

Network connections project: stage one amendments

Consultation paper

25 October 2024

Executive summary

The Electricity Authority Te Mana Hiko (the Authority) wants to improve the processes to connect to distributors' networks. This will enable faster uptake of renewable electricity, connection of electric vehicle (EV) chargers, better security of supply and decarbonisation through fuel switching.

The Authority has concurrently released two proposed regulatory changes that address some known barriers and provide greater clarity and consistency to network connection processes and efficient distribution pricing. This will enable us to deliver future-ready regulations that better serve consumers, distribution businesses and those wanting to connect to networks.

This paper outlines proposals for network application and connection processes, while our distribution connection pricing methodologies consultation paper¹ focus on issues such as the cost to connect, use of system charges, and pricing principles. These consultation papers should be considered alongside each other. They propose changes to the distribution sector that will benefit all parties.

The Authority is committed to requirements that keep pace with our changing electricity needs. We want requirements that encourage more investment, innovation, and consumer choice in the sector. This will benefit consumers by increasing the efficiency, reliability and competitiveness of distribution networks, and help progress New Zealand towards an electrified future.

We are already seeing parts of this electric future as more households install solar on their roofs and buy EVs, and industrial and commercial consumers switch from fossil fuels to electricity. As a result of this type of growth, there is a wide range of entities looking to connect distributed generation and large electricity loads to networks or to upgrade their existing connections.

The increase in the volume, size, and complexity of applications creates challenges for distributors. They must consider each application wanting to connect to their network or to upgrade a connection, while considering the best current and future use of their network to ensure costs are kept down.

Distribution networks must use fit-for-purpose applications processes and standards to operate efficiently, competitively and reliably. Through improving and developing new rules for distribution networks, the Authority can create a framework that serves all parties and supports New Zealand's journey towards electrification.

Through the proposals in this paper, the Authority wants to improve the efficiency of connecting to networks and upgrading existing connections. The overall process should be easier, faster, more equitable and more consistent across distribution networks.

We are seeking feedback on nine proposals to update Part 6 *Connection of distributed generation* of the Electricity Industry Participation Code 2010 (the Code). Part 6 sets the

¹ See <https://www.ea.govt.nz/projects/all/distribution-connection-pricing-reform/consultation/distribution-connection-pricing-proposed-code-amendment/>.

rules distributors and distributed generators must follow to connect to networks, and to operate distributed generation (DG). In addition to DG updates, we propose to add large-capacity load application processes to Part 6 of the Code.

The proposed changes are expected to deliver a range of consumer benefits by:

- a) improving the efficiency of distribution networks – for example, through more consistent and improved distributor practices, better use of existing network capacity, and deferred or avoided investment in new capacity
- b) increasing the rate of uptake of renewable energy connections – for example, by speeding up the processing and connection of large-capacity DG projects, and deprioritising speculative applications
- c) increasing the rate of decarbonisation – for example, by speeding up the processing of industrial and commercial applications to replace fossil fuels with electricity, and the connection of electric vehicle chargers
- d) encouraging greater investment – for example, by providing information to better inform investment decisions (eg, on available network capacity, the pipeline of applications waiting to connect to a network)
- e) improving industry productivity – by reducing barriers to new connections and upgrades to existing connections.

While each of the nine proposals is expected to individually deliver efficiencies and other gains, there is also a meaningful cumulative effect to New Zealanders.

This work is part of the Authority's 'Updating regulatory settings for distribution networks' work programme. The work programme aims to increase the efficiency, competition and reliability of distribution networks for consumer benefit. It includes, for example, the more efficient use of data to optimise networks, more flexible electricity use, improving the default agreement between distributors and retailers, and supporting industry to innovate through Code exemptions.

The Authority also has wider relevant work to improve regulatory settings for distribution networks, including the review of Part 8 *Common quality* of the Code and improving the visibility of generation investment.

We welcome feedback on these proposed Code amendments. Your input is valuable as we improve regulations to enhance efficiency in distribution networks.

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1. What you need to know to make a submission

What this consultation is about

- 1.1. This consultation seeks feedback on proposals to improve the efficiency of network application processes.² The Authority is proposing changes to Part 6 *Connection of distributed generation* of the Electricity Industry Participation Code (the Code).³ Part 6 sets the rules distributors and distributed generators must follow to connect to networks, and to continue operating DG.⁴
- 1.2. The proposals in this paper relate to stage one of the Authority's 'Network connections project'. Stage one will improve the efficiency of connecting to networks, and amending existing connections, so processes are easier, faster, more equitable, and more consistent across distribution networks.
- 1.3. For stage one, the Authority proposes four significant changes to Part 6 to:
 - a) amend the application processes for larger-capacity DG applications
 - b) add application processes for larger-capacity load
 - c) require distributors to publish a 'network connections pipeline' for large-capacity DG and load, and provide information on this pipeline to the Authority
 - d) require distributors to provide more information on network capacity.
- 1.4. We are also making changes to:
 - a) update the regulated terms for DG
 - b) add regulated and prescribed terms for load applications and amend dispute resolution requirements
 - c) increase record-keeping requirements for distributors
 - d) introduce new Part 1 definitions and amend existing definitions (Part 1 only)
 - e) make minor and incidental amendments.
- 1.5. In combination, the proposed stage one amendments will save consumer costs by increasing the efficiency, reliability and competitiveness of distribution networks. The proposal to add load application processes to Part 6 is a significant increase to its current scope.
- 1.6. Stage two of the 'Network connections project' will review the remaining parts of Part 6, starting in 2025.

² The term 'network' in this paper refers to distribution networks as considered by Part 6 of the Code.

³ See <https://www.ea.govt.nz/documents/2549/Code - Part 6 - Connection of distributed generation - 1 APRIL 2023.pdf>.

⁴ Distributed generation is electricity that is generated on electricity networks. For a definition see Part 1 of the Code (<https://www.ea.govt.nz/documents/4813/Code - Part 1 - Preliminary Provisions - 1 May 2024 - EIPCA Controllable Load 2024.pdf>).

- 1.7. The Authority is engaging with Electricity Networks Aotearoa (ENA)⁵ and the Electricity Engineers' Association (EEA)⁶ on a complementary programme. As part of the 'Streamlining Connections Programme':
- a) The Authority is updating the Code through the 'Network connections project' and other work.
 - b) The ENA is co-creating connection solutions with stakeholders, such as processes and documentation, to respond to the Code changes and other connection challenges.
 - c) The EEA is developing technical standards to promote reliable and secure networks and respond to Code changes.

In combination, the Authority, ENA and EEA work is intended to be complementary and lead to greater efficiencies.

- 1.8. The proposals in this paper relate to non-price barriers to network connections. They complement the Authority's work on distributing pricing, which is considering issues such as pricing methodologies, connection costs and use of system charges.⁷ Stakeholders should refer to the companion consultation paper for detail on what is proposed for distribution pricing: 'Distribution connection pricing proposed code amendment'.⁸
- 1.9. Section 39(1)(c) of the Electricity Industry Act 2010 (Act) requires the Authority to consult on any proposed amendment to the Code and corresponding regulatory statement. Section 39(2) provides that the regulatory statement must include 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. The regulatory statement is set out in part 8 of this paper.
- 1.10. This paper discusses proposed changes to Part 6 of the Code. For a fully compiled draft of all proposals, submitters should refer to the proposed Part 6 in Appendix A at the end of this paper.

How to make a submission

- 1.11. The Authority's preference is to receive submissions in electronic format (Microsoft Word), using the 'Network connections project: Stage one amendments - submission form', available on the Network connections consultation webpage. Submissions should be emailed to connection.feedback@ea.govt.nz with 'Network connections project: Stage one amendments' in the subject line.

⁵ The ENA is the representative body for New Zealand's 27 distributors that operate the poles and wires to deliver electricity to almost every region across New Zealand, see <https://www.ena.org.nz/about/>.

⁶ The EEA supports the electricity supply industry to provide New Zealand with sustainable, reliable and safe electricity now and into the future, see <https://www.eea.co.nz/>.

⁷ See <https://www.ea.govt.nz/projects/all/distribution-pricing/>.

⁸ See <https://www.ea.govt.nz/projects/all/distribution-connection-pricing-reform/consultation/distribution-connection-pricing-proposed-code-amendment/>.

- 1.12. If you cannot send your submission electronically, please contact the Authority (connection.feedback@ea.govt.nz or 04 471 8625) to discuss alternative arrangements.
- 1.13. 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,
 - (i) explain why you consider we should not publish that part, and
 - (b) provide a version of your submission that the Authority can publish (if we agree not to publish your full submission).
- 1.14. 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.
- 1.15. However, please note all submissions received by the Authority, including any parts the Authority does not publish, can be requested under the Official 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 you said should not be published.
- 1.16. The Network Connections Technical Group (NCTG), an industry group set up by the Authority to provide advice on network connections, will assist the Authority in reviewing the submissions to this paper.

When to make a submission

- 1.17. Please deliver your submission by 5pm on Friday 6 December 2024.
- 1.18. The Authority will seek cross-submissions for a two-week period following the deadline for submissions above.
- 1.19. Authority staff will acknowledge receipt of all submissions electronically. Please contact the Authority (connection.feedback@ea.govt.nz or 04 471 8625) if you do not receive electronic acknowledgement of your submission within two business days.

2. Introduction

- 2.1. The Electricity Authority Te Mana Hiko (Authority) has a statutory objective to promote competition in, reliable supply by, and the efficient operation of, the electricity industry for the long-term benefit of consumers. The Authority has an additional objective to protect the interests of domestic consumers and small business consumers in relation to the supply of electricity to those consumers. To help achieve these objectives, the Authority collaborates with others to ensure the regulations enable, rather than hinder, positive outcomes for New Zealand consumers.
- 2.2. We want to see distribution networks that support innovation, and promote competition and consumer choice in contestable markets, such as flexibility services. They also play a key role in maintaining reliability and security of electricity supply.
- 2.3. The energy system is changing. We are seeing greater uptake of new technologies by consumers, and companies across Aotearoa are electrifying. Distributors are facing an increase in the volume, complexity and size of requests to connect to their networks to enable this transition.
- 2.4. The Authority has identified opportunities to improve Part 6 of the Code. Part 6 sets out how distributed generators work with distributors to connect to their network and upgrade their connections. In combination, our pricing and non-pricing improvements to the Code, that include prescribed load application processes, will support the electrification of the economy and the roll-out of widespread EV infrastructure by:
 - (a) ensuring connection pricing is determined consistently and efficiently by distributors to meet growing demand from access seekers
 - (b) improving the efficiency of distribution networks – for example, through more consistent and improved distributor practices, better use of existing network capacity, and deferred or avoided investment in new capacity
 - (c) increasing the rate of uptake of renewable energy connections – for example, by speeding up the processing and connection of large-capacity DG projects, and deprioritising speculative applications
 - (d) increasing the rate of decarbonisation – for example, by speeding up the processing of industrial and commercial applications to replace fossil fuels with electricity, and the connection of EV chargers
 - (e) encouraging greater investment – for example, by providing information to better inform investment decisions (eg, on available network capacity, the pipeline of applications waiting to connect to a network)
 - (f) improving industry productivity – by reducing barriers to new connections and upgrades to existing connections.
- 2.5. The proposals in this paper will improve efficiency and competition in the sector and deliver a range of benefits for consumers.

- 2.6. The Authority is also required to have regard to the Government Policy Statement – electricity industry (GPS) issued in October 2024. We have had regard to the GPS and our proposals are aligned with it, including the GPS focus on optimising network capacity to avoid unnecessary costs flowing through to consumers.

The ‘Network connections project’

- 2.7. The ‘Network connections project’ (project) is part of the ‘Updating regulatory settings for distribution networks’ work programme.⁹
- 2.8. The project seeks to ensure distribution networks use fit-for-purpose processes and standards to connect and operate efficiently. It responds to issues raised during Authority consultations in 2021 and 2022, and from ongoing conversations with stakeholders.¹⁰
- 2.9. The project’s core focus is Part 6 of the Code *Connection of distributed generation* and addressing non-price barriers to connection. More specifically, the project considers the:
- a) processes to connect DG and load to distribution networks
 - b) processes to amend existing DG and load connections on distribution networks
 - c) operation of distribution networks (eg, power quality and congestion).
- 2.10. The ‘Network connections project’ also has links to the Authority’s wider work programme. This includes, for example, the Authority’s review of Part 8 *Common quality* of the Code and improving the visibility of generation investment.¹¹

The Authority is addressing both non-pricing and pricing issues

- 2.11. The ‘Network connections project’ is focused on addressing non-pricing issues. The Authority has released a consultation paper alongside this paper proposing changes to distribution connection pricing.
- 2.12. Together, these companion work programmes aim to benefit all parties, including consumers, through more timely and efficient connections, and supporting greater electrification of businesses, homes and transport.
- 2.13. We have released these two proposals at the same time so submitters can clearly see the broader set of changes being proposed.

⁹ For details of the programme, including feedback on Authority consultation, see: <https://www.ea.govt.nz/projects/all/updating-regulatory-settings-for-distribution-networks/>

¹⁰ Ibid.

¹¹ For details see <https://www.ea.govt.nz/projects/all/future-security-and-resilience/> and <https://www.ea.govt.nz/projects/all/distribution-pricing/> and <https://www.ea.govt.nz/projects/all/improving-visibility-of-generation-investment/>.

The Authority will address the review of Part 6 in two stages

- 2.14. The project is being undertaken in two stages so the Authority can more quickly to address the issues stakeholders tell us are most important. The proposals in this paper relate solely to stage one of the project.
- 2.15. In response to stakeholder feedback, the main objective for stage one is that connecting to networks and amending existing connections is more efficient eg, easier, faster, more equitable and more consistent across distribution networks.
- 2.16. Stage one focuses on the connection and upgrade of larger-capacity DG and load applications, in particular the application processes in Schedule 6.1 of Part 6 *Process for obtaining approval*. It also proposes change to other Part 6 schedules, new Part 6 Schedules on regulated and prescribed terms for load, and new or revised definitions for Part 1 of the Code *Preliminary provisions*.
- 2.17. Stage one has four main proposals:
- a) amend the application processes for larger-capacity DG applications
 - b) add application processes for larger-capacity load
 - c) require distributors to publish a network connections pipeline for large-capacity DG and load, and provide information on this pipeline to the Authority
 - d) require distributors to provide more information on network capacity.
- 2.18. It also proposes to:
- a) update the regulated terms for DG
 - b) add regulated and prescribed terms for load applications and amend dispute resolution requirements
 - c) increase record-keeping requirements for distributors
 - d) introduce new Part 1 definitions and amend existing definitions
 - e) make minor and incidental amendments to Part 6.

