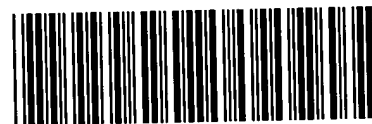




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05/11/2022

#64

COMPANIES HOUSE

### 1 Company details

Company number 0 7 9 9 9 3 6 0

Company name in full Symbio Energy Limited

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

### 2 Administrator's name

Full forename(s) Jonathan Mark

Surname Amor

### 3 Administrator's address

Building name/number Ship Canal House

Street 98 King Street

Post town Manchester

County/Region

Postcode M 2 4 W U

Country

### 4 Administrator's name ①

Full forename(s) Nicola Kate

Surname Clark

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

### 5 Administrator's address ②

Building name/number Ship Canal House

Street 98 King Street

Post town Manchester

County/Region

Postcode M 2 4 W U

Country

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

# AM10

## Notice of administrator's progress report

6

### Period of progress report

From date	<sup>d</sup> 1	<sup>d</sup> 3	<sup>m</sup> 0	<sup>m</sup> 4	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2
To date	<sup>d</sup> 1	<sup>d</sup> 2	<sup>m</sup> 1	<sup>m</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2

7

### Progress report

☒ I attach a copy of the progress report

8

### Sign and date

Administrator's  
signature

Signature

X



X

Signature date

<sup>d</sup> 0	<sup>d</sup> 3	<sup>m</sup> 1	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2
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**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 **Conor Leyden**

Company name **Azets**

Address  
**Ship Canal House**  
**98 King Street**

Post town **Manchester**

County/Region

Postcode **M 2 4 W U**

Country

DX

Telephone **0161 245 1000**

**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**

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



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**SYMBIO ENERGY LIMITED – IN ADMINISTRATION**

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**JOINT ADMINISTRATORS' PROGRESS REPORT FOR THE PERIOD  
FROM 13 APRIL 2022 TO 12 OCTOBER 2022**

**HIGH COURT OF JUSTICE, BUSINESS AND PROPERTY COURTS IN LEEDS  
CASE NUMBER: CR-2021-LDS-000478**

**Jonathan Mark Amor and Nicola Kate Clark  
Joint Administrators of Symbio Energy Limited**

**Dated: 3 November 2022**

**C/o Azets Holdings Limited  
5<sup>th</sup> Floor, Ship Canal House  
98 King Street  
Manchester  
M2 4WU  
0161 245 1000**



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- 8** Joint Administrators' Remuneration and Expenses
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- A** Receipts and Payments Account from 13 April 2022 to 12 October 2022 and cumulatively for the period from 13 October 2021 to 12 October 2022.
- B** Time Analysis for the period 13 April 2022 to 12 October 2022 and cumulatively for the period from 13 October 2021 to 12 October 2022.
- C** Joint Administrators' Revised Fees Estimate.
- D** Additional Information in Relation to the Joint Administrators' Fees, Expenses & the use of Subcontractors.
- E** Estimated Outcome Statement as at 12 October 2022.
- F** How the Administration Will End.

## THE JOINT ADMINISTRATORS' PROGRESS REPORT

### 1 Executive Summary

- 1.1 This executive summary reflects the statutory information in respect of Symbio Energy Limited ("the Company") and the Administration. It must be read in conjunction with our entire report.

Name of Company:	Symbio Energy Limited
Company Registration Number:	07999360 England & Wales
Nature of Business:	Retail Supplier of Electricity
Trading Addresses / Former Registered Office:	Integer Millennium House, Bre Innovation Campus, Bucknalls Lane, Watford, Hertfordshire WD25 9XX
Trading Names:	Symbio Energy 
Directors of the Company:	Vinesh Patel from 23 August 2019 to 14 October 2021 Nikunj Vyas from 01 June 2019 to 14 October 2021
Joint Administrators:	Jonathan Mark Amor of Azets Holdings Limited, 5 <sup>th</sup> Floor Ship Canal House, 98 King Street, Manchester, M2 4WU and Nicola Kate Clark of Azets Holdings Limited, 5 <sup>th</sup> Floor Ship Canal House, 98 King Street, Manchester, M2 4WU
Court Reference:	High Court of Justice, Business and Property Courts in Leeds. Case number CRN-2021-LDS-000478
Security Interests:	Primary security interest: Enigmasoft Technologies Private Limited Date of Charge: 15 August 2021 Date of Registration: 03 September 2021

#### Decision Procedure: Joint Administrators' Revised Fees Estimate (See Appendix C)

Fees Estimate	(£)
Original Fees Estimate for 12-month period to 12 October 2022	785,502.50
Additional costs for six-month period to 12 April 2023	304,585.00
<b>Total Revised Fees Estimate</b>	<b>1,090,087.50</b>

**Summary Estimated Outcome**  
(see Appendix E)

	Estimate per previous report (£)	Estimate as at 12 October 2022 (£)
Estimated Value of Assets to be Recovered	7,354,386.41	6,105,134.12
Estimated Expenses of the Administration	2,863,760.79	3,350,293.33
Total Estimated Preferential Liabilities	9,370.98	9,370.98
Total Estimated Unsecured Liabilities	11,780,633.12 (to be determined)	11,780,633.12 (to be determined)
<b>Estimated Return to Secured Creditors</b> (security and quantum of claim to be determined)		39.71 pence in the pound
<b>Estimated Return to Preferential Creditors</b>		100 pence in the pound
<b>Estimated Return to Unsecured Creditors</b>		5 – 10 pence in the pound

## 2 A Message to Customers

- 2.1 The Company's customers were transferred to E.ON Next Energy Limited ("**E.ON Next**") on 3 October 2021 under the Supplier of Last Resort ("**SoLR**") process. The Company was subsequently placed into Administration on 13 October 2021 and Jonathan Mark Amor and Nicola Kate Clark of Azets Holdings Limited ("**Azets**") were appointed as Joint Administrators.
- 2.2 Please note that all credit balances as at the date of SoLR are protected and will be honoured by E.ON Next.
- 2.3 If customers have any outstanding queries, including those regarding ongoing supply or, outstanding credit balances then please contact E.ON Next using the following dedicated contact details:
- **Residential Customers**
  - Email: [hi@eonnext.com](mailto:hi@eonnext.com)
  - Telephone: 0808 5015 200
  - **Business Customers**
  - Email: [hellobusiness@eonnext.com](mailto:hellobusiness@eonnext.com)
  - Telephone: 0808 5015 699

Further information and support can be found on the Ofgem website: [www.ofgem.gov.uk](http://www.ofgem.gov.uk)

If customers need additional support in England and Wales, they can call **Citizens Advice** on:

- Telephone: 0808 223 1133
- Email: <https://www.citizensadvice.org.uk/about-us/contact-us>

If customers need additional support in Scotland, they can contact **Advice Direct Scotland** on:

- Telephone: 0808 196 8660
- Email: <https://advice.scot/contact-us/>

- 2.4 The Joint Administrators have now instructed Credit Style Limited ("**Credit Style**") to assist with the ongoing collection of the outstanding debit balances due from customers as at the date of SoLR. Credit Style has full authority to deal with all debts due to the Company from former customers and to collect payment on behalf of the Joint Administrators. For the avoidance of doubt, the undertaking with Enigmasoft Technologies Private Limited ("**Enigmasoft**") for assistance with collection of the debit balances ceased on 12 April 2022.

- 2.5 The Joint Administrators and the Company no longer have access to the billing systems and all relevant customer information has been migrated to E.ON Next as part of the SoLR process. The Joint Administrators can no longer issue or amend further bills or statements.
- 2.6 If you have an outstanding debit balance and are looking to arrange payment, please submit a response to Credit Style via [www.creditstyle.co.uk/contact-us/](http://www.creditstyle.co.uk/contact-us/) or contact them on 0330 0450 650.

### **3 Introduction and Statutory Information**

- 3.1 The purpose of this report is to fulfil our statutory obligations to provide creditors with a progress report covering the second six-month period of the Administration. We have an ongoing obligation to provide a further report for every subsequent period of six months or sooner should the Administration be concluded.
- 3.2 This progress report covers the six-month period from 13 April 2022 to 12 October 2022 ("the Period") and should be read in conjunction with our Proposals circulated to all known creditors on 1 December 2022 and the Joint Administrators' first progress report circulated to creditors on 11 May 2022.
- 3.3 Jonathan Mark Amor and Nicola Kate Clark of Azets at 5<sup>th</sup> Floor Ship Canal House, 98 King Street, Manchester M2 4WU were appointed Joint Administrators of the Company on 13 October 2021. The appointment was made by the directors, with the consent of the secured creditor.
- 3.4 Jonathan Mark Amor is licensed to act as an Insolvency Practitioner in the UK by the Insolvency Practitioners Association ("IPA") and Nicola Kate Clark is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales ("ICAEW") and we are bound by the Insolvency Code of Ethics when carrying out all professional work in relation to an insolvency appointment.
- 3.5 The Administration order was made by the High Court of Justice, Business and Property Courts in Leeds under reference CRN-2021-LDS-000478 upon application by the directors, with the consent of the secured creditor. As a result, we were appointed as Joint Administrators of the Company and act jointly and severally in the Administration. The Company is registered in England and Wales under the company number 07999360.
- 3.6 Information about the way that we will use, and store personal data on insolvency appointments can be found at <https://www.azets.co.uk/about-us/privacy-cookie-policy/>. If you are unable to download this, please contact us and a hard copy will be provided to you.
- 3.7 The former registered office address of the Company was Integer Millennium House Bre Innovation Campus, Bucknalls Lane, Watford, Hertfordshire WD25 9XX and we have changed this for the purpose of the Administration to 5th Floor Ship Canal House, 98 King Street, Manchester, M2 4WU.

#### **Extension of the period of the Administration**

- 3.8 On 26 September 2022, the High Court of Justice in Leeds granted an order that the term of office of the Joint Administrators of the Company shall be extended for a period of six months to 12 April 2023. Further information in relation to this extension of the period of the Administration can be found at section 6 below.

### **4 Joint Administrators' Receipts and Payments Account**

- 4.1 We have provided at **Appendix A**, a copy of the Joint Administrators' Receipts and Payments Account for the period from 13 April 2022 to 12 October 2022 and cumulatively for the period from 13 October 2021 to 12 October 2022. Further information in respect of the expenses of



the Administration process can be found in section 8 and the accompanying Estimated Outcome Statement attached at **Appendix E**.

- 4.2 In section 5 below, you will find an update on the progress made during the Period in realising the Company's assets and dealing with its affairs.

## **5 Progress of the Administration**

- 5.1 As set out in our Proposals, the statutory objective being pursued in the Administration is to achieve a better result for the Company's creditors as a whole than would have been likely if the Company was wound up (without first being in Administration).
- 5.2 As previously reported, a Data Sharing and Transitional Service Agreement was entered into with E.ON Next to facilitate a seamless migration of customer accounts to E.ON Next and to determine accurate information in relation to customers' final debit and credit balances.
- 5.3 The customer service function provided by Enigmasoft was also retained to collate all meter readings and to facilitate a final billing exercise which was a critical aspect of our strategy in order to preserve value in the Company's debtor book and to maximise realisations for the benefit of creditors generally.
- 5.4 This section of the progress report provides creditors with an update on the progress made in the Period of the Administration, both in achieving the statutory objective and in relation to duties imposed by insolvency and other legislation, some of which may not provide any benefit to creditors.

### **Trade Receivables**

- 5.5 Throughout the Administration period to date, we have worked extensively to provide a high level of support to the Company's former customers in relation to the migration process and to agree any adjustments to final bills by:
- facilitating the continued operation of the Company's customer call centre and webchat facilities up to 12 April 2022;
  - providing ongoing support to former customers and addressing email and phone enquiries;
  - operating a designated email address for specific customer enquiries; and
  - providing a designated team at Azets to handle customer queries that are unable to be resolved by the call centre and/or E.ON Next.
- 5.6 During the previous period collections totalled £1,099,270.14 from 5,511 accounts. The undertaking for the provision of services with Enigmasoft terminated on 12 April 2022 by which time the Company's customer data had been transferred to E.ON Next.
- 5.7 Enigmasoft submitted an offer to acquire the outstanding customer ledger as at 13 April 2022, which totalled £2,256,136.07, as well as submitting a proposal to continue to collect in the customer debts from that date.
- 5.8 The Joint Administrators made a commercial decision not to proceed with either offer and to replace Enigmasoft with an independent third party to drive and enhance further recoveries from the customer ledger for the benefit of creditors generally.
- 5.9 We undertook a tender process and invited specialist collection agents with experience in the energy sector to put forward proposals to deal with the ongoing collection of the customer ledger. We received four formal proposals for consideration.

