically regarding the conduct of the liquidation and the other TXU Group insolvencies.

Progress during the period of the report

This report covers matters in the liquidation since the Joint Liquidators' last report to creditors for the period to 5 August 2016.

Completion of the Company Voluntary Arrangement

Following the granting of the winding-up order against the Company, the CVA of the Company continued in operation in conjunction with the CVAs of the other 27 CVA Companies. The liquidation of the Company was required to remain open until the conclusion of the interlocking CVAs and insolvencies of the other CVA Companies.

Distributions were paid to creditors throughout the CVAs, with 8 distributions declared in the period to August 2013. Steps were subsequently taken to prepare for a final distribution to creditors and subsequent conclusion of the CVAs. However, this was delayed as a result of the presence of potential

(i) asbestos related liabilities and (ii) pension related liabilities which created uncertainty over the level of the ultimate liabilities of another of the CVA Companies, TXU UK Limited ("TXU UK") which would need to be determined prior to concluding the CVAs.

As a result of the uncertainty of these potential future claims, TXU UK asserted a claim to funds of c.£16.7m held by the Company which TXU UK had previously paid to the Company, but which TXU UK contended had been paid by mistake ("the Disputed Monies"). The Disputed Monies related to cash transferred from TXU UK and TXU Direct Sales Limited to the Company as part of the sixth and seventh distributions in the CVAs, and which was subsequently ring-fenced pending resolution of the dispute.

The Administrators of TXU UK considered various options to resolve the position. However, it was determined that none of these options were viable. The Administrators of TXU UK subsequently made an application to the High Court seeking the directions of the Court in relation to the treatment of potential future claims in the CVA. In March 2021, the Court ordered that pursuant to the terms of the CVA, the CVA Supervisors may proceed to make a final distribution no earlier than 5pm on 30 March 2021 without being obliged to reserve for claims which are or may be made against TXU UK in the future. Following the hearing, the liquidators agreed that the Disputed Monies which had been held by the Company pending the resolution of the dispute could be released at the time of the final distribution in the CVA.

Following the decision of the Court, steps were taken to prepare for the final distribution from the CVAs. Under the original terms of the CVA, the Joint Supervisors were required to hold unclaimed payments to creditors for a period of 12 months following the date of distribution, and this would therefore delay the conclusion of the CVAs after the final distribution. To avoid this delay, after consultation with the Liquidation Committee, the CVAs were modified to allow the unclaimed funds from the final distribution to be transferred to a ring-fenced account ("the Unclaimed Distribution Account") operated by the Company (in liquidation) for a period of 12 months after the final CVA distribution. This enabled any creditors with unclaimed distributions or Top Up payments (as defined in the CVA) from the final CVA distribution to claim their payments for a period of 12 months after the final distribution, whilst enabling the 28 interlocking CVAs to be concluded.

The CVA modifications were implemented on 1 September 2021 and 4 March 2022, details of which were circulated to creditors and can be viewed, together with the CVA proposals, on the website <http://txuinfo.co.uk>.

The ninth and final distribution to creditors in the CVAs was subsequently paid on 2 September 2021. A summary of the distributions paid across all CVA companies is enclosed at Appendix 4.

The Disputed Monies of c.£16.7m which had been held by the Company pending the resolution of the dispute were released at the same time and were distributed from the liquidation to the Company's Shareholders on 2 September 2021. A further distribution of c.£50.8m was also made to the Company's shareholders at this time from the liquidation.

After completion of all remaining matters in the CVAs, including the transfer of the unclaimed funds to the Unclaimed Distribution Account, the CVAs were fully implemented on 6 April 2022.

Conclusion of the CVA Companies insolvencies

As part of the final CVA distribution calculations, provisions were made for the closing costs of each of the CVAs, liquidations and Administrations of the CVA Companies. In order to simplify the closure process, the Liquidators of the Company (as holding company of the other CVA Companies) obtained the approval of the Liquidation Committee to an agreed budget which would be retained in the liquidation

of the Company and used to meet these closure costs (including Office Holder fees, legal fees and storage charges) for the period from 10 April 2021 to conclusion of the insolvencies. Any remaining funds from this provision would be then distributed to the Company's shareholders on conclusion of the Company's liquidation.

