

# Summary of submissions received on Code Review Programme 2015

Blue: Authority has inserted this text

*Italics: Verbatim from submission*

	Submitter(s)	Submission	Authority response
097-001	Contact (Page 3)	<p><b>Does not agree with the Authority's problem definition.</b></p> <p><i>While the Authority has rightly identified that an increase in disclosure is required because of changes to the ASX rules, it does not consider the policy behind the disclosure process. We think that the current process already drives unnecessary cost into a participant's business. The proposed change will only exacerbate this cost.</i></p> <p><b>Does not agree with the Authority's proposed solution.</b></p> <p><i>The solution should also consider ways to make increased costs less onerous, including to remove the process for providing a statutory declaration.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The proposed drafting should also remove the process for providing a statutory declaration.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>The Authority identifies that increased disclosure will increase costs. Those increased costs can be mitigated to an extent by removing the process for providing a statutory declaration. In our view there would be no reduction in the quality of the data received by the Authority if this was to occur. The Authority has an extensive auditing right to check trade information if it chooses. The mere presence of an audit right is an incentive for participants to provide accurate data.</i></p> <p><b>Did not agree that the benefits of the proposed amendment outweigh its costs</b></p>	<p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>No reason given – no supporting argument to cause the Authority to</p>

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		<p><b>Did not agree that the proposed amendment is preferable to other options</b></p> <p><i>The proposed drafting should also remove the process for providing a statutory declaration.</i></p>	<p>reconsider the cost-benefit analysis.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p>
097-001	Cumulus (Page 1)	<p><i>Our view is that obligations to report trades to the Authority should be restricted to entities where the Authority has concern excessive market power in the physical market may be used to distort prices. Placing reporting requirements on financial participants trading on a transparent exchange is an unnecessary regulatory burden which discourages participation in the market.</i></p> <p><i>We believe the requirements should only apply to physical market participants who trade over a threshold volume through the spot market.</i></p> <p><i>There appears to be 2 main uses of the hedge disclosure data:</i></p> <ol style="list-style-type: none"> <li><i>1. Make sure FPVV and OTC deals are not happening at levels inconsistent with the ASX.</i></li> <li><i>2. Attribute volume in the hedge market to participants so an assessment on whether the mix of participants trading represents a healthy hedge market.</i></li> </ol> <p><i>If thresholds are selected so the largest 6 vertically integrated utilities are submitting the Authority can monitor 1 effectively.</i></p> <p><i>The ASX data is all public information. So as long as the largest 6 utilities are reporting to the Authority this can be subtracted from the total ASX volumes to monitor 2 (assuming volume which isn't the largest 6 utilities is a good measure of financial and consumer participation).</i></p> <p><i>Financial services firms are ultra-sensitive to compliance matters. It is not a trivial matter to develop a new reporting and compliance process for these organisations. We believe the hedge disclosure obligations contribute to financial firms deciding that entering the NZ power is too difficult and not worth the effort.</i></p> <p><i>It is worth noting that typical power trading teams consist of 1-3 traders, so all obligations imposed on these firms have a disproportionate drain on their available resources compared to large utilities.</i></p>	<p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p>

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		<p><i>We also believe the Authority should remove the obligation to register as a participant if you are only trading financial products.</i></p> <p><i>We suggest these changes as sensible steps to remove red tape and encourage more financial participation in New Zealand's hedge market.</i></p>	
097-001	Genesis (Page 4)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>However, while we have all the necessary information stored in the database, and can create an automatically generated file that sends the appropriate information to wherever it needs to go, this will require lead in time to ensure that we can have this set up correctly. This is particularly relevant if the ASX reporting software changes have not been made at the time this provision comes into force.</i></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	The Authority expects that ASX reporting software changes will be made in time for this Code amendment.
097-001	Meridian (Page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p>	

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		<p><b>Did have comments on proposed Code drafting</b></p> <p><i>Bolded term “Derivatives exchange” is not defined.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>“Derivatives exchange” should not have been in bold, as it is not defined, and does not need to be. This has been rectified in the final amendment.</p>
097-001	Mighty River Power (Annex 1, page 2)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>The solution should make the process less onerous by removing the process for providing a statutory declaration.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The proposed drafting should also remove the process for providing a statutory declaration.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>The process for providing a statutory declaration should be removed. In our view, there will be no reduction in quality of the data received by the Authority if this were to occur. The Authority has an extensive auditing right to check trade information if it chooses. The mere presence of an audit right is an incentive for participants to provide accurate data.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p>	<p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>No reason given – no supporting argument to cause the Authority to</p>

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		<p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>The proposed process should also remove the process for providing a statutory declaration.</i></p>	<p>reconsider the cost-benefit analysis.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p>
097-001	Trustpower (Page 13)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>The Authority has rightly identified that an increase in disclosure is required because of changes to the ASX rules, however, it does not consider the policy behind the disclosure process. We think that the current process already drives unnecessary cost into a participant's business. The proposed change will only exacerbate this cost. We suggest that the industry continues to voluntarily disclose ASX trades until a broader review can be completed.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>The solution should also consider ways to make increased costs less onerous, including to remove the process for providing a statutory declaration. As above, we suggest that the industry continues to voluntarily disclose ASX trades until a broader review can be completed.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The proposed drafting should also remove the process for providing a statutory declaration.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p>	<p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>Not the subject of this consultation, but</p>

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		<p><i>The Authority identifies that increased disclosure will increase costs. Those increased costs can be mitigated to an extent by removing the process for providing a statutory declaration. In our view there would be no reduction in quality of the data received by the Authority if this was to occur. The Authority has an extensive auditing right to check trade information if it chooses. The mere presence of an audit right is an incentive for participants to provide accurate data.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>The proposed drafting should also remove the process for providing a statutory declaration.</i></p>	<p>could be the possible subject of a future review of risk management contracts reporting requirements.</p> <p>No reason given – no supporting argument to cause the Authority to reconsider the cost-benefit analysis.</p> <p>Not the subject of this consultation, but could be the possible subject of a future review of risk management contracts reporting requirements.</p>
008-002	Contact (Page 4)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Point (a) implies an embedded network is connected to the grid. In our view it would be clearer if this read "is not directly <b>connected</b> to the <b>grid</b> but is supplied through one or more other networks".</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>The Authority does not agree that the proposed Code amendment implies that an embedded network is directly connected to the grid. The words "only through one or more other <b>networks</b>" clarify that an embedded network is indirectly connected to the grid.</p>

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008-002	Genesis (Page 5)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Point (a) would be more clearly drafted as follows:</i></p> <p><i>“(a) is not connected directly to the grid; and”</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	The Authority does not agree that the proposed Code amendment implies that an embedded network is directly connected to the grid. The words "only through one or more other <b>networks</b> " clarify that an embedded network is indirectly connected to the grid.
008-002	Mighty River Power (Annex page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
008-002	Orion (Pages 3-5)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>The Authority does not provide a clear problem definition. We do not consider that the word</i></p>	The Authority is clarifying the definition

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		<p><i>“between” in paragraphs (a) and (b) of clause 1.1(1) is confusing and we <b>do</b> consider that the clause is clear in specifying that it is “a system of lines, substations and other works used primarily for the conveyance of electricity” that is being connected to the network or another embedded network. Again in paragraph (b) the clause is clear in specifying that it is “a system of lines, substations and other works used primarily for the conveyance of electricity” that is being connected to the consumer, embedded generating station or both is.</i></p> <p><i>Indeed it is this “system of system of lines, substations and other works used primarily for the conveyance of electricity” with the electricity flow at the point of connection to a network or another embedded network quantified by a metering installation that is the embedded network.</i></p> <p><i>It would appear that the intent of the proposed amendment is to stop the creation of embedded networks in favour of customer networks. If this is the case then this may be perceived as the Authority trying to reduce competition and the proposal would not be consistent with the Authority’s statutory objective in section 15 of the Electricity Industry Act 2010.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>We do not consider that the Authority has established that there is a problem therefore we cannot agree with the proposed solution.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We would suggest that the references to points of connection between an embedded network and a local network or another embedded network in the existing drafting is helpful when considering other Code requirements. Such as the Code requirements relating to the creation of an embedded network set out in Schedule 11.1 Clause 25(3)(c) and 25(3)(d) by an embedded network owner and the creation and decommissioning of an NSP. These clause refer to:</i></p> <ol style="list-style-type: none"> <li><i>1. the interconnection point between 2 embedded networks; and</i></li> <li><i>2. a point of connection between an embedded network and another network.</i></li> </ol>	<p>of embedded network with this change.</p> <p>Disagree. The Authority’s intention is not to discourage the creation of embedded networks in favour of customer networks.</p> <p>The Authority considers that the definition is now clear and does not agree that the references to points of connection between an embedded network and a local network or another embedded network in the existing drafting are clear.</p>



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		<p><i>Which is consistent with the existing drafting.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>It is not clear what the objectives of the proposed amendment are.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>The Authority suggests that “To the extent that it avoids the unnecessary establishment of one embedded network, the proposed amendment would be a positive net benefit.” This would suggest that the value of competition on the embedded network is less than the costs of establishing an embedded network it would be useful if the Authority clarified this and quantified it.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>It would appear that the intent of the proposed amendment is to stop the creation of embedded networks in favour of customer networks. While we consider that embedded networks can be a problem we consider that the proposal may be perceived as the Authority trying to reduce competition, this would appear to make the proposal inconsistent with the Authority’s statutory objective in section 15 of the Electricity Industry Act 2010.</i></p>	<p>The point the Authority is making here is with regards to the unnecessary establishment of an embedded network, i.e. where the Code requires an embedded network to exist where it otherwise would not exist. Competition on a secondary network can occur without creating an embedded network, so the value of competition is not relevant. Network extensions allow a significantly low cost alternative without the high creation and maintenance costs of embedded networks.</p> <p>Disagree. The Authority’s intention is not to discourage the creation of embedded networks in favour of customer networks.</p>
008-002	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p>	

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		<p><i>Point (a) could be made clearer if redrafted as: "is not directly connected to the grid".</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>The Authority does not agree that the current drafting implies that an embedded network is directly connected to the grid. The words "only through one or more other <b>networks</b>" clarify that an embedded network is indirectly connected to the grid.</p>
008-002	Vector (Page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>Noted.</p>
084-003	Contact (page 5)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><i>We note Contact brought this anomaly to the attention of the Authority on 6 January 2014.</i></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	<p>Noted.</p>

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		<b>Agreed the proposed amendment is preferable to other options</b>	
084-003	Genesis (page 6)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We do note, however, that while an amendment is proposed to the definition and to clause 14.41, the proposed change to clause 14.41 has not been included in the "Master List of all Proposed Amendments".</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><i>However, it only works provided that any network is required to meet the current threshold of a "serious financial breach". This threshold is an important safeguard to ensure that an embedded network does not have a disproportionate amount of power in the event of a default.</i></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>Noted. The amendment to clause 14.41 will be included in the instrument that makes the Code amendments discussed in this table.</p> <p>This is a different issue and is out of scope for this proposal.</p>
084-003	Mighty River Power (annex – page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted

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084-003	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
084-003	Vector (page 3)	<p><b>Agreed with the Authority's proposed solution</b></p> <p><i>Vector supports the amendment to explicitly include reference to embedded networks under the definition of "Use of systems agreement" (UoSA).</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We also support that reference to an embedded networks' UoSA is reflected and included in Part 12A, and the event of default provisions under Part 14.</i></p> <p><i>However, the words "or embedded network", proposed in the summary of amendment on page 24 to be added to clause 14.41, have been omitted from the Master List of amendments in Appendix D. Vector recommends the Authority correct this error before finalising its proposal.</i></p>	<p>Noted.</p> <p>Noted.</p> <p>Noted. The amendment to clause 14.41 will be included in the instrument that makes the Code amendments discussed in this table.</p>
002-004	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p>	Noted.

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		<p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
002-004	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
020-005	Contact (Page 8)	<p><b>Does not agree with the Authority's problem definition</b></p> <p><b>Does not agree with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><i>A change to the registry's functionality should be made to enable metering to be added to the registry where a network supply point (NSP) is already represented by a LE ICP on the registry.</i></p> <p><i>The only non-grid connected NSPs that should require an addition to the register are interconnection points.</i></p> <p><i>Changing the Code in this way would remove the need for the embedded network owner to translate ICP information for the related NSP.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p>	<p>What has been proposed in this submission is a major change to the Registry and is out of scope. This would require changes to the MEP notification process, MEP processes, and the structure of distributor only ICPs. As the network owner is required to provide submission information for NSPs, both ICP and residual volume traders do not need the metering records.</p> <p>The issue (one of three) identified in the amendment proposal is not one involving the LE ICP – it is about the provision of advice, i.e. the Code</p>

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		<p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We do not believe the option for embedded network NSPs to utilise LE ICPs on the registry has been adequately considered.</i></p>	<p>currently requires the distributor to advise the “reconciliation participant for the NSP” of each metering installation’s certification expiry date. The distributor should actually advise the reconciliation manager, not the reconciliation participant for the NSP.</p>
020-005	Mighty River Power (Annex Page 4)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><i>A change to the registry’s functionality should be made to enable metering to be added to the registry where a network supply point (NSP) is already represented by a LE ICP on the registry.</i></p> <p><i>The only non-grid connected NSPs which should require an addition to the register are interconnection points.</i></p> <p><i>Changing the Code in this way would remove the need for the embedded network owner to translate ICP information for the related NSP.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We do not think the option for embedded network NSPs to utilise LE ICPs on the registry has been adequately considered.</i></p>	<p>As above, what has been proposed in this submission is a major change to the Registry and is out of scope. This would require changes to the MEP notification process, MEP processes, and the structure of distributor only ICPs. As the network owner is required to provide submission information for NSPs, both ICP and residual volume traders do not need the metering records.</p> <p>The issue (one of three) identified in the amendment proposal is not one involving the LE ICP – it is about the provision of advice, i.e. the Code currently requires the distributor to advise the “reconciliation participant for the NSP” of each metering installation’s certification expiry date. The distributor should actually advise the reconciliation manager, not the</p>

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			reconciliation participant for the NSP.
020-005	Trustpower (Page 4)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>A change to the registry's functionality should be made to enable metering to be added to the registry where a network supply point (NSP) is already represented by a LE ICP on the registry.</i></p> <p><i>The only non-grid connected NSPs which should require an addition to the register are interconnection points.</i></p> <p><i>Changing the Code in this way would remove the need for the embedded network owner to translate ICP information for the related NSP.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>Please see response to Q3.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p>N/A</p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We do not believe the option for embedded network NSPs to utilise LE ICPs on the registry has been adequately considered.</i></p>	<p>As above, what has been proposed in this submission is a major change to the Registry and is out of scope. This would require changes to the MEP notification process, MEP processes, and the structure of distributor only ICPs. As the network owner is required to provide submission information for NSPs, both ICP and residual volume traders do not need the metering records.</p> <p>The issue (one of three) identified in the amendment proposal is not one involving the LE ICP – it is about the provision of advice, i.e. the Code currently requires the distributor to advise the “reconciliation participant for the NSP” of each metering installation’s certification expiry date. The distributor should actually advise the reconciliation manager, not the reconciliation participant for the NSP.</p>
022-006	Genesis (Page 7)	<p><b>Agreed with the Authority's problem definition</b></p>	Noted.