Stage two of the 'Network connections project' will consider the rest of Part 6 in 2025

- 2.19. Stage two of the project will start to consider the remainder of Part 6 in 2025.¹² Through consultation with the sector, the Authority has identified a range of issues that could be addressed, such as:
- a) small-scale DG application processes
 - b) prescribed maximum fees (fees)¹³

¹² With the exception of schedule 6.4 *Pricing principles*, which is being considered by the Authority as part of its work on distribution pricing, see [Distribution pricing | Our projects | Electricity Authority \(ea.govt.nz\)](#).

¹³ This work is linked to the Authority's work on distribution pricing.

- c) connection and operation standards¹⁴
 - d) congestion and curtailment practices
 - e) unauthorised connections
 - f) competition for network studies and capital works
 - g) Part 6 coverage of secondary networks
- 2.20. The Authority recently released a decision to make a one-off inflation adjustment to fees.¹⁵ This is an interim measure only. Stakeholders want a more thorough review of fees, and the Authority will undertake this during Stage two of the 'Network connections project'.¹⁶
- 2.21. The coverage of Part 6 currently excludes embedded networks under 5GWh of electricity per annum.¹⁷ Given secondary networks are becoming more prevalent, Stage two of the 'Network connections project' will consider whether Part 6 coverage of secondary networks should change.

The Authority has used an industry technical group to help develop these proposals

- 2.22. The Authority established the Network Connections Technical Group (NCTG) in February 2024 to provide independent expert advice to the project.¹⁸ The NCTG has 10 representatives from across the sector, including distributors, the solar industry, retailers involved in large-capacity DG and EV charging, and specialist consultants. Transpower and the EEA have representatives as observers to the group.
- 2.23. The NCTG held a series of meetings in April 2024 to help develop the proposals in this paper. Areas where the NCTG held differing views are noted in this paper.
- 2.24. The NCTG will assist with the assessment of submissions to this paper and advise the Authority on how best to respond. It will also support the Authority to develop Stage two of the project.

The Authority is engaging with the ENA and EEA for more efficient solutions

- 2.25. Distributors are receiving an increasing number of applications to connect. There is strong competition between access seekers for application processing resource and connection capacity. Regulators need to keep pace with the changes taking place and ensure operational solutions develop.

¹⁴ This work is linked to the Authority's review of Part 8 *Common quality* of the Code. See <https://www.ea.govt.nz/projects/all/future-security-and-resilience/> for details.

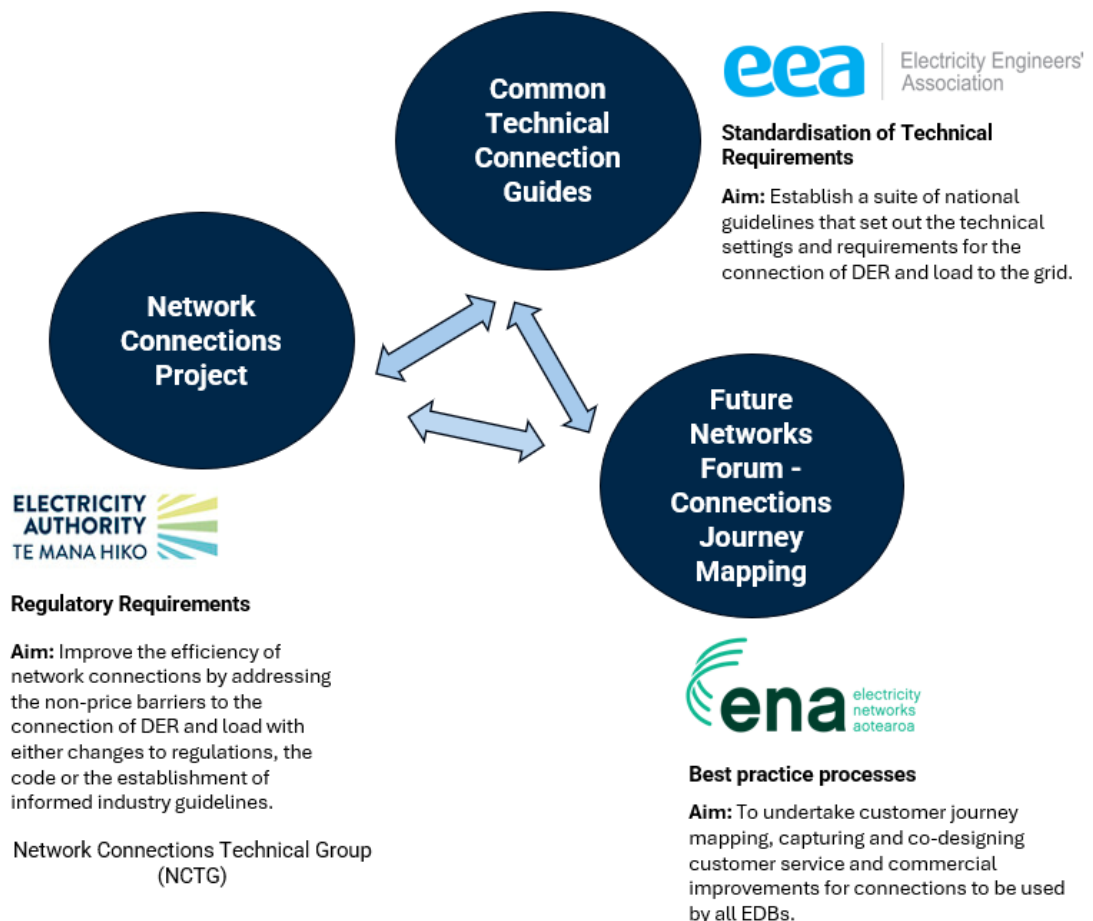
¹⁵ See <https://www.ea.govt.nz/projects/all/code-amendment-omnibus>

¹⁶ The Authority will consider, for example, when fees apply and do not apply, alternative fee structures (eg, 'reasonable and actual' fees rather than capped fees), annual fee adjustments, the implications of Transpower's fee approach, and whether connection fees should be able to be offset from application fees.

¹⁷ See clause 6.2A.

¹⁸ <https://www.ea.govt.nz/about-us/our-people/our-advisory-and-technical-groups/network-connections-technical-group>

- 2.26. Also, with increasing electrification of the economy and greater DG uptake, it is important to ensure power quality is maintained on networks without unnecessarily restricting available capacity. This will require distributors to adopt and maintain best practice connection and operation standards.
- 2.27. The Authority is engaging with the ENA and EEA on the Streamlining Connections Programme. This should:
- ensure Code and industry processes are aligned, standardised and complementary
 - better address barriers to connection (eg, less variation in distributor processes, fewer process gaps)
 - allow industry to co-create or adopt processes that are considered best practice (eg, by adopting a distributor process that distributors and applicants consider most efficient)
 - allow for faster change and greater flexibility, as industry can respond more readily to connection challenges than the Authority.
- 2.28. The image below shows how the Streamlining Connections Programme works.



- 2.29. In combination, the Authority, ENA and EEA work as part of the Streamlining Connections Programme should lead to greater efficiencies:

- a) The Authority is updating the Code via the 'Network connections project', supported by the NCTG. The Code sets the minimum requirements for the sector (eg, maximum processing timeframes). An efficient sector is expected to be able to exceed these requirements.
- b) In collaboration with stakeholders, the ENA is mapping the customer journey to connect to networks. This includes identifying pain points and co-creating solutions. This work will respond to Part 6 changes. It will deliver process improvements for distributors and access seekers to adopt, such as better pre-application processes, and queueing and management policies.

2.30. The EEA is developing a suite of technical guidelines for the connection and commissioning of distributed energy resources.¹⁹ This work will respond to Part 6 changes and the Authority's work on Part 8 *Common quality* of the Code.²⁰ It will set out the framework, principles, approach and technical settings for distributors and applicants to connect and manage power quality.

2.31. Considering the proposals in this paper, the following engagement could occur as part of the Streamlining Connections Programme:

Process examples

- a) Part 6 excludes the pre-application phase, with this being addressed through the ENA's co-creation work.
- b) the Authority proposes distributors must have a queueing and management policy, with the ENA co-developing policy detail with stakeholders.
- c) the Authority proposes the base requirements for a network connections pipeline, but the ENA co-develops standard publishing guidelines with stakeholders.
- d) Part 6 sets the level of information that distributors must provide to support an application, but the ENA establishes, with stakeholders, best practice information disclosure.

Technical examples

- a) Part 6 requires distributors to have connection and operations standards, and the EEA develops best practice technical content.
- b) Part 6 supports the need for detailed network studies, and the EEA develops guidelines for design and technical studies.
- c) Part 6 allows for testing and operation standards, with the EEA developing commissioning standards, including flexibility requirements that maintain adequate power quality.

¹⁹ Distributed energy resources include DG and controllable electricity loads on distribution networks (eg, water heating, space heating, EV charging).

²⁰ For detail of the Authority's work to update Part 8 of the Code, see <https://www.ea.govt.nz/projects/all/future-security-and-resilience>

- d) the Authority proposes distributors must publish information on capacity and congestion, with the EEA developing calculation methods and suitable thresholds.

2.32. Consistent distributor practice can deliver significant benefits to consumers and connecting parties. Proposals in this paper should deliver greater consistency, with this cemented further by distributors adopting the ENA and EEA work products as they are developed. This is preferred to distributors developing their own individual policies and processes.

The Authority has engaged with the Commerce Commission on these proposals

2.33. Some of the proposals in this paper have linkages to the functions of the Commerce Commission and its regulation of distributors. The Authority has engaged with the Commerce Commission, and it is aware of the proposals in this paper.

3. Part 6 of the Code needs updating to ensure it is fit for purpose and supports electrification

3.1. This section explains why the Authority is proposing to address Part 6 of the Code now, including:

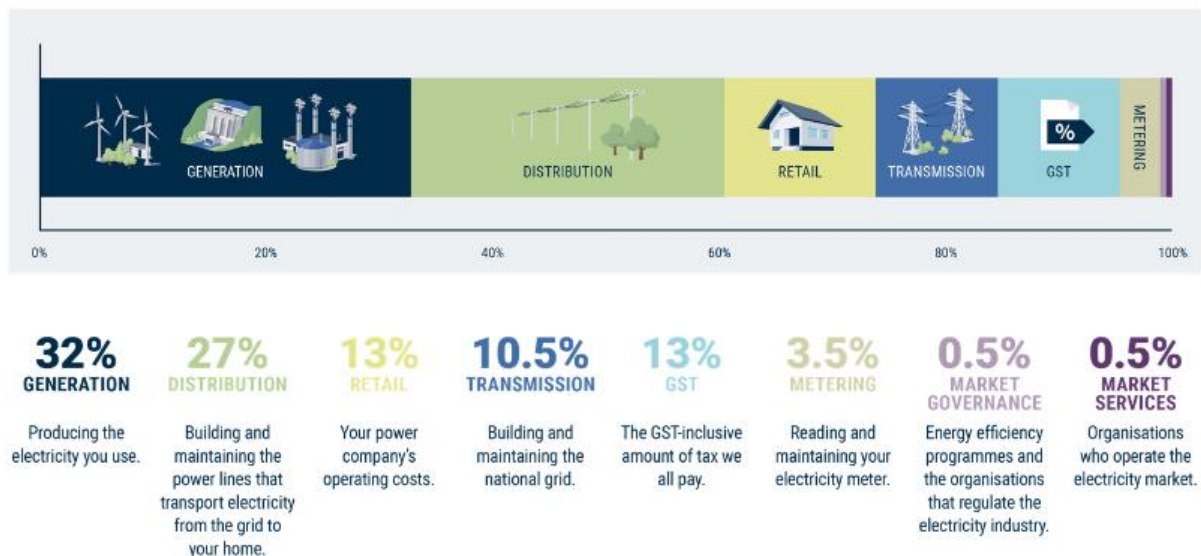
- a) how distribution costs are significant for consumers, with pressure building to increase these
- b) the barriers to connect that are reducing network efficiency, putting further pressure on consumer costs
- c) the Authority's aims for a revised Part 6
- d) what the Authority is seeking to achieve with the proposals in this paper.

3.2. The Authority has provided a brief explanation of distribution networks in Appendix B.

Distribution costs are significant and need to be managed

3.3. Electricity consumers pay the cost for their distributor to operate its network. These costs represent about a quarter of their electricity bill (see Figure 1 below for an indicative breakdown of a consumer's power bill).²¹

Figure 1: Indicative share of costs in an average household electricity bill



3.4. Given the size of distribution costs, it is important to ensure distribution networks are managed efficiently.

Distributors are facing increasing demand for electricity and connections, putting added pressure on distribution costs

3.5. For many years, electricity demand on distribution networks was relatively stable and predictable. Electricity flowed from the grid to houses and businesses, with

²¹ <https://www.ea.govt.nz/your-power/bill/>.

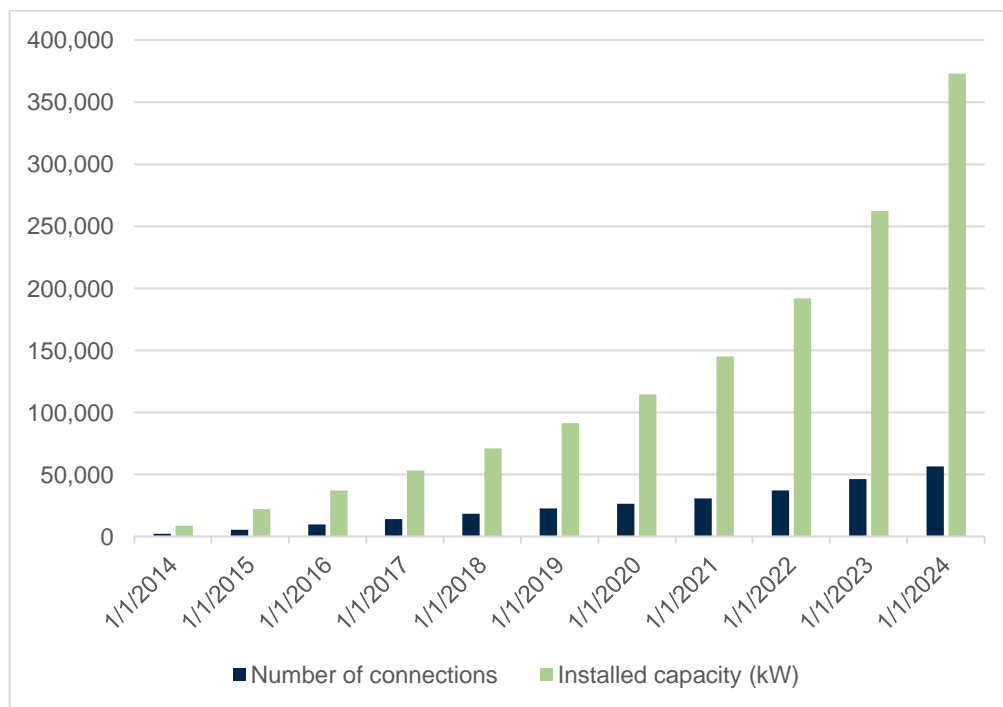
steady demand. Distributors used simple formulas to ensure their infrastructure could provide consumers with enough electricity to meet their needs, including during peak demand periods, typically on cold, winter evenings.