Following the completion of the interlocking CVAs on 6 April 2022, steps were taken to conclude the liquidations and Administrations of the other CVA Companies. These have now been concluded and the other CVA Companies will be dissolved in the coming months.

Conclusion of the Compulsory Liquidation

As advised above, under the terms of the modified CVAs, the liquidation of the Company was required to remain open for one year from the date of the final CVA distribution, being 2 September 2021, to allow creditors to claim their unclaimed CVA final distribution or Top Up payments. Following expiry of this period, the Company paid the residual funds in the Unclaimed Distribution Account to the registered charity, Aspire, in accordance with the terms of the modified CVAs and the account was closed.

As this remained the only outstanding matter in the liquidation, the remaining costs of the liquidation were settled, and the Joint Liquidators have recently made a final distribution of the remaining funds held of c.£904,000 to the Company's shareholders.

Receipts and payments

Comments are given in respect of material movements in the liquidation estate in the period since our last report, being 6 August 2016 to 11 November 2022.

Receipts

Receipts relating to the final CVA distribution

As part of the final distribution calculations in the CVA, there were a number of receipts from other TXU Group companies in respect of subrogated claims, intercompany balances and group relief. These were calculated in accordance with the terms set out in the Explanatory Statement to the CVA, issued on 10 January 2005 to creditors, and comprised:

	<i>Amount £</i>
Group subrogated payment	12,657,317
Intercompany receipts – Nedalo	207,627
Receipts in relation to ENS & ENK	413,118
Group relief	25,611,175

Intercompany receipts

The Company received a distribution of £234,880 from the insolvent estate of TXU Europe Energy Trading BV, an overseas TXU Group entity, in respect of an intra-group debt.

Bank and other interest

Interest of £737,019 was received into the liquidation estate and reserve account. The liquidation funds were held in an Insolvency Services Account ("ISA") in accordance with insolvency regulations.

Assignment of intercompany receivable

Further intra-group balances remained due to the Company from Energy Holdings (No.2) Limited, Energy Holdings (No.5) Limited and TXU Europe Limited which did not form part of the CVA Companies and were not therefore settled through the CVA final distribution modelling. The companies were each subject to their own insolvency proceedings and were expected to complete distributions in due course. To avoid delaying the closure of the Company's liquidation, the debts were assigned to the Company's shareholder, The Energy Group Limited, for an amount equivalent to the expected future distributions from the companies and funds of £1,165,282 were received in the liquidation. The funds were subsequently distributed back to the Shareholders as a distribution from the liquidation.

Corporation tax refund

A tax refund of £21,857 was received in the liquidation in respect of tax previously incurred.

Third Party funds – CVA Unclaimed Distributions

As advised above, it was agreed that the Company would hold on trust the unclaimed Distribution and Top Up payments from the final CVA distribution for the period of one-year post-distribution. Funds totalling £154,806 were received in this regard. The funds did not form part of the liquidation estate and were held separately from the Company's own funds.

Payments

Storage costs

The Company's records and those of the other CVA Companies remain in storage and are required to be retained until the dissolution of each of the companies following the conclusion of their respective insolvencies. The storage costs paid during the period amounted to £347,943 and include all future storage charges based on the expected dates of dissolution of the CVA Companies, and destruction charges.

Professional costs

Legal Fees of £535,247 were incurred in the period, comprising fees of £507,051 paid to Herbert Smith Freehills and fees of £28,196 paid to Allen & Overy, in relation to legal advice provided to the Joint Liquidators in the course of the liquidation, together with advice to the Joint Liquidators and other Office Holders of the CVA Companies in concluding the CVAs and other CVA Company insolvencies.