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		<p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>The change will reflect current market practice so, arguably, the costs are overstated as the Authority has not enforced this.</i></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
022-006	Mighty River Power (Annex page 5)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><i>The change will reflect current market practice so, arguably, estimated costs may have been overstated.</i></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
022-006	Orion	<p><i>Covering Letter: Our principle concern is with the proposed change to clause 10.33 Energisation of a point of connection. We consider that this clause is fundamentally flawed as currently drafted and the proposed change just exacerbates the existing problems.</i></p> <p><b>Did not agree with the Authority's problem definition</b></p>	The Authority disagrees. This change reduces cost without imposing cost on other participants, and means that a reconciliation participant only needs to obtain the network owner's approval in



	Submitter(s)	Submission	Authority response
		<p><i>The Authority does not provide a clear problem definition. However the evaluation of the costs and benefits of the proposed amendment provide some indication of the problem. From this evaluation it appears that should the Authority enforce the Code as currently drafted (presumably this implies that the Code is not currently being enforced) then distributors may incur a monthly cost of \$16,500 in relation to responding to retailers requests to energise a site that has been de-energised for non-payment and a similar monthly cost relating to the energisation of vacant premises.</i></p> <p><i>The paper notes that in 2014 on average, retailers de-energised approximately 2000 ICP's each month for non-payment and a similar number of de-energisations for vacant properties, it does not indicate how many of these ICP's were de-energised at a point other than the point of connection to the network i.e. remotely using a contactor in a "smart" meter. We would expect that a large number of the de-energisations that are being carried out would be carried out remotely using smart meters and therefore not be covered under clause 10.33 as the point of connection would remain energised. If this is the case then the benefits that the Authority is claiming from the amendment would be much smaller than suggested.</i></p> <p><b>Partially agreed with the Authority's proposed solution</b></p> <p><i>Section 61A of the Electricity Act requires that every electricity distributor that owns or operates an electricity supply system (above a certain size) must implement and maintain a safety management system (SMS) that requires all practicable steps to be taken to prevent the electricity supply system from presenting a significant risk of – serious harm to any member of the public, or, significant damage to property owned by a person other than the electricity distributor.</i></p> <p><i>Regulation 48 of the Electricity (safety) Regulations 2010 (ESR's) identifies that compliance with NZS 7901:2008 Electricity and Gas industries – safety management Systems for Public Safety is one means of meeting this obligation.</i></p> <p><i>Orion have chosen to meet this standard to comply with the requirements under the Electricity</i></p>	<p>the case of new connections.</p> <p>Potentially, however this change reduces cost without imposing cost on other participants.</p> <p>Noted.</p> <p>Noted.</p>

	Submitter(s)	Submission	Authority response
		<p>Act.</p> <p><i>This means that we only allow personnel that meet Orion’s competency requirements to work in “high risk” areas such as kiosks or substations. In these cases a reconciliation participant would not be permitted by Orion to energise a point of connection.</i></p> <p><i>Therefore we would be prepared to consider the proposed amendment if it were restricted to the energisation of a low voltage point of connections (excluding the first energisation) that are not in high risk areas. Personnel carrying out these energisations would be required to be electrically competent. We consider that the Authority’s blanket approach is unworkable due to safety requirements.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider that if the Authority is proposing an amendment to this clause 10.33 or any clause it should look at the clause in its entirety and resolve any other issues that are problematic with the clause should the Authority enforced the Code. It should also identify consequential changes to other documents and provide information on these changes as part of the consultation process eg MUoSA, Guidelines etc.</i></p> <p><i>In this respect we consider that there is a lack of consistency between the proposed changes to Clause 10.33 and schedule 6 of the Model Use of System Agreement (Interposed) Final draft – September 2012.</i></p> <p><i>While we do not endorse schedule 6 of the Model Use of System Agreement we do note that the schedule sets out the processes that the distributor and Retailer will follow in respect of:</i></p> <ul style="list-style-type: none"> <li>(a) <i>New connections</i></li> <li>(b) <i>Capacity changes to existing connections</i></li> <li>(c) <i>Temporary Disconnections and associated Reconnections</i></li> <li>(d) <i>Vacant site Disconnections and associated Reconnections</i></li> <li>(e) <i>Decommissioning ICPs; and</i></li> <li>(f) <i>Unmetered load</i></li> </ul>	<p>The Authority does not agree that this is a concern – where an energisation is to be carried out on a distributor's network, the UoSA should require that a warranted person carries out the energisation. Where an energisation is to be carried out on a consumer's premise, the electrical safety regulations apply.</p> <p>This is out of scope for this amendment.</p>

	Submitter(s)	Submission	Authority response
		<p><i>Any changes to the Code should be accompanied by consequential changes to the MUoSA and the cost of these changes included in the cost benefit analysis.</i></p> <p><i>Other points of concern are:</i></p> <p><i>The registry uses the term “Trader participant identifier” on its screen rather than the term “reconciliation participant” the registry online data dictionary information refers to</i></p> <p><i>Entity                    Trader</i></p> <p><i>Attribute                Trader Participant Identifier</i></p> <p><i>Format                   Char 4</i></p> <p><i>Description             Identifies the Trader responsible for supplying electricity to the ICP. This value of the attribute identifies the Trader who accepts responsibility for the ICP.</i></p> <p><i>We would suggest that the Code refers to the term trader rather than reconciliation participant.</i></p> <p><i>We consider that the Code must include limitations on the ICP’s that the Trader can energise or authorise to be energised that meet the practical requirements of the distributor. That is the trader should not be able to energise or authorise the energisation of an ICP where the point of connection is in an area of the distributors network that the distributor considers high risk. In these circumstances the trader should only be able to request the distributor to energise the ICP. In areas other than high risk areas providing the personnel carrying out these energisations are electrically competent we would agree that for energisations other than the first that written agreement is not required from the distributor.</i></p> <p><i>We considered that clause 10.33(4) needs to be amended to provide that a distributor (or their</i></p>	<p>The Authority disagrees. “Trader” and “Reconciliation Participant” are two very different terms. “Trader” refers to a participant that buys or sells electricity from/to the Clearing Manager and it would not be appropriate to use this instead of “Reconciliation Participant”.</p> <p>The Authority does not agree that this is a concern – where an energisation is to be carried out on a distributor’s network, the UoSA should require that a warranted person carries out the energisation. Where an energisation is to be carried out on a consumer’s premise, the electrical safety regulations apply.</p> <p>The Authority considers that this can already be done for operational reasons.</p>

	Submitter(s)	Submission	Authority response
		<p><i>agents) can energises ICP's that have been de-energised for operational reasons, this change is needed to legitimise a practical reality. Under the current Code if the Authority was to enforce clause 10.33(4) then there could be considerable delay in restoring supply following rectification of faults.</i></p> <p><i>We also consider that it would be good practice that the party that has temporarily de-energised a site should be the party that re-energises the site.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><i>We agree with the objective of reducing cost and simplifying processes where appropriate. We consider that the proposed amendment does not deal with the practicalities of the safety requirements that distributors are subject to under other legislation and may in fact conflict with these safety requirements. We consider that there are other sections of this clause 10.33 that should also be changed (as described above) to provide long term benefits to consumers.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>We doubt that the benefit will outweigh the cost of the proposal as the Authority has not indicated how many de-energisations have occurred using contactors in “smart” meters nor has it taken into account consequential changes to its own MUoSA and the possible flow on effects on individual UoSA and the costs to negotiate changes if necessary.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We do not agree that the proposed amendment is preferable to the other proposed options, having said that we do not consider that the other proposed options are acceptable either.</i></p> <p><i>Rather we believe that the Authority must propose a Code amendment that meets the practical requirements of a distributors safety obligations under other legislation. That is the proposed</i></p>	<p>The Authority does not agree. This would be unworkable as inactive ICPs may switch trader.</p> <p>The Authority does not agree that this is a concern – where an energisation is to be carried out on a distributor's network, the UoSA should require that a warranted person carries out the energisation. Where an energisation is to be carried out on a consumer's premise, the electrical safety regulations apply.</p> <p>This change reduces cost without imposing cost on other participants.</p> <p>As above re: safety</p> <p>The Authority does not agree that this is a concern – where an energisation is</p>

	Submitter(s)	Submission	Authority response
		<p><i>amendment should limit the ability of Traders to energise ICP's or authorise the energisation of ICPs that are supplied from areas of the network that the distributor considers are high risk. In these cases the trader should be able to request the distributor to energise the ICP (suitable time frames must be provided for).</i></p> <p><i>In areas other than high risk areas providing the personnel carrying out these energisations are electrically competent we would agree that for energisations other than the first that written agreement is not required from the distributor.</i></p> <p><i>Should in all cases of first energisation require written agreement from the distributor</i></p> <p><i>Should permit distributors to re-energise ICP's that have been de-energised for operational reasons eg rectification of network faults.</i></p> <p><i>We believe that an amendment of the nature proposed above will provide a more reliable supply by and efficient operation of the electricity industry for the long term benefit of consumers.</i></p>	<p>to be carried out on a distributor's network, the UoSA should require that a warranted person carries out the energisation. Where an energisation is to be carried out on a consumer's premise, the electrical safety regulations apply.</p> <p>The Authority considers that this can already be done for operational reasons.</p>
022-006	Trustpower (Page 5)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><i>The change will reflect current market practice so, arguably, estimated costs may have been overstated.</i></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
078-007	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
078-007	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
078-007	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<b>Agreed the proposed amendment is preferable to other options</b>	
079-008	Mighty River Power (Annex page 6)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>We request the Authority also investigates further the process and methodology for determining which customers should have reactive energy monitoring activated and Power Factor charges applied following a meter's installation. We consider the initiator of the activation request in this instance should also carry the setup costs and lead the communications with the various parties. This will aim to promote consistency across the networks and reduce unnecessary costs to traders and MEPS.</i></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>Noted.</p> <p>This is out of scope for this amendment.</p> <p>The current wording of clause 10.34 requires MEPS to consult with distributors and traders when determining the design of a metering installation. This consultation should include functionality requirements. In addition, the distributor should indicate where reactive and apparent components are included in the tariff requirement (in its ICP pricing fields on the registry and its pricing schedule).</p>
079-008	Trustpower (page 11)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>We request the Authority also investigates further the process and methodology for determining which customers should have reactive energy monitoring activated and Power Factor charges applied following a meter's installation. We consider the initiator of the activation request in this instance should also carry the setup costs and lead the communications with the various parties. This will aim to promote consistency across the</i></p>	<p>This is out of scope for this amendment.</p> <p>The current wording of clause 10.34 requires MEPS to consult with distributors and traders when</p>

	Submitter(s)	Submission	Authority response
		<p><i>networks and reduce unnecessary costs to traders and MEPS.</i></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>determining the design of a metering installation. This consultation should include functionality requirements. In addition, the distributor should indicate where reactive and apparent components are included in the tariff requirement (in its ICP pricing fields on the registry and its pricing schedule).</p>
079-008	Vector (page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
087-009	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.



