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Submission on *Improving information on high-voltage network capacity – Consultation Paper*

Preamble

Network Tasman Limited (Network Tasman) thanks the Electricity Authority Te Mana Hiko (the Authority) for the opportunity to submit on the May 2026 consultation paper *Improving information on high-voltage network capacity*.

Network Tasman has contributed to, and endorses, the submission made by Electricity Networks Aotearoa (ENA). This submission supplements, rather than duplicates, the ENA submission and should be read alongside it. It focuses on the adequacy of the analytical framework underpinning the proposed Code amendments and on issues of particular concern to Network Tasman.

Network Tasman supports the Electricity Authority's objective of improving visibility of high-voltage (HV) network capacity information to enable more efficient connection decisions, better utilisation of network capacity, and a more digitalised electricity system.

However, this submission raises significant concerns with the Authority's proposed regulatory intervention and, more fundamentally, with the adequacy of the analytical process underpinning it.

Primary position – the proposal is not supported by sufficient evidence

Network Tasman's central submission is that the Authority has not undertaken the analytical work required to justify the proposed regulation. The consultation paper does not establish a clear regulatory failure, nor does it provide a robust evidence base to support intervention.

Available evidence suggests that the market is already delivering the intended outcome to a substantial extent. HV capacity maps covering around 85% of New Zealand ICPs are already published or under development without regulatory mandate.

This raises a fundamental question as to whether regulation is necessary at all, and whether a blanket obligation is proportionate to what may be a residual issue affecting a minority of connections.

Material deficiencies in cost–benefit analysis

The Authority has not quantified either the costs or the benefits of the proposal.

Key cost drivers—notably system upgrades, data integration, and remediation of existing solutions—have not been assessed, and may be substantial and uneven across distributors.

At the same time, the benefits case relies on untested assumptions about how access seekers will use the information and does not draw on available empirical evidence, including the natural experiment created by voluntary map publication.

In the absence of quantified analysis, the Authority is not in a position to conclude that benefits outweigh costs.

Analytical and design issues

The proposal is further undermined by:

- Failure to investigate the extent and trajectory of voluntary adoption across the sector.
- Internal inconsistencies in how distributor capability is characterised.
- Deferral of key design elements (data scope, formats, methodologies) to future technical specifications, preventing meaningful consultation on costs and benefits.
- Incomplete assessment of alternatives, including the option of using existing capabilities to develop a centralised national platform.

Risk of inefficient outcomes

The proposal risks imposing significant compliance and remediation costs—particularly on distributors that have already developed capacity maps—without delivering commensurate additional benefits.

There is also a real risk that regulatory uncertainty (particularly around future specifications) delays ongoing industry initiatives, undermining the objective of accelerating information availability.

Conclusion and recommendation

Network Tasman supports the policy intent but does not support proceeding with the proposal in its current form. The Authority should not progress to regulation until it has:

- Established whether a genuine market failure exists;
- Quantified the costs and benefits of intervention;
- Tested demand-side assumptions using available evidence; and
- Fully developed the substantive design of the proposal.

Undertaking this analytical work is necessary to ensure any intervention is targeted, proportionate, and in the long-term interests of consumers.

Part A — Primary submission: the Authority's analysis is not adequate to support regulatory intervention

This Part sets out our primary submission. Its central proposition is that the Authority has not undertaken the analytical work required to support a regulatory intervention of this scope, and the consultation paper does not provide the evidence base required for a sound regulatory decision.

A1. The Authority has not established that a regulatory failure exists

A1.1 The foundational question has not been asked

The fundamental question the Authority needed to answer before proposing regulation was: does a market failure exist? That is, what will the market not deliver on its own, and at what pace? The consultation paper does not answer this question. It does not attempt to answer it. The omission is not incidental — it is the central analytical failure from which the other deficiencies in the paper flow.

Had the Authority engaged in a basic information-gathering exercise before publishing this consultation, it would have identified that HV capacity maps covering approximately 85% of New Zealand ICPs are already published or in active development by distributors without any regulatory requirement.

The Authority's characterisation of this situation — that "(s)ome distributors have started network capacity analysis and publishing information about their high-voltage networks in the form of capacity maps" (paragraph 3.12) — is a material misrepresentation of the current state of voluntary adoption. It suggests the Authority has not validated the accuracy of its own premise before proposing to regulate on the basis of it. The same observation appears, unremarked upon, in a number of locations in the consultation paper — each time as a passing acknowledgement rather than as a substantive input into either the counterfactual analysis or the assessment of the industry-led alternative.

More fundamentally, the Authority frames the existence of distributors already undertaking this work as evidence that regulation would be valuable, rather than as a signal that the market is already delivering the outcome the proposal seeks. That framing inverts the correct analytical sequence. Voluntary adoption at this scale is not a reason to regulate — it is the primary reason to question whether regulation is necessary at all.

