

Submissions  
Electricity Authority  
PO Box 10041  
Wellington 6143

By email: [infoframework@ea.govt.nz](mailto:infoframework@ea.govt.nz)

**Re: Improving the framework for the Authorities information gathering**

Nova Energy supports the simplifying, standardising and improvement to how the Authority requests and monitors its information gathering arrangements. However, given the information gathering powers under section 46 of the Electricity Industry Act 2010, it is not clear that the Authority needs to establish a new information gathering framework to achieve its objective.

In exercising its information gathering powers, it is important that the Authority:

- is consistent across the industry participants in its requests,
- does not create excessive compliance costs,
- does not unduly influence participant's decision making processes by creating risks over what data might be publicly released, or how it might be used, and
- maintains very high standards of information security, given that a significant amount of market sensitive information may be held.

Nova Energy agrees that the Authority should consult with market participants outlining the rationale for its information requests before proceeding with those requests. It is important that affected parties have the opportunity to understand the purpose of the information being requested and the value the Authority expects to get from it.

Additionally, Nova proposes that, like the Privacy Act, each information request should also have an agreed review date by which the Authority must reassess whether the information being collected meets the test of having purpose, use and value, and provides a material benefit to consumers. Without this requirement, there is a significant risk that information continues to be collected irrespective of the value in doing so.

Nova's detailed response is appended to this letter. Please feel free to contact me if you wish to discuss our views further.

Yours sincerely



Paul Baker

Commercial & Regulatory Manager

**P** +64 4 901 7338    **E** pbaker@novaenergy.co.nz

## Nova submission:

### Improving the framework for the Authority's information gathering

Q No.	Question	Response
Q1.	Do you agree the issue identified by the Authority is worthy of attention?	<p>Yes. Nova agrees that the current process can be improved by adding in a consultation phase with industry participants. It does not agree however, that expanding the Authority's ability to gather information is necessary.</p> <p>Nova agrees that information that the Authority collects needs to be consistent across the industry, and that should be achieved by standardising and simplifying its information requests following a process of consultation. The process should enable participants to fully understand what information is required and why (as per s46).</p> <p>Requests for information should always be supported by analysis that shows a material benefit in doing so.</p>
Q2.	Do you agree with the objective of the proposed amendment? If not, why not?	<p>Yes. Nova agrees with improving the Authority's decision-making through better information, and the Authority engaging with participants over the most effective way of collecting information.</p> <p>Nova agrees with taking a standardised approach to information requests, relying less on the interpretation of the participant. Adopting this approach will create consistency and improve data integrity while also providing clarity to the participants on what information the Authority is wanting to gain. This will also facilitate efficiency of the data collection for participants by enabling them to set up appropriate processes and systems where necessary. Complex requests could include workshops, pilots, and trials to verify the usefulness of the information being requested.</p> <p>Each information request should also include a sunset clause. This will provide both participants and the Authority a time frame in which the relevance of collecting the data in a particular form is reassessed. Such a review should include reporting analytics that demonstrate the information that has been collected is being used and supports the Authority meet its objectives, as well as benefiting the industry.</p>

Q No.	Question	Response
Q3.	Do you agree the benefits of the proposed amendment outweigh its costs?	Nova has not attempted to quantify the net benefits of the proposed code amendments but notes that most of the benefits can be achieved without new overreaching changes to the Code.
Q4.	Do you agree the proposed amendment is preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objective in section 15 of the Electricity Industry Act 2010	<p>The proposed amendment is not our preferred option out of the three options outlined. Nova thinks that the Authority can achieve its objectives without the need for additional information gathering powers.</p> <p>Nova supports option "2" in the discussion document. It prefers the Authority use the existing methods of information gathering while incorporating a consultation phase with industry participants beforehand; and setting a sunset date on requests for regular information updates.</p>
Q5.	Do you agree the Authority's proposed amendment complies with section 32(1) of the Act?	
Q6.	Do you have any comments on the drafting of the proposed amendment?	The comments above should be incorporated in any amendment.