## SYMBIO ENERGY LIMITED - IN ADMINISTRATION

- 5.10 After evaluating the proposals, we instructed Credit Style to assist with the ongoing collection of the customer ledger. Credit Style has proven experience working in the energy sector and collecting book debt ledgers on behalf of Administrators of failed energy businesses.
- 5.11 We liaised with Enigmasoft to ensure that the data and supporting documentation for the outstanding customer ledger as at 12 April 2022 was accurate and complete in order to pass this to Credit Style to commence the ongoing collection exercise.
- 5.12 Credit Style has pursued recovery of the outstanding customer debit balances and implemented a number of different collection campaigns to maximise recoveries for the Administration estate.
- 5.13 During the Period, Credit Style has collected debit balances totalling £196,851.35 and are still pursuing recovery from accounts with balances totalling £408,916.
- 5.14 In addition, we have recovered £34,932.20 from customers via Take Payments and direct debits into the Company's former bank account. Trade receivable collections to date therefore total £1,331,053.69.
- 5.15 We are continuing to work closely with Credit Style in order to maximise realisations from the remaining customer ledger.
- 5.16 We have also continued to deal with a significant volume of queries from the Company's former customers, and we continue to co-ordinate closely with E.ON Next to manually amend final bills in exceptional circumstances where credit balances should be applied to customer accounts.

### **GoCardless Clawback Provision**

- 5.17 GoCardless Ltd ("**GoCardless**") provided the Company with a direct debit facility so that its customers could make automatic monthly payments for their energy bills. The Joint Administrators retained this facility so that customers could continue to pay using this method. GoCardless required a clawback provision of £237,490 should customers chose to reverse their direct debit payments which was accounted for in the previous period. At present, we anticipate recovering £142,741.46 of the clawback provision in the next period.

### **Debtors - Third Party Loan Arrangements**

- 5.18 Prior to the Administration, the Company had entered into loan relationships with two third party companies and was due the amounts of £85,444.12 and £50,000.00 from Symbio Europe Limited and Doorstep Dispensaree Limited, respectively.
- 5.19 In the prior period, we had requested payment of the amounts due from both parties in conjunction with our legal advisors Gateley Legal. Recovery of the amounts due is ongoing and progress made during the Period is summarised below:

#### ***Symbio Europe Limited ("**Symbio Europe**")***

- 5.20 Symbio Europe engaged in correspondence and submitted a repayment proposal for settlement of the outstanding balance in full, the terms of which were not acceptable.
- 5.21 The director of Symbio Europe then took steps to place Symbio Europe into Creditors' Voluntary Liquidation ("**CVL**") as publicly advertised in the London Gazette on 22 August 2022. This process was subsequently aborted by the director of Symbio Europe on the date it was due to be placed into CVL.
- 5.22 A payment of £4,444.12 has been realised during the Period in relation to the Symbio Europe loan as shown on the Receipts & Payments Account attached at **Appendix A**.

- 5.23 Gateley Legal was instructed to commence legal proceedings against Symbio Europe in respect of the outstanding balance, which we are continuing to pursue rigorously.

***Doorstep Dispensaree Limited ("Doorstep")***

- 5.24 Doorstep failed to respond to our request for payment. Gateley Legal was instructed to commence legal proceedings against Doorstep.
- 5.25 Doorstep then submitted a repayment proposal for settlement of the outstanding debt in full which was accepted by us. Doorstep failed to make the first instalment and has since failed to respond to any further correspondence.
- 5.26 Gateley Legal filed a winding-up petition against Doorstep on 5 October 2022, which is listed for a Court hearing on 23 November 2022.

**Debtors – Deposit for Credit Cover**

- 5.27 As at the date of the Administration the Company had provided deposits for services and creditor cover to nine separate parties totalling £81,812.00.
- 5.28 Final reconciliation of supplier accounts remains ongoing. Deposits for credit cover may be offset by the relevant suppliers as mutual dealings. Final claims are still yet to be received and we will assess the validity of any off-set claims in due course. At this time, it remains uncertain whether any recovery is possible for the benefit of creditors.

**Debtors – Sub-leases and Rent Receivables**

- 5.29 The Company sublet space within its trading premises to three separate parties and outstanding rental payments were due at the date of our appointment.
- 5.30 During the previous period, we recovered rental arrears from one tenant totalling £2,880.00 representing payment in full. The amount of £22,191.00 remained outstanding from two further tenants.
- 5.31 Gateley Legal was instructed to review the terms of the licence and tenancy agreements and to advise on the collectability of the remaining rent. Based on the legal advice provided, notice was served to terminate the licence and tenancy agreements. No further realisations will be achieved in relation to rent.

**Recoverable VAT**

- 5.32 A VAT refund for the period up to 31 August 2021 totalling £137,352.06 was received in the prior period.
- 5.33 Given the complex nature of the Company's VAT accounting, we have instructed a specialist team at Deloitte LLP to advise on the final pre-appointment and all post appointment VAT returns.
- 5.34 We estimate that a further VAT refund for the final pre-appointment period of up to £137,554 will be recovered for the benefit of creditors.

**Investments**

- 5.35 The estimated realisable value of the Company's investments was listed as £1,000.00. The directors advised that this relates to a shareholding the Company has in Enigmasoft.
- 5.36 Enigmasoft has disputed the investment which we are continuing to investigate.

**Potential Recovery of Overpayment**

- 5.37 All electricity suppliers are required by regulation to fund Contract for Difference ("CfD") payments made by Low Carbon Contracts Company Limited ("LCCC") to generators through the CfD Supplier Obligation Levy. LCCC is owned by the Secretary of State for Business, Energy and Industrial Strategy ("BEIS") and tasked to mobilise private sector investment in secure, low carbon energy.
- 5.38 During the previous period and following a reconciliation of the CfD payments across earlier quarters, a Notice of Reduction to the Total Reserve Amount for the quarterly periods from 1 January 2021 to 31 March 2022 was issued, resulting in a credit balance potentially due to the Company of £121,439.42 as at 30 September 2021.
- 5.39 We previously obtained specialist advice to understand whether the adjusted credit balance as at 13 October 2021 was recoverable for the benefit of the Administration estate.
- 5.40 During the Period, we have requested repayment of the Company's credit balance and continue to pursue recovery of this sum.

**Crypto Currency**

- 5.41 As a result of our investigations into the Company's affairs, we identified that the Company had invested £25,000 in crypto currency. The directors have confirmed that this is held securely in a wallet for the benefit of the Company.
- 5.42 We are currently making arrangements to realise the crypto currency for the benefit of the Administration estate.

**Bank Interest**

- 5.43 During the Period, bank interest totalling £2,287.65 has been received.

**Investigations**

- 5.44 Certain work the Joint Administrators are required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 ("CDDA 1986") and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries.
- 5.45 We can confirm that we have submitted a report on the conduct of the former Directors of the Company to the Insolvency Service under CDDA 1986. As this is a confidential report, we are unable to disclose the contents.
- 5.46 Our investigations into the conduct of the directors and the Company's affairs in the period prior to Administration are still ongoing. We have engaged Gateley Legal to provide advice in this regard and it is not appropriate to provide further detail in this report.

**What remains to be done in the Administration**

- 5.47 Due to the size and complexity of the Administration there are certain matters that still need to be completed in the Administration. A summary is as follows:
- conclude the ongoing collection exercise in respect of the Company's trade receivables;
  - recovery of the third party loan arrangements due from Symbio Europe and Doorstep. The total amount outstanding is £131,000.00;
  - recovery of the direct debit deposit of £142,741.46 held by GoCardless following expiry of the period for clawback claims on 5 October 2022;

- final reconciliation of the deposits for credit cover which at the date of the Administration totalled £81,812.00;
- recovery of a VAT refund for the final pre-Administration period estimated to be up to £137,554.00;
- preparation and submission of the outstanding VAT returns for the post-appointment period, which Deloitte LLP are currently advising on;
- recovery of the potential overpayments to the supplier obligation Levy;
- ongoing investigations into the conduct of the directors and the Company's affairs which may result in additional realisations for the benefit of creditors. The details of the ongoing investigations remain confidential at this time;
- review of the validity of Enigmasoft's security and determination of the quantum of the proof of debt submitted by Enigmasoft;
- dealing with Enigmasoft's application to Court pursuant to paragraph 74 of Schedule B1 of the Insolvency Act 1986, which is listed for a Court hearing on 24 November 2022;
- determination of the nature, status and quantum of certain contingent creditor claims, particularly (i) any claim submitted by Ofgem in respect of the renewables obligation liabilities and (ii) any claim submitted by the Supplier of Last Resort, E.ON Next. An application to Court for directions (pursuant to paragraph 63 of Schedule B1 of the Insolvency Act 1986) has been made by various Insolvency Practitioners across eight cases where they have been appointed office holders of a failed energy supplier formerly licensed by Ofgem. The outcome of these proceedings will have a consequential effect upon the outcome for creditors in this Administration, and it is unlikely that the proceedings will be concluded and any avenues for appeal exhausted within the current period of the Administration;
- determination of the appropriate exit route from the Administration. It is currently uncertain whether there will be a distribution to unsecured creditors, other than by virtue of the prescribed part; and
- a distribution to the unsecured creditors by virtue of the prescribed part, if appropriate.

## 6 Extension to the Administration

- 6.1 All Administrations automatically come to an end after the period of one year, unless the Company's creditors agree to extend this period, or if the Court orders the Administrators' term of office be extended for a specific period of time.
- 6.2 As previously reported, the Administration was due to automatically terminate on 12 October 2022.
- 6.3 As it is not presently possible or appropriate to exit the Administration into CVL, we sought the consent of Enigmasoft as the sole secured creditor as well as the general body of unsecured creditors to an extension of the Joint Administrators' term of office for a period of 12 months.
- 6.4 The unsecured creditors approved the extension by way of a Decision by Correspondence on 3 August 2022. However, despite further protracted correspondence, Enigmasoft refused to consent to the extension and sought that the Company be placed into Compulsory Liquidation, which was and continues to be opposed by us.
- 6.5 As a consequence of Enigmasoft not providing its consent, we had no alternative but to apply to Court to seek an extension of the period of Administration for 12 months. The application for the extension was listed for a Court hearing on 23 September 2022.
- 6.6 Shortly prior to the Court hearing, Enigmasoft issued its own an application at Court pursuant to paragraphs 74 and 81(2) of Schedule B1 of the Insolvency Act 1986 ("**Enigmasoft Application**"). The basis of the Enigmasoft Application was to complain about the conduct of the Joint Administrators, but it failed to fully particularise precisely what action (or future action) of the Joint Administrators was the subject matter of its application.
- 6.7 At the Court hearing the Judge ordered the following:

- the Administration of the Company be extended for a period of six months to 23:59 on 12 April 2023; and
- a further hearing shall be listed on 24 November 2022 to hear the Enigmasoft Application and the balance of our application for the extension to the period of the Administration.

6.8 Following the Court hearing on 23 September 2022, Enigmasoft has disavowed its claim and application under paragraph 81(2) of Schedule B1 of the Insolvency Act 1986, but is still proceeding with its application under paragraph 74 of Schedule B1 of the Insolvency Act 1986.

6.9 We have invested a significant amount of time dealing with Enigmasoft in relation to the extension request, the applications to Court and attending the Court hearing on 23 September 2022. Further time will be invested by us in preparing for the further Court hearing listed for 24 November 2022.

## **7 Pre-administration Costs**

7.1 Pre-administration costs are defined as:

- i. Fees charged, and
- ii. Expenses incurred

by the Joint Administrators, or another person qualified to act as an Insolvency Practitioner before the Company entered Administration (but with a view to its doing so), and "unpaid pre-administration costs" are pre-administration costs which had not been paid when the Company entered Administration.

7.2 Azets' pre-administration cost for the period up to 11 October 2021 totalling £24,552.00 were invoiced and paid by the Company prior to the Administration.

7.3 The payment of Azets' unpaid pre-administration costs was sought as an expense of the Administration, subject to the same approval as our remuneration for the Administration. Azets' unpaid pre-Administration costs totalled £7,347.00. A Decision Procedure was held on 21 December 2021 where creditors approved a decision that these costs be paid as an expense of the Administration Estate. We can confirm these costs were paid in full in the prior period.

7.4 In addition to the above, Addleshaw Goddard LLP ("**Addleshaws**") invested time prior to the Administration totalling £8,464.60, which has not been subject to creditor approval to date and remains unpaid. The investment by Addleshaws relates to legal advice provided on the appointment of Joint Administrators and a data sharing agreement held between the Company and Enigmasoft.

7.5 Creditor approval for the payment of Addleshaws' unpaid pre-administration costs of £8,464.60 is being sought as an expense of the Administration.

## **8 Joint Administrators' Remuneration and Expenses**

8.1 Creditors previously approved the following Decisions in relation to the Joint Administrators' remuneration and expenses on 21 December 2021:

- i. In accordance with Rule 18.16 of the Insolvency Rules and in the absence of a Creditors' Committee, the remuneration of the Joint Administrators be fixed in accordance with the Fees Estimate, as time costs for an amount not exceeding £785,502.50 as detailed in the Joint Administrators' Report and Proposals. The Joint Administrators be authorised to draw remuneration on account of costs incurred as and when funds permit.