A1.2 The Authority is aware of voluntary adoption but has not investigated its scope

The paper acknowledges that some distributors have started network capacity analysis and published capacity maps, calling it "an encouraging development."

Despite this awareness, the paper never investigates the scope, pace or trajectory of voluntary adoption. It does not ask, let alone answer, the basic questions a counterfactual analysis requires:

- How many distributors are already publishing maps, and how many have firm plans to do so?
- What proportion of New Zealand ICPs are served by distributors already on this path?
- What is the likely timeline for voluntary adoption among those already developing capability?
- What proportion of the sector would genuinely not move without regulation?

The Authority's analysis on this matter is limited to a single vague sentence — "some distributors have started" — and the paper proceeds to propose blanket industry-wide regulation without establishing what "some" means in terms of market coverage or trajectory. This is not adequate analysis. It is a known fact treated as a footnote.

A1.3 The available evidence suggests the market may not be failing

At the time of this submission, Network Tasman understands that HV capacity maps covering approximately 85% of New Zealand ICPs are already published or in development without any regulatory requirement. Based on this information, the market is already delivering the outcome the proposal seeks across the substantial majority of connections.

At that level of voluntary coverage, the residual problem — if there is one — is limited to the roughly 15% of ICPs served by distributors not yet on this path. Before proceeding, the Authority needed to establish:

- Whether the remaining distributors will follow voluntarily once early movers demonstrate the model, or whether they represent genuine laggards who will not act without regulation.
- Whether the residual gap justifies imposing compliance costs on the 85% of the sector already acting voluntarily.
- Whether a lighter-touch intervention — such as a mandated format standard that those already developing maps must conform to — would capture most of the benefit at substantially lower cost than a blanket obligation on all distributors.

The Authority has not addressed any of these questions and doesn't appear to be aware of the scale of adoption across distributors. A blanket obligation on all distributors is a significantly disproportionate response to what may be a residual problem affecting a minority of connections — and that characterisation cannot be confirmed or refuted without the investigation the Authority has not undertaken.

A1.4 A minimum viable evidence base was readily available

The Authority has direct regulatory relationships with all distributors and ongoing engagement with the Future Networks Forum and Electricity Networks Aotearoa. A structured survey of all distributors — asking what HV data they hold, what systems they use, what maps they have published or are developing, and on what timelines — was readily achievable before the consultation paper was published (and is arguably a necessary pre-condition of any regulatory analysis of this issue).

This is not a difficult or expensive piece of work. The failure to undertake it before proposing blanket industry regulation is the clearest evidence in the paper of insufficient analytical preparation. A regulator that does not understand the current environment cannot determine whether regulation is needed, what gap it is filling, or whether the costs of intervention are proportionate to the problem.

A2. The issues the proposal is intended to address are not quantified

A2.1 Six limitations are described but not measured

The Authority identifies six limitations of existing information disclosures: frequency, granularity, digitalisation, consistency, discoverability, and absence of visual or interactive tools. None is quantified. The Authority asserts that without action access seekers "would continue to lack the information they need."

That assertion conflates two different things. Five of the six limitations describe concerns about the format, frequency and presentation of existing information. Only granularity describes a potential gap in the information itself. The claim at 4.10 that access seekers lack information is not supported by the analysis at 4.9, which describes existing information being delivered inconveniently. This matters because the appropriate regulatory response depends on the diagnosis: if valuable information is genuinely missing, mandating its creation may be justified; if information exists but is poorly presented, a much lighter response is appropriate.

A2.2 The paper does not quantify the issues it identifies

Across paragraphs 4.7 to 4.14 the Authority describes the limitations qualitatively. There is no estimate of basic information that is required to assess the potential benefits of the proposal, such as how many access seekers are currently affected, what costs the limitations currently impose, how much access-seeker decisions would change with better information, or what proportion of decisions are actually constrained by the absence of public maps as distinct from other factors. Without this quantification, the Authority cannot assess whether the proposed intervention is proportionate to the problem or compare the costs of intervention against the value of solving the problem.

A2.3 Distributor feedback contradicting the premise is not investigated

At paragraph 4.11 the Authority acknowledges that distributors at the September 2025 workshop "questioned whether there would be benefit in publishing network information as, in their view, access seekers are not making use of the information that is already published." This is a direct challenge to the premise of the proposal. The paper records the

concern and proceeds without refuting it with evidence. A robust regulator faced with such a challenge should investigate empirically — for example, by examining whether access seekers in network areas with voluntarily published maps behave differently from access seekers elsewhere. The Authority has not done so. This point and the natural-experiment opportunity are taken up further in this submission.

A3. The Authority's characterisation of distributors' current capability is internally inconsistent

Paragraphs 4.17 and 4.19 imply distributors lack good quality network information and early information about network constraints. Paragraphs 3.14, 5.34, 5.45(a) and 5.60 assert the opposite: that distributors already have a good understanding of the topology and power flows on their HV networks through SCADA and ADMS systems. These claims cannot both be true at the level the paper makes them.

