

Code amendment omnibus four: September 2024

Consultation paper

3 September 2024

Executive summary

The Electricity Authority Te Mana Hiko (Authority) is committed to ensuring regulation keeps up with the transformation underway across the electricity sector. The omnibus is a vehicle to consult on multiple discrete proposals to amend the Electricity Industry Participation Code 2010 (Code). The intent is to move quicker on amendments and alleviate consultation overload by reducing the number of different consultation papers we publish.

Section 1 of this consultation paper contains guidance on how to make a submission.

Improving consumer access to their electricity information

Section 2 proposes changes Part 11 to improve consumers' access to their own electricity data.

The Electricity Authority envisions a future where every consumer is empowered to take full advantage of a dynamic and competitive energy market. In this new landscape, consumers are not just passive users of electricity but active participants, equipped with data and innovative tools to make informed decisions. This is what we call *consumer mobility*.

To enable this future, it is important for consumers to have access to their own data. There are various innovative products and/or services in the market designed to benefit consumers by recommending products and services for them based on their consumption patterns. These range from websites which compare electricity plans and provide recommendations based on inputted data for free, to more personalised paid services which evaluate available plans on behalf of the consumer. We want to improve consumer mobility by ensuring consumers have access to accurate and timely information about themselves – consumers should expect their retailer to provide the data they need for minimal cost and in a timely way.

The Code requires retailers to provide information about a consumer's electricity consumption and the services they provide to the consumer (electricity information) when they request it.

Clauses 11.32A and 11.32B govern how and when a retailer must respond to such requests. These clauses stipulate four free requests a year and five business days to respond to requests.

The existing requirements are a potential barrier to consumers' ability to effectively utilise new products and services that require quicker and regular access to consumption information,

In the near future consumers should have real-time access to their own electricity information. The Authority is proposing amendments to these clauses now as an interim step to give consumers better access to their information.

Firstly, the Authority proposes that clause 11.32B(1) of the Code be amended to reduce the time a retailer must respond to a consumer's request for electricity information. We propose that retailers be required to provide the information requested within 1 business day in most cases. In particular, we propose that 70% of the requests they receive from consumers for information in a calendar year be responded to within one business day, and 90% be responded to within two business days, and 100% be responded to within 5 business days. That would represent an overall reduction in the time taken for a consumer to receive the information they have requested from their retailer.

Secondly, the Authority proposes increasing the number of requests a consumer can make for their electricity information without charge, from four to 12 in a 12-month period.

These amendments allow consumers more timely access to their own consumption data. They also signal to retailers that consumers' access to their own consumption data is a priority for the Authority, and that the industry at large should prepare for a further reduction in these timeframes by implementing technologies and processes that can facilitate automated transfer of consumption data in the future.

The Authority is also proposing to clarify that the electricity information consumers can request under clause 11.32A includes information about the injection of electricity into a network from a consumer's ICP, and raw meter data. As the number of consumer-owned small scale distributed generation installations is rapidly increasing, consumers' electricity metering information is increasingly including exported generation.

Our proposals aim to create a more competitive retail environment where consumers are empowered to make informed decisions about their electricity supply based on their own usage data. This data will become more easily available to consumers under these proposals.

Removal of time error management obligations

Section 3 proposes changes to Part 7 to remove the system operator's time error management obligations.

Frequency time error is the difference between New Zealand standard time and that on any clock that uses grid frequency to measure time (known as a 'synchronous' clock). A synchronous clock typically runs fast or slow as the electricity system frequency deviates from 50 Hertz (Hz). The system operator is required under the Code to manage time error so that the difference between synchronous clocks and standard time is minimised.

With advances in technology over the past 20 to 30 years, synchronous clocks are not commonly used and are unlikely to be used in applications where time accuracy is critical. This is because more accurate and cheaper clocks are now available. These include quartz clocks for small applications and GPS clocks for accuracy-critical applications. We, therefore, consider time error management is of negligible benefit to the power system and to consumers.

Time error management comes with a cost to the system operator in terms of allocating and training personnel to manage and monitor it, as well as investing in monitoring tools and undertaking compliance reporting. Time error management is performed by instructing generators to increase or decrease their output to affect system frequency. This can lead to distorted price signals and a reduction in system security.

Clearing manager to settle FPVV hedges

Section 4 proposes changes to Schedule 14.4, to add a hedge settlement form for fixed price variable volume (FPVV) hedges.

FPVV hedges are becoming more common in the industry. Currently, there is no provision for the clearing manager to settle these hedges on behalf of the two parties without the Authority first approving the form of the hedge settlement agreement for each agreement. Having the clearing manager settle hedges has benefits including allowing the parties' prudential security calculations take account of the hedge, generally lowering the calculated market exposure, and therefore the prudential security needing to be paid.

The Code currently provides for the clearing manager to settle other common types of hedges: fixed price fixed volume, cap/floor spot price, and cap/floor average price. It does so by providing for three different hedge settlement agreement forms, one for each type of hedge.

The Authority is proposing to amend the Code to include a new hedge settlement agreement form for FPVV hedges, to allow the clearing manager to settle these hedges without requiring Authority approval of the form of each FPVV hedge settlement agreement.

Under frequency events – remove obligation on Authority to consult

Section 5 proposes changes to the obligation in clause 8.61(2) of the Code, so that we only consult on determinations regarding the causer of an under-frequency event (UFE) that are disputed, or where the causer has not been identified.

Currently, we're required to publish draft decisions and consult on every UFE report the system operator provides. These reports identify the causer of a UFE and, where the alleged causer agrees they were at fault, contains a statement from the causer confirming this.

The proposed amendment to the Code would mean that the Authority would only consult where a causer is not identified, or an alleged causer disputed it was at fault. Where the causer has accepted culpability, we will circulate a draft determination to that participant, and we will continue to publish final determinations.

We believe this amendment would help speed up decisions where there is no dispute about who is the causer of the UFE.

Submissions

We welcome feedback on any or all sections of the omnibus by **15 October 2024**. We will consider all submissions before making our final decisions. We also welcome feedback on the format of the omnibus consultation and possible improvements for the future.

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1. Background

What this consultation is about

- 1.1. The purpose of this paper is to consult with interested parties on the Authority's proposals to:
 - (a) improve consumers' access to their electricity information;
 - (b) remove time error management obligations;
 - (c) permit the clearing manager to settle FPVV hedges;
 - (d) remove the obligation on the Authority to consult on under frequency events.
- 1.2. These proposals are being presented in omnibus form to streamline the number and frequency of consultations on Code amendment proposals. This paper is the fourth in the series. We intend to use omnibus consultations to consolidate discrete Code amendment proposals when appropriate to do so.
- 1.3. Each proposal is set out in a separate section of this paper, along with a regulatory statement for each proposal which includes a statement of the objectives of the proposed amendment, an evaluation of the costs and benefits of the proposed amendment, and an evaluation of alternative means of achieving the objectives of the proposed amendment.¹ The draft wording of each proposed Code amendment is included in appendices A to D.