	Submitter(s)	Submission	Authority response
087-009	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
087-009	Transpower (pages 4 and 5)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider there is drafting error in (2) (b); the recent 12 months context has been removed so a meter that was used for a short period several years ago can be reused without being recertified which we think is not the intent.</i></p> <p><i>Revised drafting is below</i></p> <p><i>Clause 43(2)(b) of Schedule 10.7</i></p> <p><i>(b) <u>has confirmed that it has been no more than 12 months since the meter was installed in the previous metering installation; and</u></i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	The Authority agrees with this suggested drafting.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
087-009	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
087-009	Vector (page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
089-010	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<b>Agreed the proposed amendment is preferable to other options</b>	
089-010	Trustpower (page 2)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b> <b>Agreed the benefits of the proposed amendment outweigh its costs</b> <b>Agreed the proposed amendment is preferable to other options</b>	Noted.
046-011	Contact (Page 2)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b> <b>Agreed the benefits of the proposed amendment outweigh its costs</b> <b>Agreed the proposed amendment is preferable to other options</b>	Noted.
046-011	Mighty River Power (Annex Page 1)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
046-011	Powershop (Page 2)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>Powershop does not agree that the terms "meter", "data storage device", and "load control device" are too broad, and believes the fields currently specified as "required" in Table 1 of Schedule 11.4 are appropriate.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>Powershop believes the Load Control devices are an important piece of information that retailers and distributors use to determine eligibility for pricing plans. It is also useful for EA auditors to validate the data loaded by MEPs e.g. an IN or CN registry should be accompanied with a load control device. The Load Control device information is also vital for validation when a trader is using the controlled load for profiling in submission information.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Powershop does not agree that a Code amendment is necessary.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>No comment.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>No comment</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>The status quo is preferable.</i></p>	<p>Load control devices are still required as a component under row 15 of Table 1 of Schedule 11.4, but do not have registers so the register number is not required under Row 23 of Table 1 of Schedule 11.4.</p> <p>A load control device must be populated in the Registry where it is a separate certified component. A MEP may populate an uncertified load control device if they wish to but the certification flag should remain as N.</p>

	Submitter(s)	Submission	Authority response
046-011	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted
047-012	Meridian (Page 4)	<p><i>Cover letter: We are unsure of the additional benefit from the Authority's proposal to require the release of transmission agreements. We also consider the proposal could involve risks in terms of the extent of the information it could require to be made available. Meridian requests further work is undertaken on this suggested change.</i></p> <p><b>Mostly agreed with the Authority's problem definition</b></p> <p><i>Please refer our Q2 response detailing specific concerns regarding the proposed requirement for agreements to be made available on request</i></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>Meridian agrees with having the Code require that Transpower releases a list of transmission agreements and explanations of variances with the benchmark.</i></p> <p><i>While not made entirely clear in the paper, the proposal would be a change from current arrangements which involve the release of certain information by Transpower but not agreements themselves. We consider the proposal carries with it risks that it could require the (inappropriate) release of commercially sensitive information and we are unclear from the Authority's analysis what the additional benefit would be from the change. We request the Authority undertakes further work on this aspect of its proposals, if necessary as part of a</i></p>	<p>There is already an obligation in the Code to publish all transmission agreements between Transpower and designated transmission customers (Clause 12.15, subclause (3)).</p> <p>However, the Authority acknowledges that participants may be concerned about confidential information being released, so it is including the following clause (3):</p> <p>"(3) Despite subclause (2), <b>Transpower</b> may refuse to provide information from <b>a transmission agreement</b> if it considers there would be grounds for withholding the information under the Official Information Act 1982."</p>

	Submitter(s)	Submission	Authority response
		<p><i>phased approach that progresses other elements earlier.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Refer Q2 response.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>Refer Q2 response.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer Q2 response.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>Refer Q2 response.</i></p>	
047-012	Mighty River Power (Annex – Page 7)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>We support a list of transmission agreements and explanations of variances with the benchmark being made available. An explanation of each variation will ensure consistency with the benchmark agreement and other parts of the Code.</i></p> <p><i>We question, however, the additional benefit to enabling any person to request a copy of the transmission agreements. It is not appropriate for the documents themselves to be made publicly available because there are commercially sensitive aspects to variations and the specific schedules attached to each agreement.</i></p> <p><i>For the avoidance of doubt, we also suggest that the proposed amendment clearly exclude any agreements that are not based on a benchmark agreement, such as customer investment</i></p>	<p>There is already an obligation in the Code to publish all transmission agreements between Transpower and designated transmission customers (Clause 12.15, subclause (3)).</p> <p>However, the Authority acknowledges that participants may be concerned about confidential information being released, so it is including the following clause (3):</p> <p>"(3) Despite subclause (2), <b>Transpower</b> may refuse to provide information from <b>a transmission</b></p>

	Submitter(s)	Submission	Authority response
		<p><i>contracts.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The requirement to provide a copy of the agreements should be removed.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><i>Although the objective does not require the publication of copies of the agreements.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>No, not if copies of the agreement are published.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>As noted above, the preferable option is to make available the list of transmission agreements and explanations of variances with the benchmark. The additional requirement to provide copies of agreements is not required to remedy the identified problem and is not appropriate because there are commercially sensitive aspects to variations and the specific schedules attached to each agreement.</i></p>	<p><b>agreement</b> if it considers there would be grounds for withholding the information under the Official Information Act 1982.”</p>
047-012	Transpower (Page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We suggest that proposed sub clauses (1)(c) and (d) should refer to material inconsistency with the benchmark agreement, as follows:</i></p> <p>(c) <i>whether the <b>transmission agreement</b> is consistent in all material respects with the <b>benchmark agreement</b>; and</i></p> <p>(d) <i>if the <b>transmission agreement</b> is not consistent in all material respects with the <b>benchmark agreement</b>, a description of the inconsistency; and</i></p>	<p>The Authority agrees with the intent that the variations of interest are those that are material. The Authority has decided to insert the word “material” before the word “variations” in the clause, i.e.:</p>

	Submitter(s)	Submission	Authority response
		<p><i>This wording mirrors the wording, and underlying requirement, in clause 12.14 and the other clauses cross-referenced in it. It would also avoid any possible interpretation that the population of parts of the benchmark agreement with customer-specific details constitutes a “variation” that needs to be described. A materiality threshold would ensure effort is not spent on describing very minor changes, which would be of little or no benefit to anyone.</i></p> <p><i>We also suggest an “avoidance of doubt” clause to remove any risk that the 12.15 provision could be interpreted to apply to our commercial agreements.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p><b>12.15 Transpower to publish information about transmission agreements and provide them on request</b></p> <p>(1) ...</p> <p>(c) whether the <b>transmission agreement</b> includes any <u>material</u> variations from the <b>benchmark agreement</b>; and</p> <p>(d) if the <b>transmission agreement</b> includes any <u>material</u> variations from the <b>benchmark agreement</b>, a description of the variations; and</p> <p>....</p> <p>The Authority acknowledges that participants may be concerned about confidential information being released, so it is including the following clause (3):</p> <p>"(3) Despite subclause (2), <b>Transpower</b> may refuse to provide information from a <b>transmission agreement</b> if it considers there would be grounds for withholding the information under the Official Information Act 1982."</p>
047-012	Trustpower	<b>Agreed with the Authority's problem definition</b>	



	Submitter(s)	Submission	Authority response
	(Page 6)	<p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>We support a list of transmission agreements and explanations of variances with the benchmark being made available. An explanation of each variation will ensure consistency with the benchmark agreement and other parts of the Code. We question, however, the additional benefit to enabling any person to require a copy of the transmission agreements. It is not appropriate for the documents themselves to be made publicly available because there are commercially sensitive aspects to variations and the specific schedules attached to each agreement. For the avoidance of doubt, we also suggest that the proposed amendment clearly exclude any agreements that are not based on a benchmark agreement, such as customer investment contracts.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Refer response to Q2.</i></p> <p><b>Unclear if agreed with the objectives of the proposed amendment</b></p> <p><i>Refer response to Q2.</i></p> <p><b>Unclear if agreed whether the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer response to Q2.</i></p> <p><b>Unclear if agreed whether the proposed amendment is preferable to other options</b></p> <p><i>Refer response to Q2.</i></p>	<p>The Authority acknowledges that participants may be concerned about confidential information being released, so it is including the following clause (3):</p> <p>"(3) Despite subclause (2), <b>Transpower</b> may refuse to provide information from <b>a transmission agreement</b> if it considers there would be grounds for withholding the information under the Official Information Act 1982."</p> <p>We believe this would allay concerns around agreements that are not based on benchmark agreements.</p>
049-013	Contact (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
049-013	Mighty River Power (Annex – page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
049-013	Orion (pages 9 and 10)	<p><b>Partially agreed with the Authority's problem definition</b></p> <p><i>....currently the Code requires the Authority to establish, maintain and publish a centralised data set. The problem definition does not indicate whether the Code requires the Authority to establish maintain and publish the information on the Authority's Electricity market Information website.</i></p> <p><i>Removing the requirement to establish, maintain and publish a centralised data set without replacing it with a requirement to establish maintain and publish the equivalent information on the Authority's Electricity market Information website may lead in the future to this information being watered down or removed.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>We consider that the requirement to establish, maintain and publish a centralised data set</i></p>	The Authority's functions, as set out in section 16 of the Act, include: "to undertake market facilitation measures (such as providing education, guidelines, information, and model arrangements)". Hence, there is a clear expectation in the legislation that the Authority will provide information to the industry. The Authority does not consider it necessary to regulate, in the Code, for the provision of a centralised data set, or to publish the equivalent information on the

	Submitter(s)	Submission	Authority response
		<p><i>should be replaced with a requirement to establish maintain and publish the equivalent information on the Authority's Electricity market information website. This will ensure there is an ongoing obligation on the Authority to maintain this information.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>See response to Q2.</i></p> <p><b>Partially agreed with the objectives of the proposed amendment</b></p> <p><i>Partially see response to Q1 and Q2</i></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We believe that there is a better option which is to replace the obligation to establish, maintain and publish a centralised data set with an obligation to establish maintain and publish the equivalent information on the Authority's Electricity market Information website. This will ensure there is an ongoing obligation on the Authority to maintain this information.</i></p>	<p>Authority's website.</p>
049-013	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>Noted.</p>

	Submitter(s)	Submission	Authority response
093-014	Contact (page 6)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>However Contact considers that the model use of system agreement (UOSA) clause 26.8 should be amended rather than deleted as implied by the last paragraph of the issues section. Contact has drafted short form and long form options for new UOSAs negotiated since 17 June 2014.</i></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
093-014	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
093-014	Orion (page 11)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
093-014	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
093-014	Vector (page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
050-015	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
050-015	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
050-015	Orion (page 12)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
050-015	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
051-016	Contact (Page 7)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Clause 12A.14 implies having to execute a new amended UOSA every time the distributor and trader agree to opt-out of exchanging information in accordance with the publicised EIEP. Subclause 3 should provide for more efficient options to record the agreement – e.g. by email or letter exchange or variation agreement to the already executed UOSA. Accordingly we suggest replacing 'each <b>use-of-system agreement</b>' with 'writing'.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	The Authority agrees that it could be an onerous requirement if the distributor and trader had to renegotiate the entire UoSA every time an EIEP was publicised, but this was not the intention. The Authority believes that it would be quite acceptable to amend an existing UoSA (by adding a schedule or addendum, or exchanging letters) provided the original UoSA allows for that method of amendment. The drafting proposed by the Authority does not require a complete rewrite of the UoSA each time an EIEP is published.

	Submitter(s)	Submission	Authority response
051-016	Genesis	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>Rather than recording the agreement to opt out in the Use of System Agreement, we propose that the parties be allowed to agree to opt-out in writing, for example, by an exchange of emails or letters.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>See above comment.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>The Authority agrees that it could be an onerous requirement if the distributor and trader had to renegotiate the entire UoSA every time an EIEP was publicised, but this was not the intention. The Authority believes that it would be quite acceptable to amend an existing UoSA (by adding a schedule or addendum, or exchanging letters) provided the original UoSA allows for that method of amendment. The drafting proposed by the Authority does not require a complete rewrite of the UoSA each time an EIEP is published.</p>
051-016	Meridian (page 5)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Because of the extent of the process/costs that can be involved in amending a UoSA, we request the amendment is drafted to also provide for parties to agree alternatives to newly publicised EIEP reports in writing. This could be achieved by amending draft clause 12A 14(3) or 12A14(2) to incorporate the wording "by mutual agreement in writing".</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p>	<p>The Authority agrees that it could be an onerous requirement if the distributor and trader had to renegotiate the entire UoSA every time an EIEP was publicised, but this was not the intention. The Authority believes that it would be quite acceptable to amend an existing UoSA (by adding a schedule or addendum, or exchanging letters) provided the original UoSA allows for that method of amendment. The drafting proposed by the Authority does not require a complete rewrite of the UoSA each</p>



	Submitter(s)	Submission	Authority response
		<p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>Refer response to Q3.</i></p>	time an EIEP is published.
051-016	Mighty River Power (Annex - Page 8)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not with the Authority's proposed solution</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Because of the extent of the process/costs that can be involved in amending a UoSA, we request the amendment is drafted to also provide for parties to agree alternatives to newly publicised EIEP reports in writing. This could be achieved by amending draft clause 12A 14(3) or 12A14(2) to incorporate the wording "by mutual agreement in writing". We also request the Code is amended to require the registry hub is used to transfer files between parties unless both the trader and network owner agree otherwise. By setting the default transfer method as the registry hub, this will ensure the security of file transfers and a standardised method is used by all parties.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p>	The Authority agrees that it could be an onerous requirement if the distributor and trader had to renegotiate the entire UoSA every time an EIEP was publicised, but this was not the intention. The Authority believes that it would be quite acceptable to amend an existing UoSA (by adding a schedule or addendum, or exchanging letters) provided the original UoSA allows for that method of amendment. The drafting proposed by the Authority does not require a complete rewrite of the UoSA each time an EIEP is published.