The Authority's cost case depends on distributors already having the capability the proposal requires, so that costs are modest. The Authority's benefits case depends on the proposal improving distributor decisions on DER connection and flexibility procurement. If distributors already have the information, the proposal does not give them new information — and the mechanism by which publication of already-held information produces better internal distributor decisions is not articulated.

The inconsistency is not a drafting error. It is symptomatic of a proposal whose costs and benefits have been characterised inconsistently: costs minimised by emphasising existing capability, benefits maximised by implying capability gaps the proposal would fill.

A4. The cost analysis required by section 39 has not been undertaken

A4.1 The Authority acknowledges costs are not quantified

Section 39 of the Electricity Industry Act requires the regulatory statement to include "an evaluation of the costs and benefits of the proposed amendment." The Authority acknowledges in multiple places that this evaluation has not been undertaken in a quantitative manner:

- Paragraph 5.44: "there is limited information available for us to quantify the costs and benefits of the proposed amendment in detail."
- Paragraph 5.57: "we have not received feedback from distributors about the specific costs associated with system upgrades."
- Paragraph 5.75: "We have not been able to source any quantitative information relating directly to the costs and benefits from greater understanding and transparency of high-voltage network hosting capacity."

The framing of these statements suggests that responsibility for obtaining this information sits outside the Authority's role, rather than reflecting its position as the party leading the analysis. The Authority has the ability to collect this information and would be expected to do so as part of its analysis. The fact that the information remains "limited", "not received

from distributors", or "not been able to be sourced" appears to reflect not a constraint on availability, but a lack of any meaningful attempt by the Authority to obtain it.

The phrasing at paragraph 5.75 is misleading. It implies sourcing was attempted but did not succeed. The paper provides no evidence that sourcing was attempted. There is no reference to direct cost information requests to distributors, to commissioned analysis specific to this proposal, or to drawing on international quantitative work. The Authority should be clear about the steps it undertook to source the information referred to prior to the Consultation Paper being published.

A4.2 The Authority has not engaged with the most accessible sources of cost evidence

NZ distributors that have voluntarily published HV capacity maps have direct cost experience for substantially the work the proposal would mandate. They have evidence on implementation costs by activity — systems, data, methodology, publication — ongoing operational costs, cost variation by distributor characteristics, and whether access seekers actually use the published information. These distributors are the most accessible source of NZ-specific cost evidence available. The paper does not reference any engagement with them on cost or use.

A4.3 The Authority's cost analysis fails to account for the full range of implementation costs across the sector

The Authority's regulatory statement makes two foundational assumptions about costs: that distributors have good power quality data and understanding of the topology of their high-voltage networks; and that the costs of publishing HV network data would primarily be associated with how distributors make the information available rather than with acquiring or preparing the underlying data.

Both assumptions are undermined by the Authority's own observations elsewhere in the paper. At paragraph 5.56 the Authority acknowledges that some distributors may need to replace or upgrade legacy SCADA, GIS and operations management systems, and that network information held in different systems can be fragmented or incomplete. A distributor whose network information is fragmented across systems that were not designed for data sharing does not have good, readily accessible HV network data — and the cost of acquiring, integrating and validating that data is not simply a cost of presentation. The Authority cannot acknowledge that some distributors will need to undertake significant system upgrades while simultaneously assuming that the primary costs of the proposal relate only to how information is made available. These positions are inconsistent, and the regulatory statement does not reconcile them.

The cost of the proposal depends fundamentally on how many distributors would need system upgrades, which systems are affected, whether existing systems can be extended or require replacement, and what ongoing operational costs would result. Until technical specifications are finalised, distributors cannot meaningfully assess whether their current systems are adequate, what gap analysis would reveal, or what the scope and cost of required work would be. The Authority has not investigated any of these questions.

Additionally, those distributors that must replace or upgrade their systems would logically wait until the technical specifications are finalised before they scope their upgrades as this information will invariably influence the scope and/or scale of the upgrades.

This problem has two distinct dimensions, each unaddressed in the Authority's cost analysis.

For distributors that do not yet have HV capacity map capability, the relevant costs are those of implementation from scratch. The systems paragraph 5.56 acknowledges may need upgrading — SCADA, GIS and operations management systems — are central pieces of infrastructure operated by electricity distributors. They underpin network control, asset management, fault response and operational planning. Replacing or upgrading them is not a routine administrative exercise. It is a significant, infrequent undertaking that requires extensive scoping and planning, carries material operational risk during transition, and typically results in consequential changes to internal processes and workflows across the business. These programmes can involve capital expenditure measured in millions of dollars and take years, not months, to complete properly.