How to make a submission

- 1.4. The Authority's preference is to receive submissions in electronic format (Microsoft Word) in the format shown in Appendix E. We have published a separate Microsoft Word version of the submission form on our website. Submissions in electronic form should be emailed to policyconsult@ea.govt.nz with "Omnibus four consultation" in the subject line.
- 1.5. If you cannot send your submission electronically, please contact the Authority (info@ea.govt.nz or 04 460 8860) to discuss alternative arrangements.
- 1.6. Please note the Authority intends to publish all submissions it receives. If you consider that the Authority should not publish any part of your submission, please:
 - (a) indicate which part should not be published,
 - (b) explain why you consider we should not publish that part, and
 - (c) provide a version of your submission that the Authority can publish (if we agree not to publish your full submission).
- 1.7. If you indicate part of your submission should not be published, the Authority will discuss this with you before deciding whether to not publish that part of your submission.
- 1.8. However, please note that all submissions received by the Authority, including any parts that the Authority does not publish, can be requested under the Official

¹ As required under section 39 of the Act.

Information Act 1982. This means the Authority would be required to release material not published unless good reason existed under the Official Information Act to withhold it. The Authority would normally consult with you before releasing any material that you said should not be published.

When to make a submission

- 1.9. Please deliver your submission by 5pm on Tuesday **15 October 2024**
- 1.10. Authority staff will acknowledge receipt of all submissions electronically. Please contact the Authority info@ea.govt.nz or 04 460 8860 if you do not receive electronic acknowledgement of your submission within two business days.

Feedback on the omnibus format

Q1.1. Do you have any comments on the omnibus format or suggestions to improve the omnibus format?

Please explain your answer.

2. Improving consumer access to their electricity information

The existing arrangements

2.1. The Code requires retailers to provide consumers (and agents acting on behalf of consumers) information about their electricity consumption and other services provided by their retailer (electricity information) on request.

2.2. Clauses 11.32A and 11.32B of the Code provide:

11.32A Retailers must give information about consumer electricity consumption

- (1) Each **retailer** must, if requested by a **consumer** with whom the **retailer** has a contract to supply **electricity**, or with whom the **retailer** has had such a contract in the last 24 months, give the **consumer** any of the information specified in subclause (2) that the **consumer** requests.
- (2) The information referred to in subclause (1) is information relating to any period in the 24 months preceding the request—
 - (a) about the **consumer's** consumption of **electricity** relating to each **ICP** at which the **retailer** supplied **electricity** to the **consumer**; and
 - (b) used by the **retailer** to—
 - (i) calculate the amount of **electricity** consumed by the **consumer** at each **ICP**; or
 - (ii) provide any service to the **consumer**.

11.32B Requests for information

- (1) A **retailer** to which a request is made must give the information to the **consumer** no later than 5 **business days** after the date on which the request is made.
- (2) In responding to a request, the **retailer** must comply with the procedures, and any relevant **EIEP**, **published** by the **Authority** under clause 11.32F.
- (3) A **retailer** must not charge a fee for responding to a request, but if 4 requests in respect of a **consumer's** information have been made in a 12 month period, the **retailer** may impose a reasonable charge for further requests in that 12 month period.

2.3. The Authority publishes procedures under which a retailer must respond to requests for electricity information, and electricity information exchange protocols (EIEPs) which provide a standard format for retailers to provide the requested information.²

Problem definition

2.4. There are three problems with the existing arrangements. Each problem is described separately below, alongside the proposal to address the problem. The paper has a single assessment section for all three proposals together but

² See clauses 11.32B(2) and 11.32F of the Code. The relevant EIEPs are EIEP 13A (detailed consumption information), 13B (summary consumption information) and EIEP 13C (agent requests). The procedures and EIEPs are available on the Authority's website: <https://www.ea.govt.nz/industry/retail/eieps/>

with the objectives, costs, benefits and assessment of options identified for each proposal. This paper has been structured in this way so each problem and proposal can be independently assessed. Once submissions have been considered, each proposal can progress unchanged, progress with changes, or be withdrawn without affecting the other proposals.

- 2.5. The proposed Code amendment, showing the proposed changes to clauses 11.32A and 11.32B to address the problems, is attached as Appendix A.

Problem 1 – five business days is too long a period for consumers to wait for retailers to provide their information

- 2.6. Clause 11.32B(1) of the Code requires retailers to give the requested electricity information to a consumer no later than 5 business days after the date on which the request is made.
- 2.7. Consumers' access to their own data is important to enable customer choice and mobility. There are innovative products in the market that currently require electricity information from the retailer. These products by and large utilise this information to enhance consumer choice by recommending products and services available in the market.
- 2.8. In our recent consultation on *Options to improve consumer plan comparison and switching*, several stakeholders indicated³ that five business days acts as a barrier to consumers utilising these tools effectively, and therefore limits their access to innovative products in the market. The Authority wants to promote innovation where it will benefit customers and wants to empower consumers by giving them more timely access to their electricity information that will allow them to make more informed choices.
- 2.9. The existing Code requirements have been in force since February 2016. As the provision of consumer electricity information has been a business-as-usual service retailers must provide since then, there should be little additional cost for providing data in a timelier manner.

Proposal 1

- 2.10. To address problem 1, the Authority proposes to amend clause 11.32B(1) of the Code to reduce the time a retailer must respond to most requests for electricity information. We propose that retailers be required to respond to requests as soon as practicable, but in any event no later than:
- (a) 1 business day after the date on which the request is made, in relation to at least 70% of requests received in any 12-month period;
 - (b) 2 business days after the date on which the request is made, in relation to at least 90% of requests received in any 12-month period; and
 - (c) 5 business days after the date on which the request is made, in relation to 100% of requests received in any 12-month period.

³ [Consumer plan comparison and switching | Our consultations | Our projects | Electricity Authority \(ea.govt.nz\)](#)

- 2.11. This will mean that most requests must be responded to within 1 business day, allowing consumers to have more timely access to their own electricity information, and allow additional time for the small number of requests that require more attention – such as instances where data is in incorrect formats, or confirmation of the customer authorisation needed.
- 2.12. The Authority envisages a future where a consumer can automatically access their own consumption data or authorise another entity to access their data on their behalf, in real time so that they can seamlessly compare electricity plans and choose the best plan for their circumstances. While we recognise there are challenges ahead to achieving such a future, these changes serve as an interim at addressing those barriers.
- 2.13. The Authority’s objective is to move towards real-time access to consumer information in the near future. This proposal, if approved, is an interim step and strongly signals to industry the need to consider automation of systems to provide this service efficiently.