## SYMBIO ENERGY LIMITED - IN ADMINISTRATION

- ii. In accordance with Rule 3.52 of the Insolvency Rules and in the absence of a Creditors' Committee, unpaid pre-administration costs totalling £7,347.00 as detailed in the Joint Administrators' Report and Proposals be paid an expense of the Administration
- iii. That the Joint Administrators be authorised to draw Category 2 expenses in accordance with Azet Holdings Limited's tariff disclosed in **Appendix E** of the Joint Administrators' Report and Proposals.

8.2 A summary of the Fees Estimate approved by creditors has been reproduced below:

Classification Of Work Function	HOURS						
	Partner/ Senior Director	Manager/ Director	Senior Professional	Assistants/ Support	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	65,570.00	81,250.00	87,000.00	8,520.00	1,149.50	242,340.00	210.82
Realisation of Assets	88,480.00	77,740.00	83,375.00	13,200.00	1,208.00	262,795.00	217.55
Creditors	40,685.00	39,780.00	62,930.00	9,600.00	770.00	152,995.00	198.69
Investigations	52,732.50	39,780.00	33,060.00	1,800.00	529.50	127,372.50	240.55
<b>Total Fees Claimed £</b>	<b>247,467.50</b>	<b>238,550.00</b>	<b>266,365.00</b>	<b>33,120.00</b>		<b>785,502.50</b>	
<b>Total Hours</b>	<b>626.50</b>	<b>917.50</b>	<b>1,837.00</b>	<b>276.00</b>	<b>3,657.00</b>		<b>214.79</b>
<b>Charge Out Rates</b>	<b>395.00</b>	<b>260.00</b>	<b>145.00</b>	<b>120.00</b>			

- 8.3 Our time costs for the Period are £312,207.00. This represents 1,136.52 hours at an average rate of £274.70 per hour. Attached at **Appendix B** is a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent in managing the Administration.
- 8.4 Also attached at **Appendix B** is a cumulative Time Analysis for the period from 13 October 2021 to 12 October 2022 which provides details of the time costs incurred since my appointment. The cumulative time costs incurred to date are £810,140.33 and this represents 3,127.14 hours at an average rate of £259.07 per hour.
- 8.5 During the Period we have drawn remuneration totalling £304,398.58 on account of these costs, bringing total remuneration drawn during the Administration to £756,123.41.
- 8.6 Our time investment to date has now exceeded our original Fees Estimate issued to and approved by creditors. The main reasons for the additional time costs being incurred are as follows:
  - the complexities of successfully migrating customer accounts to the SoLR;
  - significant ongoing engagement with customers regarding their debit/credit balances, final bills and adjustments, including liaising with the SoLR;
  - liaising with Enigmasoft to obtain all data/bills in relation to the outstanding customer ledger as at 12 April 2022;
  - working with Credit Style regarding the ongoing collection of the customer ledger;
  - identifying and accessing the Company's electronic records;
  - identifying various lines of investigation which we believe may result in additional recoveries for the benefit of creditors;

- ongoing realisation of the third party loan arrangements with Symbio Europe and Doorstep in conjunction with Gateley Legal;
- extensive and protracted correspondence with Enigmasoft regarding their security and the quantum of their Proof of Debt claim, including obtaining advice from solicitors;
- convening a Decision Procedure to obtain creditor approval for an extension to the period of Administration, as well as liaising with Enigmasoft as a secured creditor to request their consent to the extension;
- preparing and submitting an application to Court for an order to extend the period of the Administration, which was required as Enigmasoft failed to consent to the extension request; and
- dealing with Enigmasoft's separate application to Court pursuant to paragraph 74 of Schedule B1 of the Insolvency Act 1986.

- 8.7 We now consider that the Fees Estimate approved by creditors is insufficient to complete our duties. As a result, our revised Fees Estimate is attached at **Appendix C** to this report and includes details of the work we consider is additional to that set out in our original Fees Estimate. The total of our revised Fees Estimate is £1,090,087.50 which includes the additional work we propose to undertake during the six-month period ended 12 April 2023 totalling £304,585.00.
- 8.8 We are seeking approval to the revised Fees Estimate from the general body of creditors. Further details about the Decision by Correspondence can be found in the letter which accompanies this report.
- 8.9 We anticipate that it may be necessary to seek further approval to the revised Fees Estimate in due course should the Administration be extended for any further period, and we will notify creditors accordingly should this happen.
- 8.10 We will also update creditors on the anticipated total amount that will be paid to our firm in respect of the revised Fees Estimate in our next progress report. Given the current revision to our anticipated costs and the ongoing work in the Administration, it is difficult at this time to accurately report on the anticipated payment to our firm, other than it will not exceed the cap of our revised Fees Estimate attached at **Appendix C** without further approval from creditors.

#### **Joint Administrators' Expenses**

- 8.11 Full details of expenses incurred and paid in relation to the Administration can be found at **Appendix D** of this report, together with an estimate of further expense to the conclusion of the Administration.

### **9 Estimated Outcome for Creditors**

- 9.1 We attach our Estimated Outcome Statement as at 12 October 2022 at **Appendix E**. This document has been provided for illustrative purposes only and the outcome may materially change based on the determination of the value of security interests over the Company's assets and variance in asset realisations and creditor claims; in particular, the outcome of Court Directions in respect of mutualised industry costs (see below).

#### **Secured Creditor**

- 9.2 Enigmasoft hold a fixed and floating charge dated 15 August 2021 and has made a claim in the Administration for £4,984,716.17. We are continuing to take legal advice and are in ongoing detailed correspondence with Enigmasoft in respect of the validity of the fixed and floating charge and the quantum of the liability properly due.
- 9.3 It is important that the Joint Administrators properly review the Enigmasoft position in order to comply with their duties and to act in the best interests of creditors generally. Any adjudication on the Enigmasoft security and claim will have a material impact on the outcome for creditors generally.



### **Ordinary Preferential Creditors – Employee Claims**

- 9.4 We have not received any preferential claims in the Administration to date in relation to employee claims.
- 9.5 The Company's records and our work with the Company's former employees indicate that there is a potential preferential claim for unpaid holiday pay of up to £2,500.

### **Secondary Preferential Creditors – HM Revenue and Customs**

- 9.6 Since 1 December 2020, claims from preferential creditors now fall into one of two categories, either ordinary (typically involving employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal, which rank equally among themselves), or secondary (which are claims by HMRC for VAT or other relevant tax deductions such as PAYE and employee NIC deductions, together with student loans and CIS deductions, which also rank equally among themselves). Ordinary preferential claims rank ahead of secondary preferential claims and all preferential creditors must be paid in full before any distribution can be made to the unsecured creditors of a company.
- 9.7 HM Revenue and Customs have submitted an initial claim as a secondary preferential creditor in respect of employment taxes totalling £6,870.98. Their claim is an interim claim only and subject to change.
- 9.8 We anticipate that preferential creditors will receive 100 pence in the £1 on any agreed claims. The timing of a distribution is uncertain at this time.

### **Unsecured Creditors**

- 9.9 The directors' Statement of Affairs indicated that there are 122 unsecured creditors with claims totalling £18,167,809.96.
- 9.10 As at the date of this report we have received claims from 43 unsecured creditors with a total value of £8,416,181.87. Creditors are invited to submit their claims by submitting a Proof of Debt form and supporting documentation as soon as possible.
- 9.11 Due to the potential level of the secured and preferential liabilities, and based on current estimates the Company has insufficient property to enable a distribution to be made to unsecured creditors other than by way of a prescribed part calculation in accordance with section 17A(2) of Schedule B1 of the Insolvency Act 1986, which may facilitate a small distribution to this class of creditor. Details of this payment based on current information can be found in the Estimated Outcome Statement attached at **Appendix E**.

### **Contingent Claims – Renewables Obligation**

- 9.12 There are a number of potential claims relating specifically to costs mutualised across the energy sector, in particular claims pursuant to the Renewables Obligation Order 2015. The legal position as to the status of the renewable obligations, where the liability has since been mutualised, is not clear and at this time have been treated as contingent claims.
- 9.13 These claims are substantial and if admitted would significantly impact the overall return to other unsecured creditors. Similar claims are currently awaiting Court Directions in respect of applications brought by eight Insolvency Practitioners acting as office holders of failed energy companies together with their legal advisors and legal counsel.
- 9.14 The guidance issued by the Courts will determine how the contingent claims are treated in this Administration for voting purposes and distribution purposes. It is not appropriate for us to take any steps to adjudicate these contingent claims at this time. We are continuing to liaise with solicitors and other parties in this regard.

## **10 Ending the Administration**

- 10.1 As mentioned in section 6, the period of the Administration has currently been extended by six months by Order of the Court and will automatically terminate on 12 April 2023. Further information regarding the end of the Administration is available at **Appendix F**.

### **Extension**

- 10.2 A further extension to the statutory period of Administration may be necessary. The balance of our application to Court for an extension to the Joint Administrators' term of office for a period of 12 months will be considered by the Court at a hearing listed for 24 November 2022.

### **Creditors' Voluntary Liquidation**

- 10.3 If we think that a dividend will be paid to the unsecured creditors, other than by virtue of the prescribed part, then we will either make an application to Court to enable us to make a distribution to unsecured creditors in the Administration, or a notice will be filed with the Registrar of Companies in order that the Administration will cease, and the Company will move automatically into CVL to facilitate the distribution.
- 10.4 Under the current terms of the proposals the Joint Administrators in office at the date of conversion to CVL will become Joint Liquidators of the CVL and will be authorised to act jointly and severally in the subsequent liquidation. This may be subject to a further decision of creditors in due course.

### **Discharge from Liability**

- 10.5 The Company's creditors resolved that we be discharged from liability in respect of any action as Joint Administrators upon the filing of our final Receipts and Payments Account with the Registrar of Companies.

## **11 Creditors' Rights**

- 11.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Administrators provide further information about their remuneration or expenses (other than pre-administration costs) which have been itemised in this progress report.
- 11.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Administrators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Administrators, as set out in this progress report, are excessive.

## **12 Next Report and Conclusion**

- 12.1 We will continue to deal with the Company's affairs and recover the outstanding assets as set out in this progress report in order to maximise realisations for the benefit of creditors generally. We will also continue to investigate the conduct of the directors and the affairs of the Company in the period prior to the Administration and pursue any potential antecedent transactions identified.
- 12.2 We will continue to monitor the legal proceedings and Court applications brought by other Insolvency Practitioners to determine the claims in the Administrations of other failed energy suppliers which will have an impact on the outcome of the Company's creditors in this Administration.

**SYMBIO ENERGY LIMITED - IN ADMINISTRATION**

- 12.3 The Joint Administrators are required to provide a progress report within one month of the end of the next six months of the Administration or earlier if the Administration has been finalised or they wish to extend it.

For and on behalf of  
Symbio Energy Limited

A handwritten signature in black ink, appearing to read 'J. Amor', written over the company name.