	Submitter(s)	Submission	Authority response
		<i>Refer response to Q3.</i>	
051-016	Orion (Pages 13 and 14)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>We do not see that it is an issue if the distributor and trader had previously agreed in a UoSA to exchange information to which the EIEP relates in another way that they should be obliged to renegotiate. Particularly if this renegotiation ends up with the status quo.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>We consider that the proposed solution is unworkable. We do not believe that it is reasonable to expect that every time a new EIEP has been published (or presumable amended) that UoSA should be renegotiated.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider that if the Authority wants to give effect to this proposed change it should do so in a manner that does not require changes to the UoSA.</i></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>We consider that the costs of renegotiating a UoSA could outweigh the benefits.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p>	The Authority agrees that it could be an onerous requirement if the distributor and trader had to renegotiate the entire UoSA every time an EIEP was publicised, but this was not the intention. The Authority believes that it would be quite acceptable to amend an existing UoSA (by adding a schedule or addendum, or exchanging letters) provided the original UoSA allows for that method of amendment. The drafting proposed by the Authority does not require a complete rewrite of the UoSA each time an EIEP is published.
051-016	Powershop (Page 3)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>Powershop does not agree that a problem exists.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p>	The Authority agrees that it could be an onerous requirement if the distributor and trader had to renegotiate the entire UoSA every time an EIEP was publicised, but this was

	Submitter(s)	Submission	Authority response
		<p><i>Powershop believes that parties should not be required to re-agree to use an alternative format each time a new EIEP is published.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Powershop does not agree that a Code amendment is necessary.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>Powershop believes that requiring parties to re-agree to use an alternative format each time a new EIEP is published is not an “efficient operation”. The justification for any “promotion of competition” is also absent from the proposal.</i></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>No, the status quo is preferable.</i></p>	<p>not the intention. The Authority believes that it would be quite acceptable to amend an existing UoSA (by adding a schedule or addendum, or exchanging letters) provided the original UoSA allows for that method of amendment. The drafting proposed by the Authority does not require a complete rewrite of the UoSA each time an EIEP is published.</p>
051-016	Trustpower (Page 7)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Because of the extent of the process/costs that can be involved in amending a UoSA, we request the amendment is drafted to also provide for parties to agree alternatives to newly publicised EIEP reports in writing. This could be achieved by amending draft clause 12A 14(3) or 12A14(2) to incorporate the wording “by mutual agreement in writing”. We also request the Code is amended to require the registry hub is used to transfer files between parties unless</i></p>	<p>The Authority agrees that it could be an onerous requirement if the distributor and trader had to renegotiate the entire UoSA every time an EIEP was publicised, but this was not the intention. The Authority believes that it would be quite acceptable to amend an existing UoSA (by adding a schedule or addendum, or exchanging letters) provided the original UoSA allows for that method of amendment. The drafting proposed by</p>

	Submitter(s)	Submission	Authority response
		<p><i>both the trader and network owner agree otherwise. By setting the default transfer method as the registry hub, this will ensure the security of file transfers and a standardised method is used by all parties.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>Refer response to Q3.</i></p>	<p>the Authority does not require a complete rewrite of the UoSA each time an EIEP is published.</p> <p>The requirement to mandate the registry hub is out of scope for this consultation, but may be considered in future amendments.</p>
069-017	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
069-017	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
069-017	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
070-018	Meridian (page 6)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider the ongoing need for NZST is questionable and its inclusion should be reconsidered.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	The deletion of NZST would require that all transactions between participants containing trading period information to only be exchanged in daylight saving adjusted format. This is out of scope for what the Authority was considering with this change.
070-018	Mighty River Power	<b>Agreed with the Authority's problem definition</b>	

	Submitter(s)	Submission	Authority response
	(Annex page 9)	<p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider the on-going need for NZST is questionable and its inclusion should be reconsidered.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	The deletion of NZST would require that all transactions between participants containing trading period information to only be exchanged in daylight saving adjusted format. This is out of scope for what the Authority was considering with this change.
070-018	Trustpower (page 8)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider the on-going need for NZST is questionable and its inclusion should be reconsidered.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	The deletion of NZST would require that all transactions between participants containing trading period information to only be exchanged in daylight saving adjusted format. This is out of scope for what the Authority was considering with this change.
071-019	Contact (Page 12)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p>	

	Submitter(s)	Submission	Authority response
		<p><i>The Code amendment should require the participant to have engaged a suitable auditor to at least perform a high level review (desktop audit) of their systems and processes and ensure the participant's understanding of the Code is sufficient for them to begin operating in the market, prior to a participant beginning to perform functions under the Code.</i></p> <p><b>Did not agree with objectives of the proposed amendment</b></p> <p><i>The benefit of participants having to request exemptions is that it allowed the Authority to consider supporting information (e.g. system outputs for switching and registry management functions, settlement file formats, review of personnel qualifications / experience), prior to granting an exemption.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>No – an additional clause is needed to require a participant to be able to provide the results of a high level review of their systems and process to ensure that once they begin to perform functions that they do not adversely impact other participants.</i></p>	<p>The proposed change to 15.38 is limited to addressing a contradiction between 15.38 and clause 2 of Schedule 15.1. There will be no change to the way certification is managed.</p> <p>Changes to the way certification is granted, including exemptions from certification and how certification is managed is being considered as part of the review of the participant audit regime.</p>
071-019	Meridian (cover letter)	<p><i>Further consideration is required as to whether the clause 15.38 provision for a three month certification 'grace period' should allow for exceptions where ICPs held exceed a certain limit (e.g. 1000).</i></p>	<p>The proposed change to clause 15.38 is limited to addressing a contradiction between clause 15.38 and clause 2 of Schedule 15.1. There will be no change to the way certification is managed.</p> <p>Changes to the way certification is granted, including exemptions from certification and how certification is managed is being considered as part</p>

	Submitter(s)	Submission	Authority response
			of the review of the participant audit regime.
071-019	Meridian (Page 7)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Mostly agreed with the Authority's proposed solution</b></p> <p><i>We agree it is important, like the paper suggests, to have the arrangements provide the Authority with the confidence it needs to grant certification. With the Authority indicating in the paper that it 'often' allows a three month grace period currently (implying there are some instances where it doesn't), we question whether this suggests the Code should allow for exceptions to be made where a participant's ICPs are above a certain level (e.g. 1000 ICPs). This would allow, for instance, the Authority to apply a different approach (where appropriate) for entrants that rapidly acquire ICPs in reasonable volumes.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>For clarity, we consider it could be better to have proposed changes to 15.38(1)(a) refer to customer and generator ICP switching.</i></p> <p><i>We also consider the changes will require adjustments to clause 11.1(b), which also adopts the term "embedded generator" switching. See also Q2 response.</i></p>	<p>The proposed change to clause 15.38 is limited to addressing a contradiction between clause 15.38 and clause 2 of Schedule 15.1. There will be no change to the way certification is managed.</p> <p>Changes to the way certification is granted, including exemptions from certification and how certification is managed is being considered as part of the review of the participant audit regime.</p> <p>Generators and customers also switch at the grid level (reconciliation types GD and GG), and do not have ICP identifiers in the registry, so it would not be appropriate to include "ICP" here.</p> <p>The Authority disagrees, Part 11 is about ICP switching which includes embedded generation but not grid</p>



	Submitter(s)	Submission	Authority response
		<p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	connected generator switching.
071-019	Mighty River Power (Annex – Page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
071-019	Powershop (Page 4)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>Powershop believes that this solution does not consider new reconciliation participants that may enter the market by acquiring an established customer base from an existing participant(s). These new reconciliation participants could acquire enough ICPs/volume to have material impact on market settlement. The solution should be limited to an amount of ICPs and/or volume that the EA deems to be material.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>See above</i></p> <p><b>No comment on the objectives of the proposed amendment</b></p>	<p>The proposed change to clause 15.38 is limited to addressing a contradiction between clause 15.38 and clause 2 of Schedule 15.1. There will be no change to the way certification is managed.</p> <p>Changes to the way certification is granted, including exemptions from certification and how certification is managed is being considered as part</p>

	Submitter(s)	Submission	Authority response
		<p><b>No comment on the benefits of the proposed amendment outweigh its costs</b></p> <p><b>No comment on whether the proposed amendment is preferable to other options</b></p>	of the review of the participant audit regime.
071-019	Trustpower (Page 9)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Mostly agreed with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider a size threshold (e.g. 1000 ICPs) should apply for a grace period to be granted.</i></p> <p><i>We also consider proposed changes to clause 15.38 1(a) could be clearer if framed around ICP switching. Note this will also have implications for clause 11.1(b).</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>The proposed change to clause 15.38 is limited to addressing a contradiction between clause 15.38 and clause 2 of Schedule 15.1. There will be no change to the way certification is managed.</p> <p>Changes to the way certification is granted, including exemptions from certification and how certification is managed is being considered as part of the review of the participant audit regime.</p> <p>Generators and customers also switch at the grid level (reconciliation types GD and GG), and do not have ICP identifiers in the registry, so it would not be appropriate to frame the clause around 'ICP' Switching.</p>
072-020	Meridian (Cover letter)	<p><i>We support the Authority's proposal to no longer require the publication of a list of agents used by certified reconciliation participants and other suggested Schedule 15.1 clause 6 amendments. We agree the existing provision is of questionable value and consider the Authority's (maximum) cost estimate of \$50,000 for relevant system changes to be of concern.</i></p>	<p>Noted.</p> <p>The Authority has not carried out a full scoping exercise for this work.</p>

	Submitter(s)	Submission	Authority response
		<i>Its narrow focus on the publication of agents of certified reconciliation participants limits the possibility of broader use (to implement a decision to disclose information on price comparison agents, for instance).</i>	However, even if the cost for the relevant system changes was less than \$50,000, this change reduces cost without imposing cost on other participants.
072-020	Meridian (Page 8)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>We agree with the Authority's assessment that the requirement to publish a list of agents used by certified reconciliation participants is of questionable value and should be removed. Its narrow focus on agents used by reconciliation participants limits its potential for broader uses (implementing a decision to disclose information on price comparison service agents, for instance).</i></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
072-020	Mighty River Power (Annex Page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p>	Noted

	Submitter(s)	Submission	Authority response
		<p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
072-020	Trustpower (Page 10)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>Refer response to Q2.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>While clause 6(b) may be of questionable value at present, this may not continue to be the case should the use of agents by reconciliation participants increase. It could also provide the Authority with an important platform for tracking agents under new consumption data/tariff data arrangements.</i></p> <p><i>Because no list made available currently, it is difficult to verify the Authority's claims that the information is of limited value.</i></p> <p><i>We question why the provision, as pre-existing Code requirement, requires any changes to the Authority's retail audit database, and the scale of the \$50,000 claimed for system changes.</i></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><i>Refer response to Q2.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><i>Refer response to Q2.</i></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer response to Q2.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p>	<p>The ability to track agents under new consumption data/tariff data arrangements is outside the current Code requirements. Additionally, a list of agents' names is not in, and of itself helpful, as there is no context.</p> <p>The Authority has not carried out a full scoping exercise for this work. However, even if the cost for the relevant system changes was less than \$50,000, this change reduces cost without imposing cost on other participants.</p>

	Submitter(s)	Submission	Authority response
		<i>Refer response to Q2.</i>	
074-021	Meridian (Page 9)	<p><b>Unsure whether it agreed with the Authority's problem definition</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Unsure whether it agreed with the Authority's proposed solution</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>This appears to be a new obligation that, contrary to the EA's suggestions, will have significant system implications for some reconciliation participants. We would like to understand more about the Authority's reasoning for its claims that the proposed change reflects standard industry practice. We will also be interested to see more about the potential operational implications involved from submissions.</i></p> <p><b>Unsure whether it agreed with the objectives of the proposed amendment</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Unsure whether it agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer response to Q3.</i></p>	<p>Clause 4(1)(b) of schedule 10.7 requires MEPs to ensure that “<i>the sum of the measured error and the smallest possible increment of the energy value of the raw meter data obtained from the metering installation does not exceed the maximum permitted error set out in Table 1 of Schedule 10.1 for the category of the metering installation</i>”. Any rounding during an interrogation process, or production or handling of raw meter data, may introduce inaccuracies in volume information.</p> <p>A <b>validated meter reading</b> means a meter reading that has passed a reconciliation participant's validation process, and a <b>meter reading</b> is a meter register value or the equivalent, obtained from raw meter data. The Authority's view is that this requirement is clarifying current Code requirements. The meter reading should be being used in the form it is obtained and not modified.</p>

	Submitter(s)	Submission	Authority response
		<p><b>Unsure whether it agreed the proposed amendment is preferable to other options</b></p> <p><i>Refer response to Q3.</i></p>	
074-021	Mighty River Power (Annex Page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
074-021	Transpower (Pages 3 and 4)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>We have identified several issues with the proposed amendment</i></p> <ul style="list-style-type: none"> <li>• <i>The new clause refers to a <b>meter</b> rather than a <b>data storage device</b>.</i></li> <li>• <i>There is an assumption that data is always held in the data storage device as scaled engineering values with decimal places and this may not be the case.</i></li> <li>• <i>The context has changed from the accuracy requirements of schedule 10.1 table 1 to one of decimal places.</i></li> <li>• <i>The number of decimals held in the data storage device may become meaningless once the correction factor is applied. For example 2400/1 CTs and 11kV/110V VT may have a factor of 240000. If the device records 0.0001 kWh the raw data value will be 24 kWh. The 4 decimals will always be zero.</i></li> <li>• <i>The proposal is very specific and assumes that it is possible to determine how the data is <u>recorded</u> (not displayed) in the data storage device.</i></li> </ul>	<p>Agreed with the points made by the submitter that the number of decimal places recorded by each meter (or data storage device) may not be relevant to the number of decimal places in the raw meter data. As a result, the Authority proposes that clause 3(5) of Schedule 15.2 is as follows:</p> <p>(5) A <b>reconciliation participant</b> must ensure that all <b>raw meter data</b> used to derive <b>volume information</b> in accordance with this Schedule is not rounded or truncated from the stored data</p>

	Submitter(s)	Submission	Authority response
		<ul style="list-style-type: none"> <li><i>The proposal does not allow an interrogation system to have more decimals than the data storage device. This would be essential if the data storage device counts pulses.</i></li> </ul> <p><i>It is a change from defining an accuracy requirement into a very specific requirement on how the interrogation system must handle data. It is possible a meter may hold data as secondary values to several decimal places that will become meaningless when a scale factor is applied. The cost benefit analysis is also flawed as it can only be made on untested assumptions. If an audit finds that a participant system does not meet the new very specific requirement then they will be required to fix or replace the system. This could cost several hundred thousand dollars.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The two problems identified could be easily resolved by adding a participant obligation to the existing clause and correcting the cross-reference.</i></p> <p><b>14 Quantification error</b></p> <p><i>The participant responsible for any <b>interrogation</b> system used for the collection of <b>raw metering data</b> used to derive <b>volume information</b> must ensure that the requirements of clause 4(1)(b) are complied with</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>There is an untested assumption in the cost/benefit evaluation that there will be no cost to participants. Until a participants system is audited against the now very specific requirements this can't be known. If a system is found to be non-compliant (say it uses floating point</i></p>	<p>from the <b>metering installation</b></p> <p>With regards to the comment about the clause referring to a meter rather than a data storage device – as a result of the above amendments, it is no longer necessary to refer to a data storage device.</p> <p>The Authority has decided to make the above amendments to address the issues identified.</p> <p>Clause 4(1)(b) of schedule 10.7 requires MEPs to ensure that “<i>the sum of the measured error and the smallest possible increment of the energy value of the raw meter data obtained from the metering installation does not exceed the maximum permitted error set out in Table 1 of Schedule 10.1 for the category of the metering installation</i>”. Floating point decimals may be used, but rounding or</p>

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><i>decimals) then it could cost hundreds of thousands of dollars to resolve without necessarily gaining anything in terms of accuracy.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We propose an alternative option see question 3.</i></p>	truncating of information should not occur.
074-021	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted
003-022	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
003-022	Trustpower	<b>Agreed with the Authority's problem definition</b>	Noted.