Q2.1. Do you support the Authority’s proposal to amend clause 11.32B(1) of the Code to reduce the time a retailer must respond to most requests for consumer electricity information?

Please explain your answer.

Problem 2 – consumers have limited regular access to their electricity information

- 2.14. Clause 11.32B(3) of the Code prevents a retailer from charging a fee for responding to the first four requests for electricity information it receives in any 12-month period. A retailer may then ‘impose a reasonable charge’ for further requests made in that 12-month period.
- 2.15. There are existing products and services currently in the market that require more regular (monthly) data from the retailer. However, under the status quo there could be a material cost attached to obtaining monthly data beyond the first four requests. This may act as a barrier for these providers offering a service to consumers, or indeed to consumers themselves engaging with automated tools and services that require this data.
- 2.16. The Authority wants to promote innovation where it will benefit customers, and additional costs for a monthly data service may be a barrier to providers developing new products and services that could enhance consumer mobility.
- 2.17. As the provision of consumer data has been a business-as-usual service retailers must provide since 2016, there should be little additional cost for providing data on a more regular basis.

Proposal 2

- 2.18. To address problem 2, the Authority proposes to amend clause 11.32B(3) of the Code to require retailers to respond to requests for electricity information free of charge 12 times for the first 12-month period after the Code amendment comes into force then, after 12 months, all requests for electricity information are free of charge. This will allow access to data on a monthly

basis at no charge in the interim while giving retailers time to make any efficiency improvements needed. We have also proposed minor, technical changes to clause 11.32B(3) to improve the Code drafting.

- 2.19. The Authority again notes that this is an interim step towards achieving a future where a consumer can automatically access their own electricity data or authorise another entity to access their data on their behalf, so that they can seamlessly compare electricity plans and choose the best plan for their circumstances.

Q2.2. Do you support the Authority's proposal to amend clause 11.32B(3) of the Code to increase the number of responses a retailer must provide in the next 12-month period without charge, from 4 to 12, thereafter all responses are free of charge?

Please explain your answer.

Problem 3 – It is unclear what electricity information must be provided

- 2.20. Clause 11.32A of the Code provides that retailers must provide certain metering information at the consumer's request. Subclause (2) specifies the information that must be provided, including information 'about the consumer's consumption of electricity' (subclause (2)(a)), and information used by the retailer to 'provide any service to the consumer' (subclause (2)(b)(ii)).
- 2.21. As the number of consumer-owned small scale distributed generation installations is rapidly increasing (over 65,000 as at 1 July 2024), consumers' metering information is increasingly including exported generation.
- 2.22. It is not entirely clear that a consumer's exported generation information can be requested under clause 11.32A. While a consumer's exported generation information is captured under subclause (2)(b)(ii), the use of the word 'consumption' in the cross heading, clause heading and in subclause (2) can lead to a misunderstanding as to what information must be provided.
- 2.23. The Rulings Panel noted in its 1 June 2023 decision, *Electricity Authority v Ecotricity Ltd Partnership*, that the term 'consumption data' is not defined in Part 1 of the Code but is defined in the default distribution agreement in Part 12 A. The Rulings Panel note the consumer data access provisions in clause 11.32A discuss provision of the consumer's electricity information, but this is not defined. The Rulings Panel used several references to determine what is meant and that it includes meter data. The Rulings Panel recommended the Code make clear what is included in the electricity information the consumer must be provided.

Proposal 3

- 2.24. To address problem 3, the Authority proposes to amend the Code to clarify:
- (a) information that must be provided to consumers under clause 11.32A is all information about electricity conveyed in either direction through the consumer's meter, to clarify that information about distributed generation is captured

- (b) information about consumption (and generation) includes raw meter data, to clarify the information provided under clause 11.32A includes the meter readings as well as any other information such as the calculated amounts, which may include adjustments.

2.25. We also propose a consequential amendment to the definition of 'raw meter data' in Part 1 to ensure it is applicable to clause 11.32A (see Appendix A).

Q2.3. Do you support the Authority's proposal to amend the Code to clarify that a retailer must provide information under clause 11.32A about the injection of electricity into a network and raw meter data?

Please explain your answer.

Regulatory statement

Objectives of the proposed amendment

2.26. The objectives of the proposed amendment (incorporating all three proposals) are to:

- (a) promote competition, increase efficiency and protect the interests of domestic and small business consumers in relation to the supply of electricity to those consumers, by increasing access to a consumer's own electricity information:
 - (i) through the reduction in the time it takes to receive this information (proposal 1), and
 - (i) by increasing access to a customer's own information at no cost to the customer (proposal 2), and
- (b) reduce ambiguity in clause 11.32A as to what information must be provided, to ensure retailers provide generation information and raw meter data when consumers request their information (proposal 3).

Evaluation of the costs and benefits of the proposed amendment

Benefits

2.27. The primary benefit of each proposal is to give consumers better access to their own electricity information, including in a timelier manner and on a more regular basis. This will enable consumers to benefit from more innovative products and services (including those that utilise a consumer's electricity information to evaluate options in the market) and encourage providers to develop such products and services. By clarifying what information must be provided (proposal 3), we expect the proposed Code amendment will also reduce consumer complaints.

2.28. The proposed amendment to address problem 1 also provides a clear signal to electricity retailers (and the industry at large) that timely access to a consumer's electricity information is a cornerstone of the electricity market of the future, and as such industry participants who deal with consumer electricity information should be investing in technologies and processes that facilitate automated transfers of such information.

Costs

- 2.29. The Authority considers the costs of implementing the proposals to be negligible. As noted above, responding to a consumer's request for their electricity information has been a business-as-usual service retailers must provide since 2016. In particular, there should be little additional cost to retailers for providing this information in a timelier manner (proposal 1), and without charge on a more regular basis (proposal 2).
- 2.30. Furthermore, proposal 1 would establish tranches of timeframes within which retailers must respond to information requests, which seeks to mitigate issues that could arise from applying a single reduced timeframe to all requests (for example, to provide for delays in processing information due to errors or the retailer needing to confirm a customer's consent for a request from an agent).
- 2.31. We also expect that clarifying what information must be provided to consumers will add minimal costs to retailers' existing obligations (proposal 3).

Privacy – we do not consider the proposals raise significant privacy issues

- 2.32. Retailers already must have processes in place to validate whether a consumer's request for information is genuine. These same processes would apply to each proposal, and therefore we do not consider the proposals raise significant privacy issues.