3.6. However, distributors are now facing increasing demand for electricity, connections and infrastructure to support:

- a) solar generation (solar) systems (eg, utility, industrial/commercial and residential)
- b) EV charging (eg, public, commercial and private)
- c) business decarbonisation (eg, phasing out fossil fuels for electric alternatives)
- d) new or increasing electricity loads (eg, data centres, hydrogen production)
- e) economic and population growth.

3.7. The significant demand growth can be seen in Figure 2, which shows a significant increase in both the number and installed capacity of solar connections in New Zealand.

Figure 2: number of solar connections and installed capacity in New Zealand (2014-2024)²²



²² Information sourced from the Electricity Authority's Electricity Market Information dashboards: www.emi.ea.govt.nz.

- 3.8. It can be costly to build new network infrastructure, and to distribute the additional load required by new and upgraded connections. Some of this cost ultimately falls on consumers through increased distribution costs in their electricity bills. The pressure on consumer bills can be reduced by improving the efficiency of networks.

A range of barriers are reducing the efficiency of networks

- 3.9. Access seekers (eg, EV charge point operators, utility solar investors and industrials wanting to decarbonise²³) have told the Authority they face barriers to connect to networks, or to increase the capacity of their existing connection.²⁴
- 3.10. Some of the barriers relevant to Stage one include:
- a) limited visibility of network capacity and applications seeking to connect to a network, which can compromise investment decisions
 - b) some applicants have a poor understanding of the process to connect, which can impact distributor resources (eg, staff, time)
 - c) wide variation in distributors' application processes, which can be challenging for applicants that operate across more than one region
 - d) Code provisions that allow distributors to defer a decision on a DG application, which can slow the approvals process
 - e) weak Code provisions for the queueing and management of approved applications, and resolving competing applications, which can allow speculative applications to hinder more 'connection-ready' projects.
- 3.11. In combination, these barriers reduce efficiency and competition in the sector. They slow New Zealand's decarbonisation efforts by making it harder to connect renewable energy and switch from fossil fuels.
- 3.12. The barriers also slow progress towards the Government's goals. *Electrify NZ* includes the Government's aim to double the supply of renewable energy and increase the visibility of capacity data.²⁵ *Supercharging EV infrastructure* discusses the importance of electric vehicles and sets a goal to install 10,000 public EV chargers across the country by 2030.²⁶
- 3.13. The Authority considers the impact of the inefficiencies will increase over time as pressure on the sector grows. That is why the Authority is addressing the barriers to efficiency now through its 'Network connections project'. Furthermore, by engaging with industry via the Streamlining Connections Programme, we can deliver robust

²³ For example, by replacing a coal boiler with an electric (electrode) boiler.

²⁴ Charge point operators own and/or operate public and commercial EV chargers in New Zealand. For examples of feedback, see for example: https://www.ea.govt.nz/documents/3493/Summary_of_Submissions_on_distribution_settings_issues_paper.pdf and <https://www.ea.govt.nz/projects/all/updating-regulatory-settings-for-distribution-networks/consultation/updating-regulatory-settings-for-distribution-networks/>.

²⁵ https://assets.nationbuilder.com/nationalparty/pages/17865/attachments/original/1684306518/Electrify_NZ.pdf?1684306518.

²⁶ https://assets.nationbuilder.com/nationalparty/pages/18364/attachments/original/1693957243/Supercharging_EV_Infrastructure.pdf?1693957243.

solutions faster, allow experts to lead in their area, support innovation and provide baseline protections through the Code.

Part 6 was last updated 10 years ago and requires updating

- 3.14. The last substantive review of Part 6 of the Code was completed in early 2015.²⁷
- 3.15. The Authority is reviewing Part 6 now as there are known challenges for the distribution sector, and opportunities to create efficiencies that can flow through to consumers. The Authority envisions a more up-to-date Part 6 of the Code that:
- a) promotes competition, reliability and efficiency
 - b) is consumer-centric
 - c) is complemented by industry processes and guides
 - d) is transparent, understandable and fair
 - e) encourages consistent practice by distributors and applicants
 - f) increases the rate of uptake of network connections and connection upgrades
 - g) focuses resources on projects most likely to connect
 - h) is flexible, but firm where necessary (eg, timelines to approve applications)
 - i) supports an appropriate level of power quality on networks
 - j) aligns with grid connection processes, where possible
 - k) is cost-neutral for distributors
 - l) is technology agnostic
 - m) supports Government goals
 - n) improves investor confidence and decision making
 - o) improves industry productivity
 - p) enables sector performance to be monitored, and
 - q) is periodically reviewed to identify areas for improvement.

The proposals deliver benefits by increasing obligations on both distributors and applicants

- 3.16. The Authority has considered Part 6 and identified opportunities to make it more efficient. The front-end of the process, when applications are being considered, will benefit from DG and load access seekers having more information available. This includes more information on network capacity and the publishing of a network

²⁷ The substantive review of Part 6 started in 2012. The first consultation paper released 4 September 2012, a second consultation paper released 2 December 2013, and a final decision released 19 August 2014. The revised Code came into effect 23 February 2015. There have been several minor amendments since but no comprehensive review until this consultation paper.

connections pipeline. This is akin to the pipeline published by Transpower for grid connections.²⁸

- 3.17. More information for applicants will enable more informed decision-making, provide greater investor confidence and earlier indications of timing, essentially enabling access seekers to submit better quality applications and with greater surety. This will have benefits for distributors, which will flow through to consumers.
- 3.18. We have also proposed improvements to the application process itself. For example, distributors will be required to approve or decline an application within a timeframe, otherwise it is deemed to be approved. This, and other process improvements in this paper, should increase the throughput of applications to connect and to upgrade connections. This will deliver wide-ranging benefits for consumers and New Zealand through increased generation, greater energy security and faster decarbonisation.
- 3.19. We propose to add load application processes to Part 6, which are currently absent. This is a significant addition in terms of scope and content, although the operational impact on distributors is expected to be low as they already process load applications.
- 3.20. The benefits for load applicants include, among others, better information for investment decisions, more active consideration of their applications (eg, finite timeframes for approval) and consistent practice across distribution networks.²⁹
- 3.21. The Authority recognises the proposals requires distributors to do more in the earlier stage of the connection process. However, through providing more information and improvements to application processes for both load and DG, distributors should benefit from having fewer speculative or insufficient applications, which will save them cost, time and effort, which then flows through to consumer benefits.
- 3.22. However, once final approval is given for a network connection, the balance of responsibility to maintain momentum of the application switches more to access seekers.
- 3.23. To retain access to distributor resources and conditional network capacity, access seekers will need to meet the requirements of a distributor's queueing and management policy after final approval and through to connection. As such, access seekers must do more in this final stages of the connection process. The Authority views this as an appropriate way to balance the responsibilities of the parties involved, while maintaining momentum and ensuring efficiency gains are not lost.
- 3.24. Part 6 places a legal obligation on distributors to approve DG applications that comply with Part 6 and any connection requirements set by the distributor. The Authority's view is this implies a further obligation on distributors to provide the necessary infrastructure for approved applications to connect. Adding load

²⁸ <https://www.transpower.co.nz/connect-grid/connection-enquiry-information>.

²⁹ For example, a load applicants would use the same Code application process regardless of which network they apply to.

application processes to the Code places the same obligations on distributors with regard to load applications.

- 3.25. However, the Authority has not proposed requirements (eg, timeframes for distributors to provide the infrastructure necessary for applicants to connect or to upgrade their existing connection. This is consistent with current Part 6 requirements. In practice, the most efficient approach can be specific to individual circumstances. For example, there may be cause for a distributor to delay providing the necessary infrastructure so applications can be combined, reducing applicant costs overall.
- 3.26. The Authority has proposed changes so building new distribution assets is more efficient. This includes encouraging more collaboration between applicants on final applications, and Code changes so distributor and Transpower prioritisation processes can be better aligned. Publishing a network connections pipeline and the requirement for distributors to keep more detailed records will provide greater visibility of distributor sector performance.

4. Summary of the issues being addressed

- 4.1. The Authority proposes nine key changes, as summarised below. Although these are discussed separately, in many instances the proposals are complementary and mutually reinforcing.
- 4.2. The Authority proposes four significant changes to Part 6 to:
- a) amend the application processes for larger-capacity DG applications
 - b) add application processes for larger-capacity load
 - c) Require distributors to publish a network connections pipeline for large-capacity DG and load, and provide information on this pipeline to the Authority
 - d) require distributors to provide more information on network capacity.
- 4.3. Other changes support these major proposals and ensure Part 6 is fit for purpose.

Proposal	Brief summary of problem	Proposed Code change
A	The application processes for larger-capacity DG in the Code could deliver better efficiency and competition (eg, speculative projects can hinder connection ready projects)	Amend application processes for larger-capacity DG applications
B	There are no prescribed application processes for load in the Code. Load applicants say they face a range of barriers to connect or amend their current connection (eg, variation in distributors' approaches, application processing delays)	Add application processes for larger-capacity load to the Code (> 69kVA)
C	Access seekers have no visibility of applications waiting to connect, leading to inefficient investment decisions	Require distributors to publish a network connections pipeline for large-capacity DG and load, and provide information on this pipeline to the Authority
D	There is poor visibility of available capacity on distribution networks, leading to inefficient investment decisions	Require distributors to provide more information on network capacity
E	The regulated terms for DG need updating to reflect sector changes and to include improvements (eg, better power quality protections)	Update the regulated terms for distributed generation
F	There are no default terms for load applications when a connection contract is not entered into, and dispute resolution processes could be improved for participants and non-participants	Add regulated and prescribed terms for load applications to the Code and amend dispute resolution requirements

G	Increased scrutiny of distributor performance is required to ensure the sector is operating efficiently and the Code continues to be effective	Increase record-keeping requirements for distributors
H	Definitions are needed to reflect the proposed changes and to provide greater clarity	Introduce new Part 1 definitions, and amend existing definitions
I	The Code needs to reflect the proposed changes, and remain up to date and effective	Make minor and incidental amendments to the Code

Q1. Do you agree the issues identified by the Authority are worthy of attention?

We propose a simpler structure for Part 6 to make it easier to use

4.4. The detailed proposals in the next section of this paper, in total, add a significant amount of new content to Part 6. In response, we have restructured Part 6 so it easier to use.

4.5. The table below summarises these changes and may be useful when comparing the current Code against the proposals in this paper.

Current title	Proposed new title	Scope
Schedule 6	No change	Proposed amendments
Schedule 6.1	No change	Proposed amendments
Part 1	Process 1 (Appendix 1)	No substantive change (except maximum export power)
Part 1A	Process 1A (Appendix 1A)	No substantive change (except maximum export power)
Part 2	Process 2 (Appendix 2)	DG applications >10kW and <300kW
Part 2	Process 3 (Appendix 3)	DG applications ≥300kW
New	Process 4 (Appendix 4)	Load applications >69kVA and <300kVA
New	Process 5 (Appendix 5)	Load applications ≥300kVA
Schedule 6.2	No change	Proposed amendments
New	Schedule 6.2A	Regulated terms for load applications
New	Schedule 6.2B	Prescribed terms for load applications
Schedule 6.3	No change	No substantive change

Schedule 6.4	No change	No substantive change
Schedule 6.5	No change	No substantive change

A summary of proposals by distributed generation and load

4.6. In addition to the nine proposals above, the Authority has proposed a number of sub-proposals. The table below summarises the sub-proposals in this paper by DG and load. These are discussed in more detail in Chapter 5 below.

Summary of proposals by distributed generation and load

Distributed Generation	Load (>69kVA)
<p>Proposal A: Amend the application processes for larger-capacity DG applications in the Code</p> <ul style="list-style-type: none"> A1. Change the DG size thresholds from <i>nameplate capacity</i> to <i>maximum export power</i> A2. Implement separate application processes for medium- and large-capacity DG applications (based on the current Part 2 process in Schedule 6.1) <p><i>Medium DG applications (>10kw and <300kW)</i></p> <ul style="list-style-type: none"> A3. Require distributors to approve or decline initial and final DG applications within finite timeframes A4. Provide more detail on how medium-capacity DG applications should be prioritised <p><i>Large DG applications (≥ 300kW)</i></p> <ul style="list-style-type: none"> A5. Require applicants to pay an initial application fee that is non-refundable and non-transferable, unless the distributor agrees otherwise A6. Require distributors to approve or decline an initial application within a finite timeframe A7. Allow applicants to resubmit initial, interim and final applications at no cost A8. Add an interim stage to the application process for large-capacity DG where most of the technical analysis is completed A9. Amend the conditions under which a distributed generator must make a final application A10. Require applications to meet external conditions to be eligible for final approval A11. Change the prioritisation clause to encourage more collaboration of final applications that might otherwise compete A12. Require distributors to approve or decline a final application within finite timeframes A13. Require approved projects to meet project milestones to retain position in distributor’s network connections pipeline <p>Proposal E: Update the regulated terms for DG</p>	<p>Proposal B: Add application processes for larger-capacity load to the Code</p> <ul style="list-style-type: none"> B1. Add larger-capacity load application processes to Part 6 B2. Base the load application processes on the proposed DG processes, with amendments for load as necessary B3. Add two load application processes, one for medium- and another for large-load connections B4. Add an application process to connect, or amend an existing connection, for medium-capacity load B5. Add an application process to connect, or amend an existing connection, for large-capacity load <p>Proposal F: Add regulated and prescribed terms for load applications to the Code and amend dispute resolution requirements</p>
<h3>Foundational</h3>	
<p>Proposal C: Require distributors to publish a network connections pipeline for large-capacity DG and load, and provide information on this pipeline to the Authority</p>	
<p>Proposal D: Require distributors to provide more information on network capacity</p>	
<p>Proposal G: Increase record-keeping requirements for distributors</p>	
<p>Proposal H: Introduce new Part 1 definitions and amend existing definitions</p>	
<p>Proposal I: Make minor and incidental amendments to Part 6</p>	

5. Detailed proposals

Proposal A: Amend the application processes for larger-capacity DG applications in the Code (Schedule 6.1)

- 5.1. Part 6 has not kept pace with the number, size and complexity of DG applications and a comprehensive review is required.³⁰ The last substantive review of Part 6 was completed in early 2015. There has been a significant increase in DG applications since then, including for larger-capacity solar. These larger-capacity DG applications often require more complex considerations than the current Part 6 allows.
- 5.2. Proposal A includes 13 sub-proposals, discussed in the order they occur in Schedule 6.1 of Part 6 *Process for obtaining approval*. It starts with a proposed change to all DG processes, then discusses a proposed medium-capacity DG process (>10kW and <300kW) and concludes with a proposed large-capacity DG process (≥ 300kW).

