

From: Kirsty Hutchison
Sent: Mon, 26 Feb 2024 08:20:26 +1300
To: Luke Archer; Rob Bernau; Reuben Irvine
Subject: Re: Electric Kiwi - call tomorrow - please respond - urgent

Hi Luke

Are you happy to reflect your comments (ie too early for a joint call at this stage as you are still engaging on the PID internally) back to EK? Happy to test a draft email with you this morning if you prefer.

Thanks

Kirsty

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From: Luke Archer [Section 9(2)(a) Privacy]
Sent: Monday, February 26, 2024 8:12:06 AM
To: Rob Bernau [Section 9(2)(a) Privacy]; Reuben Irvine [Section 9(2)(a) Privacy]
Cc: Kirsty Hutchison [Section 9(2)(a) Privacy]
Subject: Re: Electric Kiwi - call tomorrow - please respond - urgent

Hi Rob

Thanks for your email. Presume it's 12:30pm today (Monday) you're speaking with EK?

We spoke with them last week (it was actually quite a productive and helpful discussion) and they didn't mention this potential joint call. Presume it has been triggered by the publication of the PID on Thursday. I think our view is that we're probably still a bit too early to have a joint call, especially as we haven't yet discussed our comments on the draft PID with the EA team.

I think we'd prefer to sit this one out today if that's alright.

Also - the paper we promised you is with the relevant folk for signoff. Hoping to get it to you soon! When we send it through we can tee up a call to discuss.

Ngā mihi

Luke

Luke Archer
Principal Investigator
Commerce Commission | Te Komihana Tauhokohoko
DDI [Section 9(2)(a) Privacy] | Mob [Section 9(2)(a) Privacy]

From: Rob Bernau [Section 9(2)(a) Privacy]
Sent: Monday, February 26, 2024 2:35:15 AM
To: Reuben Irvine [Section 9(2)(a) Privacy]; Luke Archer [Section 9(2)(a) Privacy]
Cc: Kirsty Hutchison [Section 9(2)(a) Privacy]
Subject: Electric Kiwi - call tomorrow - please respond - urgent

Tēnā kōrua Reuben and Luke

Has Huia Burt from Electric Kiwi been in contact with you about joining a call with us tomorrow? They want to discuss the Authority's PID (as released last week:

[Risk Management Review PID final.pdf \(ea.govt.nz\)](#)), and suggested inviting Reuben on to the call in a short email we received late on Friday. Based on that email I understand that they are wanting to discuss what input you are providing into particular PID questions/objectives, and whether that lines up with what was set out in the "not opening an investigation" decision document that the Commission recently released.

I have said to Electric Kiwi previously that we are not conceptually opposed to having both the Commission and Authority on a call, but I do have some concerns about what they suggested on Friday.

Can you please let Kirsty and I know whether they've been contact with you and, if so, whether you have a view? Based on her outlook calendar, Kirsty is available (on 022 127 1396) from 9-9:30am tomorrow if you want to discuss. I'm also happy to talk from 11am onwards. We are talking to Electric Kiwi at 12:30pm, so it would be good to have communicated before then.

Thanks very much, and sorry for initiating this by email (generally a poor form of urgent communication).

Ngā mihi

Rob Bernau
Programme Manager

M: Section 9(2)(a) Privacy



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