Evaluation of alternative means of achieving the objectives of the proposed amendment

- 2.33. In relation to problem 1, the Authority considered one alternate option, as summarised in the table below:

Alternative options	Reasons not favoured
Amend the Code to require all requests for electricity information to be completed in near real time.	This option would require a high level of automation in processes which may not be practical at this point. Additionally, it may be more costly for all retailers to implement immediately than a well signalled transition that aligns with other software development.

- 2.34. In relation to problems 2 and 3, the Authority has not identified an alternative means of achieving the objective of the proposed Code amendment.

Assessment of the proposed Code amendment against section 32(1) of the Act

- 2.35. The Authority considers that each of the proposals are consistent with the Authority's statutory objectives, and with sections 32(1)(a), (c) and (d) of the Act because giving customers better access to their own electricity information will:
- (a) promote competition in the electricity industry by allowing innovators to develop products and services that utilise consumption information
 - (b) promote the efficient operation of the electricity industry by promoting more timelier transfer of information between parties, and

- (c) protect the interests of domestic and small business consumers regarding the supply of electricity to those consumers, by increasing access to data needed for consumers to make informed decisions and to engage with innovative services and products.

2.36. The Authority considers that the proposals will have no effect on the reliable supply of electricity or the performance by the Authority of its functions.

Assessment of the proposed Code amendment against Code amendment principles

2.37. The Authority is satisfied that each of the proposals are consistent with the Code amendment principles, to the extent they are relevant. In particular, the proposals:

- (a) address problems created by the existing Code requiring an amendment; and
- (b) provide an efficiency gain in the electricity industry for the long-term benefit of consumers.

Q2.4. Do you agree the proposals preferable to the alternative options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objectives in section 15 of the Electricity Industry Act 2010.

Q2.5. Do you agree with the analysis presented in this regulatory statement? If not, why not?

3. Removal of time error management obligations

The existing arrangements

- 3.1. Frequency time error is the time difference between actual time and a synchronous timekeeping device running on mains supply. These devices use the electrical system frequency to measure time and operate on the assumption that this frequency is constant. In New Zealand, the power system is designed to operate at a standard system frequency of 50 Hertz (Hz). This is maintained if generation equals load. However, there are constant slight deviations from this standard frequency, as loads and generation fluctuate. If the frequency is higher than 50 Hz, the clocks run faster and if the frequency is lower than 50 Hz, they run slower.
- 3.2. Over time, these small deviations of system frequency from 50 Hz can result in an accumulation of error for synchronous clocks. These clocks then require a time error correction to make the time accurate. Since synchronous clocks used to be commonplace, numerous countries had operational measures in place to manage the accumulation of time error, including New Zealand.
- 3.3. Part 7 of the Code describes Transpower's principal performance obligations (PPOs). Clause 7.2C requires the system operator to:
 - (a) ensure that any deviations from New Zealand standard time in the power system, caused by variations in system frequency, do not exceed 5 seconds
 - (b) eliminate any such deviations at least once a day.
- 3.4. These corrections are performed by instructing generators to increase or decrease their output to affect system frequency. The accumulated time error is reduced or eliminated by intentionally creating an error in the opposite direction. For example, if the system has been running fast then it is intentionally run slow for a period of time.

Problem definition

- 3.5. Time error management appears to be a legacy practice that originated in the first half of the twentieth century as a commercial service that is not related to the reliability and security of the electric power system.
- 3.6. We consider managing time error to have negligible benefit to consumers for the following reasons:
 - (a) Time error no longer has a material impact on electricity consumers because:
 - (i) We do not consider there are likely many synchronous clocks in use in New Zealand, or that removing time error obligations would come at great cost for users of these clocks. If necessary, users of these clocks could still correct the time manually.
 - (ii) It is also unlikely these clocks are being used in applications where time accuracy is critical, given there are more accurate and cheap options available, such as quartz clocks or GPS (global positioning system) based clock.

International examples also suggest consumers will not be impacted by the removal of the time error management.⁴

- (b) Managing time error comes with costs:
- (i) The system operator meets its time error obligations by procuring frequency keeping ancillary services and by making manual adjustments to energy dispatch. The costs associated with this procurement are then passed on to consumers. Costs also include allocating and training personnel to manage and monitor time error, as well as monitoring tools and compliance monitoring.
 - (ii) We note that frequency keeping services are primarily procured to support system security by ensuring frequency remains within a narrow band around 50Hz most of the time. However, as the system operator uses frequency keeping services to help manage time error, it could also increase frequency keeping procurement costs.
 - (iii) Additionally, managing time error creates an operational burden since system coordinators need to monitor it and make adjustments to dispatch, people need to be trained and procedures and tools need to be maintained.
- (c) Managing time error could distort wholesale market price signals. The system operator's adjustments to the energy dispatch to correct the time error – by instructing generators to increase or decrease their output to affect system frequency – can impact wholesale prices, meaning they would not accurately reflect the value of energy at the time.
- (d) Time error correction is not necessary to the functioning of the power system and may reduce system security. This has been supported by the system operator in recent communication. Rather, time error corrections can cause system reliability issues because of the need to change the nominal frequency to reduce the time error. For example, the system operator suggested this could expose the system to a higher likelihood of under or over frequency events.

Proposal

3.7. The Authority proposes to remove the time error management obligations for the system operator.

3.8. The proposed Code amendment is attached as Appendix B.

Q3.1. Do you support the Authority's proposal to remove time error management requirements for the system operator?

Q3.2. In particular, do you, or anyone in New Zealand you are aware of, still use synchronous clocks for business-critical applications? If so, do you consider the cost of replacement with non-synchronous clocks to be material?

Please explain your answer.

⁴ [System Rate of Change of Frequency - A GHD survey of international views \(aemc.gov.au\)](https://www.aemc.gov.au/system-rate-of-change-of-frequency-a-ghd-survey-of-international-views)

Regulatory statement

Objectives of the proposed amendment

- 3.9. The objective of the proposed amendment is to remove the unnecessary costs and reliability issues associated with managing time error, as described in the problem definition section.

Evaluation of the cost and benefit of the proposed amendment

- 3.10. The primary benefits are a reduction in operational costs, more efficient price signals, and an improvement in the system's overall reliability.
- 3.11. The primary cost is that synchronous clocks will no longer be accurate. However, we expect this impact to be limited as we do not expect many consumers are still using this technology, especially not in situations where time accuracy is important.