**Jonathan Mark Amor**  
**Joint Administrator**

**Appendix A**

**Receipts and Payments Account from 13 April 2022 to 12 October 2022 and cumulatively for the period from 13 October 2021 to 12 October 2022.**

**Symbio Energy Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts and Payments**

<b>RECEIPTS</b>	<b>Statement of Affairs (£)</b>	<b>From 13/10/2021 To 12/04/2022 (£)</b>	<b>From 13/04/2022 To 12/10/2022 (£)</b>	<b>Total (£)</b>
Fixtures, Fittings & Equipment	4,699.05	0.00	0.00	0.00
MRASCo		825.83	0.00	825.83
Contribution from SoLR		790,731.90	0.00	790,731.90
Trade Receivables	3,289,356.84	1,099,270.14	231,783.55	1,331,053.69
Other Debtors	220,135.67	0.00	0.00	0.00
Cash held by financial institutions	54,755.89	3,437,207.53	0.00	3,437,207.53
Rent		2,880.00	0.00	2,880.00
Symbio Europe Loan		0.00	4,444.12	4,444.12
Bank Interest Gross		0.00	2,287.65	2,287.65
Investments	1,000.00	0.00	0.00	0.00
VAT Refund	246,692.75	137,352.06	0.00	137,352.06
Prepayments	269,153.94	0.00	0.00	0.00
		<b>5,468,267.46</b>	<b>238,515.32</b>	<b>5,706,782.78</b>
<b>PAYMENTS</b>				
Insurance		2,609.30	0.00	2,609.30
Enigmasoft Technologies Private Limited	(4,641,878.02)	0.00	0.00	0.00
Debt collection costs		0.00	24,746.46	24,746.46
Debt collection expenses		0.00	79.90	79.90
Petitioning Costs		0.00	1,902.00	1,902.00
Accountancy Software		31.20	0.00	31.20
Take Payments		166.44	93.00	259.44
Specific Bond		0.00	1,200.00	1,200.00
Employment Advice		1,505.28	0.00	1,505.28
Preparation of S.of A.		1,000.00	0.00	1,000.00
Joint Administrators' Pre Appt Fee		7,347.00	0.00	7,347.00
Joint Administrators' Remuneration		451,724.83	304,398.58	756,123.41
Enigmasoft Technologies Pvt Ltd		1,170,000.00	308,700.00	1,478,700.00
Accounts & Agreement of Tax Position		11,000.00	0.00	11,000.00
Agents/Valuers Fees		2,000.00	0.00	2,000.00
IT Services		98,546.91	29,949.89	128,496.80
Legal Fees		53,244.00	20,150.00	73,394.00
Go Cardless		36,342.84	0.00	36,342.84
Travel		0.00	888.50	888.50
Consultancy Services		40,805.21	3,809.51	44,614.72
Customer refunds		681.28	2,452.55	3,133.83
Statutory Advertising		85.82	0.00	85.82
Other Expenses		234.71	0.00	234.71
Wages & Salaries	(2,363.22)	0.00	0.00	0.00
PAYE & NI	(10,368.10)	0.00	0.00	0.00
Employees and Pensions	(2,091.24)	0.00	0.00	0.00
Enigmasoft Technologies Private Limited	(4,641,878.02)	0.00	0.00	0.00
Trade & Expense Creditors	(10,173,788.58)	0.00	0.00	0.00
Renewable Obligation	(8,937,380.54)	0.00	0.00	0.00
Accrued Expenses	(1,378,296.45)	0.00	0.00	0.00
Banks/Institutions	(48,431.96)	0.00	0.00	0.00
Climate change levy	(39,327.23)	0.00	0.00	0.00
GoCardless: Clawback Provision		237,490.00	0.00	237,490.00
		<b>2,114,814.82</b>	<b>698,370.39</b>	<b>2,813,185.21</b>
<b>Net Receipts/(Payments)</b>		<b>3,353,452.64</b>	<b>(459,855.07)</b>	<b>2,893,597.57</b>

**Symbio Energy Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts and Payments**

MADE UP AS FOLLOWS

Current Account	3,386,139.30	(533,625.72)	2,852,513.58
VAT Receivable / (Payable)	(34,775.16)	75,859.15	41,083.99
	<b>3,351,364.14</b>	<b>(457,766.57)</b>	<b>2,893,597.57</b>

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Jonathan Mark Amor  
Joint Administrator

**Appendix B**

**Time Analysis for the period from 13 April 2022 to 12 October 2022 and cumulatively for the period from 13 October 2021 to 12 October 2022.**

## Appendix B

**Time Analysis for the period 13 April 2022 to 12 October 2022 and cumulatively for the period from 13 October 2021 to 12 October 2022.**

### Time Costs for the period from 13 April 2022 to 12 October 2022

Classification Of Work Function		HOURS				Total Hours	Time Cost £	Average Hourly Rate £
		Partner/ Senior Director	Manager/ Director	Senior Professional	Assistants/ Support			
Administration & Planning	Statutory Compliance	34.50	38.60	94.40	7.50	175.00	54,668.00	312.39
Administration & Planning	Cashiering and Banking	2.30	14.70	55.60	1.50	74.10	18,788.50	253.56
Administration & Planning	General	1.90	13.10	7.50	0.00	22.50	8,480.50	376.91
Administration & Planning	Post Appointment Taxation	4.20	1.60	6.10	0.00	11.90	4,144.00	348.24
Creditors	Creditors Correspondence and Claims	24.20	40.60	1.60	0.00	66.40	27,514.50	414.38
Creditors	Employees	1.40	1.90	3.40	0.00	6.70	2,230.50	332.91
Creditors	Creditor Committees	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	Debtors	15.60	55.90	44.40	0.00	115.90	43,315.50	373.73
Realisation of Assets	Cash and Cash Equivalents	0.00	0.80	0.00	0.00	0.80	300.00	375.00
Realisation of Assets	Stock and WIP	58.50	25.00	506.12	-2.00	587.62	123,730.50	210.56
Realisation of Assets	Other Assets	1.20	0.60	2.00	0.00	3.80	1,235.00	325.00
Investigations	Investigations	17.90	39.80	14.10	0.00	71.80	27,800.00	387.19
<b>Total Fees Claimed £</b>		<b>88,909.00</b>	<b>87,216.00</b>	<b>135,347.00</b>	<b>735.00</b>	<b>312,207.00</b>	<b>312,207.00</b>	
<b>Total Hours</b>		<b>161.70</b>	<b>232.60</b>	<b>735.22</b>	<b>7.00</b>	<b>1,136.52</b>		<b>274.70</b>
<b>Charge Out Rates</b>		<b>549.84</b>	<b>374.96</b>	<b>184.09</b>	<b>105.00</b>			

### Time Cost for the period from 13 October 2021 to 12 October 2022

Classification Of Work Function		HOURS				Total Hours	Time Cost £	Average Hourly Rate £
		Partner/ Senior Director	Manager/ Director	Senior Professional	Assistants/ Support			
Administration & Planning	Statutory Compliance	73.00	67.90	186.50	8.30	335.70	93,829.00	279.50
Administration & Planning	General	29.50	52.10	141.60	0.00	223.20	39,133.50	175.33
Administration & Planning	Cashiering and Banking	3.90	40.40	122.20	2.90	169.40	50,400.50	297.52
Administration & Planning	Post Appointment Taxation	5.20	10.30	11.00	0.00	26.50	7,907.00	298.38
Creditors	Creditors Correspondence and Claims	55.80	75.20	36.30	0.00	167.30	57,333.50	342.70
Creditors	Employees	1.40	4.40	19.80	0.00	25.60	5,785.50	226.00
Creditors	Creditor Committees	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	Debtors	168.20	102.90	162.80	0.00	433.90	141,275.00	325.59
Realisation of Assets	Cash and Cash Equivalents	5.00	5.10	4.30	0.00	14.40	4,234.00	294.03
Realisation of Assets	Stock and WIP	281.40	69.00	1,052.22	97.72	1,500.34	337,343.33	224.84
Realisation of Assets	Other Assets	2.00	7.40	12.30	0.00	21.70	5,475.50	252.33
Investigations	Investigations	38.50	97.80	72.80	0.00	209.10	67,423.50	322.45
<b>Total Fees Claimed £</b>		<b>306,668.50</b>	<b>176,365.50</b>	<b>319,353.00</b>	<b>7,753.33</b>	<b>810,140.33</b>	<b>810,140.33</b>	
<b>Total Hours</b>		<b>663.90</b>	<b>532.50</b>	<b>1,821.82</b>	<b>108.92</b>	<b>3,127.14</b>		<b>259.07</b>
<b>Charge Out Rates</b>		<b>461.92</b>	<b>331.20</b>	<b>175.29</b>	<b>71.18</b>			



**Joint Administrators' Revised Fees Estimate**

## Joint Administrators' Revised Fees Estimate

As creditors will be aware the Joint Administrators previously sought approval for their remuneration to be calculated on a time cost basis and as per the original Fees Estimate approved by creditors on 21 December 2021. Please find below a summary of the estimated time costs incorporated in the original Fees Estimate, the additional estimated time costs to 12 April 2023 and the total revised Fees Estimate for the 18 month period from 13 October 2021 to 12 April 2023.

Description of the tasks to be undertaken	Original Fees Estimate £	Additional Estimated Fees £	Total Revised Fees Estimate £
<b>ADMINISTRATION</b>			
Administering the affairs of the company/debtor in accordance with the Insolvency Legislation and Statements of Insolvency Practice	242,340.00	73,820.00	316,160.00
<b>CREDITORS</b>			
Maintaining records of the claims of creditors and formally agreeing them and paying a dividend if sufficient realisations are made	152,995.00	89,510.00	242,505.00
<b>REALISATION OF ASSETS</b>			
Protecting and realising the assets of the company/debtor.	262,795.00	90,395.00	353,190.00
<b>INVESTIGATIONS</b>			
Undertaking initial investigations into the affairs of the company/debtor with a view to identifying potential asset recoveries for the benefit of creditors	127,372.50	50,860.00	178,232.50
<b>TOTAL FOR ALL CATEGORIES OF WORK</b>	<b>785,502.50</b>	<b>304,585.00</b>	<b>1,090,087.50</b>

### Reasons the Original Fees Estimate has been Exceeded

The original Fees Estimate has been exceeded for the following reasons:

- Work undertaken in pursuit of the Company's customer debts has exceeded our initial estimates. The number of customer queries and disputes have proven considerable, and we are continuing to address these with our appointed specialist contractors, Credit Style. Former customers have reported payment difficulties attributing the significantly higher energy bills and the cost of living crisis, as a result payment plans for these customers to pay overtime have been agreed. A large portion of the customer debtor ledger remains outstanding which requires further involvement to facilitate collection.
- Significant numbers of customers affected by the SoLR process have contacted the Joint Administrators' team. Queries largely consist of historic billing concerns and the credit balance figures reported under the SoLR process and used by E.ON Next as opening balances on their new accounts. To assist the former customers and in accordance with OFGEM's guidance we have provided support to resolve their queries. This is an essential part of accurately calculating the Company's obligations under the SoLR process. A continuous dialogue has been maintained

with the specialist migration team at E.On Next, and this service, together with the voluminous queries received over a protracted period could not have been foreseen at the time of our original Fees Estimate.

- Third party loans. Additional time costs have been incurred in pursuing recovery of the third party loans due from Symbio Europe Limited and Doorstep Dispensaree Limited totalling £135,444.12. This has included various demands for payment, liaising with solicitors, issuing statutory demands, issuing a winding-up petition against Doorstep Dispensaree Limited and protecting the Company's interests regarding the proposed CVL of Symbio Europe Limited.
- Investigation into the secured creditor's security and quantum of its proof of debt. We are obligated to properly scrutinise and determine the validity and quantum of security granted by the Company. We have engaged Gateley Legal to provide expert legal advice in relation to the fixed and floating charges over the Company's assets. We continue to liaise with our solicitors and the Company's secured creditor with a view to adjudicating on the claim in the Administration process.
- Extension to the period of the Administration. At the time of the original Fees Estimate, an extension to the period of the Administration was not anticipated. Our original Fees Estimate covered the statutory 12 month period of the Administration from appointment on 13 October 2021. As there were matters still to be dealt with in the Administration and circumstances that meant that conversion to Creditors' Voluntary Liquidation was not technically appropriate, we sought the approval of Enigmasoft as the sole secured creditor and as well as the general body of creditors to an extension of the Joint Administrators' term of office for a period of 12 months. Whilst the unsecured creditors approved the extension by way of Decision by Correspondence, Enigmasoft refused to provide consent. Extensive correspondence was entered into with Enigmasoft regarding the reasons for the extension request. As a consequence of Enigmasoft not providing consent, the Joint Administrators were required to apply to Court to seek an extension of the period of the Administration. At a Court hearing on 23 September 2022, an order was granted to extend the period of the Administration by six months to 12 April 2023. The time costs associated with the extension of the Administration, Court application and attending the Court hearing were not anticipated at the outset of the Administration.
- Enigmasoft application pursuant to paragraphs 74(2) and 81(2) of Schedule B1 of the Insolvency Act 1986. Shortly prior to the Court hearing for the extension to the period of Administration, Enigmasoft submitted its own application to Court regarding the conduct of the Joint Administrators which was not fully particularised. Additional time costs were incurred dealing with Enigmasoft's application, liaising with solicitors and preparing for the Court hearing on 23 September 2022.
- Determination of unsecured claims subject to legal determination in Court: OFGEM's renewable obligations claim. The value of OFGEM's claim has the potential to be significant, however, its value cannot be currently determined. An initial Court hearing has been held outside of the reporting period and we are awaiting the initial judgement which may be subject to appeal.