Proposal	
All DG applications	
A1	Change the DG size thresholds from <i>nameplate capacity</i> to <i>maximum export power</i>
DG applications with maximum export power >10kW	
A2	Implement separate application processes for medium- and large-capacity DG applications (based on the current Part 2 process in Schedule 6.1)
Medium-capacity DG applications (>10kw and <300kW)	
A3	Require distributors to approve or decline initial and final applications within finite timeframes
A4	Provide more detail on how medium-capacity DG applications should be prioritised
Large-capacity DG applications (≥ 300kW)	
A5	Require applicants to pay an initial application fee that is non-refundable and non-transferable, unless the distributor agrees otherwise
A6	Require distributors to approve or decline an initial application within a finite timeframe
A7	Allow applicants to resubmit initial, interim and final applications at no cost

³⁰ For stakeholder feedback on Part 6 of the Code and what needs to change, see https://www.ea.govt.nz/documents/3493/Summary_of_Submissions_on_distribution_settings_issues_paper.pdf

A8	Add an interim stage to the application process for large-capacity DG where most of the technical analysis is completed
A9	Amend the conditions under which a distributed generator must make a final application
A10	Require applications to meet external conditions to be eligible for final approval
A11	Change the prioritisation clause to encourage more collaboration of final applications that might otherwise compete
A12	Require distributors to approve or decline a final application within finite timeframes
A13	Require approved final applications to meet project milestones to retain position in a distributor's network connections pipeline

5.3. Figure 3 below summarises the proposed changes for each of the DG application processes discussed in this section.

Figure 3: summary of major proposed changes to DG application processes

Small DG applications (≤10kW)	Medium DG applications (>10kW <300kW)	Large DG applications (≥300kW)
Process 1 + 1A	Process 2	Process 3
Will be considered in Stage 2	Based on the current Part 2 in Schedule 6.1 (2-stage)	Based on the current Part 2 in Schedule 6.1 (3-stage)
Maximum export power	Maximum export power	Maximum export power
	Finite timeline to process initial and final applications	Finite timelines to process initial, interim and final applications
		Mandatory initial application fee
		Applications can be resubmitted at no cost
		External conditions required for final approval
		Complementary before competing applications
		Initial, interim and final applications in network connections pipeline
		Approved final applications need to meet milestones to retain priority

All DG applications

A1. Change the DG size thresholds from *nameplate capacity* to *maximum export power*

Existing arrangements

- 5.4. Currently the DG size thresholds in Part 6 use *nameplate capacity* to determine which application process should be used. When connected, the nameplate capacity information is entered into the registry to meet the requirements of Part 11 of the Code *Registry Information Management*.

Issues with existing arrangements

- 5.5. Nameplate capacity does not adequately consider the electricity generated by DG and used onsite, which reduces the impact of the DG on the distribution network. As such, it refers to the maximum potential of the DG to export, which may not occur, or may rarely occur, in practice. For example, a commercial or industrial installation may use most of the electricity it generates onsite.
- 5.6. The use of nameplate capacity encourages a conservative approach to investigating, designing, building and maintaining networks. This could result in network over-building, exacerbated by low visibility of network capacity and hosting capacity on networks, and overly stringent protection systems. However, it provides greater assurance that the DG, when operating at nameplate capacity, is unlikely to overload the network.

Proposal

- 5.7. The Authority proposes to use *maximum export power* instead of nameplate capacity for DG size thresholds, using a revised definition for maximum export power in Part 1 of the Code.
- 5.8. The proposed Code drafting of the revised definition is contained in Part 1 of Appendix A.
- 5.9. If the proposal is adopted, applications will be considered on the electricity they actually export, rather than their maximum potential to export. This more accurately reflects the real-world operation of the DG. For distributors considering hosting capacity and power quality, this is the metric of most importance for network studies and ongoing management.
- 5.10. Distributed generators will need to accurately calculate maximum export power, and distributors could require this information under clause 6.3(3) of Part 6. The EEA, as part of the Streamlining Connections Programme, could provide technical guidelines on how best to determine maximum export power.

- 5.11. The Authority proposes distributors continue to record nameplate capacity in the registry, in addition to maximum export power.³¹ This reflects the maximum export potential of the DG, and the contribution it could make when supply is constrained. If this potential was required, the distributor and distributed generator could set the conditions for use in a connection contract.
- 5.12. Using maximum export power, rather than nameplate capacity, will better match infrastructure to actual DG activity. This will help to defer or reduce investment in new infrastructure, including upstream distribution assets. This will reduce distributors' capex and operational costs, delivering benefit to consumers.
- 5.13. The authority estimates the benefits of this proposal will outweigh the costs. There would be minor one-off cost implications for distributors, such as amending connection and operation standards and documentation. The cost impact for distributed generators should be minimal, given maximum export power is already calculated for most DG installations.

A2. Implement separate application processes for medium- and large-capacity DG applications (based on the current Part 2 process in Schedule 6.1)

Existing arrangements

- 5.14. Currently Part 6 has two sections for DG applications with the threshold at 10kW. There are two different application processes for applications under 10kW (a standards compliant 'streamlined' process and a bespoke process), but only a single process for DG applications for all applications greater than 10kW.

Existing Part 6 application processes

	DG applications ≤ 10kW	DG applications > 10kW
Application process	Part 1 / Part 1A	Part 2

- 5.15. The Authority has previously consulted on splitting the >10kW section to add a separate application process for very large DG applications, given these are more complex and can take longer to process than smaller applications over 10kW. In general, stakeholders supported this approach.³²
- 5.16. The Authority has also consulted on increasing the threshold for residential-scale DG applications (≤ 10kW), so a greater share of applications could use the streamlined application process in Part 1A of Schedule 6.1.³³ This issue requires more investigation and will be considered in Stage two of the 'Network connections project'.

³¹ The Authority recently decided to increase the granularity of DG information recorded on the registry. For details, see <https://www.ea.govt.nz/projects/all/code-amendment-omnibus/>.

³² https://www.ea.govt.nz/documents/3493/Summary_of_Submissions_on_distribution_settings_issues_paper.pdf

³³ https://www.ea.govt.nz/documents/1743/Issues-paper_-_Updating-the-regulatory-settings-for-distribution-networks.pdf

Issues with current arrangements

- 5.17. There is great variation in the complexity of assessing different-sized DG applications. A large application may require detailed network studies, changes to the proposal once studies have been completed and analysed, upgrades to upstream infrastructure, and Transpower's involvement as the grid owner. Medium-sized DG applications are less likely to require these steps.
- 5.18. A single application process for DG >10kW cannot adequately consider the simplicity of medium-capacity DG applications (just above the lower size threshold) and the complexity of very large DG applications. This has time and resource implications for distributors that can add cost for consumers.

Proposal

- 5.19. The Authority proposes medium- and large-capacity DG application processes, rather than a single process for DG applications > 10kW. We have changed the name of the processes from "Part" to "Process" to reduce confusion with other Parts of the Code (eg, Part 6).³⁴

Proposed Part 6 application processes

Small DG applications (≤10kW)	Medium DG applications (>10kW and <300kW)	Large DG applications (≥300kW)
Process 1 / Process 1A	Process 2	Process 3

- 5.20. There was some debate within the NCTG on an appropriate threshold for large DG applications. A 1MW threshold was considered, being where Part 8 *Common Quality* requirements start to apply, and a threshold the Authority has previously consulted on.³⁵ However, a 300kW threshold was thought to deliver greater value for investors as:

- It would capture more DG applications³⁶ in the proposed network connections pipeline (see Proposal C below).
 - a) There is strong interest and competition for available capacity between 300kW and 1MW, so the additional steps in the large load process would deliver greater value if a lower threshold was used.

- 5.21. Figure 4 below gives a rough indication of the likely increase in DG application numbers from using 300kW rather than a 1MW threshold. The data comes from an Authority information request in 2022. The NCTG advises the number of

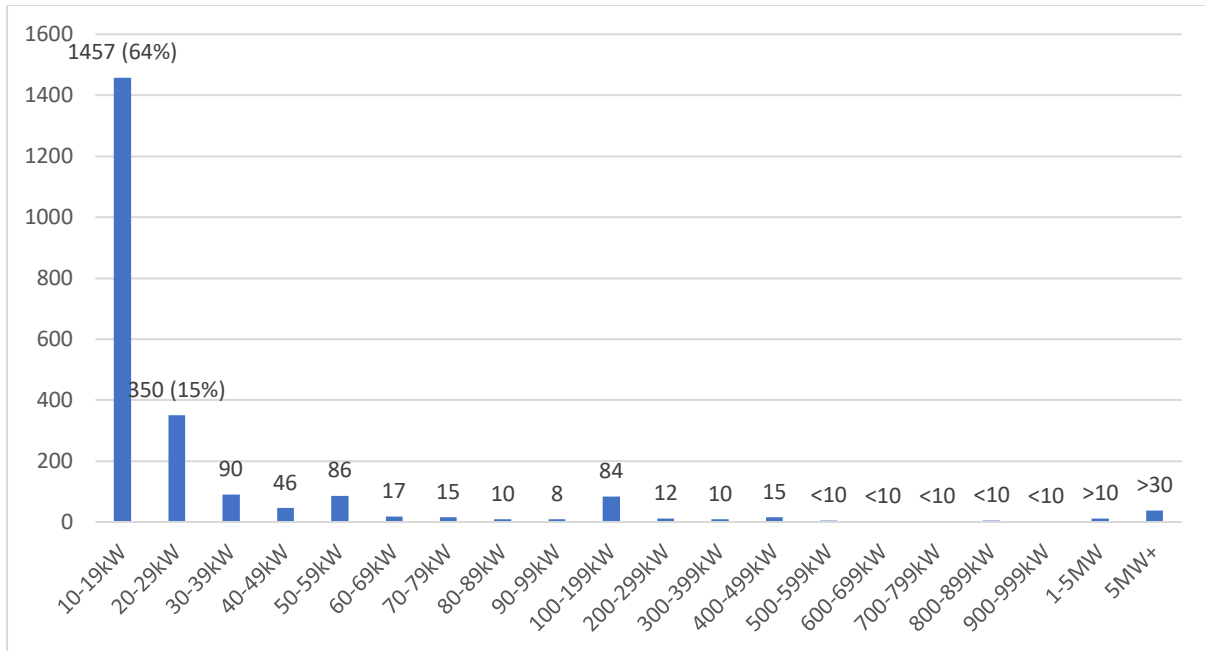
³⁴ We have also restructured Schedule 6.1 to put each process in its own appendix, including the proposed load application processes (Processes 4 and 5).

³⁵ https://www.ea.govt.nz/documents/1743/Issues-paper_-_Updating-the-regulatory-settings-for-distribution-networks.pdf

³⁶ For example, many industrial and commercial DG installations.

applications has increased markedly since this information was provided to the Authority.

Figure 4: The distribution of DG >10kW applications by size (mid-2019 to mid-2022)³⁷



- 5.22. The Authority estimates the benefits of the proposal outweigh the costs. Prescribing medium and large DG application processes should improve the efficiency of processing applications. Less complex applications could be processed more readily, with larger, more complex applications receiving the level of attention they require. This should allow distributors to be more efficient and reduce costs to consumers.
- 5.23. Distributors will face some costs to establish different systems for medium and large applications (eg, documentation and processes). However, as the processes are both based on the current Part 2 application process in Schedule 6.1, the marginal cost increase is minimised. The cost impact for applicants should be minimal.
- 5.24. An alternative approach is the Code could set specific conditions that would, if met, designate an application as complex. 'Complex applications' would need to meet specific provisions to connect, which may or may not match those proposed for large DG applications in this paper.
- 5.25. This approach may benefit some simpler, large DG applications if it enables them to use the proposed medium DG application process in this paper. However, there are benefits to using the large DG process, and some provisions which are designed to speed up the approvals process (eg, resubmitted applications at no cost, complementary applications). Also, the proposed network connections pipeline

³⁷ Source: Electricity Authority information request to distributors in mid-2022.

would provide less value if it provided an incomplete picture of applications waiting to connect.

- 5.26. Another option is to provide an additional class of application ('complex application') and retain the proposed medium and large DG application processes in this paper. As complex applications require more scrutiny, they will need to meet more specific requirements in some instances.
- 5.27. The Authority does not currently propose to detail the requirements for a 'complex application'. At this stage, we see more benefit in distributors working out their processes for complex applications by size, as distributors should be aware of the issues these applications require. Also, including a complex application process on top of the different processes already proposed could create confusion.
- 5.28. Although the Code could reference an external Authority document, if a complex application approach was adopted, we suggest industry develops their guidelines and/or precedent policy as part of the Streamlining Connections Programme. The benefit of this approach is a guidelines document can be developed and maintained more readily than Code, and industry stakeholders can work closely together to ensure the precedent policy meets the needs of all parties.
- 5.29. The Authority's preferred approach is the proposed option. It continues the Part 6 approach of differentiating applications by size. It also provides a clear message to access seekers and distributors on which process to use and what is required for approval. It provides a more complete picture of applications waiting to connect.