	Submitter(s)	Submission	Authority response
	(page 2)	<p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
081-023	Contact (Page 11)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>"Our only concern would be if the Code amendment allowed the Authority to further amend the formats already part of the publicised procedures without adequate consultation or notice period, noting that the cost and time required to develop new or revised EIEP file formats is often underestimated."</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p>	The Authority agrees that the proposed amendment to clause 11.32F seems to allow the Authority to make EIEPs for that part of the Code without any consultation. The Authority has therefore added subclauses (4) and (5) to clause 11.32F. Please see the new amendments in the row below.
081-023	Genesis (cover letter and pages 9,10 and 11)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>While we agree with the definition change, this amendment goes beyond this and seeks to incorporate unspecified EIEPs by reference under clauses 11.32B and 11.32F of the Code.</i></p>	The Authority's intention is not to incorporate the EIEPs into the Code by reference. The intention was only to require that the Authority publicise them, and then participants would

	Submitter(s)	Submission	Authority response
		<p><i>We have provided further comment on this particular point below and provided drafting suggestions in the Appendix.</i></p> <p><i>While an EIEP is the type of document that may be incorporated by reference under section 32(3) of the Act (technical and long, or impractical to publish in the Code), Schedule 1 requires that the material incorporated by reference “is the material as it exists at the time the relevant provision of the main document is published”.</i></p> <p><i>The new drafting refers to “any relevant EIEP” in clause 11.32B and to “1 or more EIEP” in clause 11.32F. These references are ambiguous as to which EIEPs are actually being incorporated into the Code. We are concerned the drafting allows mandatory and voluntary EIEPs as well as current and future EIEPs to be incorporated without the need for the Authority to adhere to the consultation process governing the Code. This Amendment should refer to the specific EIEPs that are to be incorporated into both clause 11.32B and clause 11.32F. We have proposed alternative drafting in the Appendix.</i></p> <p><i>This amendment is not specific enough and presumes to incorporate of both mandatory and voluntary EIEPs into the Code under clause 11.32B, as well as current and future EIEPs, without proper consultation. In its current form, we consider this amendment ultra vires.</i></p> <p><i>Incorporation by reference is permitted under section 32(3) and Schedule 1 of the Act. And we agree an EIEP is the type of document that may be incorporated by reference. EIEPs are technical in nature and impractical to publish in full in the Code. However, Schedule 1 requires that material incorporated by reference is the material “as it exists at the time the relevant provision of the main document (the Code) is published”.</i></p> <p><i>Therefore, to meet the legal requirements of the act this amendment must refer to the specific EIEP that is to be incorporated into clause 11.32B. This applies equally to the reference to “1 or more EIEPs” in clause 11.32F that a retailer must comply with when responding to such a request.</i></p> <p><i>The Act does allow for amendments to specific documents incorporated by reference, if necessary, if the change is of the “same general character” as the incorporated document.</i></p>	<p>have to comply with them.</p> <p>The Authority agrees that the proposed amendment to clause 11.32F seems to allow the Authority to make EIEPs for that part of the Code without any consultation. The Authority has therefore added subclauses (4) and (5) to clause 11.32F.</p> <p>The Authority does not consider that an amendment is required to 12A.13(1). The reference to "<b>distributors</b> and <b>traders</b>" is correct as, in this context, the relevant EIEPs are in fact only for exchanging information between distributors and traders.</p> <p>The Authority does not however agree with the suggestion to delete the references to 'procedures'. In addition, the Authority does not wish to include reference to the actual EIEP numbers in the Code as this could create problems and additional cost later, if an EIEP were amended or replaced, as an amendment to the Code would be required.</p> <p>The amendment, incorporating these</p>

	Submitter(s)	Submission	Authority response
		<p><i>Specifying the EIEP, and properly consulting on both the EIEP and its incorporation by reference into the Code, would allow the specific EIEP to be amended but still requires that the incorporation of any future EIEPs would be need to be consulted on.</i></p> <p><i>We also ask that the reference to “procedures” be deleted from clause 11.32F. The Authority has, in fact, used EIEPs for this purpose and, we agree, this is an established and appropriate mechanism to use for the exchange of data between retailers and consumers as well as distributors and traders.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We propose the following drafting changes:</i></p> <p><b>11.32B Requests for information</b></p> <p><i>(2) In responding to a request, the <b>retailer</b> must comply with <del>the procedures and any relevant</del> <u>EIEP 13A, 13B and 13C</u> publicised by the Authority under clause 11.32F.</i></p> <p><b>11.32F Authority must publicise <del>procedures</del> EIEPs for responding to requests for consumption information</b></p> <p><i>(1) The <b>Authority</b> must, no later than 20 <b>business days</b> after this clause comes into force, <b>publicise</b> (and must keep <b>publicised</b>)</i></p> <p><i>(a) <del>procedures</del> <b>EIEPs</b> under which a <b>retailer</b> must respond to a request from a <b>consumer</b> under clause 11.32B; and</i></p> <p><i>(b) Each <b>EIEP publicised</b> by the <b>Authority</b> must specify 1 or more formats in which information must be given to <b>consumers</b>.</i></p> <p><i>(2) The <del>procedures</del> <b>EIEPs publicised</b> by the <b>Authority</b> must specify the manner in which information must be given to <b>consumers</b>.</i></p> <p><i>(3) Each <b>EIEP publicised</b> by the <b>Authority</b> must specify 1 or more formats in which</i></p>	<p>changes, is as follows:</p> <p>Amend the definition of EIEP as follows:</p> <p><b>EIEP</b> means an electricity information exchange protocol that sets out standard formats for the exchange <u>or provision of information between</u> <del>distributors and traders</del>.</p> <p>From 1 February 2016, amend clause 11.32B(2) as follows:</p> <p>(2) In responding to a request, the <b>retailer</b> must comply with the procedures <u>and any relevant <b>EIEP, publicised</b></u> by the <b>Authority</b> under clause 11.32F.</p> <p>From 1 February 2016, amend clause 11.32F as follows:</p> <p>(1) The <b>Authority</b> must, no later than 20 <b>business days</b> after this clause comes into force, <b>publicise</b> (and must keep <b>publicised</b>)=</p> <p>(a) procedures under which a <b>retailer</b> must respond to a</p>

	Submitter(s)	Submission	Authority response
		<p><i>information must be given to <b>consumers</b>.</i></p> <p><i>We are of the view that clause 12A.13 should reflect the amendment to the definition of EIEP so that the consultation requirements for mandatory EIEPs apply equally to EIEPs that apply to information provided by <b>retailers</b> to <b>consumers</b> as to information exchanged between <b>distributors</b> and <b>traders</b>.</i></p> <p><b>12A.13 Authority may publicise EIEPs that must be used</b></p> <p><i>The <b>Authority</b> may <b>publicise</b> 1 or more <b>EIEPs</b> that set out the standard formats for the exchange or provision of information <del>that <b>distributors</b> and <b>traders</b> must use when exchanging information.</del></i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>There is no cost-benefit analysis on this because the Authority has considered it to be an immaterial change. We disagree and are of the view that a full consultative process is necessary for this proposed amendment.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>The Authority needs to follow the full consultation process requirements for amending the Code for this proposed change.</i></p>	<p>request from a <b>consumer</b> under clause 11.32B; and</p> <p><u>(b) 1 or more <b>EIEPs</b> with which a <b>retailer</b> must comply when responding to such a request.</u></p> <p>(2) The procedures <b>publicised</b> by the <b>Authority</b> must—<del>(a)</del> specify the manner in which information must be given to <b>consumers</b>; and</p> <p><u>(3)(b) Each <b>EIEP publicised</b> by the <b>Authority</b> must specify 1 or more formats in which information must be given to <b>consumers</b>.</u></p> <p><u>(4) Before the <b>Authority</b> publicises an <b>EIEP</b> under subclause (1), or amends an <b>EIEP</b> it has <b>publicised</b> under subclause (1), it must consult with the <b>participants</b> that the <b>Authority</b> considers are likely to be affected by the <b>EIEP</b>.</u></p> <p><u>(5) The <b>Authority</b> need not comply with subclause (4) if it proposes to amend an <b>EIEP publicised</b> under subclause (1) if the <b>Authority</b> is satisfied that—</u></p>

	Submitter(s)	Submission	Authority response
			<p>(a) <u>the nature of the amendment is technical and non-controversial; or</u></p> <p>(b) <u>there has been adequate prior consultation so that the Authority has considered all relevant views.</u></p> <p>The Authority does not consider that an amendment is required to clause 12A.13(1). The reference to "<b>distributors</b> and <b>traders</b>" is correct as, in this context, the relevant EIEPs are only for exchanging information between distributors and traders.</p> <p>With regards to the concern raised that full consultation is needed on these changes, the Authority's view is that this is technical and non-controversial because the amendment that comes into force on 1 February 2016 already enables the Authority to publicise procedures that specify formats in which information must be given to consumers. The proposal only clarifies that the formats will be EIEPs.</p>

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
081-023	Mighty River Power (Annex Page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
007-024	Contact (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
007-024	Mighty River Power (Annex Page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<b>Agreed the proposed amendment is preferable to other options</b>	
007-024	Orion (Covering letter)	<i>Another major concern is the Authority's continued acceptance that a distributed generator wanting to connect an embedded network that conveys less than 5 GWh per annum does not have to comply with any obligations in Part 6 in respect of that connection. Rather than clarify the Code to make this exemption clearer as the Authority proposes we consider that the Authority should move with urgency to block this loop hole in the Code. We consider that this is a clear safety issue and that the Authority should urgently change the Code to indicate that the connection of any distributed generation must comply with the requirements of part 6 regardless of whether the connection is to an embedded network that conveys less than 5GWh.</i>	See response below.
007-024	Orion (Pages 14 and 15)	<p><b>Agreed with the Authority's problem definition</b></p> <p><i>We have on numerous occasions recommended simplifying definitions and where possible aligning them with the Act.</i></p> <p><b>Partially agreed with the Authority's proposed solution</b></p> <p><i>While we agree with some parts of the proposal we strongly disagree with the proposal to exclude the application of Part 6 to embedded and islanded networks that convey less than 5 GWh.</i></p> <p><i>We believe that the Authority is locking in a serious safety problem by not removing the loophole in the Code that potentially allows distributed generation to connect to an embedded</i></p>	This is not a new issue and currently applies. The distributor on such a network is not under any obligation to connect, and safety requirements remain in place. Regardless of size, safety requirements and the

	Submitter(s)	Submission	Authority response
		<p><i>network or an islanded network that conveys less than 5GWh without notification.</i></p> <p><i>We note that the Authority has previously noted the safety issues that can occur with connection of non-notified small scale distributed generation (SSDG)<sup>1</sup>. Given that the Authority is aware of these safety issues and the impacts this can have in relation to the Authority's mandate regarding reliability of supply we consider that the requirements of Part 6 should apply in all situations. The fact that a network may conveys less than 5 GWh does not make it any safer to connect non-notified SSDG.</i></p> <p><i>This arbitrary exception from the Code will also add difficulties to installers of DG who will have to establish whether they are connecting the distributed generation to an embedded network that conveys more or less than 5 GWh in the former case they will have to apply in the latter they won't. It is also not clear what would happen if a distributed generator was connected that exported more than 5 GWh would the embedded network then have to request an application.</i></p> <p><i>We do not agree with the introduction of the definition connected asset owners this would appear to be used in Part 8 and we consider it would be better to use both defined terms the "local network distributor or a direct customer" rather than create another new defined term.</i></p> <p><i>We do not agree that the proposed change is technical and non-controversial and does not need to be consulted on.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>See response to Q1 and Q2</i></p> <p><b>Partially agreed with the objectives of the proposed amendment</b></p>	<p>distributor's connection requirements must be adhered to. The embedded network owner would need to comply with the connection terms and conditions with its parent network.</p> <p>If an embedded network owner connects a generator that pushes the network over 5GWh, then the embedded network owner and the generator need to comply with the requirements of Part 6.</p> <p>The Authority's view is that creating a new defined term provides clarity and makes the clauses easier to read by using fewer words.</p>