Tax on ISA interest

Tax of £147,404 was deducted from interest received on funds held by the ISA

Third Party funds – CVA Unclaimed Distributions

Unclaimed CVA distribution and Top Up payments totalling £12,924 were reissued to creditors and, following expiry of the one-year period, the residual unclaimed funds of £141,881 (after interest and charges) were paid to Aspire Charity in accordance with the terms of the CVA. As advised above, these were third party funds and did not form part of the assets of the liquidation.

Liquidators' Remuneration

Liquidators' remuneration of £2,016,923 was drawn in the period. Further details are given below and in Appendix 3.

Other office holders' fees (EY)

Fees of £1,783,837 were paid to EY in respect of the CVAs, Administrations and Liquidations of the other CVA Companies, in accordance with approval obtained from the Liquidation Committee.

Other office holders' fees (Interpath)

Fees of £37,131 were paid to Interpath in respect of the Administrations and Liquidations of the CVA Companies over which they were appointed, in accordance with approval obtained from the Liquidation Committee.

Liquidation post-closure fees

Given the long-tail nature of the asbestosis personal injury claims, it is anticipated that the former Office Holders of TXU UK will continue to receive personal injury enquiries for many years to come following the conclusion of the CVA and Administration and will continue to incur costs in responding to individual claimants or their representatives to appropriately direct them to the relevant insurers. As such, fees of £50,000 were approved by The Energy Group Limited (as shareholder) towards the future costs expected to be incurred in dealing with these enquiries following conclusion of the insolvencies, and these were settled from the provision for closing costs in the liquidation.

Distributions to Shareholders

Cash distributions totalling £202,593,599, have been paid to the Company's shareholders during the course of the liquidation, of which £69,730,808 has been paid in the period.

To avoid delaying the conclusion of the liquidation, a final VAT refund due to the Company of £76,680, was also assigned to the shareholders as a distribution in specie.

Amount paid to creditors under the Prescribed Part

The Prescribed Part is a proportion of floating charge assets set aside for unsecured creditors pursuant to section 176A of the Insolvency Act 1986 and applies to floating charges created on or after 15 September 2003.

As the Company was placed into Administration prior to this date, section 176A of the Insolvency Act 1986 does not apply to the liquidation and there have been no payments to unsecured creditors under the Prescribed Part.

Creditors

At the date of liquidation, the only creditors that remained were the members of the Liquidation Committee whose claims totalled £10. During the course of the administration and CVA, the creditors of the Company were paid 100p in the £1 of their agreed claims. The amounts that remained due to the members of the Liquidation Committee were voluntarily held back by the members in order that they could remain on the Committee. The outstanding amounts were settled at the time of the final distribution to creditors in the CVA.

Liquidation Committee

As previously reported, in accordance with Rule 4.174 of the Insolvency Rules 1986 (being the rules in place at the time the Company was placed into liquidation), a committee established for the purposes of the administration continues in being as the Liquidation Committee. Following the Company entering into liquidation, a meeting of contributories was convened under Rule 4.175(2) of the Insolvency Rules 1986 for 13 September 2012 to appoint contributory members to the committee if they so wished. The majority shareholder confirmed that they did not wish to join the Committee as contributory member and, as such, would remain on the Liquidation Committee as a creditor.

Office Holders' Remuneration

Clauses 14 and 26 of the CVA proposals set out the basis on which the Joint Liquidators and former Joint Supervisors were authorised to draw their remuneration and expenses, together with the associated approval process, for time incurred from 28 January 2005 (being the date on which the CVA took effect) onwards.

To simplify the closure of the CVAs, Administrations and Liquidations of the Company and the other CVA Companies, it was agreed by the Liquidation Committee that time costs incurred from 10 April 2021 would be paid centrally by the Company. The Company has no recourse to the estates of the other CVA Companies in respect of these costs. To further simplify reporting obligations and reduce costs, time incurred by the EY Office Holders was charged on a consolidated basis from 4 September 2021 onwards.

In accordance with Statement of Insolvency Practice 9 ('SIP9'), I have attached at Appendix 3:

- ▶ A summary of the time spent in the liquidation of the Company for the period 6 August 2012 to 3 September 2021
- ▶ A summary of the combined time costs for the Company and other TXU entities, for the period from 4 September 2021 11 November 2022. This time summary includes time costs incurred in respect of all TXU companies over which Office Holders at EY are appointed, a proportion of which relates to the CVA and liquidation of the Company.