Medium-capacity DG applications (>10kW and <300kW)

A3. Require distributors to approve or decline initial and final DG applications within finite timeframes

Existing arrangements

- 5.30. Currently there is no requirement for distributors to approve or decline an *initial* application for DG applications greater than 10kW.
- 5.31. Distributors must approve or decline a *final* application. The Code sets timeframes for this, depending on nameplate capacity (clause 19). However, a distributor can seek multiple extensions of up to 40 business days each time, and the distributed generator must not unreasonably withhold consent to an extension. There is no limit to the number of extensions a distributor can seek.

Issues with existing arrangements

- 5.32. With no requirement to approve or decline an initial application, an applicant may wait a significant amount of time before the status of their application is known. This creates uncertainty for the applicant and may compromise the development of their final application.
- 5.33. For final applications, the ability for distributors to seek multiple extensions can lead to long delays when processing applications. Multiple extensions can create

problems for access seekers who need a degree of certainty for project planning and to meet investor expectations.³⁸

- 5.34. Also, without finite timeframes to process initial and final applications, distributors can prioritise other work over medium DG applications. This doesn't support the increased uptake of renewable electricity in New Zealand.

Proposal

- 5.35. For initial applications, the Authority proposes distributors must approve or decline an initial application for a medium DG application within a finite timeframe. If the distributor fails to meet the timeframe, it is deemed to have approved the application. The proposed Code drafting is contained in Appendix A (refer clause 6 of Appendix 2 in Schedule 6.1).
- 5.36. The Authority also proposes a finite timeframe for a distributor to approve or decline a final application for medium DG. Again, if the distributor fails to meet the timeframe, it is deemed to have approved the application. The proposed Code drafting is contained in Appendix A (refer clause 11 of Appendix 2 in Schedule 6.1).
- 5.37. We propose a 40-business day timeframe for initial applications, and 45 days for final applications. The final application process allows extensions with conditions, and for a distributed generator to defer a distributor's decision on its final application should it choose. We seek views on the timeframes and content of the proposals.
- 5.38. The proposals will provide distributed generators with greater assurance of when their application will be processed. It incentivises distributors to provide resources to review initial and final applications and discourages processing delays.
- 5.39. The Authority estimates the benefits of the proposal outweigh the costs. The proposals are not expected to add significant cost for distributors. Distributors are required to process applications regardless of whether a decision is required on an initial application, or finite timeframes apply.
- 5.40. An alternative approach is the Code sets a single, maximum timeframe for a distributor to process an application from initial application through to a decision on a final application. Whereas this approach may provide more flexibility for distributors, it is not preferred as it does not respond adequately to the relative complexity of applications and changes to applications as they progress. It also risks the maximum timeframe becoming the norm for processing applications. As such, the Authority estimates it would provide less benefit than the preferred option.
- 5.41. The Authority has proposed maximum timeframes for the processing of DG and load applications throughout this paper. These timeframes should be just sufficient to process the most complex applications but no longer. Applicants and distributors should be able to complete an application much quicker than the stated maximums

³⁸ As distributors are monopolies, and distributed generators require their cooperation and will have a long-term relationship with a distributor, a notice from a distributor to extend the time for a decision is more likely to be agreed.

ie, the maximum timeframes in Part 6 should not become the norm for processing network applications.

A4. Provide more detail on how medium DG applications should be prioritised

Existing arrangements

5.42. The process for distributors to prioritise final applications for DG greater than 10kW is set out in clause 17 of Schedule 6.1 of the Code.

Issues with existing arrangements

5.43. The detail provided in clause 17 is insufficient to guide the actions of distributors.

Proposal

- 5.44. The Authority proposes changes to the *Priority of final applications* clause for medium DG applications. The proposed Code drafting is contained in Appendix A (refer clause 9 of Appendix 2 in Schedule 6.1).
- 5.45. The amendment in subclause 2(c) provides more detail on how final DG applications, on the same part of a network, should be prioritised. We seek views on whether the proposed change provides enough clarity for Code users, and whether more detail should be included in Part 6.
- 5.46. The Authority could provide more guidance on how to prioritise final applications through an external Authority document. However, we suggest industry develops guidelines and/or precedent policy as part of the Streamlining Connections Programme. This will support stronger links with the ENA's co-development work with stakeholders on application processes (eg, there are clear efficiencies to aligning prioritisation with the proposed queueing and management policy - see Proposal A13 below).
- 5.47. This benefit of an industry approach is a guidelines document can be developed and maintained more readily than Code, and industry stakeholders can work closely together to ensure the precedent policy meets the needs of all parties.
- 5.48. The Authority seek views on whether further prioritisation guidance would be valuable, and how this should be provided. This includes how best to prioritise complementary as well as competing application, proposed in Proposal A11 below.
- 5.49. As the proposal provides additional guidance only, the Authority estimates the benefits outweigh the costs. The Authority has proposed similar, but more extensive changes to the priority clause for large DG applications (see Proposal A11 below).
- 5.50. The Authority has also proposed a change to the prioritisation criteria for medium and large DG. Prioritising applications in terms of the long-term benefits to consumers, rather than the purpose of Part 6, will ensure connections of greater value are prioritised for connection and upgrade. This approach also supports the Authority's statutory objectives.³⁹

³⁹ See Paragraph 2.1 for details of the Authority's statutory objectives.

Large-capacity DG applications (≥ 300kW)

A5. Require applicants to pay an initial application fee that is non-refundable and non-transferable, unless the distributor agrees otherwise

Existing arrangements

- 5.51. The Code allows distributors to charge fees for processing an application up to the maximum specified in Schedule 6.5 of Part 6 *Prescribed maximum fees*. The fees enable distributors to recoup their costs to process DG applications.
- 5.52. Following consultation with the sector, the Authority recently made a one-off inflation adjustment to fees via its 'Omnibus number three' process.⁴⁰ This is an interim measure ahead of a comprehensive review of fees in Stage two of the 'Network connections project', starting in 2025.⁴¹

Issues with existing arrangements

- 5.53. Distributors have discretion on when they request fees from distributed generators. Some require an upfront fee, while others may not charge until the process is underway. This means applicants who have not paid an up-front fee can withdraw their application after the process has started, without losing money. If this occurs, the distributor cannot recoup its costs to assist the applicant to that point, and the associated loss can be passed onto the consumer.

Proposal

- 5.54. Although there is no Code impediment to charging an initial application fee, the Authority proposes to permit it in the Code. The proposed Code drafting is contained in Appendix A (see clause 2 of Appendix 3 of Schedule 6.1).
- 5.55. The proposal will:
- a) reduce the risk of a distributor not recouping its costs, thereby benefitting consumers
 - b) ensure more consistent distributor practice, a key outcome sought from this work
 - c) encourage distributed generators to research proposals thoroughly before placing an application with the distributor. This provides a more efficient outcome as distributors are less likely to review applications that do not meet basic requirements.
 - d) support more efficient queueing of applications as speculative applications are discouraged.
- 5.56. We propose the initial application fee is non-refundable and non-transferable unless the distributor agrees otherwise. This will help discourage speculative applications and commit applicants to the process. There may be instances where

⁴⁰ <https://www.ea.govt.nz/projects/all/code-amendment-omnibus>

⁴¹ Refer to footnote 14 for more detail.

circumstances change beyond an applicant's control and distributors will have discretion to refund all or part of an initial fee or allow it to be transferred to another party.

- 5.57. The Authority has not proposed a mandatory initial fee for medium DG applications. As the amount of work undertaken to process medium DG applications is generally lower, distributors face less monetary risk if an applicant exits before paying their application fee. We seek views on this.
- 5.58. We have also proposed distributors can charge interim application fees for large DG, and final application fees for both medium and large DG, should they choose (eg, see clause 7 of Appendix 3 of Schedule 6.1). Regardless of the combination of processing fees that are charged, in combination they must not exceed the prescribed maximum fees in Schedule 6.5 and be in accordance with clause 6.3(2)(e) of the Code.
- 5.59. The Authority estimates the benefits of the proposal outweigh the costs. The cost implications are low, although distributed generators will bear a larger share of the processing cost than currently. The Authority considers this is appropriate as they are the main beneficiary of the DG connection.
- 5.60. Alternatively, the Authority could address initial application fees in Stage two of the 'Network connections project'. However, change through that process could take more than a year longer than the Stage one changes. Given this, we seek views on whether we should progress this specific proposal now or wait until Stage two of the project when fees will be considered holistically.
- 5.61. We have not proposed a change to the fee values in Schedule 6.5, despite a proposed new process for large-capacity DG applications. Fees are currently set by nameplate capacity, and this will continue until fees are reviewed in Stage two of the 'Network connections project'.

A6. Require distributors to approve or decline an initial application within a finite timeframe

Existing arrangements

- 5.62. There is no Code requirement for a distributor to approve or decline an initial application for DG above 10kW, or a timeframe to reach a decision.
- 5.63. This proposal relates to large DG applications of 300kW and more only. Proposal A3 (above) speaks to a similar proposal for medium DG applications.

Issues with existing arrangements

- 5.64. The lack of a requirement for distributors to approve or decline an initial application, and a timeframe to do this, can slow the uptake of renewable energy and decarbonisation by:
- a) enabling distributors to vary in how they respond to initial applications, leading to inefficient outcomes for applicants that operate across the country
 - b) allowing distributors to focus on activities other than processing DG applications

- c) creating uncertainty around the status of an application, impacting the likelihood a project will move ahead.

Proposal

- 5.65. The Authority proposes a finite timeframe of 40 business days for distributors to approve or decline an initial application for DG at 300kW and above. If a distributor fails to meet the timeframe, it is deemed to have approved the application. We seek views on this timeframe.
- 5.66. The proposed Code drafting is contained in Appendix A (see clause 6 of Appendix 3 of Schedule 6.1).
- 5.67. The proposed clause for large DG differs from the proposed clause for medium DG in Proposal A3 above. It includes a requirement to place applications in a network connections pipeline (see Proposal C below). It also proposes distributed generators can resubmit applications at no cost with conditions (see proposal A6 below).
- 5.68. The Authority estimates the benefits of the proposal outweigh the costs. The key benefits include the faster processing of applications, more consistent distributor practice, and greater certainty that applications will move ahead. The cost implications for distributors are expected to be low with, for example, some additional administration and documentation costs for dealing with initial applications.
- 5.69. The alternative approach of setting a single, maximum timeframe for distributors to process an application from initial application to final decision is discussed above (see Proposal A3). This option is not the Authority's preferred approach.

A7. Allow applicants to resubmit initial, interim and final applications at no cost

Existing arrangements

- 5.70. There are currently no Code provisions for distributed generators to resubmit their applications.⁴²

Issues with existing arrangements

- 5.71. The lack of a prescribed Code mechanism to resubmit applications may unfairly penalise an applicant. They may have to create a new application if their previous application falls short of what is required, including repaying any fees that apply. They may also lose their position in the proposed network connections pipeline (see Proposal C), impacting their investment in the application.

Proposal

- 5.72. To ensure applications can progress as quickly as possible, the Authority proposes allowing applicants to resubmit their initial, interim and final applications at no additional cost (see Proposal A8 below for proposed new interim stage). Applicants

⁴² For example, clause 18(4)(a) in Schedule 6.1 mentions making a new application.

who meet the conditions will not lose their place in the network connections pipeline.

- 5.73. The proposed Code drafting is contained in Appendix A (see clauses 6, 9 and 15 in Appendix 3 of schedule 6.1).
- 5.74. We propose a longer timeframe to be able to resubmit interim applications, as this is where most of the work to assess a large-capacity DG application will occur.
- 5.75. To deter applicants from coming back with variations to their proposal, the Authority proposes applications can be resubmitted once only. Relatively short timeframes are proposed to maintain progress and keep the resubmitted application relevant (eg, resubmissions are less likely to be affected by later applications from other parties).
- 5.76. We have not proposed discretion for distributors on, for example, extending the timeframes for resubmitted applications or allowing additional resubmissions. We seek views on our proposed approach and whether greater discretion should be provided for distributors.
- 5.77. The Authority estimates the benefits of the proposal outweigh the costs. By reducing the need for new applications to be submitted, the proposal will reduce the overall effort required to process applications and increase the rate of uptake of projects. This will help to reduce overall processing costs, and result in benefits to consumers.

A8. Add an interim stage to the application process for large-capacity DG where most of the technical analysis is completed

Existing arrangements

- 5.78. The Code prescribes a two-stage application process for DG above 10kW, this being the initial application stage and the final application stage.

Issues with existing arrangements

- 5.79. Currently, most of the analysis to assess a large DG application can occur between stages, and not within a stage. After an initial application, and before the final application, a distributor and distributed generator may work together on the study results, detailed design, and connection and operation arrangements. Extended negotiations are possible, and disputes and changes to the application can occur as parties try to reach consensus before moving forward. This work can take time and a final application may not be received until many months after an initial application.

Proposal

- 5.80. The Authority proposes to add an interim application stage for large-capacity DG applications. This will enable applications to stay 'in the system' following initial approval, ensuring they can receive consideration and assistance from distributors as work is progressed. The interim stage will allow for technical analysis to be completed, and for applicants and distributors to agree on studies, connection arrangements and final conditions before a final application is made. The final

application stage that follows would become a ‘rubber stamp’ exercise in most instances.⁴³

- 5.81. The proposed Code drafting is contained in Appendix A (clauses 7-11 in Appendix 3 of Schedule 6.1). The proposed interim stage is based on existing Part 6 clauses, so many of the requirements are similar to other stages. To move to completion, a large DG application will need to receive a distributor’s approval of the initial, interim and final application.
- 5.82. The Authority estimates the benefits of the proposal outweigh the costs. The proposed interim stage keeps applications under active consideration, assisting with the throughput of projects. It more accurately reflects the level of work required to process a large DG application. Interim approval will represent a milestone achieved and signal the status of an application to the wider sector (eg, investors, potential applicants), particularly when part of the proposed network connections pipeline. This will better inform investment decisions.
- 5.83. In terms of cost, the interim stage was proposed by the NCTG and, although it may appear to add more work to process an application, the overall amount of work should change little. The Authority recognises there will be some administrative impacts for the sector.
- 5.84. The Authority seeks views on including an interim stage and the proposed detail. Earlier consultation with the sector indicated a need to amend the current Part 2 in Schedule 6.1 to be more responsive to the work required. We have responded to this feedback by proposing a three-stage application process for large DG application process, following consultation with the NCTG.
- 5.85. Given there is generally less processing work required, the Authority has not proposed an interim stage for medium-capacity DG (Process 2) or load applications (Process 4 below). We seek views on this.
- 5.86. Alternatively, the interim stage could apply to ‘complex applications’ only. The concept of complex applications is discussed above (see Proposal A2) and for the reasons provided, it is not the Authority’s preferred approach for large DG applications.