### **Additional Estimated Costs**

#### **Summary of the proposed time costs for the six-month period to 12 April 2023.**

A summary of the additional estimated time costs that we anticipate will be incurred in the six month period to 12 April 2023 is as follows:

<b>REVISED ADDITIONAL ESTIMATED TIME COSTS</b>				
<b>CATEGORY OF EXPENSES</b>	<b>NOTE</b>	<b>PLANNED HOURS INVESTED</b>	<b>TIME COST OF INVESTMENT (£)</b>	<b>AVERAGE HOURLY RATE (£)</b>
<b>ADMINISTRATION &amp; PLANNING</b>				
<b>Statutory Compliance</b> – filing appropriate documentation with the Registrar of Companies and the High Court, extension to the period of Administration including attending Court hearing, checklists & periodic reviews as required by our regulatory bodies, correspondence with creditors, periodic progress reports, case strategy.	<b>1</b>	126.00	36,910.00	292.94
<b>Cashiering and Banking</b> – maintaining, and managing the administration designated estate bank account, undertaking regular reconciliations of the bank account and monitoring receipt of anticipated large number of transactions throughout this case, executing payments in relation to costs in the estate. General cashiering duties.	<b>1</b>	46.00	12,145.00	264.02
<b>General</b> – Conducting WIP reviews and monitoring and paying fees. Case correspondence with stakeholders i.e., Citizens Advice Bureau, Ofgem. Submission of pre and post appointment VAT returns, liaising with tax specialists, pursuing recovery of any VAT refunds, annual CT returns.	<b>1</b>	86.00	24,765.00	287.97
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS ADMINISTRATION &amp; PLANNING</b>		<b>258.00</b>	<b>£73,820.00</b>	<b>286.12</b>
<b>CREDITORS</b>				
<b>Creditors Correspondence and Claims</b> – specific correspondence with creditors, receiving and recording all proofs of debts and supporting documentation, identifying and addressing queries, liaising with creditors in respect of the claims, concerns and decision procedures, liaising with Ofgem, ongoing correspondence with Enigmasoft regarding validity of security and quantum of proof of debt, liaising with solicitors, dealing with application to Court and attending Court when required. There are a total of 126 secured, preferential and unsecured creditors with potential claims totalling £18,167,809.96.	<b>2</b>	292.00	89,150.00	306.54
<b>Creditors' Committees</b> – creditors have decided not to form a committee.	<b>2</b>	0.00	0.00	0.00
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS CREDITORS</b>		<b>292.00</b>	<b>89,510.00</b>	<b>306.54</b>
<b>REALISATION OF ASSETS</b>				
<b>Debtors</b> – delivering the strategy outlined in the Joint Administrators' Proposals, continuing to engage with the former customers, liaising with our appointed agents to ensure maximisation of the Company's debtor book. The Company had 51,329 customers at appointment and collections are ongoing. A sale of all or part of the Company's residual debtor book will be considered to	<b>3</b>	176.00	64,190.00	364.72

conclude this matter, once Credit Style have concluded collections. Recovery of third party loans, overpayments, clawback provision, and any other assets identified during our investigations.				
<b>Stock and WIP</b> – the time investment included under this category is in relation to queries arising from the Company's former customer base. We are continuing to engage with the customers, the SoLR to resolve queries in respect of final meter readings, final bills and credit balances. This ongoing works is anticipated to limit industry complaints, ensure that agreed bills are recovered in full and that a accurate claim is received from the SoLR as applicable, facilitating an improved outcome for creditors as a whole.	<b>3</b>	128.00	26,205.00	204.73
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS REALISATION OF ASSETS</b>		<b>304.00</b>	<b>90,395.00</b>	<b>297.35</b>
<b>INVESTIGATIONS</b>				
<b>Investigations</b> – ongoing investigations into the conduct of the directors and Company's affairs in the period prior to the Administration, including any potential antecedent transactions, liaising with the Secretary of State following the submission of the directors' conduct report, considering creation of any secured charges, considering any matters notified to the Joint Administrators by creditors in respect of the Company's failure, liaising with solicitors in respect of any matters identified.	<b>4</b>	174.50	50,860.00	291.46
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS INVESTIGATIONS</b>		<b>174.50</b>	<b>50,860.00</b>	<b>291.46</b>
<b>TOTAL INVESTMENT IN THE ADMINISTRATORS' TIME FOR THE PERIOD TO 12 APRIL 2023</b>		<b>1,028.50 Hours</b>	<b>£304,585.00</b>	<b>£296.14p/h</b>

## NOTE 1

### Administration and Planning (including statutory compliance & reporting)

Administrators are required to carry out certain tasks in nearly every insolvency assignment, namely administrative duties and dealing with the Company's creditors. It does not give direct financial benefit to the creditors, but ensures that the case is managed in a professional and methodical manner and has to be undertaken by the office holders to meet their requirements under insolvency legislation and Statements of Insolvency Practice, which set out required practice that office holders must follow.

Given the period of the Administration has been extended by six months the scope of these tasks has therefore increased. In this matter, a description of the tasks to be undertaken including statutory compliance & reporting can be found below:

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Dealing with all miscellaneous correspondence and emails relating to the case.
- Maintaining and managing the office holder's estate bank account.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Undertaking periodic reviews of the progress of the case.

- Overseeing and controlling the work undertaken in the Administration by case administrators.
- Preparing, reviewing and issuing periodic progress reports to creditors and members (as applicable).
- Seeking closure clearance from HMRC and other relevant parties.
- Preparing, reviewing and issuing final reports to creditors and members (as applicable).
- Filing final returns at Companies House and/or Court.
- Finalising the Company's tax position for any pre and post appointment returns and liaising with advisors in this matter where necessary.
- Holding periodic strategy meetings to discuss the ongoing case objectives.
- Attending Court hearing to pursue a further extension to the Administration.

## **NOTE 2**

### **Creditors**

We have dealt with all creditor correspondence and claims received to date. For the avoidance of doubt this does not include the formal adjudication and/or agreement of creditor claims for distribution purposes.

Examples of tasks to be undertaken under this heading are as follows:

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Issuing a notice of intended dividend and placing an appropriate gazette notice (preferential creditors)
- Reviewing proofs of debt received from creditors, adjudicating on them and marking as approved for formal admission subsequently in admin by court order or in CVL.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.

## **NOTE 3**

### **Realisation of assets**

Since our appointment we have pursued the recovery of the Company's assets and we will continue to do so for the purpose of achieving the best possible financial outcome for creditors. Ongoing work in the current period includes

- Dealing with ongoing customer correspondence and emails in relation to their former accounts and account balances.
- Liaising with collection agents Credit Style to recover customer debtor ledger balances in the Administration estate.
- Realising the crypto currency investment held by the Company.
- Continuing to pursue recovery of the third party loans including liaising with solicitors regarding any legal action.
- Recovery of any VAT refunds due to the Company.
- Ongoing pursuit and determination of the Company's credit balance held at LCCC as at the date the Company's Energy Licence was revoked.
- Recovery of the clawback provision GoCardless.
- Liaising with solicitors to assist in the realisation of assets.

## **NOTE 4**

### **Investigations**

Insolvency legislation gives the Administrators powers to take recovery action in respect of what are known as antecedent transactions e.g. 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 holders are 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 holders 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 holders will provide an estimate of that benefit if an increase in fees is necessary.

In this instance the majority of the time spent in this area will be the continued investigation of the validity of the secured creditors' floating charge. As set out in the report, this involves ongoing consultation with lawyers, the secured creditor and attending court where necessary.

The office holders are also required by legislation to report to the Department for BEIS on the conduct of the directors. The work to enable them to comply with these statutory obligations may also identify potential recovery actions. Work to be undertaken and as detailed under **Investigations** is as below:

- Ongoing review of the Company's books and records for the case, including Xero accounting records in support of matters identified during the investigations into the Company's affairs.
- Continued review of the conduct and actions of the directors.
- Assisting the Insolvency Service with their ongoing enquiries into the Company's affairs.
- Liaising with solicitors regarding the validity of Enigmasoft's security and quantum of its proof of debt.
- Attending court hearing regarding the Enigmasoft application.
- Liaising with and updating secured charge holder.

### **Decision by Correspondence**

We are seeking approval to the additional time costs of £305,585.00 for the six-month period to 12 April 2023 and the revised Fees Estimate totalling £1,090,087.50 from the general body of creditors. Further details about the Decision by Correspondence can be found in the letter which accompanies this report.

We anticipate that it may be necessary to seek further approval to the revised Fees Estimate in due course should the Administration be extended for any further period, and we will notify creditors accordingly should this happen.

**Additional Information in Relation to the Joint Administrators' Fees, Expenses & the use of Subcontractors**



**Symbio Energy Limited – In Administration**  
**Appendix D**

**Additional Information in Relation to the Joint Administrators' Fees, Expenses & the use of Subcontractors.**

Below is a breakdown of the time costs incurred by the Joint Administrators in the previous period from 13 October 2021 to 12 April 2022, the current period from 13 April 2022 to 12 October 2022 and a cumulatively from 13 October 2021 to 12 October 2022.

Classification Of Work Function		Previous Period 13 October 2021 to 12 April 2022  (£)	Current period 13 April 2022 to 12 October 2022  (£)	Cumulative period 13 October 2021 to 12 October 2022  (£)
Administration & Planning	Statutory Compliance	39,161.00	54,668.00	93,829.00
Administration & Planning	Cashiering and Banking	20,345.00	18,788.50	39,133.50
Administration & Planning	General	41,920.00	8,480.50	50,400.50
Administration & Planning	Post Appointment Taxation	3,763.00	4,144.00	7,907.00
Creditors	Creditors Correspondence and Claims	29,819.00	27,514.50	57,333.50
Creditors	Employees	3,555.00	2,230.50	5,785.50
Creditors	Creditor Committees	0.00	0.00	0.00
Realisation of Assets	Debtors	97,959.50	43,315.50	141,275.00
Realisation of Assets	Cash and Cash Equivalents	3,934.00	300.00	4,234.00
Realisation of Assets	Stock and WIP	213,612.83	123,730.50	337,343.33
Realisation of Assets	Other Assets	4,240.50	1,235.00	5,475.50
Investigations	Investigations	39,623.50	27,800.00	67,423.50
<b>Total Time Incurred</b>		<b>497,933.33</b>	<b>312,207.00</b>	<b>810,140.33</b>

A detailed breakdown of the time costs for the period from 13 April 2022 to 12 October 2022 and Cumulative for the Period from 13 October 2021 to 12 October 2022 can be found at **Appendix B** and we have provided below additional information in relation to work undertaken during the Period together with Azets Holdings Limited and the Administrators Fees' and Expenses Policy.

Please note that the Administrators are obligated to carry out works that do not necessary lead to a direct benefit for creditors. Statutory and compliance matters enable the Administration to progress in accordance with the prevailing legislation and industry best practice. In addition, in this case we are minded of the guidance issued to Insolvency Practitioners in relation to our approach to the customers of failed utility suppliers.

Joint Administrators are obligated to undertake investigations into the failure of a company and the conduct of its directors by Statement of Insolvency Practice 2 and the Company Directors Disqualification Act 1986. The outcome of these works may, or may not, lead to actions by the administrators and/or recoveries for the estate.

Each part of the work undertaken requires different levels of expertise and therefore related cost. We have included an average blended rate of the grades of staff such as the Administrators, the case manager, the case administrators and other staff when estimating the total hours to be spent on each part of the work.

## Summary of Time Invested by the Administrators during the period of this report

Work Undertaken and Time incurred to date				
CATEGORY OF EXPENSES	NOTE	HOURS INVESTED	TIME COST OF INVESTMENT (£)	AVERAGE HOURLY RATE (£)
<b>ADMINISTRATION &amp; PLANNING</b>				
<b>Statutory Compliance</b> – filing appropriate documentation with the Registrar of Companies and the High Court, checklists & reviews as required by our regulatory bodies initial correspondence with creditors, preparing progress reports, case strategy, decision procedure and Court application for extension of Administration and attending associated Court hearing.	1	175.00	54,668.00	312.39
<b>Cashiering and Banking</b> – maintaining, and managing the administration designated estate bank account, undertaking regular reconciliations of the bank account and monitoring receipt of anticipated large number of transactions throughout this case, executing payments in relation to costs in the estate	1	74.1	18,788.50	253.56
<b>General</b> – Conducting WIP reviews and monitoring and paying fees. Case correspondence with stakeholders i.e Citizens Advice Bureau, Ofgem.	1	22.50	8,480.50	376.91
<b>Post Appointment Taxation</b> – accounting for all VAT and Corporation Tax due in respect of the Administration. Dealing with queries in relation to pre-appointment tax matters. Exploring potential tax recoveries and offsets for the benefit of creditors. Instructing and liaising with Tax specialists.	1	11.90	4,144.00	348.24
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS ADMINISTRATION &amp; PLANNING</b>		<b>283.50</b>	<b>£86,081.00</b>	<b>303.64</b>
<b>CREDITORS</b>				
<b>Creditors Correspondence and Claims</b> – specific correspondence with creditors, receiving and recording all proofs of debts and supporting documentation, identifying and addressing queries, liaising with creditors in respect of the claims and concerns, notification of appointment and six-monthly reporting on the progress of the Administration. Extensive correspondence with the Enigmasoft regarding its security and proof of debt, liaising with solicitors, dealing with Enigmasoft's application to Court.	2	66.40	27,514.50	414.38
<b>Employees</b> – providing advice and support in respect of claims to the Redundancy Payments Service, liaising with specialist employment agents to assist the employees with the submissions to the RPS.	2	6.70	2,230.50	332.91