For distributors that have already delivered or are actively developing HV capacity maps — covering approximately 85% of New Zealand ICPs — the relevant cost question is fundamentally different. It is not the cost of building a solution, but the cost of conforming an existing or near-complete solution to regulatory requirements that were unknown at the time it was designed. The technical specifications will determine the data sets to be displayed, the formats in which data must be provided, the methodologies to be applied, and the manner in which maps must be presented. If those specifications introduce requirements that differ from those already adopted, affected distributors will face remediation costs: reworking system architecture, revising vendor arrangements, reformatting data, and re-engineering publication interfaces. Those costs are real and potentially material. Critically, they produce no additional benefit for access seekers — the map exists either way. They are the pure cost of regulatory conformance imposed on distributors that have already delivered the outcome the regulation is intended to achieve.

The Authority's cost analysis is silent on both dimensions. It neither considers, let alone quantifies implementation costs for those without existing capability, nor acknowledges the remediation cost category for those with it. The result is a cost assessment that understates the true cost of the proposal for every category of distributor it affects.

Network Tasman's own position illustrates the first dimension concretely. Network Tasman's current systems do not enable a low-cost way of publishing HV capacity map information. However, Network Tasman is currently scoping system upgrades that would, once completed, allow this information to be published in a relatively low-cost manner. The drivers of these upgrades are operational efficiencies across Network Tasman's business — publishing HV capacity maps would be an added benefit of those changes, not their driver. Once the upgrades are complete, the barrier to publishing HV capacity maps would be relatively low.

Network Tasman’s asset data is currently held across several databases, requiring manual processes to complete fault studies and related network analysis. We have recently begun developing a connected network model that will allow the full network to be exported to

modelling software and other tools. This is a substantial data integration and validation exercise, and we expect it to take at least 18 months to complete. Once the connected model is in place, a further 6–12 months is likely to be required to configure, test, and validate the data connection between the connected model and our network modelling tool and the tool itself. In parallel, we are updating our load modelling tool to enable analysis across all network locations. Following completion of these dependencies, the development of a public map is expected to take a further 3–6 months. While these timeframes could be accelerated, doing so would require additional dedicated resources and would risk diverting key technical capability from other business-critical work.

Network Tasman could deliver maps before these core system upgrades are completed, but doing so would require considerable manual processes — extracting, validating and formatting data by hand at each quarterly update cycle. This would require additional resources and ongoing staff time to implement and maintain. More significantly, it would draw time and resources away from the core system upgrade programme, pushing the implementation timeline for those projects back further. The net effect would be to delay the very system improvements that will eventually make map production efficient and sustainable.

We do not consider that the incremental benefit of delivering HV capacity maps ahead of these core system changes would be material. The costs of accelerating delivery ahead of the system upgrade programme — in additional resource, in manual process risk, and in opportunity cost to the core upgrade work — would not be justified by the incremental benefit achieved.

Any costs distributors incur in implementing the proposed requirements will ultimately be recovered from consumers through lines charges. It is therefore striking that having described the prospect of potentially significant system upgrades, the Authority's conclusion at paragraph 5.61 is only that it "acknowledge[s] there may be costs with upgrading systems and amending processes." The use of "may" is not a considered qualification reflecting genuine uncertainty — it is a rhetorical hedge that allows the Authority to proceed to a conclusion of net benefit without having established what the costs actually are. There is no credible scenario in which distributors implement the proposed obligations without incurring costs. The question is not whether costs will arise but what they will be, who will bear them, and whether they are justified by the benefits. The Authority has identified the primary cost driver of its proposal, acknowledged that it has no information about that cost, and concluded that benefits outweigh costs anyway. That conclusion is not defensible.

A4.4 The Authority is not in a position to conclude that benefits outweigh costs

The Authority's failure to quantify costs is not attributable to the inherent difficulty of cost estimation or to a lack of available information. It is, on the Authority's own account, a failure to attempt the analysis at all. System upgrade costs are not a peripheral cost category — they are the primary cost the proposal is likely to impose on many distributors. The Authority has identified this cost, acknowledged it has no information about it, and proceeded to a conclusion of net benefit.

That conclusion cannot be sustained. A finding that benefits outweigh costs requires, at minimum, some basis for believing that costs are bounded. The Authority has no such basis. Without knowing how many distributors require system upgrades, which systems are affected, whether replacement or extension is required, and what the resulting programmes of work would involve, the Authority cannot form any view — even a qualitative one — on whether costs are modest or material.

Section 39 of the Electricity Industry Act requires the Authority to undertake an evaluation of the costs and benefits of a proposed amendment. That evaluation does not necessarily require fully quantified analysis. However, reliance on a qualitative assessment does not reduce the standard of analysis required. A qualitative assessment must still be structured, evidence-based, and transparent about the assumptions relied upon, the mechanisms through which outcomes are expected to arise, and the basis on which those outcomes are considered likely. It requires disciplined reasoning, not assertion. In this context, there is a material distinction between stating that certain effects may occur and undertaking a qualitative assessment that demonstrates why they are expected to occur. The former describes a possibility; the latter requires a reasoned and testable explanation supported by evidence. The Authority's cost–benefit analysis does not meet this standard and does not exhibit the analytical rigour required of a qualitative assessment.