As shown in the receipts and payments in Appendix 2, the following fees have been paid from the liquidation estate, in accordance with Committee approvals:

- ▶ Joint Liquidators' fees of £2,257,434 from the liquidation estate from 6 August 2012 (the date of liquidation) to 11 November 2022, including the combined fees for the Company and other TXU entities for the period from 4 September 2021 onwards.
- ▶ Fees totalling £2,024,458 for Joint Supervisors', Joint Administrators', and Joint Liquidators' costs in respect of the CVA of the Company, and other CVA Companies over which Office Holders at EY are appointed for the period to 3 September 2021.

- Fees totalling £37,131 for Joint Administrators', and Joint Liquidators' costs in respect of the other CVA Companies over which Office Holders at Interpath are appointed.

The Joint Liquidators', Joint Administrators' and Joint Supervisors' fees paid from the liquidation in respect of the Company and the other CVA Companies, have been charged at the rates agreed by the Liquidation Committee in respect of the administration of the TXU Group of companies. The current agreed rates, which are lower than Ernst & Young LLP standard rates, are set out in Appendix 3.

Creditors' rights to further information about, and challenge, remuneration and expenses

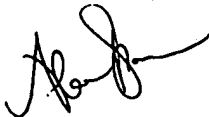
The statutory provisions relating to remuneration are set out in Chapter 4, Part 18 of the Insolvency (England and Wales) Rules 2016. Further information is given in the Association of Business Recovery Professionals' publication 'A Creditors' Guide to Liquidators' Fees', a copy of which may be accessed from the web site of the Institute of Chartered Accountants in England and Wales at <http://www.icaew.com/en/technical/insolvency/creditors-guides> or is available in hard copy upon written request to the Joint Liquidators.

In certain circumstances, creditors are entitled to request further information about our remuneration or expenses, or to apply to court if creditors consider the costs to be excessive (Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016). Further information is provided in 'A Creditors' Guide to Liquidators' Fees' referred to above.

Other matters

Should you wish to discuss any matters arising from this report, please do not hesitate to contact Ellie Emery on the direct line telephone number shown above.

Yours faithfully
for the Company



A R Bloom
Joint Liquidator

Alan Bloom is licensed in the United Kingdom to act as an Insolvency Practitioner by the Institute of Chartered Accountants in England and Wales. Roy Bailey is licensed in the United Kingdom to act as an Insolvency Practitioner by the Association of Chartered Certified Accountants.

The Joint Liquidators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint Liquidators. Personal data will be kept secure and processed only for matters relating to the Joint Liquidators appointment. The Office Holder Data Privacy Notice can be found at www.ey.com/uk/officeholderprivacy.

TXU Europe Group (in Compulsory Liquidation, formerly subject to a Company Voluntary Arrangement and formerly in Administration)

Final account prior to dissolution – notice to creditors under Rule 7.71 of the Insolvency (England and Wales) Rules 2016

Registered office address of the company: 1 More London Place, London, SE1 2AF

Registered number: 03247622

Date of appointment of the joint liquidators: 6 August 2012

Details of any changes of liquidator: None

Full names of the liquidators: Alan Robert Bloom and Roy Bailey

Office holder number(s): 6462 and 8357

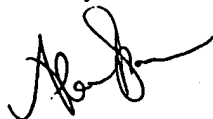
Liquidators' address(es): Ernst & Young LLP, 1 More London Place, London, SE1 2AF

Telephone number: 0207 197 7282

Name of alternative person to contact with enquiries about the case: Ellie Emery

We give notice of the following, in accordance with Rule 7.71:

