

6 March 2020

**TO ALL PREFERENTIAL CREDITORS**

Ref: AJ/CG/SK/PN/AL/OP

Direct Line: 020 3727 1700

Direct Email: UWAdministrators@fticonsulting.com

Dear Sir/Madam,

**Utilitywise PLC (In Administration) (“the Company”)****In the High Court of Justice Business and Property Courts of England and Wales Insolvency and Companies  
List (ChD) Number 001097 of 2019**

I refer to my appointment as Joint Administrator of the above Company on 13 February 2019. I am seeking Secured and Preferential Creditor approval pursuant to rules 3.52, 15.3 and 18.18 of the Insolvency (England and Wales) Rules 2016:

1. To approve the fee estimate set out in Appendix B of Joint Administrators’ Progress Report (February 2020).

I have attached a notice of decisions by correspondence. Creditors wishing to vote must submit their voting form by the time specified on the notice along with a completed proof of debt (if not already submitted).

Further information about creditors’ rights can be obtained by visiting the creditors’ information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder’s fees may be approved for each case type are available in a series of Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at <https://www.fticonsulting-emea.com/~media/Files/emea--files/creditors-portal/cip-emea-forms-info/guide-to-administrators-fees-6-april-2017-england-wales.pdf>. There are different versions of these Guidance Notes, and in this case please refer to the April 2017 version.

If you have any queries regarding the conduct of the Administration, or if you want hard copies of any of the documents made available on-line, you should contact Oliver Penton by email at [UWCreditors@fticonsulting.com](mailto:UWCreditors@fticonsulting.com), or by phone on 020 3727 1700.

Yours faithfully,

For and on behalf of the Company



Andrew Johnson  
Joint Administrator

The affairs, business and property of the Company are being managed by the Joint Administrators. The Joint Administrators act as agents of the Company and without personal liability.

Andrew Johnson and Chad Griffin are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales, under section 390A(2)(a) of the Insolvency Act 1986.

As Insolvency Practitioners, when carrying out all professional work relating to an insolvency appointment, Chad Griffin and I are bound by the Insolvency Code of Ethics, as well as by the regulations of our professional body. We can confirm that we have not identified any threats to the ethical fundamental principles in respect of this case.

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## Notice of decisions by correspondence

### Utilitywise Plc – In Administration

In the High Court of Justice Business and Property Courts of England and Wales Number CR-2019-001097 of 2019

(Company Number 05849580)

**NOTICE IS GIVEN** by Andrew Johnson and Chad Griffin to the preferential creditors of Utilitywise Plc that set out below is a decision for your consideration under rule 18.24 of The Insolvency Act (England and Wales) Rules 2016. Please complete the voting section below indicating whether you are in favour or against the following decisions:

- i). That the fees estimate for undertaking the work set out in the Administrators' report issued with the notice of the decision procedure on a time cost basis be increased to £970,000.

**The final date for votes is 31 March 2020, the decision date.**

1. In order for their votes to be counted creditors must submit to me their completed voting form so that it is received at Utilitywise Plc (in Administration), C/O FTI Consulting LLP, 200 Aldersgate Street, London, EC1A 4HD by no later than 23.59 hours on 31 March 2020. It must be accompanied by proof of their debt, (if not already lodged). Failure to do so will lead to their vote(s) being disregarded.
2. Creditors must lodge proof of their debt (if not already lodged) at the offices of Andrew Johnson or Chad Griffin by no later than 23.59 on 31 March 2020, without which their vote will be invalid.
3. Creditors with claims of £1,000 or less must have lodged proof of their debt for their vote to be valid.
4. Any creditors who have previously opted out from receiving documents in respect of the insolvency proceedings are entitled to vote on the decision provided they have lodged proof of their debt.
5. Creditors may, within 5 business days of delivery of this notice to them, request a physical meeting of creditors be held to determine the outcome of the decision above. Any request for a physical meeting must be accompanied by valid proof of their debt (if not already lodged). A meeting will be convened if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."
6. Creditors have the right to appeal a decision of the convener made under Chapter 8 of Part 15 of The Insolvency (England and Wales) Rules 2016 about Creditors' Voting Rights and Majorities, by applying to Court under Rule 15.35 of The Insolvency (England and Wales) Rules 2016 within 21 days of 10 March 2020 the Decision Date.