A4.5 Quantitative analysis is feasible and has been done for the more complex LV case

The Sapere business case for ENA on LV network monitoring (2020), cited at paragraphs 5.50 and 5.55, produced quantified costs ($160m–$214m over ten years) and quantified benefits ($477m over ten years) for a proposal the Authority itself characterises as more complex and expensive than the HV case. The Sapere work demonstrates that quantitative cost-benefit methodology for NZ network information work exists, is established, and is feasible within reasonable timeframes. The Authority has offered no explanation for why it has not sought to undertake equivalent analysis for the present proposal.

Network Tasman acknowledges that quantified cost-benefit analysis is inherently imprecise. But that is precisely what makes it valuable as a regulatory tool. A quantified analysis requires the party undertaking it to be explicit about its assumptions, to state the foundations of its reasoning, and to express its conclusions in terms that can be examined and tested. A quantified cost analysis would have required the Authority to specify what system upgrade costs its proposals would trigger, for which distributors, and on what basis. A quantified benefits analysis would have required the Authority to be explicit about how many access seekers would benefit, in what circumstances, through what mechanism, and to what degree. Expressing those assumptions explicitly — even in ranges, even with acknowledged uncertainty — would have allowed submitters to assess whether the foundations of the analysis are sound.

The Authority's reliance on assertion forecloses that scrutiny entirely. Because costs are described only as something that "may" exist and benefits are described only in general terms, there is nothing for stakeholders to test. We cannot assess whether the Authority's assumptions about access-seeker behaviour are realistic, because they are not stated. We cannot assess whether the Authority's implicit cost assumptions are reasonable, because they are not quantified. The Authority has in effect asked submitters to accept its

conclusion on trust, without providing the analytical foundation that would allow that conclusion to be verified or challenged. That is not an adequate basis for regulatory intervention.

A4.6 International regulators have undertaken substantially more rigorous analysis

Appendix D references the UK, California and Australia as international examples. In each case the analytical work undertaken by the regulator has been substantially more rigorous than the analysis in the Authority's consultation paper:

- Ofgem's RIIO-ED2 Final Determinations (November 2022) included detailed cost-benefit assessments and cost allowances for each output category including the System Visualisation Interface requirement.
- The California ICA process involved a multi-year stakeholder working group testing methodologies and comparing approaches before arriving at an agreed methodology.
- The Australian AER's Low-voltage Network Visibility project used a three-phase structure including a real-world trial, with a rule change process still in progress at the time of this submission.

The Authority cites these examples as encouragement for its policy direction but has not adopted the analytical standards those jurisdictions applied. International comparisons are made readily on substance but not on rigour.

A4.7 The consultation cannot remedy the absence of cost analysis

The consultation questions ask submitters to provide quantitative cost information (Q15, Q16, Q19). One purpose of consultation is to allow stakeholders to test the Authority's conclusions. But the Authority has not collected any of the information on which it is now seeking stakeholder feedback — it appears instead to be challenging stakeholders to provide information that that disproves the Authority's own assertions. The Authority cannot discharge its statutory obligation under section 39 of the Electricity Industry Act — a responsibility that belongs to the Authority, not to the parties being regulated — in this way.

The Authority appears to reason that it does not have specific cost information because distributors have not provided it. But this inverts the correct sequence. The Authority has not asked distributors for this information through any structured process. Nor can distributors provide information on regulatory proposals before they are published.

In any event, meaningful cost development for system changes of this scope cannot be undertaken within a six-week submission window. A proper assessment requires requirements analysis, gap analysis, solution design, vendor engagement and governance review — work that realistically takes months. The Authority is effectively using the consultation process to collect information it should have gathered before initiating the regulatory process.

A further concern is survivorship bias in the submissions the Authority will receive. Distributors that have already developed HV capacity maps will have much less difficulty with the proposal and are more likely to support of it. For those distributors, the costs have already been incurred and the capability already built. The regulatory question of costs and benefits, however, properly concerns those distributors that have not yet developed the capability — precisely the distributors for whom implementation would require real effort and real expenditure, and who are least equipped to provide meaningful quantitative cost analysis within the submission window. If the Authority weights submissions by volume or apparent consensus, it risks drawing conclusions about cost materiality from the experience of those for whom costs are lowest, while the experience of those for whom costs are highest goes underrepresented. This would compound the existing deficiencies in the cost analysis rather than remedy them.

A5. The benefits analysis has not been undertaken or validated

A5.1 The demand-side assumptions are not validated

The benefits case rests on the assumptions at paragraph 5.45(c) and (d): that access seekers will use the published information to make more efficient connection decisions. The paper provides no evidence these assumptions are correct. Access-seeker feedback from the September 2025 workshop is about preferences, not behavioural change. International examples are characterised qualitatively without quantified impact.

