

Consumer care guidelines

Practice note 1 - Information Disclosure Guidelines

1 July 2021



Version control

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Disclaimer

This practice note does not form part of the Code. It is provided for general information only and not as legal advice and does not establish any legal obligation in itself.

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The publishing of this practice note does not place any obligation on the Authority to follow any interpretation contained in it when carrying out any of its functions under the Electricity Industry Act 2010 (Act).

The Code places many obligations on a retailer and should be consulted in full by intending retailers. Some of those obligations are contained in this practice note, however many obligations may be specific to the type of activity a retailer wishes to trade on. The Authority suggests if you are in doubt that you do consult the Code and ask the Authority if you are unsure.

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1 Purpose of this practice note

- 1.1 This practice note should be read in conjunction with the consumer care guidelines (guidelines).
- 1.2 The purpose of this practice note is to set out:
 - (a) What the Authority may do with the disclosure information the guidelines recommend be provided to us.
 - (b) What we may do when a retailer does not provide disclosure information by the recommended date.
 - (c) The format and naming conventions for disclosure information.
 - (d) How disclosure information should be provided to us.
- 1.3 We consider that the information disclosure requirements in the guidelines provide:
 - (a) An incentive for retailers to align with the guidelines.
 - (b) Transparency on developing electricity industry issues and assist with identifying areas of retailers' policies and practices where improvements may be made.
 - (c) An indication of areas where the guidelines require review.
- 1.4 Part 10 of the guidelines recommends that retailers provide the following disclosure information to us:
 - (a) Initial alignment plan
 - (b) Consumer care policy
 - (c) Alignment statement
 - (d) Monitoring information.
- 1.5 For the purposes of this practice note, the term "retailer" means:
 - (a) Any participant that meets the definition of retailer set out in the Electricity Industry Act 2010; and
 - (b) Any distributor that meets the definition of distributor set out in the Electricity Industry Act 2010 and invoices domestic customers directly.

2 What the Authority may do with the disclosure information

Alignment plan

- 2.1 We will retain each retailer's alignment plan provided to us, and we may:
 - (a) publish each retailer's alignment plan; and
 - (b) publish the names of retailers that do not provide us with their alignment plan.

Consumer care policy

- 2.2 We will retain each retailer's consumer care policy provided to us, and we may:
 - (a) publish each consumer care policy in the form we received it; and

- (b) publish the names of retailers that do not provide us with their consumer care policy.

Annual alignment statement

2.3 We will review and retain each retailer's alignment statement provided to us, and we may:

- (a) publish each alignment statement in the form we received it; and
- (b) publish the names of retailers that do not provide us with their alignment statement; and
- (c) use the information in the alignment statement to assess each retailer's alignment with the guidelines' intended outcomes; and
- (d) publish our review of each retailer's annual alignment statement, either individually or in aggregate form (i.e., across all retailers).

Monitoring information

2.4 Until further notice, monitoring information should be provided as tabled below, and be in the form detailed in the monitoring information template at xxxxxxxx:

- (a) For the period 1 January to 31 March – no later than 30 April each year
- (b) 1 April to 30 June – no later than 31 July each year
- (c) 1 July to 30 September – no later than 31 October each year
- (d) 1 October to 31 December – no later than 31 January of the following year

2.5 We will collect and collate the monitoring information provided to us by retailers, and we may:

- (a) publish the names of retailers that do not provide monitoring information that was either in the correct format, or was provided incomplete by the due date; and
- (b) analyse the information to determine both individual retailer and industry trends and alignment to the guidelines; and
- (c) publish aggregated information to assist policy and decision making as well as to assess competition and efficiency in the electricity industry.

3 Providing disclosure information to the Authority

3.1 Disclosure information should not include marketing information.

3.2 The Authority will initially receive all disclosure information via email, pending the development of a web browser based upload facility. Until further notice, emails should be directed to marketoperations@ea.govt.nz.

