

Notice of Authority's decision on breaches of the Electricity Industry Participation Code 2010 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.¹ 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 on 22 October 2013

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.

The market administrator failed to publish relevant sections of the market operations services providers' reports by the 15th business day of the month being 21 October 2013.

The market administrator published these reports one day late on 22 October 2013.

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

The Authority's decision

On 22 November 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 that the breaches had no market impact, the market administrator published the reports as soon as it realised the reports were late and the market administrator has taken steps so future reports will be published on the 15th business day of the relevant calendar month.

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 if you have any questions.

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