The Authority's own acknowledgement at paragraph 4.11 — that distributors at the workshop "questioned whether there would be benefit in publishing network information as, in their view, access seekers are not making use of the information that is already published" — is directly contrary to the demand-side assumption and is not refuted with evidence. Whether this distributor view is accurate is an empirical question the Authority has not investigated.

A5.2 The use cases in Table 1 have not been tested

Table 1 identifies five categories of users for HV network information. For each, the paper asserts that published information would influence decisions. None of these assertions is supported by evidence that the parties named have been engaged on whether and how they would use the information, whether the absence of public maps has been a binding constraint, or what the population of decisions affected would be. In short, the Authority has in no way sought to measure the magnitude of the incremental benefits of its proposals on the use cases it sets out.

A5.3 The natural experiment of voluntary publication has not been used

The paper references voluntary publication by some distributors as "an encouraging development." Those voluntary publishers represent a natural experiment that could test the Authority's qualitative benefits case empirically: if access seekers in network areas with published maps are realising material efficiencies, this supports the proposal; if they are not, this challenges it. The current environment offers the Authority a real-life counterfactual analysis. There are already distributors who have published HV capacity maps and there are others that have not. A simple analysis could assess the efficiencies

that access seekers have enjoyed as a result of this information being published. The Authority has not undertaken this analysis.

A5.4 The 'better regulation' benefits are particularly tenuous

The benefits at paragraphs 5.52–53 ("better regulation") are weakly reasoned. The Authority and the Commerce Commission can already obtain regulatory information through targeted requests and existing statutory powers. For "better regulation" to be a benefit of public disclosure, the benefit must depend on the public nature of the disclosure rather than regulator-only access — and that mechanism is not articulated. The specific examples given require chains of uncertain steps the paper does not substantiate.

A6. Substantive content has been deferred to specifications, undermining the consultation

A6.1 The deferred matters are the substantive content of the obligation

Paragraphs 5.4 and 5.26 list the matters to be addressed in technical specifications: the data sets captured within the definition of network capacity information, formats, technical standards, definitions for common terminology, and how to display granular information on network maps. These are not technical implementation details. They are the substantive content of the obligation. The costs of compliance may be significantly influenced by what the specifications require. The benefits to access seekers depend on the granularity, format and methodology. Very little of this is settled in the consultation document.

Clause 6.3A in the draft amendment makes specifications binding (clause 6.3A(1)). Calling them "specifications" rather than "regulation" does not change their effect. Substantive matters of this nature should be settled at the Code amendment consultation stage. Submitters cannot meaningfully engage with the cost-benefit case when the key parameters that drive the cost-benefit profile are not defined.

A6.2 The specifications-sequencing risk is not hypothetical: it has already materialised elsewhere

There is a specific and practical consequence of the proposed specifications sequencing that the Authority's analysis does not address: for EDBs that already have capacity map projects underway, the prospect of future technical specifications may cause those projects to pause, slow or be re-scoped until the regulatory requirements are known. The regulated outcome — maps being available to access seekers — could therefore be delayed by the regulatory process, not accelerated by it. This is the opposite of the Authority's stated rationale for urgency.

If a distributor has already designed, procured or partially implemented a capacity map platform, and the subsequent technical specifications introduce different requirements for data formats, data models, GIS integration, privacy protections or publication interfaces, the distributor may need to revisit system architecture, vendor arrangements and internal processes. The cost of that revision — rework on work already done — is a pure dead-weight loss that the regulatory process has created, not avoided. Distributors acting in good faith before specifications are finalised are exposed to this risk in a way that

distributors who wait are not. The rational response, for a distributor with an existing project, is to wait.

This is not a theoretical concern. It is the mechanism by which regulation of activities already underway creates costs without producing commensurate benefits.

A6.3 The Pioneer Scheme: a NZ example of regulation adding cost without adding benefit

Our experience with the Authority's regulated Pioneer Scheme illustrates the problem directly. We had established our own 'reapportionment scheme' over a decade before the Pioneer Scheme was introduced. When the Authority introduced regulated Pioneer Scheme requirements, we were required to amend our processes and redraft our policies to comply with the prescribed regulatory form. The outcomes for consumers were not materially different from those produced by our existing scheme. But the compliance work — process redesign (for Network Tasman and third-party contractors), policy redrafting, governance alignment, stakeholder engagement — added real costs. Those costs were incurred not because our scheme was inadequate, but because the regulated form differed from the form we had already developed. This change has created a net cost for consumers connected to our network.

This experience illustrates a general principle that the Authority should apply carefully here: introducing regulation for activities that are already being undertaken by participants is not cost neutral. It will impose the costs of conforming to a prescribed form on parties who have already solved the underlying problem in a different way. Where the regulated and unregulated outcomes are not materially different, those compliance costs are a net loss for consumers.