<b>Creditors' Committees</b> – creditors have decided not to form a committee.	<b>2</b>	0.00	0.00	0.00
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS CREDITORS</b>		<b>73.10</b>	<b>29,745.00</b>	<b>406.91</b>
<b>REALISATION OF ASSETS</b>				
<b>Debtors</b> – delivering the strategy outlined in the Joint Administrators' proposals regarding the collection of the trade receivables. Liaising with Enigmasoft regarding customer ledger information, liaising with Enigmasoft regarding offer to acquire the customer ledger. Instructing and liaising with Credit Style, monitoring collection of trade receivables.	<b>3</b>	115.90	43,315.50	373.73
<b>Cash and Cash Equivalents</b> – ongoing realisation of Company cash assets.	<b>3</b>	0.80	300.00	375.00
<b>Stock and WIP</b> – the time investment included under this category is in relation to queries arising from the Company's former customer base. We have engaged with the customers, the SoLR to resolve queries in respect of final meter readings, final bills and credit balances.	<b>3</b>	587.62	123,730.50	210.56
<b>Other Assets</b> – we are pursuing the Company's other assets which includes third party loan, VAT refunds, clawback provisions, deposits, and overpayments together with our legal advisors	<b>3</b>	3.80	1,235.00	325.00
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS REALISATION OF ASSETS</b>		<b>708.12</b>	<b>168,581.00</b>	<b>238.07</b>
<b>INVESTIGATIONS</b>				
<b>Investigations</b> – including the investigation of any potential antecedent transactions, considering the validity of any secured charges, identifying any potential courses of action, considering any matters notified to the Joint Administrators by creditors in respect of the Company's failure and/or directors conduct, liaising with solicitors in respect of any matters identified, gaining access to and reviewing the Company's electronic accounting records, reviewing bank statements.	<b>4</b>	71.80	27,800.00	387.19
<b>TOTAL ESTIMATED INVESTMENT IN TIME CLASSIFIED AS INVESTIGATIONS</b>		<b>71.80</b>	<b>27,800.00</b>	<b>387.19</b>
<b>TOTAL INVESTMENT IN THE ADMINISTRATORS' TIME FOR THE PERIOD TO 12 OCTOBER 2022</b>		<b>1,136.52 Hours</b>	<b>£312,207.00</b>	<b>£274.70p/h</b>

#### NOTE 1

##### Administration & Planning (including statutory compliance & reporting)

Administrators are required to carry out certain tasks in nearly every insolvency assignment, namely administrative duties and dealing with the Company's creditors. It does not give direct financial benefit to the creditors, but ensures that the case is managed in a professional and methodical manner and

has to be undertaken by the office holders to meet their requirements under insolvency legislation and Statements of Insolvency Practice, which set out required practice that office holders must follow.

In this matter, a description of the tasks undertaken during the Period including statutory compliance & reporting can be found below:

- Preparing and issuing a progress report on the Administration to all known members and creditors.
- Decision procedure seeking creditor consent to extend the period of Administration.
- Application to Court to extend the period of administration and attendance at Court hearing.
- Dealing with queries arising in respect of the Decision Procedures.
- Liaising with legal advisors regarding the various instructions.
- Periodic case progression reviews - at the end of every 6 months.
- Maintaining and managing the Administration estate cashbook and bank accounts.
- Formulating, monitoring and reviewing the case strategy.
- Uploading information for creditors to the IPS case portal.
- Regular case management and reviewing of the process.
- General cashiering duties.
- Dealing with all post-appointment Corporation Tax and VAT compliance. Instructing and liaising with Tax specialists.
- Holding regular meetings and discussing strategies to be pursued.

We have invested a total of 283.50 hours, at an average charge out rate of £303.64 per hour and a cost of £86,081.00 during the period to 12 October 2022. This time is necessary to comply with statutory requirements, to ensure creditors are advised of the progress of the liquidation and to protect the Company's assets.

## **NOTE 2**

### **Creditors**

We have dealt with all creditor correspondence and claims received to date. For the avoidance of doubt this does not include the formal adjudication and/or agreement of creditor claims for distribution purposes.

Examples of tasks undertaken under this heading are as follows:

- Receiving and logging Proof of Debt ("POD") forms from creditors.
- Requesting further information from creditors regarding PODs.
- Correspondence with Creditors and their representatives.
- Responding to customers queries regarding the Administration process.
- Liaising with the Company's former customers regarding other funds due not picked up in the SoLR process and determining their validity.
- Liaising with the secured creditor and their appointed advisors in respect of their security and claim in the administration process.
- Ongoing legal consultation with regard to the validity and quantum of the secured creditor claim.
- Meetings with legal advisors in relation to the actions of the secured creditor and their claim.
- Dealing with Enigmasoft's Court application and attending Court.

Please note that creditors did not elect to form a Creditors Committee.

We have invested time allocated to creditors totalling 73.1 hours during the Period, at an average charge out rate of £406.91 at a cost of £29,745.00. The potential secured, preferential and unsecured claims from an estimated 122 unsecured creditors total £18,167,809.96. Creditors are invited to submit their final claims against the Company in Administration by returning a Proof of Debt Form, together with supporting documentation as soon as possible.

This work is necessary to ensure creditor records across various classes of claim are kept up to date and to ensure that claims can be agreed at their true value for distribution purposes to the relevant creditors in due course.

### **NOTE 3**

#### **Realisation of assets**

Since our appointment we have pursued the recovery of the Company's assets and we will continue to do so for the purpose of achieving the best possible financial outcome for creditors.

Examples of tasks undertaken under this heading are as follows:

- Pursuing recovery of the GoCardless clawback provision.
- Pursuing third party loans due to the Company from Doorstep Dispensaree and Symbio Europe.
- Instructing and liaising with solicitors to assist in the collection of the third party loans.
- Issuing statutory demands and a winding up petition in relation to the third party loans.
- Handling customer queries regarding their final bills.
- Performing bill revision calculations where customers' bills had been miscalculated previously.
- Liaising with E.ON Next to ensure customers are paid credits where they are due.
- Reconciliation of debtor receipts via three modes of payment we have operated to ensure customers have multiple ways of paying their final bills.
- Liaising with Enigmasoft regarding the supporting data/bills of the customer ledger as at 12 April 2022;
- Operating a tender process with third party agents to collect the debtors following disengagement of Enigmasoft's services.
- Instructing and liaising with Credit Style regarding the collection of the Company's outstanding debts.
- Holding weekly meetings with Credit Style in order to monitor the collection process.
- Liaising with customers directly to provide information and facilitate their payments.
- Finalising the position in relation to the sub-leases and rents receivable.
- Pursuing recovery of the potential Overpayment.

A significant amount of time has been invested under the heading ROA – WIP as a result of interactions with the customers directly. A large number of customers have contacted our office and staff directly and we have worked to deal with all customers in the most effective way to enhance the customer experience, find a resolution to their queries, maximise recoveries and enable a smooth transition under the SoLR process.

We have received and dealt with more than 10,000 customer queries in the period of this Administration.

We have invested time allocated to asset realisations totalling 708.12 hours during the Period, representing a time cost investment of £168,581.00 at an average charge out rate of £238.07.

### **NOTE 4**

#### **Investigations**

Insolvency legislation gives the Administrators powers to take recovery action in respect of what are known as antecedent transactions e.g. 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 holders are 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 holders 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 holders will provide an estimate of that benefit if an increase in fees is necessary.

The office holders are also required by legislation to report to the Department for BEIS on the conduct of the directors. The work to enable them to comply with these statutory obligations may also identify potential recovery actions. Work undertaken and as detailed under **Investigations** is as below:

- Engaging solicitors to provide advice on potential areas of interest.
- Requesting and gaining access to electronic Xero accounting records;
- Interrogating accounting transactions and entries;
- Reviewing bank statements;
- Correspondence to request information on the Company's dealings inc making enquiries of third parties, where applicable.
- Investigating the events that lead to the Company entering into an Insolvency Procedure.
- Liaising with legal advisers where necessary to determine a strategy for dealing with any antecedent transactions identified.
- Liaising with solicitors and reviewing extensive correspondence regarding Enimgasoft's security and quantum its claim.

Further information regarding these investigations cannot be provided at this time, as any disclosure may prejudice those investigations.

We have invested time costs totalling 71.8 hours during the Period in relation to investigations, at an average charge out rate of £387.19 and a cost of £27,800.00.

### Joint Administrators' Expenses

Below is a table which outlines the expenses that we consider at this stage will be, or are likely to be, incurred in dealing with the Company's affairs. We will provide an update to creditors in our future progress reports:

Summary of Expenses from appointment				
Nature of Expense	Note	Incurred (£)	Paid (£)	Estimated Total Costs (£)
Pre-administration costs	1	15,811.60	7,347.00	15,811.60
Legal Costs – Addleshaw Goddard LLP	2	90,683.00	53,244.00	95,000.00
Legal Costs – Gateley's	2	105,647.00	20,150.00	140,000.00
Agents / Valuers Fees	3	2,000.00	2,000.00	2,000.00
Statutory Advertising	4	85.82	85.82	285.82
Statutory Bond	5	1,200.00	1,200.00	1,200.00
Consultancy Fees and disbursements	6	44,614.72	44,614.72	44,614.72
Accountancy and Tax Fees	7	11,000.00	11,000.00	25,000.00
Customer Support Team and CRM interface	8	1,478,700.00	1,478,700.00	1,478,700.00
Debt Collection Costs	9	24,746.46	24,746.46	39,746.46
Debt Collection Expenses	10	79.90	79.90	500.00
IT support Services	11	128,496.80	128,496.80	130,000.00
Utilities, Rates and Insurance	12	-	-	-
Insurance	13	2,609.30	2,609.30	2,609.30
GoCardless	14	36,342.84	36,342.84	36,342.84
Takepayments	15	259.44	259.44	259.44
Employment Advice	16	1,505.28	1,505.28	1,505.28

Accountancy Software Costs	17	31.20	31.20	115.20
Customer Refunds	18	3,133.83	3,133.83	3,400.00
Preparation of Statement of Affairs	19	1,000.00	1,000.00	1,000.00
Petitioning Costs	20	1,902.00	1,902.00	3,502.00
Other Expenses	21	234.71	234.71	234.71
Travel	22	888.50	888.50	888.50
Clawback provision	23	237,490.00	237,490.00	237,490.00
<b>TOTAL ESTIMATED COSTS (GROSS)</b>		<b>2,188,462.40</b>	<b>2,057,061.80</b>	<b>2,260,205.83</b>
Less: Eon Contribution towards costs		-790,731.90	-790,731.90	-790,731.90
<b>TOTAL ESTIMATED COSTS (NET)</b>		<b>1,397,730.50</b>	<b>1,266,329.90</b>	<b>1,469,473.93</b>

#### **Expenses Note 1 – Administrators’ Pre appointment costs**

Azets’ unpaid costs at the date of the Administration related to time incurred and unpaid in the 3 days prior to our appointment and were incurred in respect of planning and liaising with all relevant stakeholders in relation to the formal appointment in the High Court. The total outstanding time costs totalled £7,347.00 in respect of 24.20 hours at an average charge out rate of £303.60. Creditors have provided approval to recover these costs as an expense of the Administration and these have been paid.

Addleshaw Goddard LLP invested time prior to the Administration appointment totalling £8,464.60 relating to the appointment of the Joint Administrators and advising on data sharing agreement held between the Company and Enigmasoft. These unpaid costs have not been subject to creditor approval to date. Creditor approval for the payment of Addleshaw Goddard LLP’s unpaid pre-administration costs of £8,464.60 is being sought as an expense of the Administration.

#### **Expenses Note 2 – Legal Costs: Addleshaws**

We engaged Addleshaw Goddard LLP from the date of our appointment to provide legal advice, ensure the validity of our appointment, advice, agreement and drafting a Data Sharing and Transitional Services Agreement with Eon and their solicitors, to prepare and agree a Data Processing Agreement with Enigmasoft, validity of security over the Company’s assets, and advice/letters to creditors commencing legal proceedings. We engaged Addleshaws on a time cost basis and because they have specialist advisors available in relation to dealings in this sector and in the transfer and handling of customer data.

Costs incurred as at the date of this report are £90,683.00. Additional legal advice will be required throughout this process. We estimate their total costs in this matter to be in the region of £95,000.

As part of our agreement with E.ON Next, they have paid a contribution of £15,000 into the Administration Estate towards these costs.

Addleshaws’ costs invoiced and paid to date are £53,244.00. A further payment of £37,439.00 has been paid to Addleshaws outside of the reporting period.

#### **Expenses Note 2 – Legal Costs: Gateley Legal**

We have engaged Gateley Legal to provide legal advice in relation to the Administrators’ investigations, the property leases, recovering of third-party loans and ongoing review of Enigmasoft’s security and quantum of claim. Gateley Legal has also assisted with the application to Court for the extension to the period of the Joint Administrators’ term of office, dealing with and responding to Enigmasoft’s court application and attending Court on both matters.

