

Electricity Industry (Exemption No. 343 (Paua to the People Limited)) Exemption Notice 2024

The Electricity Authority gives this Notice in accordance with section 11 of the Electricity Industry Act 2010 (“Act”) to enable Paua to the People Limited (“the Participant”) to participate in a trial involving multiple trading relationships, facilitated by Kāinga Ora and Ara Ake, which is aimed at reducing energy hardship for a defined group of vulnerable New Zealanders (“the trial”).

Notice

1. Title and commencement

- (1) This Notice is the Electricity Industry (Exemption No. 343 (Paua to the People Limited)) Exemption Notice 2024.
 (2) This Notice comes into force on the day after the date it is notified in the *New Zealand Gazette*.

2. Exemption

- (1) In respect of the ICPs in the trial, the Participant is exempted from complying with the clauses of the Electricity Industry Participation Code 2010 (“Code”) listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier); and
 (2) For the purposes of the trial, the Participant is exempted from complying with the Code clauses listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier) in respect of no more than 200 residential ICPs that are notified to the Electricity Authority; and
 (3) Unless specified otherwise, the Participant is exempted from complying with the Code clauses listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier), provided that it complies with those Code clauses subject to and in accordance with the terms and conditions contained in Part 3 of this Notice.

Table 1: Code clauses which the Participant is exempted from complying with in the manner in which those Code clauses ordinarily apply (where there is a single ICP identifier)

No.	Code clauses
1.	Clause 10.7(5)(a)
2.	Clause 10.24(a)
3.	Clause 10.33A

3. Terms and conditions

The Participant is exempted from complying with the Code clauses listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier), provided that it complies with those Code clauses subject to and in accordance with the following terms and conditions:

Table 2: Terms and conditions that apply

No.	Code clause(s) to which the condition relates (if applicable)	Terms and conditions
General terms and conditions		
1.		In this Notice: a. “Primary ICP identifier” refers to the consumption ICP identifier; and b. “Secondary ICP identifier” refers to the export ICP identifier.
2.		For the purposes of the Participant’s participation in the trial and as the context requires references to the singular may include the plural, and vice versa.
3.		The Participant will deal only with Wellington Electricity Lines Limited as the distributor for the purposes of the trial.
4.		The Participant will deal only with a metering equipment provider (“MEP”) for the purposes of the trial if the MEP has been granted an exemption for the same purpose.

NEW ZEALAND GAZETTE

5.		For all ICPs that are intended to be part of the trial, the Participant will confirm that the ICP number complies with all applicable terms and conditions in this Notice.
6.		Only the following metering installations will be used in the trial: a. a meter that is a Category 1 meter; and b. a meter that is not bridged; and c. a meter that complies with the Code; and d. a meter that will not require recertification during the trial; and e. a metering installation that does not have unmetered load or shared unmetered load.
7.		If the Participant discovers that a metering installation does not comply with Condition 6, the Participant will: a. notify the Electricity Authority within 30 days. In its notification to the Electricity Authority, the Participant will state if the metering installation was removed from the trial at the time of the notification; and b. notify Wellington Electricity Lines Limited so Wellington Electricity Lines Limited can recombine the ICPs and decommission the secondary ICP identifier; and c. notify the MEP responsible for the ICP.
8.		If, for the purposes of the trial, the Participant identifies that it requires an exemption from an additional Code clause or that an existing exemption under this Notice requires modification, it will notify the Electricity Authority of the proposed amendment to this Notice, and the Electricity Authority will consider such amendment in accordance with section 11(4).
9.		The Participant will notify the Electricity Authority immediately of any issues arising from the trial that the Authority may need to address urgently.
10.	Clause 11.18	If, in accordance with clause 11.18, the Participant ceases to be the export retailer in respect of an ICP that is part of the trial, it will notify Wellington Electricity Lines Limited, the MEP responsible for the ICP, and the Electricity Authority, and that ICP will cease to be part of the trial.
Terms and conditions relating to exemptions in respect of clauses in Part 10 of the Code		
11.	Clause 10.7(5)(a)	The Participant will work with the consumption retailer to gain access to the property if required.
12.	Clause 10.24(a)	The Participant is not responsible for ensuring there is metering at the ICP (this is because the relevant consumption retailer is responsible for metering).
13.	Clause 10.33A	The Participant must not electrically connect or authorise electrical connection of the point of connection associated with their ICP identifier or initiate a disconnection (this is because the relevant consumption retailer is responsible for connections and disconnections).
Reporting to the Electricity Authority		