A9. Amend the conditions under which a distributed generator must make a final application

The existing arrangements

- 5.87. The requirements for a distributed generator to make a final application are set out in clause 15 of Schedule 6.1.

Issues with existing arrangements

- 5.88. The requirements as currently set out in clause 15 of Schedule 6.1 are not suitable if an interim application stage is added to Process 3.

⁴³ The final application stage retains the ability for applicants to dispute conditions, although this is less likely with the addition of an interim stage.

Proposal

- 5.89. The Authority proposes changes to the conditions an applicant must meet to make a final application, to reflect the addition of an interim application stage. The proposed Code drafting is contained in Appendix A (see clause 12 of Appendix 3 in Schedule 6.1).
- 5.90. The Authority proposes that final applications must be made within 90 business days of an approved interim application or following the resolution of a dispute. Distributors have discretion to allow longer if they choose. Most of the analysis of network studies would occur in the proposed interim stage, and negotiation on connection arrangements should be largely complete.
- 5.91. The clause also requires evidence of a project investment decision, and Overseas Investment Office approval if applicable. This requirement is discussed in Proposal A10 below.
- 5.92. We seek views on clause 12 of Appendix 3. It recognises the details of an application should be mostly confirmed at the interim application stage, and that significant deviations should not occur at the final application stage. However, this clause has the potential to create a process loop to slow the processing of applications (see clause 12.4 (c)). Distributed generators retain the ability to dispute the conditions, if any, put forward by a distributor at the interim and final approval stages (see clauses 11 and 17 in Appendix 3).
- 5.93. The Authority estimates the benefits of the proposal outweigh the costs. By setting appropriate timeframes for a revised final application stage, it will help to keep applications moving through the applications process. The cost implications should be minor as distributors are required to process final applications regardless of the timeframes that apply.

A10. Require applications to meet external conditions to be eligible for final approval

Existing arrangements

- 5.94. The Code does not set project thresholds for final applications to be approved.

Issues with existing arrangements

- 5.95. A distributed generator can currently get final approval from a distributor by:
- a) applying to connect
 - b) providing information and network studies
 - c) agreeing to conditions set by the distributor
 - d) and paying the required fee (if any).
- 5.96. Upon final approval, applications get further access to distributor resources and enter the queue for conditional capacity rights. However, before a project can connect, a large DG project generally has to fulfil a number of requirements. These can include, for example:
- a) land purchase, lease agreements and easements

- b) consents (eg. environmental, building, Overseas Investment Office approval)
- c) project investment decision and financing
- d) works tendering
- e) materials procurement (eg. solar modules, inverters, turbines)
- f) tender award and construction.

- 5.97. Some of the requirements above, such as environmental consents, can take time to complete, sometimes years. If a project has not completed these steps but has final approval, it can move slowly to connection or stall entirely. As the distributed generator has access to scarce distributor resources and conditional capacity rights, it can hinder the progress of later applications that are more connection ready.
- 5.98. The regulated terms for DG in Part 6 offer some protection.⁴⁴ Clause 3(6) of Schedule 6.2 mandates DG must be constructed within 18 months of final approval.⁴⁵ However, there is no requirement for distributors to include such timeframes in a negotiated connection contract. This incentivises distributed generators to seek external approvals (eg, resource consent) after final approval is given. This ‘approval banking’ approach can delay other projects in the pipeline that are more developed and ready to proceed.

Proposal

- 5.99. The Authority proposes large DG applications must have a project investment decision (PID), and Overseas Investment Office approval where that is required under overseas investment legislation, to be eligible for final approval.⁴⁶ The PID is a statement from investors that a project has advanced enough to release their funds. It can be considered a useful proxy that a project will progress to connection, thereby providing some degree of assurance to distributors.
- 5.100. The proposed Code drafting is contained in Appendix A (see clause 12 of Appendix 3 of Schedule 6.1).
- 5.101. When investors require a distributor’s approval before confirming a PID, we have proposed a distributor can indicate an application will be approved if a PID confirmation is received within 30 business days.

⁴⁴ See clause 3(6) of Schedule 6.2 Regulated terms for distributed generation. The regulated terms apply if the distributor and distributed generator do not enter into a connection contract.

⁴⁵ Proposal I in this paper proposes to remove this clause, and replace it with the queueing and management approach put forward in Proposal A12 below.

⁴⁶ A project investment decision effectively means all requirements to proceed with project construction have been met. In order to meet final investment decision, the developer will need to complete due diligence across the financial model, tax, insurance, legal and technical. They will also need to have in place an engineering, procurement and construction (EPC) contractor, unless the project is self-built, and to have met all requirements to achieve final approval (with accepted conditions) with the distributor. On completing a project investment decision, a ‘notice to proceed’ will be issued to the EPC contractor. Generally, the conditions of the final approval will need to be completed at this stage to meet the requirements of the network connection.

- 5.102. As an alternative, the NCTG considered the approach used by Transpower for grid applications. The Connections Management Framework (CMF)⁴⁷ enables Transpower to focus its efforts on well-developed projects and provide investors with increased certainty of connecting. Applications above 500MW must complete a number of steps before it can enter the investigations stage, including:
- a) securing technical support
 - b) providing a conceptual design
 - c) completing a connection capacity assessment
 - d) securing property rights, environmental approvals and, if required, Overseas Investment Office approval
 - e) having a stakeholder engagement plan.
- 5.103. In the United Kingdom, distributors require a letter of authority by the landowner before an application can be made, as well as evidence that planning permission (including resource consent) is progressing. This discourages speculative applications seeking to reserve capacity.
- 5.104. A resource consent is a key milestone in the United Kingdom. The distributor sets a date for resource consent in the connection contract it provides to applicants, that includes a degree of flexibility where required. If a resource consent is not achieved before that date, the distributor can terminate the contract as the customer has not met its contractual obligations. This keeps the queue of connections moving and enables the distributor to focus on applications that are more 'connection-ready'.
- 5.105. As DG applications are generally much smaller on networks than the grid, and the connections environment is more dynamic, the NCTG thought a lighter approach was appropriate for Part 6. Setting a high hurdle for final approval could discourage investment.
- 5.106. This proposal saw the most variation in NCTG opinion. Part 6 could continue to set no external conditions for final approval, or any combination of external conditions. The Authority seeks views on:
- a) the concept of requiring applications to meet external conditions to be eligible for final approval
 - b) whether the proposal sets the right balance between assuring applications will progress readily, thereby increasing the rate of uptake of renewable energy and the more efficient use of capacity, and not discouraging investment by setting requirements that are too onerous
 - c) whether the Authority has identified the right external conditions and, if not, what external conditions should apply, if any.
- 5.107. The Authority estimates the benefits of the proposal outweigh the costs. Although the proposal may slow the passage of some applications, overall it will encourage applicants to put forward more developed applications and focus scarce resources

⁴⁷ <https://www.transpower.co.nz/connect-grid/our-connection-process>.

on the most developed projects, increasing the throughput of renewable energy projects. It should improve the efficiency of distributor operations, with clear consumer benefit.

- 5.108. The cost implications of the proposal are estimated to be low for distributors (eg, additional review of documentation). The cost implications should also be low for most access seekers, although projects that are less advanced may face added time delays and therefore added cost. However, by encouraging applicants to put forward more developed applications, any increase in costs should be minimised.

A11. Change the prioritisation clause to encourage more collaboration of final applications that might otherwise compete

Existing arrangements

- 5.109. Currently clause 17 of Schedule 6.1 allows distributors to treat final applications received within 20 business days of each other as competitive bids. This means a distributor can prioritise one application over another.

Issues with existing arrangements

- 5.110. As it stands, clause 17 can slow the progress of a DG application, should a distributor deem it to be lower priority than a competing bid. This may occur even if an application is well advanced. The potential for competing bids to move forward together, through negotiation and compromise, is lost. This can lead to the inefficient use of resources and lower productivity.

Proposal

- 5.111. The Authority proposes a change to the priority clause. Rather than compete, we propose a Code change to require distributors and applicants to work together for a mutual solution, so all applications can advance if possible. The Code reverts to the previous competitive conditions where parties cannot agree on a suitable compromise.
- 5.112. The proposed Code drafting is contained in Appendix A (see clause 17 of Appendix 3 in Schedule 6.1).
- 5.113. The proposal requires applicants and the distributor to use their best endeavours for mutual gain. The NCTG advises this already occurs to some extent, but that the Code is not set up well to support this (eg, confidentiality requirements). In response, the Authority has proposed an explicit requirement for parties to work together and minor amendments to Part 6 to make this approach easier (see Proposal I below).
- 5.114. The Authority estimates the benefits of the proposal outweigh the costs. The proposal will increase the rate of uptake of renewable energy projects and lead to the more efficient use of applicant and distributor resources. There may be a small increase in administrative cost for distributors and applicants, but the overall cost for final approval and to prioritise final applications should reduce.
- 5.115. Where one or more applicants believe the costs of a mutual solution outweigh the benefits, they will retain the ability to enter into a competitive situation. In this

situation, distributors would determine priority based on the long-term benefit to consumers.

- 5.116. The priority clause for large DG applications, discussed here, has the same additional information for how to prioritise applications as the medium DG priority clause (see clause 9 of Appendix 2). For a discussion on these issues, including options and what we seek from submitters, please refer to the discussion in Proposal A4 above.

A12. Require distributors to approve or decline a final application within finite timeframes

Existing arrangements

- 5.117. Clause 19 of Schedule 6.1 sets timeframes for distributors to approve or decline a final DG application. However, a distributor can seek multiple extensions of up to 40 business days each, and the distributed generator must not unreasonably withhold consent to an extension. There is no limit to the number of extensions a distributor can seek.
- 5.118. This proposal considers final applications for DG applications $\geq 300\text{kW}$ only. The equivalent proposal for medium DG applications is discussed in Proposal A3 above.

Issues with existing arrangements

- 5.119. Currently the Code allows distributors to seek multiple extensions, and this can lead to long delays when processing applications. This can be problematic for access seekers who need a degree of certainty for project planning, and to show progress to investors. The absence of finite timeframes to process DG applications also allows distributors to prioritise other work over DG applications. This doesn't support the faster uptake of renewable electricity.

Proposal

- 5.120. The Authority proposes finite timeframes for a distributor to approve or decline a final application for large DG. Although the clause looks similar to the proposed clause for medium DG applications (Proposal A3), and for interim applications for large DG (Proposal A7), it includes slightly different provisions.
- 5.121. The proposed Code drafting is contained in Appendix A (see clause 16 of Appendix 3 of Schedule 6.1). The shorter timeframes and latitude for extensions reflect that most of the processing of large DG applications should have occurred in the interim stage. The Authority seeks views on the revised clause, including the proposed timeframes.
- 5.122. The Authority estimates the benefits of the proposal outweigh the costs. The proposal should increase the rate of uptake of renewable energy projects by requiring distributors to provide adequate resources to process applications. It provides distributed generators with greater assurance of when their application will be processed. It also responds to delays that may result from distributed generator's actions and allows them to defer a distributor's decision on its application if it chooses.

- 5.123. The cost implications of the proposal are expected to be low as distributors are required to process applications regardless of whether finite timeframes apply or not.
- 5.124. For discussion on an alternative approach, and why this proposal is the Authority's preferred approach, see Proposal A4 above.

A13. Require approved projects to meet milestones to retain position in distributor's network connections pipeline

Existing arrangements

- 5.125. The Code does not set requirements for the progress of DG applications once they have received final applications. However, if the regulated terms in Schedule 6.2 apply, a distributed generator must construct their DG within 18 months of final approval.⁴⁸

Issues with existing arrangements

- 5.126. Upon final approval, projects gain access to distributor resources and conditional capacity rights. The absence of progress requirements means these projects can stall or move very slowly and continue to access these scarce resources. As such, speculative or under-prepared applications can hinder the progress of later applications that are more connection ready. This leads to inefficiencies – for example, connection delays, inefficient use of human resources and network capacity – that add cost and slow the uptake of renewable energy projects.

Proposal

- 5.127. The Authority proposes DG projects $\geq 300\text{kW}$ must meet milestones to maintain their position in a distributor's network connections pipeline and receive ongoing access to conditional capacity rights. This includes requirements if milestones are missed when other approved projects are waiting to connect. This approach has also been proposed for large load applications.
- 5.128. The proposed Code drafting is contained in Appendix A (see clauses 21 and 22 of Appendix 3 in Schedule 6.1).
- 5.129. The Authority has not required specific milestones but has provided some examples of the milestones that may apply. We seek views on whether the Code should specify the milestones that apply, so no other milestones can be added, and, if so, what those milestones should be.
- 5.130. Distributors must apply tolerance to milestones. The proposed clauses require this but set tighter restrictions when a project has missed one or more milestones, and another project is waiting to connect (see clause 22).

⁴⁸ See clause 15A of Schedule 6.2 *Regulated terms for distributed generation*. This clause applies if the distributor and distributed generator do not enter into a connection contract. However, this paper proposes to revoke this clause and replace it with the queueing and managing process discussed in this proposal.

- 5.131. The Authority has not proposed detailed requirements for the prioritisation, queueing and management of applications. This would be very lengthy and prescriptive, and limit flexibility in how applications are prioritised. Although the Code could reference an external Authority document, we suggest industry develops their guidelines and/or a precedent queueing and management policy as part of the Streamlining Connections Programme.
- 5.132. The benefit of this approach is a guidelines document can be developed and maintained more readily than Code, and industry stakeholders can work closely together to ensure the precedent policy meets the needs of all parties. This is the approach taken in the United Kingdom and Australia where the representative body for distributors has developed equivalent policies.⁴⁹ For greatest efficiency, industry should consider how best to align with Transpower's CMF in New Zealand.⁵⁰
- 5.133. The Authority estimates the benefits of the proposal outweigh the costs. It will ensure access to distributor resources and capacity rights are directed to projects that are progressing through the external stages needed to connect. In combination with the proposed network connections pipeline (Proposal C below) and greater information on network capacity (Proposal D below), this proposal supports the faster throughput of projects to completion, and the more efficient use of network capacity and distributor resources.
- 5.134. The proposal has cost implications for distributors, such as developing the detailed policies, processes and documentation, and applying the new requirements. There is increased risk for individual applicants who miss external milestones when another applicant is waiting to connect.

