

Electricity Industry (Exemption No. 169 (Mighty River Power Limited)) Exemption Notice Revocation Notice 2015

In accordance with section 11(3) of the Electricity Industry Act 2010 (“Act”), the Electricity Authority (“Authority”) gives the following notice.

N o t i c e

1. Title and commencement—(1) This notice is the Electricity Industry (Exemption No. 169 (Mighty River Power Limited)) Exemption Notice Revocation Notice 2015.

(2) This notice comes into force on the day after the date it is notified in the *New Zealand Gazette*.

2. Revocation—The Electricity Industry (Exemption No. 169 (Mighty River Power Limited)) Exemption Notice 2013, published in the [New Zealand Gazette, 11 July 2013, No. 88, page 2359](#) (“Exemption 169”), is revoked.

3. Reasons for revoking the exemption—The reasons for revoking Exemption 169 are:

- a. revoking the exemption meets the requirements in section 11(3) of the Act for revoking exemptions;
- b. Exemption 169, granted to exempt Mighty River Power Limited (“MRPL”) from clause 8(g) of Schedule 15.3 of the Electricity Industry Participation Code 2010 (“Code”), applied only to 16 installation control points (“ICPs”) listed in that exemption notice, which were for distributed unmetered load (“DUML”);
- c. the Authority has approved exempting another participant from the obligation in clause 8(g) of Schedule 15.3 of the Code for all of its DUML ICPs, without listing specific ICPs;
- d. as a result of listing the relevant DUML ICPs, Exemption 169 does not apply to additional DUML ICPs established after the Authority granted the exemption, causing MRPL to be non-compliant for any new DUML ICPs; and
- e. the Authority has subsequently approved exempting MRPL from the obligation in clause 8(g) of Schedule 15.3 of the Code for all of MRPL’s DUML ICPs, making Exemption 169 redundant.

Dated at Wellington this 4th day of December 2015.

For and on behalf of the Electricity Authority:

Hon ROGER SOWRY, onzm, Member, Electricity Authority.