Evaluation of alternative means of achieving the objectives of the proposed amendment

Alternative considered	Reason not preferred
The Authority has not identified any alternatives to achieve the objective	N/A

Assessment of the proposed Code amendment against section 32(1) of the Act

- 3.12. The Authority's main objective under section 15(1) of the Act is to promote competition in, reliable supply by, and efficient operation of, the electricity industry for the long-term benefit of consumers. The Authority's additional objective under section 15(2) of the Act is to protect the interests of domestic and small business consumers in relation to their supply of electricity. The additional objective only applies to the Authority's activities in relation to dealings between participants and these consumers.
- 3.13. Section 32(1) of the Act says that the Code may contain any provisions that are consistent with the Authority's objectives and are necessary or desirable to promote any or all of the matters listed in section 32(1).
- 3.14. The Authority considers that the proposal will promote efficient operations by removing costs of managing time error. It will also promote competition by removing distortions to price signals created by altering dispatch to manage time error. Finally, it will promote reliable supply by removing deliberate adjustments to system frequency to manage time error, which makes over or under frequency events more likely (and can reduce system security).

Assessment against Code amendment principles

- 3.15. The proposed Code amendment is consistent with the Code amendment principles in the Authority's Consultation Charter by there being a clear case for the amendment, and through the evaluation of costs and benefits being summarised above.

Q3.2. 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

Q3.3. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?

4. Clearing manager to settle FPVV hedges

The existing arrangements

4.1. The Code provides for the clearing manager to settle hedges between two participants on their behalf, provided the parties have a qualifying physical position in the market. This arrangement is formalised through a 'hedge settlement agreement', which must be in 1 of the forms provided in the Code, or in an alternative form approved by the Authority, and signed by both parties and the clearing manager.

4.2. These provisions are contained in clause 14.8 of the Code:

14.8 Hedge settlement agreement lodgement

- (1) If a **hedge settlement agreement** that is signed by 2 **participants** is submitted to the **clearing manager**, subject to subclauses (2) and (3), it is validly lodged when it is signed by the **clearing manager**.
- (2) A **hedge settlement agreement** must be in 1 of the forms set out in Schedule 14.4, or in an alternative form approved by the **Authority**.
- (3) The **clearing manager** may only sign a **hedge settlement agreement** submitted under subclause (1) if the **clearing manager** is satisfied that, after the **hedge settlement agreement** is lodged, at least 1 **participant** to the **hedge settlement agreement** will have a physical position in **MW** that is 33% or more of its **hedge settlement agreement** position in **MW** in any month calculated under paragraph (b) of subclause (4).
- (4) For the purposes of subclause (3),—
 - (a) a **participant's** physical position in **MW** is the greater of the following:
 - (i) the average of the **participant's** generation in **MW** over the last 12 months based on **reconciled quantities**;
 - (ii) the average of the **participant's** generation in **MW** over the last month based on **reconciled quantities**;
 - (iii) the average of the **participant's** purchases in **MW** over the last 12 months based on **reconciled quantities**;
 - (iv) the average of the **participant's** purchases in **MW** over the last month based on **reconciled quantities**; and
 - (b) the sum of the average **MW** of each of the **participant's hedge settlement agreements** for any month to which the **hedge settlement agreement** applies.

4.3. Agreeing a hedge settlement agreement allows the clearing manager to use the terms of the hedge when calculating the parties' prudential security exposure. This generally reduces the calculated market exposure and therefore the amount of prudential that must be held by the clearing manager.

4.4. A hedge settlement agreement also requires the clearing manager to calculate the settlement for the hedge and apply these amounts in the monthly invoice as a payment or credit, as relevant. This reduces the administration work required by each party.

Problem definition – the Code does not provide for a fixed price variable volume hedge settlement agreement

4.5. Hedge settlement agreements must be in one of the forms provided in Schedule 14.4 of the Code, or in an alternative form approved by the Authority.

4.6. The current forms in Schedule 14.4 of the Code only provide for three types of hedges: fixed price fixed volume, cap/floor spot price, or cap/floor average price.

4.7. The clearing manager has consulted with hedge market participants and has advised there is a demand for a fixed price variable volume (FPVV) hedge settlement

agreement. The clearing manager notes the process for settling FPVV hedges would be straight forward in the current month for the immediate previous billing period but advised there would be significant complexities with revising the settlement amounts for any subsequent reconciliation washup that corrects the parties' volumes.

Proposal

- 4.8. The Authority proposes to amend the Code to include a new hedge settlement agreement form for FPVV hedges in Schedule 14.4.
- 4.9. To ensure there is no confusion about the status of revised volumes resulting from the reconciliation washup process, the Authority proposes that the hedge settlement agreement form would expressly exclude FPVV hedge settlement agreements from washups under clause 14.36 of the Code, and this be recognised in an amendment to clause 14.36.
- 4.10. This means that the clearing manager would settle FPVV hedges once, in the current month for the immediate previous billing period. Settlement would be final and would not be revised if volumes change because of reconciliation washups.
- 4.11. The main reason for this aspect of the proposal is that the clearing manager has advised the changes to the clearing system and the clearing manager's monthly processes to allow later revisions are complex to implement. The Authority notes the three other forms are all for fixed volumes and are not, therefore, subject to washups. It will also incentivise the parties to ensure their submission volumes are as accurate as possible.
- 4.12. The proposed Code amendment is attached as Appendix C.

Q4.1. Do you support the Authority's proposal to include a new hedge settlement agreement form for fixed price variable volume (FPVV) hedges to be settled by the clearing manager?

Please explain your answer.

Regulatory statement

Objectives of the proposed amendment

- 4.13. The objective of the proposed amendment is to allow the parties to a FPVV hedge to contract the clearing manager to settle the hedge without requiring the Authority to first approve of the form of the hedge settlement agreement.

Evaluation of the costs and benefits of the proposed amendment

Benefits

- 4.14. The primary benefit of the proposal is to reduce the costs of the parties to a FPVV hedge by:
 - (a) reducing the administration costs to calculate and settle the hedge, and
 - (b) allowing the clearing manager to use the fixed price in the prudential calculations, to reduce the prudential exposure of the parties.

- 4.15. More efficient hedging lowers the input costs for participants, resulting in lower costs for consumers.
- 4.16. Another benefit of this proposal is that it will avoid unnecessary Authority costs as the Authority would not need to approve the form of FPVV hedge settlement agreements on an ongoing, case-by-case basis.

Costs

- 4.17. The primary cost of implementing this proposal updating the clearing manager’s system to accept FPVV hedges. This is a one off cost. The ongoing cost to participants and the clearing manager is negligible

Evaluation of alternative means of achieving the objectives of the proposed amendment

Alternative considered	Reason not preferred
The Authority has not identified any alternatives to achieve the objective	N/A

Assessment of the proposed Code amendment against section 32(1) of the Act

- 4.18. The Authority considers that the proposed amendment is consistent with section 32(1) of the Act because adding FPVV hedges to the list of hedges the clearing manager can settle on a business-as-usual basis will promote the efficient operation of the electricity industry by reducing administration and prudential costs for hedge parties
- 4.19. The Authority considers that the proposed amendment will have no effect on competition, reliability, or protecting the interests of domestic and small business consumers regarding the supply of electricity to those consumers.