- (a) The company's affairs are fully wound up
- (b) Creditors have the right to request from the liquidators information about their remuneration and expenses under Rule 18.9 of the Insolvency (England and Wales) Rules 2016
- (c) Creditors have the right to challenge the liquidators' remuneration and expenses under Rule 18.34
- (d) A creditor may object to the release of the liquidators by giving notice in writing to the liquidator before the end of the prescribed period
- (e) The prescribed period is the period ending at the later of:
 - a. Eight weeks after delivery of the notice; or
 - b. If any request for information under Rule 18.9 or any application to court under that Rule or Rule 18.34 is made when that request or application is finally determined;
- (f) That the liquidator will vacate office under s.172(8) on delivering to the registrar of companies the final account and notice saying whether any creditor has objected to release; and
- (g) That the liquidator will be released under s.174(4)(d)(ii) at the same time as vacating office unless any of the company's creditors objected to the liquidator's release



Signed _____ Date 11 November 2022
Alan Robert Bloom
Joint liquidator

Appendix 2

TXU Europe Group (in Compulsory Liquidation, formerly subject to a Company Voluntary Arrangement and formerly in Administration)

Joint liquidators' receipts and payments account for the period from 6 August 2012 (date of winding-up order) to 11 November 2022

Receipts (£)	Note	Previously reported to 5 August 2016 £	Movement between 6 August 2016 to 11 November 2022 £	Total receipts to 11 November 2022 £
Moneys due ATL		126,954,684	-	126,954,684
Reserve		16,300,778	-	16,300,778
Claims reserve		10,079,900	-	10,079,900
Claims reserve interest		4,280,908	-	4,280,908
Estate funds taken over		4,888,680	-	4,888,680
Monies received from KPMG		2,405,114	-	2,405,114
Call receipts		35,395,332	-	35,395,332
Group subrogated payment	2	33,944,476	12,657,317	46,601,793
Intercompany receipts - Nedalo	2	558,976	207,627	766,603
Receipts in relation to ENS & ENK	2	1,112,199	413,118	1,525,317
Overseas recoveries (EET BV Recoveries)		993,044	234,880	1,227,924
Group relief	2	4,053	25,611,175	25,615,228
VAT recovered		105,545	-	105,545
Petitioning creditors costs refund		1,165	-	1,165
Bank and other interest		622,905	737,019	1,359,924
Assignment of intercompany receivable		-	1,165,282	1,165,282
Debtor Dividend		-	127	127
Corporation tax refund		-	21,857	21,857
Third Party funds - CVA Unclaimed distributions	3	-	154,806	154,806
Total Receipts		237,647,759	41,203,206	278,850,965

Payments (£)		Previously reported to 5 August 2016 £	Movement between 6 August 2016 to 11 November 2022 £	Total payments to 11 November 2022 £
Expenses				
Transfer to CVA Supervisors for unsecured creditors (incl. interest)		100,894	3	100,897
Call payments		345	-	345
Official Receivers costs		2,235	-	2,235
Storage costs		142,089	347,943	490,032
Inter-company loans		7,216	-	7,216
Legal & professional costs		99,921	535,247	635,168
Liquidators disbursements		-	27,213	27,213
Other office holder disbursements		18	640	658
Tax on ISA interest		78,445	147,404	225,849
Tax on Pension Payment		347,226	-	347,226
Bank and ISA charges		435	650	1,085
Ad Valorem fees		80,000	-	80,000
Corporation Tax		-	161	161
Irrecoverable VAT		-	7,964	7,964
Third Party funds - CVA Unclaimed distributions	3		154,806	154,806
Sub-Total Expenses		858,824	1,222,031	2,080,856
Remuneration				
Liquidators' remuneration	4	240,511	2,016,923	2,257,434
Other office holders' fees (EY)	4	240,621	1,783,837	2,024,458
Other office holders' fees (Interpath)	5	-	37,131	37,131
Liquidation post-closure fees		-	50,000	50,000
Sub-total Remuneration		481,132	3,887,891	4,369,023
Distributions				
Ordinary shareholders (cash distribution)		202,593,599	69,730,808	272,324,407
Ordinary shareholders (in-specie distribution)		-	76,680	76,680
Sub total Distributions		202,593,599	69,807,487	272,401,086
Total payments		203,933,555	74,917,410	278,850,965
Balance as at 11 November 2022		33,714,204	-	33,714,204
				Nil

