

14 March 2023

s9(2)(a)

Dear s9(2)(a)

Thank you for your request, received on 27 February 2023, for the following information under the Official Information Act 1982 (Act):

- *“Copies of any reports, documents, minutes, briefing notes, memoranda, correspondence, legal advice, aide memoires, texts or emails, both internal and external mentioning the Kapuni Gas Plant/or the CO2 shortage dated December 2022 onwards. This includes drafts, appendices and attachments.”*

The Electricity Authority (Authority) holds some information that may be relevant to your request, however it is already publicly available:

- Data on the Kapuni gas field’s production of gas is available here: <https://www.gasindustry.co.nz/data/gas-production-and-consumption/>.
- Information on the Kapuni gas field’s outages is available here: <https://www.gasindustry.co.nz/data/planned-outages/>.

The Authority also holds some Court documents relating to both the original Manawa judicial review - [Manawa Energy Limited v Electricity Authority \[2022\] NZHC 1444](#) (20 June 2022) and the Nova appeal of the judgment in that judicial review. We note that:

- These judgments mention the Kapuni Gas Plant and are available from the courts.
- Access to Court documents is regulated by the Senior Courts (Access to Court Documents) Rules 2017, which is maintained under section 52(3)(i) and (ii) of the Act.
- Nova’s judicial review concerns the treatment under the transmission pricing methodology (TPM) of Nova’s co-generation plants, one of which is the Kapuni plant located on the site of the Kapuni gas treatment plant.
- The reference to the Kapuni Gas Plant is only as context to the location of Nova’s Kapuni co-generation plant and as the recipient of the steam and electricity produced by the co-generation plant.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact us by emailing oi@ea.govt.nz.

Yours sincerely



Peter Kerr
GM Legal, Monitoring and Compliance (Acting)