14.		<p>To allow the Electricity Authority to assess the implications of the trial regarding policy development relating to multiple trading relationships and the Code, the Participant will provide the Authority with a report every six months (“six-monthly report”) beginning on the date which is six months after the date on which this Notice takes effect. This will be one consolidated report produced in collaboration with Ara Ake, Kāinga Ora and any market participants granted exemptions in respect of the trial, and will include the information listed below:</p> <p>a. the number of ICPs in the trial at the date of the six-monthly report;</p> <p>b. aggregated volume information for the total number of ICPs involved in the trial at the date of the six-monthly report;</p> <p>c. any issues that have occurred or were raised since the last six-monthly report relating to trial participants (including consumers and market participants granted exemptions in respect of the trial), Ara Ake, Kāinga Ora, and any other market participants or observers not directly involved in the trial, and how these issues were managed;</p> <p>d. any information that may inform consideration of potential future Code changes, specific to the trial, or to multiple trading relationships more widely;</p> <p>e. a register which lists notifications from any other participant about the trial, including the substance of the notification and when the notification was received; and</p> <p>f. any other information that the Participant considers relevant.</p>
Termination		
15.		<p>If the Participant intends to terminate its involvement in the trial, it will give the Electricity Authority four months’ written notice of such intention to enable the Electricity Authority to revoke this and any other exemption relating to the trial in accordance with section 11(4) of the Act.</p>

4. Term

(1) This exemption expires on the earlier of the following:

- a. 30 June 2028; or
- b. the date on which the Authority determines that any breach of the terms and conditions of this exemption have not been rectified to the Authority’s satisfaction within a reasonable timeframe; or
- c. the date on which this Notice is revoked by the Electricity Authority in accordance with section 11(4) of the Act.

5. Reasons for granting this exemption

(1) The reasons for granting this exemption are:

- a. the trial requires a consumption retailer and an export retailer for each ICP involved in the trial;
- b. the trial requires two ICP identifiers for each ICP involved in the trial;
- c. the Code does not allow more than one trader at a single ICP or more than one ICP identifier at a single ICP;
- d. this exemption will provide a limited degree of regulatory relief to the Participant so that it can participate in the trial;
- e. the Electricity Authority is satisfied that exempting the Participant is not necessary for the purposes of achieving the Authority’s objectives under section 15 and/or better achieves the Authority’s objectives than requiring compliance because:

NEW ZEALAND GAZETTE

- (i) the exemption will have no effect on the Authority's ability to promote competition for the long-term benefit of consumers;
 - (ii) the exemption will have no effect on the Authority's ability to promote reliability of supply;
 - (iii) the exemption supports the Authority's ability to promote the efficient operation of the electricity industry by informing potential Code changes in an innovative area of policy design;
 - (iv) the exemption enables the trial, which is aimed at reducing energy hardship for a group of vulnerable New Zealanders;
 - (v) the trial involves an innovation that can be tested with a limited number of ICPs in a small geographic area of New Zealand;
 - (vi) the trial invests government funding in renewable energy at properties owned by Kāinga Ora and represents an attempt to increase the uptake of renewable energy at residential properties; and
 - (vii) the benefits of the trial could extend beyond public housing; and
- f. five-year period will enable Kāinga Ora, Ara Ake and the Electricity Authority to obtain sufficient data to form a view as to the effectiveness of the trial and of multiple trading arrangements.

Dated at Wellington this 19th day of March 2024.

For and on behalf of the Electricity Authority:
ANNA KOMINIK, Chair, Electricity Authority

2024-au1351

27-03-2024 14:56
