

3 August 2023

Vanessa Horne
Acting Chief Executive Officer
Commerce Commission
Wellington

By email: vanessa.horne@comcom.govt.nz

Dear Vanessa,

Proposed amendments to the Electricity Industry Participation Code 2010 – default distributor agreement templates

The Electricity Authority is soon to start consulting on proposed amendments to the Electricity Industry Participation Code 2010 (the Code). The amendments concern provisions relating to:

- the default distributor agreement (DDA) template in Schedule 12A.4, Appendix A of the Code
- the default agreement for providing consumption data in Schedule 12A.1, Appendix C of the Code.

We anticipate these amendments will, or are likely to, affect the Commerce Commission in performing its functions or exercising its powers regarding electricity lines services under Part 4 of the Commerce Act 1986. The Authority is seeking feedback from the Commission on these changes, noting the potential impact on the Commission and our responsibility to comply with section 54V of the Commerce Act 1986.

To allow the Commission to consider what feedback it might provide, I have attached, in confidence, the proposed consultation paper setting out the amendments and their rationale. Authority staff have been liaising with Commission staff about these amendments.

If the Commission needs further context or clarity on the amendments, please contact Brent Lewers, Manager Retail and Networks, Market Policy at brent.lewers@ea.govt.nz or 04 886 4626.

We would appreciate your response to this letter as soon as practicable, noting we are intending to consult on the proposed Code amendments before the end of August.

Yours sincerely,



Sarah Gillies

Chief Executive

Cc: Andy Burgess, General Manager, Infrastructure Regulation