The parallel to the present proposal is direct. The distributors that have already published HV capacity maps, or are in advanced development of them, have solved the underlying problem. If the technical specifications, when published, require a different data model, a different format, a different publication interface or a different methodology from the one those distributors have already implemented, they will face additional remediation costs — costs of conforming to a regulatory form, not costs of producing better outcomes for access seekers.

The Authority's consultation paper does not acknowledge this risk. The cost analysis at paragraphs 5.54–61 addresses the costs of implementation from scratch; it does not address the additional costs imposed on distributors that have already invested in solutions the specifications may require them to revise. Yet on the Authority's own account (paragraph 5.74), multiple distributors are already collaborating on shared platforms. The risk of specification-driven rework for those distributors is real and immediate.

The appropriate response, if the Authority does proceed, is at minimum to engage directly with the distributors already developing capacity map platforms before finalising the specifications, to ensure that the specifications reflect what is already being built rather than requiring it to be rebuilt. More fundamentally, the Pioneer Scheme experience reinforces the argument that the Authority should establish what the market is already delivering before deciding what to regulate, and should be very cautious about introducing

prescribed regulatory forms for activities that participants are already undertaking effectively.

A7. The evaluation of alternatives is incomplete

A7.1 Centralised national platform implementation is not considered

The evaluation at paragraphs 5.78–5.94 considers status quo, industry-led, ID Determination amendment, guidance only, and full network visibility. It does not consider centralised national platform implementation — the most direct response to the proposal's stated objective of standardised cross-network information.

A7.2 The Commerce Commission has published a national zone substation map

In May 2026 the Commerce Commission published a national zone substation map for electricity distributors. The map draws on geospatial information distributors are already required to publish under the Information Disclosure Determination. It is precisely the kind of centralised, national, standardised visualisation the consultation paper's proposal sets out to achieve through individual distributor implementations — and it exists now, without the proposed Code amendment.

The Authority states at paragraph 3.8 that it "engaged with the Commerce Commission on the proposals in this consultation document." The Commission's map will have been in development at the time of that engagement. The Authority would have been on notice that the Commission was building a centralised national visualisation drawing on existing disclosed data. The consultation paper does not refer to this work.

The Commission's map establishes that: a centralised national map of distribution network assets is feasible now; the existing disclosure regime under the Information Disclosure Determination is sufficient to support it; a regulator is the appropriate party to operate such a platform; and the architectural pattern is now actively in use in NZ regulation. The efficiency case for extending the Commission's existing platform — rather than mandating 28 separate distributor implementations of substantially the same display function — is compelling. The platform infrastructure exists; the disclosure regime that feeds it is in place; the remaining work is to extend the data scope and negotiate governance arrangements. Both are substantially smaller pieces of work than mandating 28 separate implementations.

A7.3 The dismissal of the industry-led alternative relies on evidence the Authority has itself treated as out of scope

The Authority's assessment of the industry-led alternative at paragraphs 5.80 and 5.81 dismisses that option on the basis that progress under the ENA's 2019 Network Transformation Roadmap has been "uneven and limited." This reasoning is flawed in several respects.

First, and most fundamentally, the evidence the Authority relies on to dismiss the industry-led alternative is evidence about LV network visibility — not HV capacity maps. The Authority's own characterisation of LV visibility is that it is outside the scope of this proposal, that it is a considerably larger and more complex undertaking than HV visibility,

and that it would be "prudent to wait" before considering whether regulation of LV visibility would be justified. Having concluded that it is prudent to wait, the Authority cannot then characterise distributors' limited progress on LV visibility as an industry failing. The two positions are irreconcilable. If the benefits of LV visibility do not yet justify the costs, it follows that distributors that have reviewed their plans and deprioritised LV visibility work in light of the evolving sector have made exactly the right call. The Authority's prudent-to-wait conclusion is an acknowledgement of this — and the fact that distributors have reached the same conclusion independently, and adjusted their priorities accordingly, is not evidence of industry failure.

Second, the Authority's characterisation of progress against the Network Transformation Roadmap as "uneven and limited" misrepresents both the nature of the roadmap and the basis on which progress can be assessed. The roadmap was not a deterministic development plan. It was described as "a set of guidelines for EDB boards and senior management to consider when setting their strategies and future-focused plans." It was designed to be applied by each distributor in light of its own circumstances and strategic priorities. Variation in uptake across the sector is not evidence of failure — it is the expected and efficient outcome of a guidelines-based approach applied across a diverse sector. Furthermore, the Authority does not explain how it has assessed progress on this front – there is no formal, structured reporting against this outcome. It is unclear what evidence base underlies the characterisation of progress as uneven and limited, or how that characterisation was formed.

Third, the Authority's assessment of the industry-led alternative makes no reference to the actual state of voluntary progress on HV capacity maps — the very thing the proposal is intended to achieve. As set out earlier, HV capacity maps covering approximately 85% of New Zealand ICPs are already published or in active development without any regulatory intervention. The industry-led alternative, properly assessed against the evidence relevant to it, is not a theoretical option that has failed to gain traction — it is an approach that is already substantially delivering the proposed outcomes.