3.3 For information on registering as an industry participant or gaining a participant identifier, please visit the following links to the Authority's website:

- (a) Registering as a participant - <https://www.ea.govt.nz/operations/industry-participants/how-to-register-as-a-participant/>
- (b) Obtaining a 4 character participant identifier - <https://www.ea.govt.nz/operations/industry-participants/participant-identifiers/>

File naming conventions and formats for all uploaded emailed disclosure information

- 3.4 When emailing your disclosure information and monitoring documents please use the standardised naming convention set out in section 2 of this practice note and, where relevant, the standardised formats and contact details of the party providing the disclosure information.
- 3.5 The example below shows a full set of named disclosure and monitoring documents for the fictitious company BTnrg with a participant identifier of BTNG:
- (a) Initial alignment plan for BTnrg BTNG
 - (b) Consumer care policy for BTnrg BTNG 01 Jul 2021 to 30 Jun 2022
 - (c) Alignment statement for BTnrg BTNG 01 Jul 2021 to 30 Jun 2022
 - (d) Monitoring Information for BTnrg BTNG Q1 2021

What disclosure information needs to be provided and when due

Documents	Description	Date due	Format	How to name your file
Initial alignment plan	<p>Retailers should provide an alignment plan that sets out how and when the retailer plans to align its processes and practices with the Consumer Care Guidelines. When supplying please:</p> <ul style="list-style-type: none"> indicate on the front page the trading name, participant identifier, logo and contact details of the retailer that the alignment plan is for. 	<p>31 July 2021</p> <p>This is a one-off provision of information</p>	<ul style="list-style-type: none"> MS Word file No prescribed format 	Alignment plan for participant_name participant_identifier
Consumer care policy	<p>Retailers should publish their consumer care policy on their website. Retailers should also provide to the Authority a copy of the consumer care policy (or policies) in effect for the preceding 12-month period ending 30 June. When supplying please:</p> <ul style="list-style-type: none"> indicate on the front page of the consumer care policy the trading name, participant identifier, logo and contact details of the retailer that the consumer care policy is for; and summarise any changes that have been made to the consumer care policy since the previous provision. 	<p>31 July, annually</p> <p>For the preceding 12-month period ending 30 June.</p>	<ul style="list-style-type: none"> PDF file No prescribed format 	Consumer care policy for participant_name participant_identifier DD MMM YYYY to DD MMM YYYY
Annual alignment statement	<p>Retailers should self-assess the extent to which they have aligned with the consumer care guidelines during the past 12 months, and whether alignment has been achieved by following the guidelines' recommendations, or by taking alternative actions which achieve the intended outcomes set out in in Part 1 of the guidelines. The statement should:</p> <ul style="list-style-type: none"> set out the extent to which the retailer has aligned with the guidelines; and whether alignment has been achieved by following the guidelines' recommendations, or by taking alternative actions which achieve the intended outcomes set out in in Part 1 of the guidelines; and 	<p>31 July, annually</p> <p>For the preceding 12-month period ending 30 June.</p>	<ul style="list-style-type: none"> PDF file Use the template in Appendix A 	Alignment statement for participant_name participant_identifier DD MMM YYYY to DD MMM YYYY

Documents	Description	Date due	Format	How to name your file
	<ul style="list-style-type: none"> be signed and dated by the retailer's Chief Executive Officer (or equivalent) and a witness be complete, accurate, and not contain any marketing information. 			
Quarterly monitoring information	<p>Retailers should provide monitoring information to the Authority each quarter of a calendar year. Where the recommended monitoring information:</p> <ul style="list-style-type: none"> cannot be sourced, retailers should work towards collecting the required information and leave any non-populated field as "null"; and is subsequently found to be incorrect, retailers should email corrected information to marketoperations@ea.govt.nz as soon as possible, stating the correction and the reason and correction; is complete and accurate. 	<p>Quarterly</p> <p>Commencing with the period 1 July 2021 to 30 September 2021</p> <p>Provided no later than the end of the month following the quarter.</p>	<ul style="list-style-type: none"> MS Excel file Use the template in Appendix B 	<p>Monitoring Information for participant_name participant_identifier Quarter X YYYY</p>