Assessment of the proposed Code amendment against Code amendment principles

- 4.20. The Authority is satisfied the proposed Code amendment is consistent with the Code amendment principles. In particular, the proposed Code amendment:
 - (a) addresses a problem created by the existing Code requiring an amendment
 - (b) provides an efficiency gain in the electricity industry for the long-term benefit of consumers.

Q4.2. Do you agree the proposed amendment is preferable to the alternative 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

Q4.3. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?

5. Under frequency events – remove obligation on Authority to consult

The existing arrangements

- 5.1. In the event of an under frequency event (UFE), the system operator investigates the causer of the event. This investigation may involve requiring participants to provide information to the system operator.
- 5.2. The system operator then provides the Authority with a report of its investigation that includes:
 - (a) whether, in the system operator's view, the UFE was caused by a generator or grid owner, and if so, the identity of the causer.
 - (b) the reasons for the system operator's view.
 - (c) all of the information the system operator considered in reaching its view.
- 5.3. The Authority must then draft a decision document and publish it for consultation for no less than 10 business days.
- 5.4. The Authority must publish its final decision.
- 5.5. Submissions received on the consultation are published with the final Authority decision.

Problem definition

- 5.6. When the system operator identifies the event causer, and the causer accepts that it is the causer, circulating a draft decision for feedback appears to offer limited benefit to the market. The intent of circulating draft determinations is for potentially impacted participants to review and consider the circumstances of the UFE and provide submissions to the Authority.
- 5.7. In practice however the Authority receives very few submissions for these types of consultations. It is also rare that there is a dispute as to the causer.
- 5.8. Additionally, preparing a draft decision for consultation causes delays in reaching a final decision, and subsequent payments to payers of availability costs during the billing period (month) the event occurred, which may be unnecessary where there is no dispute as to the causer of the UFE.

Proposal

- 5.9. The Authority proposes to amend the Code so that we are only required to consult on UFEs where the causer is not identified, or the alleged causer denies culpability but may consult if it believes this is needed given the circumstances of the event. Where the identified causer of a UFE accepts that it was the causer, the Authority would be required to provide that party with a copy of its draft determination for comment.
- 5.10. The proposal would reduce the time taken to finalise Authority decisions on uncontested UFE matters.
- 5.11. The proposed Code amendment is attached as Appendix D.

Q5.1. Do you support the Authority’s proposal to amend clause 8.61(2) of the Code so that the Authority must only consult on under frequency events where the causer cannot be identified, or an alleged causer denies culpability?

Please explain your answer.

Regulatory statement

Objectives of the proposed amendment

5.12. The objective of the proposed amendment is to enable the Authority to make quicker decisions on UFEs where a causer has admitted culpability.

Evaluation of the cost and benefit of the proposed amendment

5.13. The primary benefit is that the Authority saves time and the process is more efficient by not having to consult for straightforward UFE matters where the causer is not disputed.

5.14. The benefit for participants is the earlier settlement of causer charges and rebates payable to the relevant participants.

Evaluation of alternative means of achieving the objectives of the proposed amendment

Alternative options	Reasons not favoured
Not publish/consult on any UFE draft decisions	In circumstances where a causer cannot be identified, or where an alleged causer denies it is the causer, consultation is required to help assess impacts on other participants in the market, and to obtain further information that may assist the Authority in finalising its decision.

Assessment of the proposed Code amendment against section 32(1) of the Act

5.15. The Authority’s main objective under section 15(1) of the Electricity Industry Act 2010 (the Act) is to promote competition in, reliable supply by, and efficient operation of, the electricity industry for the long-term benefit of consumers. The Authority’s additional objective under section 15(2) of the Act is to protect the interests of domestic and small business consumers in relation to their supply of electricity. The additional objective only applies to the Authority’s activities in relation to dealings between participants and these consumers and so does not apply here.

5.16. Section 32(1) of the Act says that the Code may contain any provisions that are consistent with the Authority’s objectives and are necessary or desirable to promote any or all of the matters listed in section 32(1).

5.17. The Authority believes this amendment would help speed up decisions where there is no dispute about who is the causer of the UFE. This aligns with section 32(1)(e) of the Act, regarding Code containing provisions that are consistent with the objectives of the Authority and are necessary or desirable to promote the performance by the Authority of its functions.

5.18. In support of our main objective, this proposed amendment would support the efficient operation of the electricity industry by not consuming resources of industry participants and the Authority generating and responding to draft UFE reports for straightforward matters.

Assessment against Code amendment principles

5.19. The proposed Code amendment is consistent with the Authority's statutory objectives, and with section 32(1) of the Act and the Code amendment principles as required by the Authority's Consultation Charter.

Q5.2. 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.

Q5.3. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?

Appendix A Proposed Code amendment: Improving consumer access to their electricity information

Part 1 Preliminary Provisions

1.1 Interpretation

(1) In this Code, unless the context otherwise requires,—

...

raw meter data means—

- (a) ~~for the purposes of Part 10 except for Part 15~~, information obtained by the **interrogation** of a **metering installation**; or
- (b) for the purposes of Part 15, information obtained from a **metering installation** by 1 of the following **interrogation** methods:
 - (i) locally by way of a handheld computer or recording device (in which case it must take the form of a downloaded file); or
 - (ii) locally by way of any other manual record (in which case it must take the form of the first entry in a database system); or
 - (iii) remotely (in which case it must take the form of database records), but excluding data transmission between **meters** and data concentrators that are relaying information into the **back office**

...

Part 11 Registry information management

...

Access by consumers to their own electricity information ~~about their own electricity consumption~~

11.32A Retailers must give consumers their electricity information ~~about consumer electricity consumption~~

- (1) Each **retailer** must, if requested by a **consumer** with whom the **retailer** has a contract to supply **electricity**, or with whom the **retailer** has had such a contract in the last 24 months, give the **consumer** any of the information specified in subclause (2) that the **consumer** requests.
- (2) The information referred to in subclause (1) is information relating to any period in the 24 months preceding the request—
 - (a) about the **consumer's** consumption of **electricity**, injection of electricity into a network, or services provided to the consumer, at relating to each **ICP** at which the **retailer** had a contract to supply supplied **electricity** to the **consumer**, including raw meter data; and
 - (b) used by the **retailer** to—
 - (i) calculate the amount of **electricity** consumed or injected into a network by the **consumer** at each **ICP**; or
 - (ii) provide any service to the **consumer**.