A8. The Authority's reliance on qualitative analysis is not justified

Qualitative analysis has a legitimate role in regulatory decision-making, but it sits within a framework that establishes quantification as the default where feasible. None of the legitimate reasons for relying on qualitative analysis applies here. Implementation costs, operational costs and benefits are routine subjects of quantitative regulatory analysis.

Quantification is feasible within reasonable resource and time, as demonstrated by Sapere for the more complex LV case and by the international regulators the Authority cites.

The data that would support quantification is available — through distributors that have voluntarily published HV capacity maps, the Commerce Commission, Sapere, international examples, and structured distributor engagement.

The Authority has therefore chosen to rely on qualitative analysis where quantitative analysis is feasible. This is a choice, not a constraint. Network Tasman submits that this choice does not meet the requirements of section 39 of the Electricity Industry Act, the

Authority's own Consultation Charter or the analytical standards applied by the international regulators the Authority uses as comparators.

This is the analytical capstone of our primary submission. A robust regulator acting in the long-term interests of consumers, faced with the question of whether to introduce regulation on a matter where quantification is feasible, should undertake the quantification. The cumulative effect of the choice not to — combined with the failure to establish a regulatory failure, the deferral of substantive content and the absence of testing of demand-side assumptions — is a regulatory proposal that does not meet the standards required for sound regulatory decision-making.

Part B — Secondary submission: substantive comment on the proposal

This Part is provided without prejudice to our primary submission in Part A. Our position is that the substantive design issues identified here are premature: the analytical work in Part A should be undertaken before substantive design is settled. We include this Part because the Authority's consultation questions ask substantive questions about the proposal as drafted, and because if the Authority is minded to proceed despite Part A, these are the matters that would need to be addressed.

B1. The proposal misdescribes how investment in flexibility and non-network solutions occurs

The second use case in Table 1 — and the non-network solutions provisions at paragraphs 5.24–25 and clause 6.3(3B)(d)–(e) — treat network constraints as discoverable features that investors find through information. In reality, investment in non-network solutions is driven by procurement (RFPs and tenders) or by pricing signals (locational and time-varying lines charges). They are procured by the distributor to fix an upcoming network issue. A flexibility provider cannot deliver a service to a network without the distributor first seeking assistance to deal with a known network issue.

The correct levers for the efficient use of non-network solutions are pricing reform (which the Authority is pursuing separately), distributor procurement processes for non-network solutions (addressed by the Joint Open Letter from the Authority, Commerce Commission and EECA), and the Authority's guidance on distributor involvement in flexibility services markets. The proposal does not engage with whether these mechanisms are working. If they are, the published map adds little. If they are not, the appropriate response is to strengthen them.

B2. Published network information supports preliminary screening but does not substitute for distributor engagement

Cross-network information standardisation is likely to provide value as a tool for preliminary screening by access seekers. It may assist in identifying areas of potential capacity and narrowing the set of locations warranting further investigation. However, for any specific site that an access seeker is actively considering, published information of this

nature cannot substitute for direct engagement with the relevant distributor. Detailed decisions require site-specific hosting capacity assessments, an understanding of local network conditions, interactions with the connections pipeline, and the commercial and operational terms applicable to the connection.

In practice, published information may function as an initial screening tool rather than a decision-making substitute. It may reduce the cost of early-stage search and filtering, but it does not remove the need for direct distributor interaction at the point where investment decisions are made. The benefits described at paragraph 5.47(c) therefore overstate the extent to which standardised published information can replace existing engagement processes. The proposal's benefits case would be more accurately characterised as supporting earlier-stage screening rather than substituting for the core connection assessment process.

B3. The proposed timeline is not feasible

The proposed sequence — final decisions end-2026; Code amendment made early 2027; specifications published within six months (circa mid-to-late 2027); compliance from 15 September 2027 — leaves potentially three to four months between final specifications and the compliance date, with no meaningful implementation window. The international examples in Appendix D involved substantially longer processes. The Authority's claim at paragraph 5.94 that twelve months would be sufficient for implementation is not supported by the international evidence the Authority itself cites and cannot be made credibly without knowing the scope of the changes required by each distributor.

On this point it is important for the Authority to understand the implications for each distributor, because the costs of unnecessarily expediting significant system upgrades could be material and have a direct effect on the lines charges that consumers on some networks incur.

The Authority should not allow the implementation timeline to be set by reference to the most capable distributors, without regard to the circumstances of those for whom significant system changes would be required.

B4. The implementation date should be tied to publication of final specifications

Given the dependency between compliance and specifications, a fixed calendar date creates timing risk that is asymmetric: if specifications run long, distributors face binding obligations against incomplete specifications. Any compliance date should be tied to publication of final specifications, with a minimum 12-month implementation window thereafter. The 12-month window should commence after specifications consultation has been completed and final specifications published.