Notes

1. Receipts and payments are stated net of VAT.
2. The transactions form part of the final distribution calculations in the CVA and were calculated in accordance with the terms set out in the Explanatory Statement to the CVA, issued on 10 January 2005 to creditors.
3. Third Party funds relate to the unclaimed distributions and Top Up payments from the ninth and final CVA distribution. These funds do not form part of the assets of the estate.
4. The liquidators' remuneration and other Office Holders fees were fixed on the basis of time costs with the approval of the Liquidation Committee. Costs incurred from 9 September 2021 onwards across the CVAs, Liquidations and Administrations of the Company and other CVA Companies have been charged on a consolidated basis and are reflected in a combined SIP9 for this period, as shown in Appendix 3.
5. Payments have been made in respect of the Administrations and liquidation of the CVA Companies administered by Interpath which relate to the closure costs of the CVA Companies for the period from 10 April 2021 to conclusion of the insolvencies, with the approval of the Liquidation Committee.
6. There are no unrealised assets in the liquidation.
7. Section 176A of the Insolvency Act 1986 (prescribed part) does not apply to the liquidation.
8. All funds have been distributed and there are no funds in hand.
9. Statement of Insolvency Practice No.9 defines expenses as any payments from the insolvency estate which are neither an office holder's remuneration or a distribution to a creditor or member.

Expenses are divided into those that do not need approval before they are charged to the estate (Category 1) and those that do require prior approval (Category 2):

- Category 1 expenses are payments to persons providing the service to which the expense relates who are not an associate of the office holder
- Category 2 expenses are payments to associates or which have an element of shared costs.

Expenses also include disbursements. Disbursements are payments which are first met by the office holder and then reimbursed to the office holder from the estate. Disbursements fall into either Category 1 or Category 2

Appendix 3

TXU Europe Group (in Compulsory Liquidation, formerly subject to a Company Voluntary Arrangement and formerly in Administration)

Joint liquidators' time costs for the period from 6 August 2012 to 3 September 2021

	Hours						Total Time (Hours)	Billing rate	
	Partner	Director	Assistant Director	Senior Executive	Executive	Other		Average Hourly Rate (£)	Total Time Costs (£)
Job Acceptance & Strategy	1.3	14.3	15.8	-	3.3	8.2	42.9	348.70	14,959.40
Immediate Tasks	-	5.0	-	55.7	65.2	0.8	126.7	278.22	35,249.96
Bank & Statutory Reporting	43.4	6.0	31.4	10.0	-	14.1	104.9	445.51	46,733.56
Creditors	41.5	271.6	189.5	50.8	200.1	14.9	768.4	387.89	298,057.71
Members	-	0.7	3.0	15.5	8.9	-	28.1	293.88	8,258.10
Accounting & Administration	20.6	77.5	172.9	72.9	296.3	962.1	1,602.3	205.02	328,509.07
Statutory Duties	18.0	51.5	39.6	60.7	108.3	93.3	371.4	284.44	105,641.16
VAT & Taxation	38.2	51.4	29.6	34.0	37.0	32.2	222.4	376.69	83,776.71
Out of scope	-	-	3.8	-	4.5	8.6	16.9	215.29	3,638.34
Unfunded Pension	-	27.0	46.5	2.1	0.2	71.2	147.0	295.49	43,437.71
Legal Issues	-	60.0	78.4	-	24.3	0.3	163.0	396.35	64,604.78
Employee Matters	-	-	0.2	-	-	1.3	1.5	161.51	242.27
Other Matters	2.0	1.0	1.0	-	192.0	5.2	201.2	237.50	47,785.48
General	220.4	37.3	12.1	42.7	101.4	147.2	561.1	377.07	211,574.10
Retention of Title	-	-	-	-	4.4	-	4.4	235.00	1,034.00
Other Assets	-	0.5	1.0	-	3.9	11.5	16.9	173.10	2,925.35
Decision Analytics	20.0	-	-	12.0	276.0	-	308.0	262.08	80,720.00
Total Time (Hours)	405.4	603.8	624.8	356.4	1,325.8	1,370.9	4,687.1		1,377,147.70
Average hourly rate (£)	593.73	451.38	426.03	325.06	234.20	125.01			
Total Time Costs	240,698.10	272,544.10	266,181.70	115,853.00	310,500.00	171,370.80			1,377,147.70