11.32B Requests for information

- (1) A **retailer** to which a request is made under clause 11.32A must give the information to the **consumer** as soon as practicable and in order to ensure that the **retailer** achieves the measures in subclause (1A), but no later than
 - (1A) The **retailer** must respond to requests from **consumers** under clause 11.32A so as to ensure that it meets the following measures in respect of all requests received from all **consumers**:
 - (a) at least 70% of requests it receives in any 12-month period are responded to within 1 **business day** after the date on which the requests are made;
 - (b) at least 90% of requests it receives in any 12-month period are responded to within 2 **business days** after the date on which the requests are made; and
 - (c) all requests are responded to within 5 **business days** after the date on which the requests ~~are is~~ made.
- (2) In responding to a request, the **retailer** must comply with the procedures, and any relevant **EIEP**, **published** by the **Authority** under clause 11.32F.
- (3) A **retailer** must not charge a fee for responding to a request, but if a **consumer** makes more than 12 ~~4~~ requests in the 12 month period before 1 March 2026 in respect of a **consumer's** information have been made in a 12_ month period, the **retailer** may impose a reasonable charge for further requests in that ~~12_ month~~ period.

Q2.6. Do you have any comments on the drafting of the proposed amendment?

Appendix B Proposed Code amendment: removal of obligations to manage time error

Part 7 System operator

...

~~7.2C [Revoked] System operator to manage frequency time error~~

- ~~(1) The system operator must ensure that any deviations from New Zealand standard time in the power system, caused by variations in system frequency, do not exceed 5 seconds.~~
- ~~(2) At least once in each day, the system operator must eliminate from the power system any deviations from New Zealand standard time caused by variations in system frequency.~~

...

Part 8 Common quality

...

8.18 Contributions by purchasers to overall frequency management

Each purchaser must limit the magnitude of any instantaneous change in the **offtake** of **electricity** and net rate of change in **offtake** to the levels the **system operator** reasonably requires. In setting those requirements, the **system operator** must have regard to the impact of the **offtake** on the **system operator's** ability to comply with the **principal performance obligations** concerning frequency (as set out in clauses [7.2A](#) and [7.2B](#) ~~to 7.2C~~) and the **dispatch objective**...

Q3.5. Do you have any comments on the drafting of the proposed amendment?

Appendix C Proposed Code amendment: Clearing manager to settle FPVV hedges

Part 14 Clearing and settlement

...

14.36 Clearing manager to conduct washups

- (1) If the **clearing manager** receives corrected information in accordance with clauses 8.68, 8.69, 15.20C(b), 15.26(4), or clause 28 of Schedule 15.4, it must conduct **washups** and advise **participants** of amounts owing in accordance with this subpart.
- (2) Subclause (1) does not apply to **hedge settlement agreements** that are submitted to the **clearing manager** in the form set out in Form 4 in Schedule 14.4.

...

Schedule 14.4

cl 14.8

...

Form 4: Fixed Price Variable Volume

Date: [Enter date]

Party A	
Party B	

1. Lodging of hedge settlement agreement

- (1) Party A and Party B (the **parties**) submit this **hedge settlement agreement** to the **clearing manager**, as contemplated by clause 14.8 of the Electricity Industry Participation Code 2010 (the **Code**). Terms that are used in this agreement but not defined bear the meaning given to them in the **Code**.
- (2) By submitting this **hedge settlement agreement** to the **clearing manager** in accordance with clause 14.8 of the **Code**, the **parties** agree to be bound by the terms set out below from the time at which the **clearing manager** counter-signs it.
- (3) If the **clearing manager** counter-signs this document then, from the time it counter-signs, it has obligations relating to it under the **Code**. However, the **parties** acknowledge the **clearing manager** is not bound by this document and that its obligations in relation to it are limited to those set out in the **Code**.
- (4) The **parties** acknowledge this **hedge settlement agreement** is excluded from **washups** under clause 14.36 of the **Code**. Any revision in volume which the **parties** wish to be reflected in the settlement of the hedge must be resolved bilaterally between the **parties** outside of this **hedge settlement agreement** and with no facilitation obligations on the **clearing manager**.

2. Definitions

The following definitions apply in this document:

aggregate fixed amount means, in relation to a **billing period**, the sum of the **fixed amounts** for each **calculation period** in that **billing period**

aggregate floating amount means, in relation to a **billing period**, the sum of the **floating amounts** for each **calculation period** in that **billing period**

baseload means the amount of **electricity** in **MWhs** that is to be excluded from the total reconciled **electricity** volume to calculate the **variable quantity**

business day means any day of the week except Saturdays, Sundays, **national holidays**, the day observed as Wellington Anniversary Day, and any other day from time to time declared by the **Authority** not to be a **business day** by notice to each **registered participant**

calculation period means a **trading period** during the **term**

commencement date means the date specified as such in the schedule

expiry date means the date specified as such in the schedule

fixed amount means, in relation to a **calculation period**, an amount calculated using the following formula:

$$\text{fixed amount} = (\text{variable quantity percentage} \times \text{variable quantity}) \times \text{fixed price}$$

fixed price means, in relation to a **calculation period**, the amount specified as such for that **calculation period** in the schedule

fixed price payer means, in relation to a **hedge settlement agreement**, the party specified as such in the schedule

floating amount means, in relation to a **calculation period**, an amount calculated using the following formula:

$$\text{floating amount} = (\text{variable quantity percentage} \times \text{variable quantity}) \times \text{floating price}$$

floating price means, in relation to a **calculation period**, the **final price** per **MWh** for that **calculation period** by reference to the **hedge reference point** [rounded to two decimal places]

floating price payer means, in relation to a **hedge settlement agreement**, the party specified as such in the schedule

hedge reference point means the **grid exit point** specified as such in the schedule

hedge settlement amount means, in relation to a **billing period**, the absolute value of the amount calculated by subtracting the **aggregate floating amount** from the **aggregate fixed amount**

maximum variable quantity means the maximum amount in **MWh** that the **variable quantity** must not exceed

settlement date means the date on which payments are due under clause 14.31 of the Code

term means the period from 00.00 hours on the **commencement date** until 23.59 hours on the date on which the **hedge settlement agreement** terminates

variable quantity means, in relation to a **calculation period**, the amount of **MWhs** calculated using the following formula

$$\text{variable quantity} = \text{lesser of: (total reconciled electricity volume for the calculation period} \\ \text{– baseload) or maximum variable quantity}$$

variable quantity percentage means, in relation to the **variable quantity**, the percentage of the **variable quantity** to be hedged.