The DG proposals will impact how DG capacity rights are conferred

- 5.135. The DG proposals in this paper will impact how capacity rights⁵¹ are conferred on networks. We seek thoughts on the summary below, including what the Authority has not considered and what changes should apply, if any. As there are fewer stages and requirements for medium DG applications, capacity rights are conferred in a similar but slightly different way.

⁴⁹ The United Kingdom's ENA Queue Management User Guide can be found here ([https://www.energynetworks.org/assets/images/Resource%20library/ON21-WS2-P2%20Updated%20Queue%20Management%20User%20Guide%20\(30%20Jul%202021\).pdf?1713826951](https://www.energynetworks.org/assets/images/Resource%20library/ON21-WS2-P2%20Updated%20Queue%20Management%20User%20Guide%20(30%20Jul%202021).pdf?1713826951)) and Energy Networks Australia's *Distributed Energy Resources Grid Connection Guidelines* here (https://www.energynetworks.com.au/assets/uploads/distributed_energy_resources_grid_connection_guidelines_framework_and_principles.pdf).

⁵⁰ For example, how Transpower sequences the prioritisation and connection of DG and load applications.

⁵¹ The Authority has used 'capacity rights' here as it is a term typically used by the sector. 'Capacity rights' is not a defined term in the Code and, in this context, it should not be considered a term that confers any specific legal rights on participants.

Capacity rights for large DG applications under the proposed Process 3

The proposed Process 3 will confer capacity rights in the following way:

- **Initial approval** (applicant applies for certain amount of capacity) – **distributed generator does not get capacity rights**
- **Interim approval** (network studies have been reviewed and connection conditions agreed) – **distributed generator gets conditional capacity rights** (their final application must not deviate significantly from the conditions agreed as part of interim approval)
- **Final approval** – **distributed generator gets conditional capacity rights**, even after complementary or competing applications (if any) are resolved
- **Distributed generator gets final capacity rights** if, after complementary or competing final applications (if any) are resolved, they continue to meet the milestones set in the distributor's queueing and management policy
- **A distributed generator can request final capacity rights earlier and be given these** if it commits to fully fund the necessary infrastructure and the distributor agrees to confer the capacity rights
- **Network investment capacity rights** – Where the distributor upgrades the network to allow sufficient capacity for the distributed generator, the distributed generator will reserve rights to the capacity once a works agreement is signed with the distributor. The distributed generator will retain these capacity rights, unless they agree to forego the capacity and be compensated for the works agreement costs on a commercially agreeable basis.

Proposal A questions

The Authority seeks views on the DG proposals above. The questions in this consultation paper are included in the submission form (in Word) provided alongside this paper.⁵² Submitters are not limited by the questions provided and are encouraged to provide other comments they think are relevant to the Authority's proposals.

- A) What are your thoughts on the proposal to replace nameplate capacity with maximum export power?
- B) Do you support the proposed Process 2 for medium DG (>10kW and <300kW), including the proposed requirements and timeframes? What are

⁵² Available on the Network connections consultation webpage.

your thoughts on the proposed size threshold? What other changes would you make to the medium DG application process, if any?

- C) Do you support the proposed Process 3 for large DG applications ($\geq 300\text{kW}$), including the proposed requirements and timeframes? What are your thoughts on the proposed size thresholds? What other changes would you make to the large DG application process, if any?
- D) Do you think the Authority should apply any of the proposed changes for large DG to medium DG applications also?
- E) What are your thoughts on industry developing the detailed policies to complement the Code changes proposed in this paper?
- F) What are your thoughts on the Authority's summary of capacity rights allocation?

Proposal B: Add application processes for larger-capacity load to the Code

Summary of proposed changes in the order they occur in Schedule 6.1 of Part 6

Proposal	
All load applications	
B1	Add larger-capacity load application processes to Part 6
B2	Base the load application processes on the proposed DG processes, with amendments for load as necessary
B3	Add two load application processes, one for medium and another for large load connections
Medium-capacity load applications (>69kVA and <300kVA)	
B4	Add an application process to connect, or amend an existing connection, for medium-capacity load
Large-capacity DG applications ($\geq 300\text{kVA}$)	
B5	Add an application process to connect, or amend an existing connection, for large-capacity load

B1. Add larger-capacity load application processes to Part 6

The existing arrangements

- 5.136. There are currently no prescribed application processes for load in the Code. Distributors have discretion to set their own application requirements.

Issues with existing arrangements

- 5.137. The absence of Code application requirements for load creates challenges for access seekers.

Load applicants can face variation in application processes

- 5.138. The absence of specific Code requirements means application processes can vary between distribution networks. Access seekers who operate across the country say variations in distributor processes make the process to connect frustrating, slower, more costly and therefore less efficient.

Load applicants do not get baseline protections

- 5.139. The absence of specific Code requirements means applicants do not get baseline protections, such as timeframes for distributors to approve or decline an application, capped fees, the information they require from distributors and 'arm's length' provisions.

Load applicants may have to engage with unclear requirements

- 5.140. The absence of specific Code requirements means the application process can be unclear to applicants, creating project uncertainty (eg, for investors, product supply).

Distributors can prioritise work other than load applications

- 5.141. The absence of specific Code requirements allows distributors to prioritise other work over applications to connect load.
- 5.142. In combination, the challenges above reduce the efficiency of connecting load to distribution networks, or to upgrade an existing connection. This can be seen when we consider the difficulties faced by some access seekers in New Zealand.

Commercial and industrial consumers face challenges to decarbonise

- 5.143. The industrial and commercial sector is a large user of fossil fuels for process heat, particularly coal boilers and transport fuels. In order to reduce their carbon emissions and help New Zealand to meet its climate change commitments, it is important the sector is supported to transition to electricity.
- 5.144. Industrial and commercial consumers have said they face challenges to decarbonise. Decarbonisation can require a new connection or a significant upgrade to an existing connection. When seeking to do this, industrials say some distributors could:
- a) have better engagement processes and be quicker to act

- b) be more flexible on redundancy levels⁵³
- c) be more responsive to non-coincident peaks and the flexibility options put forward by consumers.⁵⁴

Charge point operators face connection barriers

- 5.145. Electrifying transport is a key part of New Zealand's decarbonisation journey. Distributors play a vital role in the adoption of EVs as most EV charging occurs on distribution networks. Distributors provide the infrastructure for this to occur.
- 5.146. Public EV chargers are needed to support the continued uptake of EVs.⁵⁵ Charge point operators (CPOs), who own and operate public and commercial EV chargers, have told the Authority they face a number of barriers to connect, and it is easier and quicker to connect overseas. Distributors themselves face significant challenges to adapt their networks for EVs.
- 5.147. Drive Electric⁵⁶, the representative body for New Zealand's EV industry, commissioned the report 'Principles for access: Developing principles for network connection' that details CPOs' challenges.⁵⁷ The report finds CPOs face many of the same challenges as large-load consumers including, distributors being slow to engage, long approval times and distributor processes that vary by network. This slows New Zealand's transition to a clean energy future. For example, New Zealand currently lags behind other countries in terms of:
- a) the number of public chargers per light EV
 - b) amount of charging (kW) available per light EV.

Figure 5: Number of public charging points and kW charging per light EV⁵⁸

⁵³ For example, by requiring N-1 redundancy even though the consumer has its own backup option, such as the temporary use of a coal boiler.

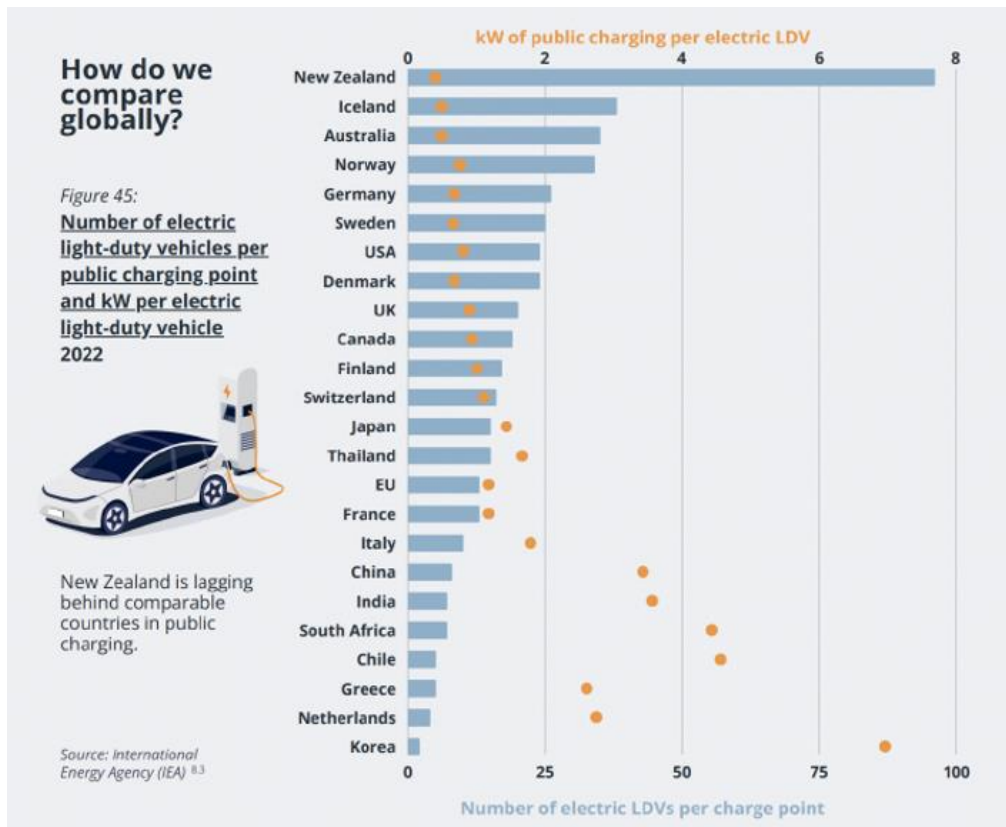
⁵⁴ In some cases, industrial and commercial consumer peak load will not coincide with peak demand on a distribution network. Also, some industrial and commercial consumers can be flexible when network demand is high.

⁵⁵ The Government's intentions for electric transport are set out in *Supercharging EV infrastructure* (https://assets.nationbuilder.com/nationalparty/pages/18364/attachments/original/1693957243/Supercharging_EV_Infrastructure.pdf?1693957243). This includes a target to install 10,000 public EV charging stations by 2030.

⁵⁶ <https://driveelectric.org.nz/about/>.

⁵⁷ <https://driveelectric.org.nz/public-charging-principles-for-access>

⁵⁸ International Energy Agency (2023) 'Global EV Outlook 2023: Catching up with climate ambitions' <https://iea.blob.core.windows.net/assets/dacf14d2-eabc-498a-8263-9f97fd5dc327/GEVO2023.pdf>. This is based on 2022 data, but the comparison of New Zealand to other jurisdictions is unlikely to have changed markedly.



Proposal

- 5.148. To support more efficient load connections – whether decarbonising industrials and commercials, public EV chargers or other access seekers – the Authority proposes to widen Part 6 of the Code to include application processes for medium- and large-capacity load connections.⁵⁹
- 5.149. Recent research supports a Code change. The report ‘Challenges and regulatory policy solutions integrating public EV charging stations: International case studies’⁶⁰ compared New Zealand to the regulatory regimes in the United Kingdom and Australia. It found New Zealand could enhance deployment of public EV chargers by learning from these countries. It suggested New Zealand consider:
- ...a standardised regulatory framework that sets clear guidelines for connections, including EV chargers. This framework could streamline distributor connection approvals, technical specifications, safety standards, and connection procedures to simplify the approval process for charging infrastructure projects.*
- 5.150. The proposed load application processes, discussed in detail in Proposals B4 and B5 below, would:

⁵⁹ The Ministry of Business, Innovation and Employment’s 2023 consultation on electricity market measures discussed expanding Part 6 for load, with industry submissions not raising any significant concerns (<https://www.mbie.govt.nz/dmsdocument/26909-measures-for-transition-to-an-expanded-and-highly-renewable-electricity-system-pdf>).

⁶⁰ Challenges and regulatory policy solutions integrating public EV charging stations: International case studies (2023), Baringa Partners, A report commissioned by the Ministry of Business, Innovation and Employment (<https://www.mbie.govt.nz/dmsdocument/28013-baringa-ev-international-case-studies-report>).

- a) deliver more consistent load application processes across New Zealand
- b) set rules for how distributors must engage with load applicants, for example timeframes to respond, provide information and process applications
- c) provide applicants with more options in the event of a dispute, if the applicant is a participant under the Code.

5.151. In combination, the proposals in this paper are expected to:

- a) increase the rate of upgrading existing connections and connecting new load, supporting New Zealand's energy transition and decarbonisation
- b) provide information to improve load investment decisions, supporting productivity gains
- c) deliver more efficient distributor services and the use of network capacity, providing consumer benefit.

5.152. The Authority estimates the benefits of the proposal outweigh the costs. The benefits are discussed above. Distributors are processing load applications, so the addition of Code provisions should not add significant cost.⁶¹ Distributors would face some added costs to revise their current processes and documentation, and this is where the Streamlining Connections Programme could contribute.⁶²

5.153. An alternative approach is distributors develop their own, consistent application process for load applications. This approach is not preferred as, although distributors collaborate on many issues, it is common for distributors to have different application requirements. Also, there is no guarantee distributors will progress change at an appropriate pace. It is the Authority's view that Code requirements are required to deliver a consistent approach for load applicants within a reasonable period of time. As such, we have not considered the costs and benefits of this approach.

5.154. Section 32(2) of the Act states the Code may not impose obligations on any person other than an 'industry participant' as defined in section 7 of the Act. Load applicants are not industry participants in some instances and, if so, are not legally required to follow the proposed application processes in Part 6. Distributors are industry participants, so if an applicant applies to connect load and chooses to follow the procedures in the Code, the distributor must comply with all Code provisions. Equally, however, load customers who are not industry participants cannot expect distributors to be bound to provide a connection if the load customers do not adopt the Code processes.

5.155. The Code does not prevent an applicant and the distributor from using an alternative application process to connect. In this instance, both a distributor and

⁶¹ We have not repeated this rationale for Proposals B4 and B5 below, as these two proposals are the detailed level proposals that sits below Proposal B1.