Costs as at the date of this report are £105,647.00 and we estimate their total costs during the Administration process of up to £140,000.00, given their assistance with our ongoing investigations into the Company’s affairs, finalising the review of the Enigmasoft’s security, pursuing the Company’s

outstanding loans, and dealing the with Enigmasoft's ongoing application and further Court hearing listed for 24 November 2022.

We engaged Gateley Legal on a time cost basis because of their specialist knowledge in relation to investigations and antecedent transactions.

### **Expenses Note 3 – Agents and Valuers Fees**

We engaged Griffin James Limited, Asset Consultants, to provide independent advice in respect of the Company's physical assets. Agents costs have been incurred in relation to a valuation report which has been paid in full. No further costs are anticipated in this regard.

### **Expenses Note 4 – Statutory Advertising**

We have incurred and paid a fee of £85.82 in respect of statutory advertising to date and have created a provision of £200 for future advertising, as appropriate. Further advertising may include notice of intended dividend to creditors.

### **Expenses Note 5 – Statutory Bonding**

The Joint Administrators are obliged to obtain statutory insurance and the estimated total cost is £1,200. The full amount has been paid.

### **Expenses Note 6 – Consultancy Fees**

We have engaged a former director of the Company to provide ongoing support to facilitate the migration of customer accounts in full to E.ON Next, final billing and to act as an experienced interface with Enigmasoft in this specialist industry. Given the technical nature of the assignment and the data involved his assistance was essential and reduced the time required in the Administrators' team in performing this function.

The director ceased assisting with the collection exercise following termination of the Enigmasoft undertaking on 12 April 2022. We have paid £43,009 plus disbursements of £1,605.21 to date. No further costs are anticipated.

### **Expenses Note 7 – Accountancy and Tax Fees**

The services of the Company's existing accountants, Shreem Accountants Limited were retained to assist in the preparation of management accounts at a cost of £5,000 . A further £1,000 was agreed to assist the directors in preparation of the Statement of Affairs and £6,000 has been incurred in respect of finalising the Company's VAT position.

Deloitte LLP has been instructed to review and finalise the VAT returns for the pre and post Administration period. We estimate further costs of £14,000 for Deloitte LLP which are necessary, in particular to ensure that we recover any refunds due to the Company for the benefit of creditors.

### **Expenses Note 8 – Customer Service Team and CRM interface**

The Company employed Enigmasoft to provide its billing and CRM systems on a platform developed by Enigmasoft.

We considered the ongoing supply of these services as critical part of our strategy to facilitate the migration of customer date and to calculate and issue final bills to all customers. The monthly cost of the operation in India is £390,000 and we engaged them for an initial 3 month period to 12 January 2021, at a total cost of £1,170,000. Enigmasoft employed over 100 people in India to act as debt collectors and customer services representatives. The investment in Enigmasoft's services should be set in context of the alternative of establishing a new operation in the UK, it was not commercial to do so and it would have not been possible to provide continuity of service and the transfer of the data for 51,329 customers.



We engaged Enigmasoft to provide these services on a more limited basis for a 3 month period from 13 January 2022 to 12 April 2022 at a reduced level at an agreed cost of £102,900pcm. Final costs of £308,700 have been paid.

As part of our agreement with Eon we have agreed a contribution of £685,731.90 toward these costs, this sum have been received into the Administration Estate plus a £90,000 contribution towards the Administrators costs and a £15,000 contribution towards legal costs.

#### **Expenses Note 9 – Debt Collection Costs**

Credit style were engaged to collect the remainder of the customer debt book following the termination of the Enigmasoft undertaking on 12 April 2022. Credit Style charge collection fees at a rate of 15% of total collections. To date they have collected a total of £162,691 and charged £24,746.46. We estimate that Credit Style's further fees will be in the region of £15,000.00

#### **Expenses Note 10 – Debt Collection Expenses**

The debt collection costs incurred by Credit Style refer to the costs incurred when tracing debtors addresses to ensure this information is up to date. The total cost of this to date has been £79.90. A small provision has been included for further expenses that may be incurred by Credit Style.

#### **Expenses Note 11 – IT Support Services**

We engaged the following service providers who we engaged to provide essential services to the Company for the period up to 12 April 2022:

<b>Supplier</b>	<b>Nature of Services</b>	<b>Incurred (£)</b>	<b>Paid (£)</b>
Bytes Limited	IT servers and related services	21,816.26	21,816.26
Hubspot Ireland Limited	Customer Communications services	4,533.00	4,533.00
Enigma Tech Solutions Limited	Customer Website and App portals required for meter readings, delivery of final bills and to facilitate payments	68,000.00	68,000.00
Ring Central	Operation of phone lines and direction of customer calls	27,000.28	27,000.28
Barclays Merchant	Banking facilities to process customer payments	7,147.26	7,147.26
<b>TOTALS</b>		<b>128,496.80</b>	<b>128,496.80</b>

A small provision has been included for any further IT costs that may be incurred prior to the end of the Administration.

#### **Note 12 – Utilities and Rates and Insurance**

Based on present information, it is not anticipated that any costs will be incurred in relation to the former trading premises in Watford following the termination of the lease prior to the Administration.

#### **Note 13 – Insurance**

Insurance costs have been incurred to date with AUA Insolvency Risk Services Limited in relation to the Company's tangible assets and former premises which were insured from appointment. The insurance cover has now been cancelled and insurance charges totalled £2,609.30.

#### **Note 14 – GoCardless**

GoCardless have been paid a total of £36,342.84 for the continued use of their finalise services and direct debit facilities in respect of final bills. We have now terminated the GoCardless direct debit facility as customer direct debits through this system decreased over time.

#### **Note 15 – Take payments**

Take payments have been paid a total of £259.44. Take payments provided the Company's merchant payment system which is no longer being used to collect payments from customers.

#### **Note 16 – Employment Advice**

UKELC & Co Limited were instructed to assist with the calculation and submission of employee claims to the Redundancy Payments Office. Costs totalling £1,505.28 have been paid in respect of these services, no additional cost is anticipated at this time. They were instructed as specialists in dealing with employee claims in insolvency matters.

#### **Note 17 – Accountancy Software Costs**

The Company used Xero accounting software for their accounting software. We are continuing to maintain the Xero subscription as a cost of £14 per month. Costs totalling £31.20 have been paid to Xero to date.

#### **Note 18 – Customer Refunds**

On an exceptional basis we have issued refunds to former customers totalling £3,133.83 in the post-appointment period.

#### **Note 19 – Preparation of Statement of Affairs**

The Company's former accountant Shreem Accountants Limited assisted the directors with the drafting of the Statement of Affairs, given their experience and knowledge of the Company's accountants, and were paid £1,000.

#### **Note 20 – Petitioning Costs**

Petitioning costs of £1,902 were incurred issuing a winding up petition in pursuit of the third party loan due from Doorstep Dispensaree Limited. A provision has been made for a further petition in relation to Symbio Europe should this be necessary.

#### **Note 21 – Other Expenses**

Other sundry expenses incurred to date total £234.71.

#### **Note 22 – Travel**

Travel costs incurred at the outset of the Administration when visiting the Company premises totalled £888.50.

#### **Note 23 – Clawback Provision**

GoCardless retained a clawback provision of £237,490.00 in relation to customers who chose to reverse their direct debit payments. A refund currently calculated at £142,741.46 is due to be received from GoCardless.

### **AZETS HOLDINGS LIMITED – FEES AND EXPENSES POLICY**

#### **Introduction**

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 guides issued with Statement of Insolvency 9 (SIP 9) and can be accessed at <https://www.azets.co.uk/restructuring-and-insolvency-downloads/>. A hard copy may be requested from

Azets Holdings Limited, 5<sup>th</sup> Floor Ship Canal House, 98 King Street, Manchester, M2 4WU or conor.leyden@azets.co.uk

### **Staff Allocation and Charge Out Rates**

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case. Work carried out by all staff is subject to the overall supervision of the office holders.

The constitution of the case team will usually consist of a Partner/Director, Manager and an Administrator as well as support staff. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and on larger, more complex cases, several members of staff may be allocated to meet the demands of the case.

We operate a time recording system which allows staff working on the assignment along with the office holders to allocate their time to an assignment in 6 minute units.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. The work is generally recorded under the following categories:

- Administration and planning
- Investigations
- Realisation of assets
- Creditors
- Trading
- Case specific matters

Time costs are recorded at the individual's hourly rate in force at that time. Our charge out rates increased on 1 February 2022 and are shown below, exclusive of VAT.

<b>1 February 2022 to date</b>	<b>£</b>	<b>1 October 2019 to 31 January 2022</b>	<b>£</b>
Partner/Director	400.00 – 580.00	Office Holder/Partner	350.00 -395.00
Manager	280.00 – 375.00	Manager/Senior Manager	220.00 - 260.00
Administrator	130.00 – 275.00	Assistant Manager	210.00
Support Staff	120.00	Case Administrator	130.00 - 195.00
		Support staff	120.00

Included within the manager grade are Senior Manager, Manager and Assistant Manager. Included within the Administrator grade are Senior Administrator and Assistant. Where necessary and appropriate, members of staff from other departments of the practice will undertake work on a case. They will be charged at their normal charge out rate for undertaking such work.

**Please note that charge out rates are reviewed annually and may be subject to change.**

### **Expenses**

On insolvency appointments, an office holder will typically incur expenses which relate to that assignment. Expenses (or costs) are amounts properly payable by an office holder from an insolvency estate which are not otherwise categorised as the office holder's remuneration or a distribution to a creditor or shareholder. These expenses may include, but are not limited to, agent's costs for disposal and realisation of assets, legal costs, specialist pension advice, tax services or other routine expenses associated with an insolvency appointment such as statutory advertising costs, the office holder's specific penalty bond and costs associated with storing the books and records. Expenses also include disbursements which are payments that are first met by the office holder and then reimbursed at a later date from the estate, usually when realisations permit. Details of the anticipated expenses on an insolvency assignment will be outlined in the office holder's fees estimate or other information provided to creditors about the fee basis or bases being proposed.

Expenses recharged to, or incurred directly by, an insolvent estate are subject to VAT at the applicable rate where appropriate.

Some expenses can be paid without prior approval from creditors (referred to as Category 1 expenses) and other expenses which may have an element of shared costs or are proposed to be paid to an associate of the office holder, require approval before they can be paid (referred to as Category 2 expenses).

Category 1 expenses are directly referable to an invoice from a third party that is not an associate of the office holder or the firm, which is either in the name of the estate or Azets Holdings Limited; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the insolvency estate. These costs are recoverable without the prior approval of creditors either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party.

Category 2 expenses are directly attributable to the estate but include an element of shared costs or is a payment to an associate of the office holder or the firm. These expenses are recoverable from the estate, subject to the prior approval of the creditors, in the same manner as the approval of the office holder's remuneration.

The Category 2 expenses which include an element of shared costs and are charged by this firm are as follows

- Postage – charged in accordance with the current Royal Mail price guide for first class.
- Business mileage – charged at standard rates which comply with HM Revenue & Customs limits. The current rate is 45 pence per mile.
- Internal photocopying - charged at 5 pence per sheet for reports and circulars issued to creditors, shareholders, employees and other stakeholders. No additional charge is made for individual items of correspondence.

**Please note that these category 2 expenses are reviewed annually and may be subject to change.**

Payments to associates (as defined in Section 435 of the Insolvency Act 1986 and the Insolvency Code of Ethics), which are also classified as a category 2 expense requiring creditor approval, are not routinely made by this firm. Any such payments will be considered on a case by case basis and when seeking approval for the payments, the office holder will provide creditors with an explanation of the work to be done, why the work is necessary and the estimated payment that will be made. The form and nature of the relationship with the associate will also be provided.

### **Provision of Services Regulations**

When carrying out all professional work relating to an insolvency appointment, Insolvency Practitioners are bound by the Insolvency Code of Ethics.

To comply with the Provision of Service Regulations, some general information about Azets Holdings Limited, including our complaints policy and Professional Indemnity Insurance and the Insolvency Code of Ethics, is available on our website using the following link: [www.azets.co.uk/about-us/legal-regulatory-information/](http://www.azets.co.uk/about-us/legal-regulatory-information/).

### **Staff Allocation and the Use of Sub-Contractors**

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment. Where the basis of the Joint Administrators' remuneration is being proposed on a time cost basis, details of our current charge-out rates can be found below.