3. Payment of hedge settlement amounts

In relation to a **billing period**:

- (a) if the **aggregate floating amount** exceeds the **aggregate fixed amount**:
 - (i) the **floating price payer** must pay the **clearing manager** an amount equal to the **hedge settlement amount** in relation to that **billing period**; and
 - (ii) the **clearing manager** must pay the **fixed price payer** an amount equal to the **hedge settlement amount** in relation to that **billing period**,
on the relevant **settlement date**; and
- (b) if the **aggregate fixed amount** exceeds the **aggregate floating amount**:
 - (i) the **fixed price payer** must pay the **clearing manager** an amount equal to the **hedge settlement amount** in relation to that **billing period**; and
 - (ii) the **clearing manager** must pay the **floating price payer** an amount equal to the **hedge settlement amount** in relation to that **billing period**, on the relevant **settlement date**; and
- (c) the **clearing manager** must calculate the amounts to be payable by and to the **parties** and advise each **party** of those amounts by the 5th **business day** of the month following the **billing period**. If either **party** notifies the **clearing manager** in writing by the 7th **business day** of the month following the **billing period** of any issues with the amounts the **clearing manager** has advised are to be payable, the **clearing manager** will use reasonable endeavours to correct the issues before issuing invoices on the 9th **business day** of the month following the **billing period** under clause 14.18(2) of the **Code**.

4. Termination

This **hedge settlement agreement** terminates on the earlier of:

- (a) the **expiry date**; and
- (b) the date on which it is cancelled under the **Code**.

5. Other provisions

- (1) The **fixed price** is inclusive of any additional costs arising due to carbon charges.
- (2) Where the terms of this **hedge settlement agreement** include reference to—
 - (a) day, this means both **business days** and non-**business days**;
 - (b) weekday, this means a **business day**;
 - (c) weekend, this means non-**business days**.
- (3) Where daylight savings starts or ends during the **term** of this **hedge settlement agreement**, the **clearing manager** will calculate the **fixed amounts** and **floating amounts** for the days on which daylight savings starts or ends in the same way the **clearing manager** calculates the sale and purchase of **electricity** for these days.

EXECUTION

[Execution Block Party A]

[Execution Block Party B]

The **clearing manager** accepts the lodgement of this **hedge settlement agreement** by counter-signing it.

[Execution Block clearing manager]

**SCHEDULE
TERMS OF HEDGE SETTLEMENT AGREEMENT**

Hedge settlement agreement terms	
Commencement Date	[Insert date]
Expiry Date	[Insert date]
Fixed Price Payer	[Party A] [Party B]
Floating Price Payer	[Party A] [Party B]
Fixed Price	[\$[insert amount] /MWh
Baseload	[insert amount] MWh
Maximum variable quantity	[insert amount] MWh
Variable quantity percentage	[insert percentage]
Hedge Reference Point	[insert grid exit point]

Q4.4. Do you have any comments on the drafting of the proposed amendment?

Appendix D Proposed Code amendment: Under frequency events – remove obligation on Authority to consult

Part 8 Common quality

...

8.61 Authority to determine causer of under-frequency event

...

(2) In circumstances where the **causer** of an **under-frequency event** is not identified in the **system operator's** report provided under clause 8.60(5), or the alleged **causer** as identified in the **system operator's** report denies it is the **causer**, the **Authority** must **publish** a draft determination that states whether the **under-frequency event** was caused by a **generator** or **grid owner** and, if so, the identity of the **causer**.

(2A) In circumstances where the **causer** of an **under-frequency event** is identified in the **system operator's** report provided under clause 8.60(5) and the alleged **causer** accepts it is the **causer**, the **Authority** must provide a draft determination, for comment, to the **causer** that states the identity of the **causer**, but is not required to **publish** the draft determination or otherwise consult on the draft determination under subclause (4).

...

(9) Following the opportunity for comment under subclause (2A) or consultation under subclause (4), the **Authority** must **publish** a final determination.

Q5.4. Do you have any comments on the drafting of the proposed amendment?

Appendix E Format for submissions

Submitter / Organisation

Feedback on the omnibus format

Questions	Comments
<p>Q1.1. Do you have any comments on the omnibus format or suggestions to improve the omnibus format?</p> <p>Please explain your answer</p>	

Improving consumer access to their electricity information

Questions	Comments
<p>Q2.1. Do you support the Authority's proposal to amend clause 11.32B(1) of the Code to reduce the time a retailer must respond to most requests for consumer electricity information?</p> <p>Please explain your answer</p>	
<p>Q2.2. Do you support the Authority's proposal to amend clause 11.32B(3) of the Code to increase the number of responses a retailer must provide in the next 12-month period without charge, from 4 to 12, thereafter all responses are free of charge?</p> <p>Please explain your answer</p>	
<p>Q2.3. Do you support the Authority's proposal to amend the Code to clarify that a retailer must provide information under clause 11.32A about the</p>	

<p>injection of electricity into a network and raw meter data?</p> <p>Please explain your answer</p>	
<p>Q2.4. Do you agree the proposals 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>	
<p>Q2.5. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?</p>	
<p>Q2.6. Do you have any comments on the drafting of the proposed amendment?</p>	

Removal of time error management obligations

Questions	Comments
<p>Q3.1. Do you support the Authority's proposal to remove time error management requirements for the system operator?</p> <p>Please explain your answer.</p>	
<p>Q3.2. In particular, do you, or anyone in New Zealand you are aware of, still use synchronous clocks for business-critical applications? If so, do you consider the cost of replacement with non-synchronous clocks to be material?</p> <p>Please explain your answer.</p>	
<p>Q3.3. Do you agree the proposed amendment is preferable to</p>	

<p>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>	
<p>Q3.4. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?</p>	
<p>Q3.5. Do you have any comments on the drafting of the proposed amendment?</p>	

Clearing manager to settle FPVV hedges

Questions	Comments
<p>Q4.1. Do you support the Authority's proposal to include a new hedge settlement agreement form for fixed price variable volume (FPVV) hedges to be settled by the clearing manager?</p> <p>Please explain your answer</p>	
<p>Q4.2. 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>	
<p>Q4.3. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?</p>	

Q4.4. Do you have any comments on the drafting of the proposed amendment?

Clearing manager to settle FPVV hedges

Questions	Comments
Q5.1. Do you support the Authority's proposal to amend clause 8.61(2) of the Code so that the Authority must only consult on under frequency events where the causer cannot be identified, or an alleged causer denies culpability? Please explain your answer	
Q5.2 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	
Q5.3. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?	
Q5.4. Do you have any comments on the drafting of the proposed amendment?	