Creditors requiring further information regarding the above, please contact FTI Consulting LLP by email at [UWCreditors@fticonsulting.com](mailto:UWCreditors@fticonsulting.com), or by phone on 020 3727 1700.

DATED THIS 6<sup>th</sup> DAY OF MARCH 2020



Andrew Johnson  
**Joint Administrator**

**Utilitywise Plc - In Administration**

**In the High Court of Justice Business and Property Courts of England and Wales Number CR-2019-001097 of  
2019**

**(Company Number: 05849580)**

**Voting on Decisions**

- i). That the fees estimate for undertaking the work set out in the Administrators' report issued with the notice of the decision procedure on a time cost basis be increased to £970,000.

For / Against

TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM:

Name of creditor: \_\_\_\_\_

Signature of creditor:

\_\_\_\_\_

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

Capacity in which  
signing document: \_\_\_\_\_

Date: \_\_\_\_\_

## Notice of invitation to form a Creditors' Committee

### Utilitywise Plc – In Administration In the High Court of Justice Business and Property Courts of England and Wales Number 1097 of 2019 (Company Number 05849580)

**NOTICE IS GIVEN** by Andrew Johnson and Chad Griffin to the creditors of Utilitywise Plc of an invitation to form a Creditors' Committee under rule 3.39 of The Insolvency (England and Wales) Rules 2016.

7. In addition to seeking a decision on the matters set out in the accompanying notice, creditors are also invited to determine, at the same time, whether a Creditors' Committee should be established.
8. A Committee may be formed if a minimum of 3 and a maximum of 5 creditors are willing to become members.
9. Nominations can only be accepted for a creditor to become a member of the Committee if they are an unsecured creditor and have lodged a proof of their debt that has not been disallowed for voting or dividend purposes.
10. The specified date for receipts of nominations for creditors to act as a member of the Committee under rule 3.39 of The Insolvency (England and Wales) Rules 2016 is 23 April 2019, the Decision Date.
11. Please complete the form sent with this notice and include the name and address of any person you wish to nominate to act as a member of the Committee. The completed document should be returned so that it is received by no later than 23.59 hours on 23 April 2019, the decision date.

Note: Further information on the rights, duties and the functions of a Committee is available in a booklet published by the Association of Business Recovery Professionals (R3). This booklet can be accessed at <https://www.r3.org.uk/media/documents/publications/professional/R3-Guide-to-Creditors-Committees.pdf>. If you require a hard copy of the booklet please contact Oliver Penton by email at [UWCreditors@fticonsulting.com](mailto:UWCreditors@fticonsulting.com), or by phone on 020 3727 1700.

DATED THIS 6<sup>th</sup> DAY OF MARCH 2020



Andrew Johnson  
Joint Administrator

**Utilitywise Plc – In Administration**  
**In the High Court of Justice Business and Property Courts of England and Wales Number 1097 of 2019**  
**(Company Number 05849580)**

**Decision**

1. That a Creditors' Committee should be established.

For/Against

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

Name of nominated creditor \_\_\_\_\_

TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM:

Name of creditor: \_\_\_\_\_

Signature of creditor: \_\_\_\_\_

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

Capacity in which signing document: \_\_\_\_\_

Dated: \_\_\_\_\_

Note: The completed form should be delivered to Oliver Penton by email at [UWCreditors@fticonsulting.com](mailto:UWCreditors@fticonsulting.com) or by post at Utilitywise Plc (in Administration), c/o FTI Consulting LLP, 200 Aldersgate Street, London, EC1A 4HD.