In this case we have sub-contracted work to the following companies as technical expertise and experience with energy suppliers:

<b>Name of Professional Advisor</b>	<b>Basis of Fee Arrangement</b>
Addelshaw Goddard (Legal advice)	Hourly rate & disbursements
Gateleys Solicitors (Legal advice)	Hourly rate & disbursements
UKELC & Co Limited	Fixed fee
AUA Insolvency Risk Services (insurance)	Scale rate & disbursements
Shreem Accountants Limited	Fixed Fee
Griffin James Limited, agents and valuers	Fixed Fee
Credit Style Limited	Percentage of realisation

## **Joint Administrators Expenses**

### **Category 1 and Category 2 Expenses**

Expenses are payments from an insolvent estate which are neither an office holder's remuneration nor a distribution to a creditor or shareholder. Some expenses can be paid without prior approval from creditors (Category 1 expenses) and other expenses which may have an element of shared costs or are proposed to be paid to an associate of the office holder, require approval before they can be paid (Category 2 expenses).

### **Category 1 Expenses**

Category 1 Expenses do not require approval. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as case advertising, invoiced travel and external printing, room hire and document storage. Also, chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category 1 Expenses are charged as follows:

- Company and other Search costs are charged at cost.
- Case related travel and accommodation is charged as a reimbursement of the actual cost incurred.
- Statutory Advertising is charged as a reimbursement of the actual cost incurred.
- All other disbursements are charged at cost.
- VAT is added to disbursement charges as necessary.

### **Category 2 Expenses**

Category 2 Expenses do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage. Approval to charge these will be sought from creditors when the basis of my remuneration as Administrator is fixed.

Where we propose to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs such as room hire, document storage or communication facilities provided by us then they must be disclosed and authorised by those responsible for approving the office holders remuneration. Such expenditure is referred to as a "category 2 disbursement". The following items of expenditure are recharged on this basis and are believed to be in line with the cost of the external provision:

Category 2 expenses are charged as follows:-

- Business mileage for case related travel is charged at standard rates which comply with Inland Revenue limits. This rate is currently 45p per mile.

- Internal Photocopying - A charge of 10 pence per sheet is charged for reports and circulars issued to creditors, shareholders, employees and general contacts. No additional charge is made for individual items of correspondence.
- Postage will be charged in accordance with the current Royal Mail Price Guide for first class post dependent upon the size and weight of the item as amended from time to time. By way of illustration as at 1 October 2019 these rates are:-

	Stamps	Franking
Weight	Price	Price
Letter		
0-100g	85p	57p
Letter Large		
0-100g	£1.29	£1.17
101-250g	£1.83	£1.62
251-500g	£2.39	£2.09
501-750g	£3.30	£2.91

- Meeting Room Facilities – Where statutory meetings of shareholders and or creditors are held at one of our offices a charge of £75 is made.
- Storage of our files including confidential destruction costs £75.00 for up to 8 files.
- Storage Boxes £2.25 per box.
- Storage of books and records will be charged at a rate of 25 pence per box per month. Collection and delivery of boxes will be charged at £10 per consignment.
- Destruction of the books and records will be charged at the rate of £3.95 per box.
- VAT is added to disbursement charges as necessary.

**Estimated Outcome Statement as at 12 October 2022**

**SYMBIO ENERGY LIMITED - IN ADMINISTRATION**  
**ESTIMATED OUTCOME STATEMENT AS AT 12 OCTOBER 2022**

	DIRECTORS' STATEMENT OF AFFAIRS £	ACTUAL RECEIPTS & PAYMENTS UP TO 12 OCTOBER 2022 £	ESTIMATED RECEIPTS & PAYMENTS FOR THE ADMINISTRATION PERIOD £
<b>ASSETS SUBJECT TO A FIXED CHARGE</b>			
Fixed Charge Assets	NIL	-	NIL
Less: Fixed Charge Creditor: Enigmasoft Technologies Pvt Ltd	(4,641,878.02)	-	NIL
<b>NET FIXED CHARGE SHORTFALL</b>	<b>(4,641,878.02)</b>		
<b>ASSETS SUBJECT TO FLOATING CHARGE</b>			
Trade Receivables - Customer Accounts Final Billing	3,320,763.06	1,331,053.69	1,431,053.69
Debtors - Third Party Loan Arrangements	-	4,444.12	Uncertain
Debtors - Deposits for Credit Cover	2,955.88	-	Uncertain
Debtors - Rent Receivable	-	2,880.00	2,880.00
Go Cardless Clawback Provision	-	-	142,741.46
Debtors Other	220,135.67	-	-
Cash Assets on Appointment	439,158.10	3,437,207.53	3,437,207.53
Fixtures and Fittings	4,699.05	-	-
Recoverable VAT	256,430.06	137,352.06	274,906.06
Contribution towards Administration Costs	-	790,731.90	790,731.90
Licences	-	-	-
Investments	1,000.00	-	Uncertain
MRA Service Company Shareholder Refund	-	825.83	825.83
Potential Overpayment Recovery	-	-	Uncertain
Crypto Currency	-	-	20,000.00
Bank Interest	-	2,287.65	4,787.65
Cash in Hand	1.00	-	-
	<b>4,245,142.82</b>	<b>5,706,782.78</b>	<b>6,105,134.12</b>
<b>ESTIMATED COSTS</b>			
Insurance	-	(2,609.30)	(2,609.30)
Accountancy Software	-	(31.20)	(115.20)
Takepayments	-	(259.44)	(259.40)
Employment Advice	-	(1,505.28)	(1,505.28)
Preparation of S.o.A	-	(1,000.00)	(1,000.00)
Pre-Administration Costs	-	(7,347.00)	(15,811.60)
Joint Administrators Remuneration	-	(756,123.41)	(1,090,087.50)
Customer Support Team and CRM interface	-	(1,478,700.00)	(1,478,700.00)
Debt Collection Costs	-	(24,746.46)	(39,746.46)
Debt Collection Expenses	-	(79.90)	(500.00)
Valuation Advice	-	(2,000.00)	(2,000.00)
IT Support Services	-	(128,496.80)	(130,000.00)
Legal Costs	-	(73,394.00)	(235,000.00)
Petitioning Costs	-	(1,902.00)	(3,502.00)
Travel	-	(888.50)	(888.50)
GoCardless	-	(36,342.84)	(36,342.84)
Consultancy Costs	-	(44,614.72)	(44,614.72)
Customer Refunds	-	(3,133.83)	(3,400.00)
Statutory Advertising	-	(85.82)	(285.82)
Statutory Bonding	-	(1,200.00)	(1,200.00)
Accountancy and Tax Advice	-	(11,000.00)	(25,000.00)
Other Expenses	-	(234.71)	(234.71)
Utilities, Rates and Insurance	-	-	-
Clawback provision	-	(237,490.00)	(237,490.00)
	-	<b>(2,813,185.21)</b>	<b>(3,350,293.33)</b>
<b>FUNDS AVAILABLE TO PREFERENTIAL CREDITORS</b>	<b>4,245,142.82</b>	<b>2,893,597.57</b>	<b>2,754,840.79</b>
First Preferential Preferential Creditors - Employee Claims	(4,454.46)	(2,500.00)	(2,500.00)
Second Preferential Preferential Creditor - HMRC	-	(6,870.98)	(6,870.98)
<b>ESTIMATED OUTCOME FOR PREFERENTIAL CREDITORS (p/£)</b>		<b>100.00</b>	<b>100.00</b>
<b>FUNDS AVAILABLE TO CHARGE HOLDERS</b>	<b>4,240,688.36</b>	<b>2,884,226.59</b>	<b>2,745,469.81</b>
Less: Prescribed Part	(800,000.00)	(800,000.00)	(800,000.00)
<b>FUNDS AVAILABLE TO FLOATING CHARGE CREDITORS</b>	<b>3,440,688.36</b>	<b>2,084,226.59</b>	<b>1,945,469.81</b>
Debenture Holder: Enigmasoft Technologies Pvt Limited	(4,641,878.02)	(4,898,927.04)	(4,898,927.04)
<b>ESTIMATED OUTCOME FOR FLOATING CHARGE CREDITORS (p/£)</b>		<b>42.54</b>	<b>39.71</b>
<b>Surplus/(Shortfall) after Security Interests</b>	<b>(1,201,189.66)</b>	<b>NIL</b>	<b>NIL</b>
<b>Funds Available to Unsecured Creditors</b>			
Surplus after Security Interests	-	-	NIL
Add Back: Prescribed Part	800,000.00	800,000.00	800,000.00
<b>Estimated Funds Available for Distribution to Unsecured Creditors</b>	<b>800,000.00</b>	<b>800,000.00</b>	<b>800,000.00</b>
<b>UNSECURED CREDITORS</b>			
HM Revenue and Customs	(10,368.10)	(32,680.33)	(32,680.33)
Climate Change Levy	(39,327.23)	-	(39,327.23)
Trade Creditors	(9,811,736.35)	(2,468,258.76)	(5,744,950.82)
Bank Loans - HSBC	(48,431.96)	-	(48,431.96)
Ofgem: FIT payments	-	(602,173.78)	(602,173.78)
Ofgem: Renewable Obligations	(8,937,380.54)	(5,313,069.00)	(5,313,069.00)
Enigmasoft Technologies Pvt Limited (TBD)	-	-	Uncertain
Accrued Expenses	(411,193.55)	-	Uncertain
Accrued Credit Note	1,090,627.77	-	-
<b>TOTAL ESTIMATED UNSECURED CREDITORS</b>	<b>(18,167,809.96)</b>	<b>(8,416,181.87)</b>	<b>(11,780,633.12)</b>
<b>ESTIMATED OUTCOME FOR UNSECURED CREDITORS (p/£)</b>	<b>4.40</b>	<b>9.51</b>	<b>6.79</b>

**Note**

No claims have yet been agreed. We are currently reviewing material uncertainty regarding the value of a number of creditor claims which will impact the dividend to creditors.



**How the Administration Will End**

**Symbio Energy Limited – In Administration  
Appendix F  
How the Administration will End**

**Automatic End**

- 1.1 All Administrations automatically come to an end after the period of one year, unless the Company's creditors agree to extend this period, or the Court orders the Administrators' term of office be extended for a specified period of time.

**Extension**

- 1.2 The term of the Joint Administrators' period in office has currently been extended by a period of six months by Court order to 23:59 on 12 April 2023. A further Court hearing has been listed on 24 November 2022 to hear the balance of the Joint Administrators' application to the period of the Administration.
- 1.3 At the time of drafting this progress report we do not believe that any further extension to the period of Administration will be necessary, however we will confirm the position to creditors in a subsequent progress report in due course. Based on information currently available, there may be a distribution to creditors, therefore the information on the ultimate exit routes we believe may be appropriate in this Administration is set out below.

**Creditors' Voluntary Liquidation ("CVL")**

- 1.4 If the Joint Administrators think a dividend will be paid to the unsecured creditors, the Joint Administrators will either make an application to Court to enable them to make a distribution to unsecured creditors in the Administration or they will file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation ("CVL") to facilitate this distribution.
- 1.5 On present information it is uncertain whether there will be a dividend distribution to unsecured creditors other than by virtue of the prescribed part.
- 1.6 It is proposed that the Joint Administrators in office at the date of conversion to CVL will become the Joint Liquidators of the CVL and that the Joint Liquidators will be authorised to act jointly and severally in the subsequent liquidation.
- 1.7 Creditors have the right to nominate an alternative Liquidator of their choice if a Decision Procedure for the nomination of Liquidators is proposed. To do this, creditors must make their nomination in writing to the Joint Administrators prior to the deadline for voting. Where this occurs, the Joint Administrators will advise creditors and provide the opportunity to vote. In the absence of a nomination, the Joint Administrators will automatically become the Joint Liquidators of the subsequent CVL.

**Dissolution**

- 1.8 If, the Joint Administrators thinks that the Company has insufficient property to permit a distribution to the unsecured creditors, other than by virtue of the prescribed part, and that there will be distributions to the secured and/or preferential creditors of the Company, once these distributions have been made, a notice will be filed at Court and with the Registrar of Companies with the Joint Administrators' final report, for the dissolution of the Company.
- 1.9 The Joint Administrators' appointment will end following the registration of the notice by the Registrar of Companies.

### **Compulsory Winding Up (“CWU”)**

- 1.10 If a move to CVL is not possible because a dividend to the unsecured creditors (other than by virtue of the Prescribed Part) is not anticipated, but the Administrators conclude that an exit into liquidation is appropriate so that further investigations into the Company’s affairs may be carried out for example, an application to Court may be made to exit into Compulsory Liquidation instead.
- 1.11 If this exit route is appropriate, at this stage it is anticipated (but is not mandatory) that the Administrators will become the Joint Liquidators in the subsequent liquidation.

### **Outcome**

As detailed on the Estimated Outcome Statement accompanying this report, it is currently anticipated that there will be a return to secured, preferential and unsecured creditors (by virtue of the prescribed part only). It is therefore not presently possible to exit the Administration by way of a CVL.

We are, however, continuing to review the Enigmasoft’s security and the quantum of their claim which may have a significant impact on the outcome for creditors.

We are also reviewing material uncertainty regarding the value of a number of contingent unsecured creditor claims. The outcome of the review will significantly affect the voting entitlement of these creditors and will have an impact on key decisions.