<sup>1</sup> An operational Review of Part 6 of the Code: Connection of Distributed generation consultation Paper



	Submitter(s)	Submission	Authority response
		<p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We consider that the Authority needs to develop a proposal that requires Part 6 to apply in all cases.</i></p>	<p>Developing a proposal that requires Part 6 to apply in all cases is out of scope for this consultation; this is a current Code requirement.</p>
007-024	Transpower (Page 6)	<p><b>Did not comment on the Authority's problem definition</b></p> <p><b>Did not comment on the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The definition of “specified participant” in Part 1 could be simplified as follows:</i></p> <p><b><i>specified participant</i></b> <del>for the purposes of Part 9, means any of the following—</del></p> <p><del>(a) means any of the following:</del></p> <p><del>(ia) a distributor:</del></p> <p><del>(iib) a retailer:</del></p> <p><del>(iiic) a person who owns lines; owner; and</del></p> <p><del>(bd) a direct consumer includes a person who uses electricity that is conveyed to the person directly from the grid</del></p> <p><i>This change would allow for the removal of the definition of “line owner” from Part 1, which is used only in the current definition of “specified participant”. “Specified participant” should also be bolded in paragraph (b) of the definition of “retailer” in Part 1.</i></p> <p><i>The proposed definition of “connected asset owner” would be better as “connected load asset owner”. That would avoid any misapprehension that the definition includes owners of generation assets connected to the grid.</i></p> <p><i>Clause 1 of Schedule 12.1 could be simplified by combining subclauses (1) (a) and (b) into a</i></p>	<p>This is out of scope and not relevant to the proposed amendment.</p> <p>The Authority does not believe there is any room for misapprehension if the definition is read and the context of the term is considered.</p> <p>Agree. The Authority has made these</p>

	Submitter(s)	Submission	Authority response
		<p><i>single subclause referring to “connected [load] asset owners”. In any event, the words “that have a point of connection to the grid” should be deleted from subclause (1) (a) because that is already a condition of being a direct consumer.</i></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not comment on whether the proposed amendment is preferable to other options</b></p>	changes to its amendment.
007-024	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
007-024	Vector (Page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Agreed the proposed amendment is preferable to other options</b></p>	
083-025	Contact (Pages 9 and 10)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>Contact does not believe this change to be “technical and non-controversial”, and to have “no impact on current practice”.</i></p> <p><i>The proposed change to require unbilled or vacant consumption (from non-financial records) to be included will invalidate the whole purpose and intent of the requirement to submit electricity supplied.</i></p> <p><i>We disagree there is confusion with the current definition. In our view its application and purpose are appropriate and consistent with the gas reconciliation rules.</i></p> <p><i>The original purpose of requiring ‘electricity supplied’ was to enable the early detection of a disconnect between consumption submitted for settlement sourced from the retailer’s or their agent’s reconciliation system, and consumption billed to consumers sourced directly from the retailer’s financial records – i.e. billing system.</i></p> <p><i>This rolling 12 month comparison with billed consumption is a common validation performed by retailers to check the accuracy and completeness of the consumption data submitted for energy settlement (and to distributors for network billing purposes).</i></p> <p><i>To amend the requirement to include unbilled or vacant consumption (therefore removing the connection to financial records) would compromise the purpose of submitting electricity supplied.</i></p> <p><i>The requirement was originally proposed by the industry following earlier discrepancies between a third party’s reconciliation system and the retailer’s billing system that went undetected for some time.</i></p> <p><i>It is noted that the fraudulent E-Gas activity was ultimately proven through the comparison between actual billed consumption (sourced from their financial records), and the consumption the company submitted to the allocation agent for allocation purposes.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p>	<p>Vacant consumption is required to enable early detection of a disconnect between consumption submitted for settlement sourced from the retailer’s reconciliation system, and that billed to consumers, sourced directly from the retailer’s billing system.</p> <p>However, the Authority has decided to withdraw this amendment from the 2015 Code Review Programme and consider it a later stage to enable further consultation.</p>

	Submitter(s)	Submission	Authority response
		<p><b>Did not have any comments on proposed Code drafting</b></p> <p><i>We strongly oppose the proposed amendment.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>The system changes required to meet the proposed amendment would be extensive, noting that, as vacant consumption is unbilled, there is no consumption in the financial records. To amend this would involve costly system changes for no practical benefit.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We believe the status quo is preferable.</i></p>	<p>The requirement to include vacant consumption is always meant to have been included, so the system changes should already be in place. Paragraph 9 of the Electricity Supplied Guidelines (available since 10/10/2007) is clear.</p>
083-025	Genesis (Pages 12 and 13)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>We dispute that there is confusion with the current definition and are of the view that the proposed amendment removes a valid check on participants market activity.</i></p> <p><i>The intent of “<b>electricity supplied</b>” is to provide a view of the difference between what a Trader is purchasing (wholesale submissions) and what they are selling to customers (electricity supplied). The current definition describes electricity supplied well. The proposed change will remove this differentiation and both wholesale submissions and “electricity supplied” will have the same meaning.</i></p> <p><i>It is worthy to note that the fraudulent activity of EGas Limited was in part proved by the comparison of wholesale submissions and true electricity supplied data. It was EGas’s manipulation of electricity supplied to match wholesale submissions that was used to hide their fraudulent under-submission activity. This change will remove this differentiation.</i></p>	<p>The provision of vacant consumption is actually meant to be the valid check.</p> <p>However, the Authority has decided to withdraw this amendment from the 2015 Code Review Programme and consider it a later stage to enable further consultation.</p>

	Submitter(s)	Submission	Authority response
		<p><b>Did not agree with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The amendment should not be made. This is certainly not a “minor” amendment as it fundamentally changes the intent of the reporting clauses where the term “<b>electricity supplied</b>” is used.</i></p> <p><i>If not rejected outright, it should at least have a full consultation so the perceived failing, and the intended outcome of the changes, can be explored fully before any amendment is made.</i></p> <p><i>This is not “technical and non-controversial”, there is not “widespread support”, nor has there been “adequate prior consultation”, therefore, it does not meet the requirements of section 39(3) of the Act which would allow the Authority to not consult.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>The system changes required to meet the reporting requirement changes brought about by this amendment would be extensive and costly for no practical benefit.</i></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>The status quo should remain.</i></p>	
083-025	Meridian (Cover letter)	<p><i>Meridian disagrees that proposed changes to the definition of electricity supplied can be characterised as “minor”, like the Authority has claimed. We consider fuller consultation is needed on the changes proposed.</i></p>	<p>The Authority has decided to withdraw this amendment from the 2015 Code Review Programme and consider it a later stage to enable further consultation.</p>

	Submitter(s)	Submission	Authority response
083-025	Meridian (page 10)	<p><b>Agreed with the Authority's problem definition</b></p> <p><i>Yes, although we consider the extent of confusion current provisions create will vary across participants.</i></p> <p><b>Unsure if it agreed with the Authority's proposed solution</b></p> <p><b>Did not have comments on proposed Code drafting</b></p> <p><b>Unsure if it agreed with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><i>We disagree with the Authority's claims that the change is minor and request fuller consultation is undertaken.</i></p> <p><b>Unsure if it agreed the proposed amendment is preferable to other options</b></p>	The Authority has decided to withdraw this amendment from the 2015 Code Review Programme and consider it a later stage to enable further consultation.
083-025	Mighty River Power (Annex Page 10)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>There is not enough clarity around the actual confusion of the current state.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>The proposed solution creates more confusion around what is required, which could potentially lead to significant system changes if misinterpreted.</i></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p>	The Authority believes that the proposed wording clarifies the requirement. However, the Authority has decided to withdraw this amendment from the 2015 Code Review Programme and consider it a later stage to enable further consultation.

	Submitter(s)	Submission	Authority response
		<p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We believe the status quo is preferable.</i></p>	
083-025	Powershop (Page 5)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>Powershop does not believe widespread confusion exists as until recently this has never been raised as an issue in EA fora or as a non-compliance in Powershop's annual EA audits. Powershop believes that the term "electricity supplied" does not, and should not, include vacant ICP volumes. The current definition of electricity supplied specifically states that it is only for "quantities of electricity supplied...to consumers". Powershop is unsure how this clear definition can cause confusion.</i></p> <p><i>The filename of AV-120 is "BILLED" which speaks to the original intent of the definition. The RM functional specification supports this intent by stating that "the reconciliation manager receives details of the electricity supplied and billed i.e. invoiced by a retailer to its customers during the previous consumption period per NSP". An ICP without a customer does not have its volume "invoiced" to a customer.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>Powershop does not believe a Code amendment is necessary and takes issue with the comment that it will have "no impact on current practice" as implementation of this change will require moderately sized system changes at Powershop.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Powershop does not believe a Code amendment is necessary</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p>N/A</p>	<p>The Authority has decided to withdraw this amendment from the 2015 Code Review Programme and consider it a later stage to enable further consultation.</p>

	Submitter(s)	Submission	Authority response
		<p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p>N/A</p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p>N/A</p>	
083-025	Trustpower (Page 12)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>We believe the status quo is preferable.</i></p>	The Authority has decided to withdraw this amendment from the 2015 Code Review Programme and consider it a later stage to enable further consultation.
005-026	Transpower (Pages 6 and 7)	<p><b>Agreed with the Authority's problem definition</b></p> <p><i>Yes, as far as the problem definition goes.</i></p> <p><i>However, a related problem not addressed by the proposed Code amendment is the Code's use of the defined term "de-energise" as well as the undefined term "disconnect" without clarity as to whether or not they mean the same thing.</i></p> <p><i>In Transpower's view they do mean the same thing. On that basis we consider the grid owner's "disconnection" obligations under clause 14.49 of the Code are satisfied by its "de-energisation" right under clause 37.5 of the benchmark agreement (as contained in transmission agreements). We note that that position is supported by the use of the word "disconnection" in the definition of "de-energisation" in the benchmark agreement (although,</i></p>	Noted. This is a related problem, but is out of scope for this amendment.



	Submitter(s)	Submission	Authority response
		<p><i>oddy, not in either the current or proposed definition of “de-energisation” in the Code).</i>  <i>In our view a full review of the Code’s use of the terms “de-energise”, “disconnect” and their derivatives is needed, and the preference should be to use the defined term when appropriate to do so.</i>  <i>We note that “disconnected” is defined in Part 1 in relation to the system model (and used inappropriately as a defined term at least once in the Code – clause 2(3) (e) (i) of Schedule 6.1). Replacing, where appropriate, undefined occurrences of “disconnect” with “de-energise” would help avoid confusion with the defined term “disconnected”.</i></p> <p><b>Did not comment on the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We note the difference between the current definitions of “de-energisation” in the Code and Benchmark Agreement, which we doubt is intentional.</i></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not comment on whether the proposed amendment is preferable to other options</b></p>	
005-026	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Agreed the proposed amendment is preferable to other options</b></p>	
009-027	Genesis (Pages 14 and 15)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>This is conditional on the changes to the drafting, as proposed.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The inclusion of the word "earlier" in the proposed amendment has the perverse result that if the Trader assumes responsibility for an ICP under 11.18(1), loses that ICP, and then is involved in regaining that ICP by way of a switch at some time in the future, under this amendment, the switch date will need to be the earlier ICP assumption date.</i></p> <p><i>We propose the following alternative drafting:</i></p> <p><b>Event date, in relation to an ICP, means:</b></p> <ul style="list-style-type: none"> <li><i>(a) in respect of Schedule 11.3, the date on which the gaining <b>trader</b> commences trading <b>electricity</b> at the <b>ICP</b>, or</i></li> <li><i>(b) in respect of clause 11.18(1), the date on which the gaining <b>trader</b> otherwise assumes responsibility for the <b>ICP</b>.</i></li> </ul> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Only if the unintended consequence of the proposed amendment is addressed.</i></p> <p><b>Not clear if agreed the proposed amendment is preferable to other options</b></p> <p><i>The amendment must be changed to address the unintended consequence identified under</i></p>	<p>The Authority does not agree with submissions that suggest that the proposed Code amendment could have the unintended consequence of requiring an earlier date to apply for ICPs re-gained through a switch. The Authority's view is that the proposed definition of "<b>event date</b>" cannot be interpreted to relate to the date of a previous switch.</p> <p>Genesis' proposed drafting creates the possibility for two different dates to be the "<b>event date</b>", which would make the Code unclear.</p>

	Submitter(s)	Submission	Authority response
		<p>Question 3 above for this amendment. We have proposed alternative drafting which we believe better addresses the issue.</p>	
009-027	Meridian (Page 11)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The wording proposed could have the unintended consequence of requiring the earlier date to apply for ICPs re-gained through a switch. This could be addressed through the following amendment:</i></p> <p><b>Event date</b>, in relation to an <b>ICP</b>, means:</p> <p style="padding-left: 40px;"><i>(a) in respect of Schedule 11.3, the date on which the gaining <b>trader</b> commences trading <b>electricity</b> at the <b>ICP</b>; or</i></p> <p style="padding-left: 40px;"><i>(b) in respect of clause 11.18(1), the date on which the gaining trader otherwise assumes responsibility for the ICP.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Unclear if it agrees the benefits of the proposed amendment outweigh its costs</b></p> <p><i>Refer response to Q3.</i></p> <p><b>Unclear if it agrees the proposed amendment is preferable to other options</b></p> <p><i>Refer response to Q3.</i></p>	<p>The Authority does not agree with submissions that suggest that the proposed Code amendment could have the unintended consequence of requiring an earlier date to apply for ICPs re-gained through a switch. The Authority's view is that the proposed definition of "<b>event date</b>" cannot be interpreted to relate to the date of a previous switch.</p> <p>Meridian's proposed drafting creates the possibility for two different dates to be the "<b>event date</b>", which would make the Code unclear.</p>
009-027	Mighty River Power (Annex page)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p>	Noted.