Joint liquidators', Joint Administrators', and Joint Supervisors' time costs for the Company and other CVA Companies the period from 4 September 2021 to 11 November 2022¹

Classification of work	Hours						Billing Rate		
	Partner	Director	Assistant Director	Senior Executives	Executive	Other	Total Time (Hours)	Average Hourly Rate (£)	Total Time Costs (£)
Accounting & Administration Bank & Statutory Reporting	9.8	5.3	94.4	127.6	479.1	269.7	985.9	247.75	244,259.21
Closure - Admin	-	-	3.8	60.8	16.3	3.0	83.9	309.18	25,940.35
Closure - Comp Liqn	32.3	14.1	58.4	70.3	54.5	11.9	241.5	367.51	88,754.3
Closure - CVA	26.5	6.1	78.2	84.3	80.8	21.2	297.1	344.17	102,254.0
Closure - CVL	27.1	11.8	25.0	59.2	102.7	63.6	289.4	296.91	85,925.2
Closure - MVL	2.0	6.7	3.6	28.0	78.7	11.7	130.7	274.36	35,859.0
Creditors	-	0.6	0.5	3.1	3.0	0.1	7.3	307.81	2,247.0
Debtors	0.5	17.0	14.7	4.7	9.9	3.0	49.8	387.63	19,304.00
Final Distribution	-	-	15.7	-	-	-	15.7	420.00	6,594.00
Immediate Tasks	4.8	11.6	13.4	15.9	44.8	0.5	91.0	330.67	30,091.00
Job Acceptance & Strategy	-	-	-	27.2	1.7	-	28.9	324.41	9,375.50
Legal Issues	87.2	-	4.6	7.5	-	-	99.3	566.88	56,291.00
Members	-	0.7	5.2	-	-	-	5.9	428.90	2,530.50
Other Matters	-	1.0	3.7	-	-	-	4.7	435.96	2,049.00
Property	14.9	-	0.2	16.4	3.5	-	35.0	433.83	15,184.00
Statutory Duties	-	-	0.4	1.1	-	-	1.5	354.00	531.00
Unclaimed Dividends	3.0	-	11.3	13.1	81.9	94.9	204.2	229.35	46,833.92
VAT & Taxation	-	2.5	46.3	60.5	133.7	59.9	302.9	272.53	82,549.50
	5.0	4.5	26.6	7.4	31.0	2.6	77.1	344.61	26,569.50
Total Time (Hours)	213.1	81.9	406.0	587.1	1,121.6	542.1	2,951.8	299.19	883,142.01
Average Hourly Rate (£)	595.00	495.00	420.00	330.00	235.00	162.27			
Total Time Costs	126,794.50	40,540.50	170,520.00	193,743.00	263,576.00	87,968.01			883,142.01

¹ This time summary includes time costs incurred in respect of all TXU companies over which Office Holders at EY are appointed, a proportion of which relates to the CVA and liquidation of the Company.

Staff Charge out Rates (£)

Grade	Old Rates (pre 01/07/14)		New rates (effective 01/07/14)	
	Corporate Restructuring £/Hour	Tax £/Hour	Corporate Restructuring £/Hour	Tax £/Hour
Partner	541	670	595	670
Director	437	495	495	495
Assistant Director	393	495	420	495
Senior Executive	300	361	330	361
Executive	197	327	235	327
Assistant Executive	165	N/A	180	N/A
Business Trainee	109	202	120	202
Accounting Treasury Executives	160	N/A	180	N/A

Notes

1. Following approval from the Creditors' Committee of TXU Europe Group Plc, time costs incurred from 10 September 2021 onwards are reported on a consolidated basis.
2. The hourly rates for each grade of staff are those agreed in respect of the TXU Europe Group of companies and are lower than Ernst & Young LLP standard rates.

