

## **Notice of Authority's decision on breaches of the Electricity Industry Participation Code by the Authority as the market administrator**

The Electricity Authority (Authority) must publicise its reasons for declining to take further action on a breach of the Electricity Industry Participation Code 2010 (Code) by the Authority.<sup>1</sup> The requirement to publicise the decision is beyond the requirements in the Electricity Industry (Enforcement) Regulations 2010 (Regulations) and is to ensure that decisions made about breaches of the Code by the Authority are transparent.

### **Breaches of clauses 13.102(2), 13.214(1) and 14.75(1) of the Code from 2 October 2012 to 19 October 2012**

Each month, the system operator, the pricing manager, and the clearing manager must submit a report to the Authority as the market administrator (market administrator) that includes information about breaches of the Code by each of these market operation service providers. Clauses 13.102(2), 13.214(1), 14.75(1) require the market administrator to publish the section of these reports that relates to the breaches by the 15th business day of each calendar month.

On 21 September 2012, the market administrator published the required information from the August 2012 reports in accordance with the Code requirements. However, the information only remained published until 2 October 2012, when it was inadvertently removed during the implementation of a new content management system for the Authority's website.

The following month, on 19 October 2012, the market administrator checked the publication of the reports for September 2012 and noticed that the August 2012 reports were missing. The August 2012 reports were then republished on 19 October 2012.

The market administrator self-reported the breaches to the Authority.

### **The Authority's decision**

On 30 January 2012, the Authority's Compliance Committee (Committee) decided under regulation 11(1)(c) of the Regulations to decline to take further action on the breaches.

### **Reasons for the Authority's decision**

The reasons for the Committee's decision were the breaches had no market impact and the market administrator has made staff aware of the requirements for this information to remain published at all times.

### **Audit review**

If an interested participant is concerned about the process followed by the Authority in the initial fact finding exercise leading to the Committee's decision, the participant may request that the Authority's process is audited by an independent person.

### **Contact details**

Please contact [compliance@ea.govt.nz](mailto:compliance@ea.govt.nz) if you have any questions.

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<sup>1</sup> <http://www.ea.govt.nz/document/12330/download/act-code-regs/code-regs/guidelines/compliance/>  
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