	Submitter(s)	Submission	Authority response
	1)	<p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
009-027	Orion (Page 16)	<i>We note that the registry uses the term event date frequently with a meaning that does not match that of the proposed Code definition. We expect that this has the potential to lead to confusion we suggest that the Authority considers using a different name to “event date”.</i>	This is a different issue and is out of scope for this proposal.
082-028	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
082-028	Mighty River Power (annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
082-028	Orion (page 16)	<i>The proposed definition of metering refers to the defined term “electricity” which means electrical energy measured in kilowatt-hours (kWh). This conflicts with the requirements of Clause 10.37 Active and reactive measuring and recording requirements.</i>	This is out of scope for this amendment, and may be considered in the Code Review Programme for 2016.
082-028	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
013-029	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
013-029	Mighty River Power (Annex – page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
013-029	Transpower (page 7)	<p><b>Did not comment on the Authority's problem definition</b></p> <p><b>Did not comment on the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>The references to “automatic under frequency load shedding systems” and “instantaneous reserves” in the definition of “special protection scheme” could be generalised to “extended reserve” and “ancillary services” respectively.</i></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not comment on whether the proposed amendment is preferable to other options</b></p>	Generalising references to AUFLS and instantaneous reserves is out of scope for this amendment.
013-029	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
015-030	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
015-030	Mighty River Power (Annex – page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
015-030	Transpower	<b>Did have comments on proposed Code drafting</b>	The Authority agrees the definition of

	Submitter(s)	Submission	Authority response
	(pages 7 and 8)	<p><i>The objective for clause 12.39 is that “value of unserved energy” can mean a value that is different from the value in clause 4 of schedule 12.2. We consider that the drafting proposed for clause 12.39 subclause (1) contradicts the policy intent.</i></p> <p><i>We have proposed corrected drafting, including the correction of some cross-referencing errors in the clause.</i></p> <p><b><i>value of expected unserved energy</i></b> means the value of <u>any expected unserved energy</u> <del>expected unserved energy</del> that applies under clause 4 of Schedule 12.2 <u>or clause 12.39</u></p> <p><b>12.39 Customer specific value of unserved energy [subclauses not renumbered]</b></p> <p><del>(1) — In this clause, a reference to the value of unserved energy must be read as a reference to the value of <b>expected unserved energy</b> in clause 4 of Schedule 12.2.</del></p> <p>(2) <b>Transpower</b> or a <b>designated transmission customer</b> may apply to the <b>Authority</b>—</p> <p>(a) if permitted under a <b>transmission agreement</b>, for provisional approval to use a different value of <u><b>expected unserved energy</b></u> <del>unserved energy</del> than the value specified in clause 4 of Schedule 12.2 for the purposes of determining whether to replace or enhance <b>connection assets</b> as provided for under that <b>transmission agreement</b>; or</p> <p>(b) for approval to use a different value of <u><b>expected unserved energy</b></u> <del>unserved energy</del> <u>than from</u> the value specified in clause 4 of Schedule 12.2 for the purposes of applying the <b>grid reliability standards</b> under clauses 12.35 to 12.37 for a <b>grid injection point</b> or <b>grid exit point</b>, regardless of whether <b>Transpower</b> or the <b>designated transmission customer</b> has applied for the <b>Authority's</b> provisional approval under subclause(4).</p> <p>...</p> <p>(4) If <b>Transpower</b> or a <b>designated transmission customer</b> apply for approval of a different value of <u><b>expected unserved energy</b></u> <del>unserved energy</del> under subclause (2)(<del>ba</del>), the <b>Authority</b> may provisionally approve that value if the <b>Authority</b> considers that the value is a reasonable estimate of the value of <u><b>expected unserved energy</b></u> <del>unserved energy</del> in respect of the <b>grid injection point</b> or <b>grid exit point</b> for the <b>designated transmission customer</b> concerned.</p>	<p>“value of expected unserved energy” should include the words “or clause 12.39”. This requires four consequential amendments to the Code, to insert the words “in clause 4 of Schedule 12.2” after the words “value of expected unserved energy” in subclauses 12.43(8)(b), 12.117(9), 12.141(3)(d)(i)(B), 12.141(3)(d)(ii)(A). These consequential amendments ensure the value of expected unserved energy determined under clause 4 of Schedule 12.2 is used under each of these four subclauses.</p> <p>The Authority does not believe its proposed amendment to the drafting of subclause 12.39(1) contradicted the policy intent of clause 12.39. Instead, the Authority believes it is the existence of subclause 12.39(1) which contradicts the policy intent of clause 12.39. Subclause 12.39(1) was inserted when the Code was created in 2010, to clarify that the terms “value of unserved energy” and “value of expected unserved energy” were equivalent terms. However, the drafting of subclause 12,39(1) has inadvertently defeated the purpose of</p>



	Submitter(s)	Submission	Authority response
		<p>(5) <i>If <b>Transpower</b> or a <b>designated transmission customer</b> applies for approval of a different value of <b>expected unserved energy</b> <del>unserved energy</del> under subclause (2)(b) the <b>Authority</b>—</i></p> <p>(a) <i>may approve that value if the <b>Authority</b> considers that the value is a reasonable estimate of the value of <b>expected unserved energy</b> <del>unserved energy</del> in respect of the <b>grid injection point</b> or <b>grid exit point</b> for the <b>designated transmission customer</b> concerned; and</i></p> <p>(b) <i>may decline to approve that value despite having provisionally approved that value under subclause (4).</i></p> <p>(6) <i>If the <b>Authority</b> approves the value of <b>expected unserved energy</b> <del>unserved energy</del> proposed by <b>Transpower</b> or the <b>designated transmission customer</b> under subclause (2)(<del>b</del>a), that value of <b>expected unserved energy</b> <del>unserved energy</del> applies for the purposes of applying the <b>grid reliability standards</b> under clause 4 of Schedule 12.2 for the <b>grid injection point</b> or <b>grid exit point</b> instead of the value of <b>expected unserved energy</b> specified under clause 4 of Schedule 12.2.</i></p> <p>(7) <i>If the <b>Authority</b> does not approve the value of <b>expected unserved energy</b> <del>unserved energy</del> proposed by <b>Transpower</b> or the <b>designated transmission customer</b> under subclause (2)(b), the value of <b>expected unserved energy</b> under clause 4 of Schedule 12.2 applies for the purposes of applying the <b>grid reliability standards</b> under clauses 12.35 to 12.37 for the <b>grid injection point</b> or <b>grid exit point</b>.</i></p>	<p>clause 12.39, which is to allow for different values of (expected) unserved energy from those determined under clause 4 of Schedule 12.2.</p> <p>The Authority therefore agrees subclause 12.39(1) should be deleted, but not for the reason put forward in Transpower’s submission.</p> <p>The removal of subclause 12.39(1) means the words “value of unserved energy” (undefined) need to be replaced with the defined term “value of expected unserved energy”. This clarifies that the definition of “value of expected unserved energy” is applicable, rather than the definition of “expected unserved energy”. The Authority therefore disagrees with Transpower’s suggestion that the words “unserved energy” should be replaced with the defined term “expected unserved energy”.</p> <p>The Authority does not agree with Transpower that the reference to “subclause (2)(a)” in subclause 12.39(4) should be a reference to subclause (2)(b). Clause 12.39 has been drafted to enable Transpower or</p>

	Submitter(s)	Submission	Authority response
			<p>a designated transmission customer to obtain provisional approval from the Authority for an alternative value of expected unserved energy, for the purpose of considering whether to invest or take some other action if a connection asset does not meet the grid reliability standards. If Transpower and the designated transmission customer agree on an investment that meets the grid reliability standards, as amended to take into account an alternative value of expected unserved energy, then final approval from the Authority is required, regardless of whether or not provisional approval was obtained.</p> <p>The Authority agrees with Transpower that the reference to “subclause (2)(a)” in subclause 12.39(6) should be a reference to subclause (2)(b). This cross-reference error was introduced into clause 12.39 when the Code was created in 2010</p> <p>In addition, the Authority is also correcting a further erroneous cross-reference in clause 12.39(6), by replacing the first instance of the words</p>

	Submitter(s)	Submission	Authority response
			<p>“clause 4 of Schedule 12.2” with the words “clauses 12.35 to 12.37”. This cross-reference error was also introduced into clause 12.39 when the Code was created in 2010.</p> <p>Lastly, the Authority is amending subclause 4(2) of Schedule 12.2 to read “The Authority may determine different <b>values of expected unserved energy</b> <u>under this clause</u> for different purposes and for different times”. This is to avoid circularity between clause 4 of Schedule 12.2 and clause 12.39.</p>
015-030	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted
004-031	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
004-031	Mighty River Power (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
004-031	Transpower (page 8)	<p><b>Did not have any comments on the Authority's problem definition</b></p> <p><b>Did not have any comments on the Authority's proposed solution</b></p> <p><b>Did have any comments on proposed Code drafting</b></p> <p><i>The definition of "sub-station dispatch group" should refer to "a grouping" not "that grouping". No station security constraints are notified by the system operator under clause 13.73(1)(j). The appropriate cross-reference in the definition of "sub-station dispatch group" is clause 13.75(1)(g) (consistent with the cross-reference in clause 13.102(1)(d)). In clauses 13.75(1)(f) and (g) there are singular/plural disagreements. These can be fixed by changing "the [block/station] security constraints that occur" to "any [block/station] security constraint that</i></p>	Agreed – changes to the amendments have been made.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><i>occurs”.</i></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not comment on whether the proposed amendment is preferable to other options</b></p>	
004-031	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
091-032	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
091-032	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
017B-033	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
017B-033	Mighty River Power (Annex – page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<b>Agreed the proposed amendment is preferable to other options</b>	
017B-033	Transpower (page 8)	<p><b>Did not have any comments on the Authority's problem definition</b></p> <p><b>Did not have any comments on the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider the clause as drafted creates the opportunity for potentially inadequately qualified personnel carrying out an audit (albeit a problem that already exists in the drafting of clause 3(1) of Schedule 10.2).</i></p> <p><i>We submit that a Part 10 audit must always be undertaken by an auditor approved under clause 1(7) of Schedule 10.2, and so the Code should be amended to remove any suggestion otherwise.</i></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not comment on whether the proposed amendment is preferable to other options</b></p>	Noted. This does already exist and the clause as drafted is what was intended. This puts an obligation on the Authority to ensure it appoints an appropriately qualified auditor. The definition of "auditor" provides that the auditor must have been approved by the Authority to carry out audits.
017B-033	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<b>Agreed the proposed amendment is preferable to other options</b>	
024-034	Contact (page 2)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b> <b>Agreed the benefits of the proposed amendment outweigh its costs</b> <b>Agreed the proposed amendment is preferable to other options</b>	Noted.
024-034	Mighty River Power (Annex page 1)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b> <b>Agreed the benefits of the proposed amendment outweigh its costs</b> <b>Agreed the proposed amendment is preferable to other options</b>	Noted.
024-034	Trustpower (page 2)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b>	Noted.



	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
024-034	Vector (page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
025-035	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
025-035	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
025-035	Vector (page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
027-036	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
027-036	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
027-036	Vector (page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
028-037	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
028-037	Trustpower	<p><b>Agreed with the Authority's problem definition</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
	(page 2)	<p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
028-037	Vector (page 3)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
017A-038	Mighty River Power (Annex – page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.