Appendix 4

The CVA distributions: cumulative, ninth and final distribution dividend percentages

	First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Distribution Cumulative			Ninth Distribution			Total Distribution		
	Gross	Net	50:50	Gross	Net	50:50	Gross	Net	50:50
TXU Europe Group plc	100.00%	100.00%	100.00%	-	-	-	100.00%	100.00%	100.00%
TXU Europe Energy Trading Limited	69.09%	32.05%	50.57%	0.85%	1.65%	1.25%	69.93%	33.71%	51.82%
TXU Europe Power Limited	96.28%	100.00%	98.12%	0.33%	0.00%	0.16%	96.62%	100.00%	98.31%
TXU UK Limited	100.00%	100.00%	100.00%	-	-	-	100.00%	100.00%	100.00%
Eastern Electricity Holdings Limited	100.00%	100.00%	100.00%	-	-	-	100.00%	100.00%	100.00%
TXU Europe Merchant Properties Limited	100.00%	100.00%	100.00%	-	-	-	100.00%	100.00%	100.00%
TXU Europe Merchant Generation Limited	27.73%	7.63%	17.67%	0.32%	0.04%	0.18%	28.05%	7.67%	17.86%
TXU Europe Power Development Limited	-	-	-	-	-	-	-	-	-
TXU Europe (Partington) Limited	16.41%	16.41%	16.41%	-	-	-	16.41%	16.41%	16.41%
TXU Europe Power Production Services Limited	89.74%	90.26%	89.99%	0.04%	0.04%	0.04%	89.78%	90.30%	89.04%
TXU (UK) Holdings Limited	-	-	-	-	-	-	-	-	-
Energy Holdings (No.6) Limited	-	-	-	-	-	-	-	-	-
TXU Europe Leasing (4) Limited	-	-	-	-	-	-	-	-	-
TXU Europe (Blade) Limited	100.00%	100.00%	100.00%	-	-	-	100.00%	100.00%	100.00%
TXU Europe (Blade No.2) Limited	-	-	-	-	-	-	-	-	-
TXU Europe Trading Limited	-	-	-	-	-	-	-	-	-
TXU Europe Natural Gas (Trading) Limited	-	-	-	-	-	-	-	-	-
TXU Finland Holdings Limited	40.23%	40.23%	40.21%	-	-	-	40.23%	40.23%	40.23%
TXU Germany Limited	-	-	-	-	-	-	-	-	-
TXU Europe Overseas Finance Limited	-	-	-	-	-	-	-	-	-
TXU Europe Leasing (5) Limited	-	-	-	-	-	-	-	-	-
Precis (2264) Limited	-	-	-	-	-	-	-	-	-
TXU Europe Renewable Generation Limited	64.98%	60.68%	62.83%	-	-	-	64.98%	60.68%	62.83%
Eastern Group Finance Limited	100.00%	100.00%	100.00%	-	-	-	100.00%	100.00%	100.00%
Anglian Power Generators Limited	2.84%	2.23%	2.53%	0.01%	0.00%	0.00%	2.85%	2.23%	2.53%
Peterborough Power Limited	84.72%	0.00%	42.35%	0.38%	0.51%	0.44%	85.10%	0.51%	42.80%
TXU Europe Power Services Limited	3.16%	4.55%	3.85%	-	-	-	3.16%	4.55%	3.85%
TXU Direct Sales Limited	100.00%	100.00%	100.00%	-	-	-	100.00%	100.00%	100.00%

- Note:
- The above dividend percentages exclude payments to Top-Up Creditors in accordance with Annex 5.
 - A dash is shown where CVA companies have no known External Creditors and so a Distribution percentage has not been calculated or where in previous rounds, a company's cumulative Distribution percentage reached 100% and therefore no further payments to creditors are due.
 - Any casting differences are due to rounding only