	Submitter(s)	Submission	Authority response
017A-038	Transpower (page 8)	<p><b>Did not comment on the Authority's problem definition</b></p> <p><b>Did not comment on the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>We consider the clause as drafted creates the opportunity for potentially inadequately qualified personnel carrying out an audit (albeit a problem that already exists in the drafting of clause 3(1) of Schedule 10.2).</i></p> <p><i>We submit that a Part 10 audit must always be undertaken by an auditor approved under clause 1(7) of Schedule 10.2, and so the Code should be amended to remove any suggestion otherwise.</i></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p> <p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not comment on whether the proposed amendment is preferable to other options</b></p>	Noted. This does already exist and the clause as drafted is what was intended. This puts an obligation on the Authority to ensure it appoints an appropriately qualified auditor. The definition of "auditor" provides that the auditor must have been approved by the Authority to carry out audits.
017A-038	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted

	Submitter(s)	Submission	Authority response
041-039	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
041-039	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
045A-040	Genesis (cover letter)	<p><i>The amendment does not address the actual issue in the market regarding the settlement indicator identifier. It is not the current Code description that is putting traders who solely use half hourly date at odds with the Code, but rather the use of this flag for an unrelated decision, that is, to determine which switch files should contain cumulative switch reads.</i></p>	See response below.
045A-040	Genesis (page 16)	<p><b>Did not agree with the Authority's problem definition</b></p> <p><i>The current Code description for the field is correct as it clearly identifies which channels of data a trader is using to settle in the market. It is not the description that is putting traders who</i></p>	The flag is intended to automatically trigger the requirement to provide an

	Submitter(s)	Submission	Authority response
		<p><i>solely use half hourly data at odds with the Code, but rather the use of this flag for an unrelated decision, that is, to determine which switch files should contain cumulative switch reads.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>If the Code were to be altered as proposed it destroys the original purpose of the indicator as there will be no way to identify which data channels are used for settlement as the indicator will be "Y" irrespective of whether the trader is using the channel or not. The root problem is appropriate switch reads. This is better addressed by revising the Code and functional specification that directly applies to what is included in the final information and linking this to the same decision point as the switch process, that is, the metering category.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>See above.</i></p> <p><b>Did not agree with the objectives of the proposed amendment</b></p> <p><b>Did not agree the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not agree the proposed amendment is preferable to other options</b></p> <p><i>The real issue here is how to ensure that cumulative reads are used in the switching files for lower meter category ICPs irrespective of how a gaining or losing trader may settle volumes in the market. This should have no bearing on the switch process.</i></p>	<p>accumulator meter reading for channels in metering installations that contain AMI metering components.</p> <p>The flag was not intended to require a trader to use only the accumulator channels.</p> <p>The choice of what channels are used in the reconciliation process is a decision made by each trader.</p>
045A-040	Meridian (cover letter)	<p><i>We request the Authority's proposals regarding schedule 11.4, Table 1 (registry metering records, settlement indicator) are revisited as part of more detailed work that also considers longstanding issues in relation to the switching of ICPs where settlement may occur in different ways.</i></p>	See response below.
045A-040	Meridian	<p><b>Mostly agreed with the Authority's problem definition</b></p>	Noted. The current use has been identified correctly. Further detailed

	Submitter(s)	Submission	Authority response
		<p><i>Mostly yes, although we are unsure whether the current use has been identified correctly.</i></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>Refer response to Q.6.</i></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Unsure whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Unsure whether the proposed amendment is preferable to other options</b></p> <p><i>We consider further detailed work is required that also considers longstanding issues in relation to the switching of ICPs where settlement may occur in different ways.</i></p>	<p>work about issues in relation to the switching of ICPs is not in scope for this amendment.</p>
045A-040	Mighty River Power (Annex Page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	<p>Noted.</p>
045A-040	Transpower (Page 9)	<p><b>No comment on the Authority's problem definition</b></p> <p><b>Did not agree with the Authority's proposed solution</b></p> <p><i>No, and we consider this is a substantive issue for consultation.</i></p>	<p>This information is in participants' own systems and is derived from other Registry information. This amendment is just about what to include in a switch</p>



	Submitter(s)	Submission	Authority response
		<p><i>The main purpose of the settlement indicator should be to tell a participant if values from this meter channel should be included in a submission file. The message is lost under the proposed change.</i></p> <p><b>No comment on the objectives of the proposed amendment</b></p> <p><b>No comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>No comment on whether the proposed amendment is preferable to other options</b></p>	meter read.
045A-040	Trustpower (Page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
045A-040	Vector (Page 3)	<p><b>No comment on the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>Vector supports the intention of this proposal, where it removes the requirement for a trader to submit data from a cumulative register when they are reconciling as HHR.</i></p> <p><b>Did have comments on proposed Code drafting</b></p> <p><i>However, it is unclear if (a) (i.e. row 30 of Table 1) refers to singular or plural channels. If plural, it could be that one of the channels may not be required for reconciliation, in which case they</i></p>	<p>The Authority agrees that this is unclear in (a) of column 3, row 30 of Table 1 of Schedule 11.4 and as a result has changed (a) to read:</p> <p>(a) if the relevant <b>meter</b> or <b>data storage device</b> has an AMI flag of "Y", the cumulative data channel identifier must be "Y" and the other data channel identifiers must be "N"; and</p>

	Submitter(s)	Submission	Authority response
		<p><i>should remain "N". I.e. the flag should identify which channels are required for reconciliation purposes and if they are not required they should remain "N".</i></p> <p><b>No comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>No comment on whether the proposed amendment is preferable to other options</b></p>	
094-041	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
094-041	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
056-042	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
056-042	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
056-042	Transpower (page 9)	<p><b>Did not comment on the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><i>Yes, provided the defined information system for the purposes of clause 13.101(1)(a) is the system operator's website. This will keep the publication process consistent with what the system operator already does.</i></p> <p><b>Did not comment on proposed Code drafting</b></p> <p><b>Did not comment on the objectives of the proposed amendment</b></p>	Transpower is a market operation service provider so the information regarding the grid emergency must be made available <i>to the intended recipient through the information system.</i>

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Did not comment on whether the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Did not comment on whether the proposed amendment is preferable to other options</b></p>	<p>The information system is defined to be the systems for conveying information, as approved by the Authority. The Authority will therefore need to amend the "information system" definition to specify how the system operator needs to make the information publicly available.</p>
056-042	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
057-043	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
057-043	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
059-044	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
059-044	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<b>Agreed the proposed amendment is preferable to other options</b>	
059-044	Trustpower (page 2)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b> <b>Agreed the benefits of the proposed amendment outweigh its costs</b> <b>Agreed the proposed amendment is preferable to other options</b>	Noted.
061-045	Contact (page 2)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b> <b>Agreed the benefits of the proposed amendment outweigh its costs</b> <b>Agreed the proposed amendment is preferable to other options</b>	Noted.
061-045	Mighty River Power (Annex page 1)	<b>Agreed with the Authority's problem definition</b> <b>Agreed with the Authority's proposed solution</b> <b>Did not have any comments on proposed Code drafting</b> <b>Agreed with the objectives of the proposed amendment</b>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
061-045	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
064-046	Contact (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
064-046	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p>	Noted.

	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
064-046	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
095-047	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
095-047	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p>	Noted.



	<b>Submitter(s)</b>	<b>Submission</b>	<b>Authority response</b>
		<p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
096-048	Mighty River Power (Annex page 1)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
096-048	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
076-049	Mighty River	<p><b>Agreed with the Authority's problem definition</b></p>	Noted.

	Submitter(s)	Submission	Authority response
	Power (Annex page 1)	<p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	
076-049	Trustpower (page 2)	<p><b>Agreed with the Authority's problem definition</b></p> <p><b>Agreed with the Authority's proposed solution</b></p> <p><b>Did not have any comments on proposed Code drafting</b></p> <p><b>Agreed with the objectives of the proposed amendment</b></p> <p><b>Agreed the benefits of the proposed amendment outweigh its costs</b></p> <p><b>Agreed the proposed amendment is preferable to other options</b></p>	Noted.
General	Contact (Page 13)	<p><i>On 28 June 2012, Contact put forward a Code amendment proposal (supported by other retailers) that ICP-days scaling cease. The rationale for this was that we do not consider automated ICP-days scaling to be serving any useful purpose and it is invalidly creating unaccounted-for energy when a retailer's submission for electricity reconciliation purposes is complete, accurate, and fully compliant with submission build requirements. We are disappointed that this has not been included in the Authority's Code review and reattach our original Code amendment proposal. We believe our proposal remains valid and would like to see this considered in any future change.</i></p>	Noted.

	Submitter(s)	Submission	Authority response
General	Genesis (cover letter)	<i>We support the Authority having an annual Code Review programme to consult on minor Code amendments identified through the Authority's own work and as a result of suggestions received through the Authority's Code amendment proposal process.</i>	Noted
General	Genesis (cover letter)	<i>We do not agree that all of the amendments in Appendix C "Minor" Amendments are, in fact, minor amendments. We are concerned that the changes proposed are not "technical and non-controversial"; there is not "widespread support"; nor has there been "adequate prior consultation". Therefore, the requirements of section 39(3) of the Act, which would allow the Authority to not consult on these proposed amendments, have not been met. We recommend that the following specific amendments be fully consulted on before any changes are implemented: <b>[discussion included above for each relevant proposed amendment]</b></i>	The Authority's view is that these changes are technical and non-controversial. For each amendment the Authority has given its reason why it considers the amendment to be technical and non-controversial.
General	Orion (cover letter)	<i>We are concerned that a number of the proposed changes that the Authority consider are minor (technical and non-controversial) in terms of section 39(3) of the Act and therefore are not open for consultation, are actually potentially very controversial and should be consulted on. An example of this is the proposed change to the defined term distributor which we consider is controversial because the Authority is proposing to lock in provisions that we consider may impact on safety and reliability.</i>  <i>As the Authority is not consulting on these proposed minor changes it is unclear what response the Authority is seeking. However a number of the proposed changes require detailed and complex consideration to ensure that they do not cause unforeseen problems with other parts of the Code and as such we would recommend that the Authority fully consult on these changes.</i>	The Authority's view is that these changes are technical and non-controversial. For each amendment the Authority has given its reason why it considers the amendment to be technical and non-controversial.
General	Transpower (covering letter)	<i>We note that the 21 discrete changes presented under Appendix B for consultation is a very large number of substantive proposals to assess and respond to in a consultation window that is the same length as other single-issue Code Changes.</i> <i>It wasn't clear from the consultation paper what basis each of the other 28 matters presented</i>	For each amendment proposed to be made under section 39(3), the Authority did include a statement as to

	Submitter(s)	Submission	Authority response
		<p><i>under Appendix C were being proposed. We conclude that they are being advanced under the ‘technical and non-controversial’ limb of clause 39 (3) of the Electricity Industry Act as it is the only route for Code Change without any consultation. While we agree this process provides a mechanism for informing participants of pending changes we wonder whether there should also be an overt consultation on these points. For example, although we have not identified any material concerns with the proposals presented as “information only” in the current review we have had such concerns in the past. In that instance (in 2014) we did not agree with the “technical and non-controversial” assessment for a specific change. Although the Authority eventually agreed that the change in question should not be progressed the process for arriving at that conclusions was ad-hoc and opaque. We consider it would be cleaner and more transparent if the Authority simply invited comment on all the Code change proposals it is making – including for participants to challenge its ‘technical and non-controversial’ assessment.</i></p> <p><i>For the next omnibus review, and possibly other Code change processes, we suggest adoption of some communication steps the Authority could take to assist participants’ understanding of the proposals and to help improve transparency and confidence in the process.</i></p> <ol style="list-style-type: none"> <li><i>1. Categorisation of change proposals: to help participants focus on proposals most relevant to them, we consider each change could be framed with an indication from the Authority of parties it thinks are most affected.</i></li> <li><i>2. Basis for change proposals: it would also be informative if the Authority could communicate the genesis of each code change, for example whether the change arose from the code change register (which participant made the proposal, and when) or from within the Authority.</i></li> <li><i>3. Application of Electricity Industry Act clause 39 (3)</i> <ol style="list-style-type: none"> <li><i>a. indicate how each change qualifies under clause 39 (3)</i></li> <li><i>b. develop criteria, with industry, for assessing that edits to the rules are technical and non-controversial . This would also assist participants to submit</i></li> </ol> </li> </ol>	<p>the grounds for not consulting.</p> <p>Note that section 39(3) sets out three separate grounds on which the Authority may make amendments without consulting:</p> <ol style="list-style-type: none"> <li>(a) technical and non-controversial; or</li> <li>(b) widespread support for the amendment among the people likely to be affected by it; or</li> <li>(c) adequate prior consultation.</li> </ol>

	Submitter(s)	Submission	Authority response
		<i>Code Changes via this route if appropriate.</i>	
General	Trustpower (cover letter)	<p><i>We would like to make the following comments to the Authority regarding this particular consultation process:</i></p> <p><i>(a) We would classify some of the proposed amendments as being more significant than considered by the Authority; and</i></p> <p><i>(b) We appreciate it may have been efficient for the Authority to aggregate a large number of Code amendments, impacting multiple different components of the industry, into the same paper. However, this was not a particularly straightforward exercise for us as a generator-retailer. In future we would recommend that the Authority releases a series of smaller papers, each relating to a specific component (or related components) of the industry, and possibly spreads them out into different times of the year. This would also make it easier to deal with the possibility of some of the Code amendments requiring more thought than others.</i></p>	<p>The Authority has included the minor amendments (Appendix C of the consultation paper) despite not being required to do so under the Electricity Industry Act 2010. However, by including these amendments in the consultation paper, it has provided the opportunity for participants to make comments if they wish to do so.</p> <p>The Authority intends to take this approach with an amendment again in 2016. Proposing a number of small amendments at the same time is intended to be administratively less onerous.</p>
General	Vector (cover letter)	<p><i>Vector supports the Authority's Code review programme, and its efforts towards making continued improvements to the Code. The Code is not a light document and depending on the industry participant, several parts of the Code may apply. The more rules a participant must adhere to, the more resources it requires to ensure compliance. Therefore, it is important to regularly review areas of the Code that the Authority and/or the industry considers do not appropriately or adequately reflect the intention of the Authority, or industry practice.</i></p> <p><i>Ambiguity and uncertainty of rules that govern the operations of an industry as multifaceted as the electricity market, can be costly for each party involved – including the regulator who must oversee and investigate potential non-compliances, and consumers who do not benefit from inefficiencies or unnecessary costs. However, numerous small changes over the course of year</i></p>	Noted.

	Submitter(s)	Submission	Authority response
		<p><i>would also contribute to inefficiencies.</i></p> <p><i>To this end, Vector supports an annual “omnibus” Code amendment as an ongoing work stream. If this is implemented as a regular work item not only would it provide a useful and low cost channel for efficiencies to be made, but it would also help to encourage industry participants to pro-actively put forward Code amendment proposals if they know in advance that an omnibus amendment may provide for the change. We do, however, submit that significant changes, or those that are likely to be controversial, should be addressed separately from the omnibus process.</i></p> <p><i>We ask that the Authority give the industry sufficient notice of when it intends to make any Code amendments, and sufficient time to make any required changes to its operations or agreements once the amendments come into force. For example, Use-of-Systems Agreements (UoSA) reference clauses under Part 12A of the Code. Therefore, any changes to the numbering of clauses will also require updating the UoSA.</i></p>	