⁶² For example, by using existing DG processes, recognised as best practice, and adapting these to load applications in a co-development process with applicants. The EEA would need to consider how connection and operation standards need to change to respond to load applications.

applicant, whether a participant or not, would forego any of the protections provided through Part 6 of the Code.

- 5.156. Charge point operators, in particular, seek information on the indicative cost to connect EV chargers to locations on distribution networks. This would complement information on network capacity and enable CPOs to better target their applications, delivering efficiency gains for both CPOs and distributors. As pricing for load connections is outside the scope of Part 6, stakeholders are encouraged to engage with the Authority's work on network pricing.⁶³
- 5.157. The Authority has not received feedback there are problems with small-scale load applications. These, along with small-scale DG applications, are not within the scope of this paper.

B2. Base the load application processes on the proposed DG processes, with amendments for load as necessary

The existing arrangements

- 5.158. There are currently no prescribed application processes for load in the Code. Distributors have discretion to set their own load application processes.

Issues with existing arrangements

- 5.159. The challenges associated with connecting load and upgrading load connections are discussed in Proposal B1 above. If load application processes are added to the Code, these processes will need to be fit-for-purpose.

Proposal

- 5.160. The Authority proposes using a derivation of the DG application processes, as proposed in Section A of in this paper, for load. The medium load process is similar to the medium DG process, and the large load process is similar to the process for large DG.
- 5.161. All of the proposed processes in this paper, including for load, are based on the current Part 2 application process in Schedule 6.1. We have taken this approach as:
- a) the Part 2 application process for large DG has operated adequately for a number of years
 - b) the processing of DG and load applications is similar, so the DG process is a good proxy for a load application process
 - c) aligning the DG and load application processes, as much as possible, should provide operational efficiencies (eg, from using similar steps)
 - d) using the proposed DG processes in this paper, updated to improve the efficiency of connections, should also apply these benefits to load connections also.

⁶³ <https://www.ea.govt.nz/projects/all/distribution-pricing/>

- 5.162. The Authority estimates the benefits of the proposal outweigh the costs. The benefits are discussed above. There would be some costs for distributors whose load application processes differ from those proposed in this paper.
- 5.163. We seek views on this proposal, including whether there are alternative processes the Authority should consider for medium and large load applications.

B3. Add two load application processes, one for medium and another for large load connections

The existing arrangements

- 5.164. There are currently no prescribed application processes for load in the Code.

Issues with existing arrangements

- 5.165. Similar to DG applications, different-sized load applications require different levels of analysis. The larger the load application is, the more likely it is to affect other network users, require new infrastructure to be built, and involvement from Transpower. Using a single application process for load risks putting undue burden on medium-load applications and the insufficient consideration of large load applications.

Proposal

- 5.166. The Authority proposes a medium- (>69kVA and <300kVA) and large- ($\geq 300\text{kVA}$) load application process for Part 6 with:
- a) the medium-load process (Process 4) based on the proposed medium DG process (Process 2)
 - b) the large load process (Process 5) based on the proposed large DG application process (Process 3).
- 5.167. The proposed lower threshold (69kVA cf. 10kW for DG) for medium load connections was determined after discussion with the NCTG. The threshold is expected to capture most public EV charger installations and exclude small-capacity load connections (such as residential and small commercial connections, and private EV chargers) that are outside the scope of this paper.
- 5.168. The Authority proposes a similar size threshold for large load and large DG applications (300kVA cf. 300kW). This is where the complexity of both DG and load applications can start to increase, and competition for capacity can get stronger. We seek views on the proposed thresholds above.
- 5.169. The Authority estimates the benefits of the proposal outweigh the costs. Medium load applications would be processed through a more streamlined process, and large load applications would get the level of processing they require. This would provide efficiencies to distributors, applicants and to consumers.
- 5.170. Alternatively, the Code could prescribe a single application for load above 69kVA. This is not our preferred approach as it does not adequately address the relative complexities of medium and large load applications. Also, there are benefits to using the large load application process, and some provisions that are designed to speed up the approvals process (eg, resubmitted applications at no cost,

complementary applications). Also, the proposed network connections pipeline would provide less value if it provided an incomplete picture of large load applications waiting to connect.

- 5.171. Proposal B4 below discusses the medium load application process in more detail. The application process for large load connections is discussed in Proposal B5.

B4. Add an application process to connect, or amend an existing connection, for medium-capacity load

Proposal

- 5.172. The Authority proposes a medium load application process – Process 4. It is based on Process 2 (for medium DG applications) in this paper.
- 5.173. The proposed Code drafting is contained in Appendix A (see Appendix 4 of Schedule 6.1).
- 5.174. Unlike for medium DG applications, the application process for medium load applications is entirely new. As such, the Authority seeks comment on the proposed Process 4 in its entirety.
- 5.175. The Authority has proposed a two-stage application (initial and final stages) on the basis the work required is similar to medium DG applications, also proposed to be two-stage.⁶⁴ As for DG, an initial application can be used as a final application if the conditions proposed in clause 7 of Appendix 4 are met.
- 5.176. The priority of a final applications clause (clause 9) largely mirrors the prioritisation clause proposed for medium DG applications. This includes prioritising final DG and load applications on the basis of the long-term benefits to consumers. The Authority has not provided Code detail on how distributors must do this, as this would require more detail than can reasonably be encompassed in Part 6.
- 5.177. Although the Code could reference an external Authority document, we suggest industry develops their guidelines and/or a precedent policy as part of the Streamlining Connections Programme. The benefit of this approach is a guidelines document can be developed and maintained more readily than Code, and industry stakeholders can work together to ensure the precedent policy meets the needs of all parties. In undertaking this work, thought should be given to how Transpower prioritises load and other non-generation customer projects.⁶⁵
- 5.178. Load applications would need to comply with a distributor's connection and operation standards (COPS) if they want to use Part 6.⁶⁶ COPS would need to be

⁶⁴ We note network studies are more complex for DG applications than for load applications.

⁶⁵ When prioritising new load connections, upgrades and relocations in its pipeline, Transpower considers the urgency and consequence of each project as well as the aggregate enablement of wider strategic objectives. These objectives include for example, security of supply, disaster recovery, decarbonisation, promoting GDP growth and supporting new infrastructure (eg, rail, roads, data centres, large property developments). Transpower seeks a balance of load types and considers maximum wait times.

⁶⁶ The Authority has proposed a change to the definition of *connection and operation standards* in Proposal I below. This is needed if load applications are added to the Code.

reviewed to ensure they set suitable requirements for both DG and load.⁶⁷ Stage two of the 'Network connections project' will consider COPS in more detail, including ways the Code could improve compliance. The EEA will lead work on technical detail as part of the Streamlining Connections Programme. This work will also consider the Authority's review of Part 8 of the Code *Common quality*.

- 5.179. The Authority estimates the benefits of the proposal outweighs the costs. The benefits of adding load application processes are discussed in Proposal B1 above. The sector would adopt a medium-capacity application process that is tried and tested for a similar purpose (DG applications) and designed to be fit –for purpose. As distributors process load applications regardless of Code provisions, the cost implications of this proposal are expected to be low.

B5. Add an application process to connect, or amend an existing connection, for large-capacity load

Proposal

- 5.180. The Authority proposes an application process for large-capacity load (Process 5). It is based on the proposed process for large DG applications (Process 3). It is similar to the medium load application process (Process 4), discussed immediately above, with some important differences that are discussed below.
- 5.181. The proposed Code drafting is contained in Appendix A (see Appendix 5 of Schedule 6.1).
- 5.182. In terms of more significant requirements, the proposed large load application process differs from the medium load process in that:
- a) the large load application process includes an interim application stage
 - b) initial, interim and final applications can be resubmitted at no cost
 - c) initial, interim and final applications are placed in a network connections pipeline
 - d) Large load applications would need to meet external conditions to be eligible for final approval
 - e) a complementary approach can be taken for application to the same part of the network
 - f) projects with final approval must meet milestones to retain their position in the network connections pipeline.
- 5.183. The Authority has proposed an interim stage for large-load applications. We have not proposed this for medium-load applications. We seek views on the value of an interim stage for large-load applications. The interim stage is based on the proposed interim stage for large DG applications.
- 5.184. In contrast to the medium load application process, large load applicants can resubmit their initial, interim and final application at no cost. The Authority has

⁶⁷ The Authority would also consider any relevant requirements in the default distributor agreement.

proposed this approach for large DG applications also, although the conditions to resubmit an application are different. We seek views on the concept of resubmitting applications and whether we have the balance right between large load and DG applications.

- 5.185. Another difference is initial, interim and final applications for large load are placed in a network connections pipeline. Again, we have proposed this for large DG applications. Details on the proposed network connections pipeline can be found in Proposal C below.
- 5.186. As for large DG, the interim stage is intended to be where most of the work to process an application occurs. It is where studies are presented, negotiations occur, and connections arrangements are confirmed. An interim stage would keep an application in the system and allow it to receive distributor attention as technical work and negotiations are conducted. This would enable a simpler and quicker final application stage. For a discussion on the reasons for a proposed interim stage, see the DG Proposal A8 above.
- 5.187. As for large DG applications, we propose large load applications need a PID and Overseas Investment Office approval where that it required under overseas investment legislation, to be eligible for final approval. We seek views on this, including the relative merits of this approach for load and DG. Proposal A10 above includes a more detailed discussion of why this requirement has been proposed.
- 5.188. The Authority has included specific Code provisions to encourage large load applicants to work together when they are competing for priority and access to network capacity. This is proposed for large DG applications also, but not for medium load applications. For a discussion on the reasons for complementary applications, see the DG Proposal A11 above.
- 5.189. Finally, unlike medium load applications, we proposed large load applications must meet milestones to retain access to distributor resources and capacity rights. For a discussion on why the Authority has proposed large-capacity applications must meet milestones following final approval, see the DG Proposal A13 above.
- 5.190. The Authority estimates the benefits of the proposal outweigh the costs. The benefits of adding load application processes are discussed in Proposal B1 above. The sector would adopt a large-capacity application process that is tried and tested for a similar purpose (DG applications) and designed to be fit –for purpose. As distributors process load applications regardless of Code provisions, the cost implications of this proposal are expected to be low. To ensure large load applications readily progress, the application process includes the same improvements as proposed for large DG applications above.
- 5.191. As for medium load applications, the application process for large load applications is entirely new. Therefore, the Authority seeks comment on the proposed Process 5 in its entirety. This includes all content and the proposed timeframes that were determined following discussions with the NCTG. We are also interested in alternative application approaches, if any, that the Authority should consider for large-load applications.

5.192. Below is a brief discussion on the allocation of capacity rights for load applicants. It is similar to the discussion of DG capacity rights at the end of the Proposal A section. It is provided here for submitters whose main interest is load applications.

The load proposals will impact how load capacity rights are conferred

5.193. The load proposals in this paper would impact how capacity rights are conferred in New Zealand. We seek views on the summary below, including what the Authority has failed to consider and what changes should apply, if any. As there are fewer stages and requirements for medium load applications, capacity rights are conferred in a similar, but slightly different way.

Capacity rights for large load applications under the proposed Process 5

Capacity rights for large load applications are proposed to be based on the large DG proposal in Process 3. This would confer capacity rights in the following way:

- **Initial approval** (applicant applies for certain amount of capacity) – applicant **does not get capacity rights**
- **Interim approval** (network studies have been reviewed and connection conditions agreed) – **applicant gets conditional capacity rights** (their final application must not deviate significantly from the conditions agreed as part of interim approval)
- **Final approval** – **applicant gets conditional capacity rights**, even after complementary or competing applications (if any) are resolved
- **Applicant gets final capacity rights** if, after complementary or competing final applications (if any) are resolved, they continue to meet the milestones set in the distributor's queueing and managing policy
- **An applicant generator can request final capacity rights earlier and be given these** if it commits to fully fund the necessary infrastructure and the distributor agrees to confer the capacity rights
- **Network investment capacity rights** – Where the distributor upgrades the network to allow sufficient capacity for the applicant, the applicant will reserve rights to the capacity once a works agreement is signed with the distributor. The applicant will retain these capacity rights, unless they agree to forego the capacity and be compensated for the work agreement costs on a commercially agreeable basis.

Proposal B questions

G) For Process 3 for medium load (>69kVA and <300kVA) applications:

- Do you support the proposed process and why?

- What are your thoughts on the proposed requirements, size thresholds and timeframes?
- What changes would you make to the medium-load application process, if any?

H) For Process 5 for large load ($\geq 300\text{kVA}$) applications:

- Do you support the proposed process and why?
- What are your thoughts on the proposed requirements, size thresholds and timeframes?
- What changes would you make to the large load application process, if any?

I) Do you think the Authority should apply any of the proposed changes for large load to medium-load applications also? If so, which ones and why?

J) What are your thoughts on the Authority's summary of capacity rights allocation?

K) What else does the Authority need to consider beyond the proposals in this paper and why?

Proposal C: Require distributors to publish a network connections pipeline for large-capacity DG and load, and provide information on this pipeline to the Authority

The existing arrangements

- 5.194. There are currently no requirements for distributors to publish the pipeline of applications looking to connect to their network. The Code has confidentiality requirements that limit the information distributors can publish.
- 5.195. To promote more efficient investment decisions, Transpower regularly publishes a Generation Connection Pipeline and Non-generation Connection Pipeline for grid connections.⁶⁸ The pipelines provide high-level detail on projects waiting to connect to the grid, as determined by Transpower's Connection Management Framework (CMF).⁶⁹
- 5.196. Generation projects must satisfy a number of project requirements to enter the pipeline and show they are ready to progress.⁷⁰ They are then assigned a sequence number (on a first ready, first served basis) that determines the order Transpower will undertake investigations and allocate physical assets.⁷¹
- 5.197. When prioritising new load connections, upgrades and relocations in its pipeline, Transpower considers the urgency and consequence of each project as well as the aggregate enablement of wider strategic objectives.⁷² As such, applications are not necessarily processed in the order they are received.
- 5.198. Transpower's CMF:
- a) ensures a transparent and efficient investigation and delivery process for new connections
 - b) focuses resources on well-developed projects
 - c) promotes standardisation of end-to-end connection processes
 - d) provides investors with increased certainty.
- 5.199. To improve the visibility of generation investment, the Authority currently publishes an investment dashboard that is based on periodic industry surveys, using Part 2 of the Code, and industry announcements.⁷³ The Authority has also recently consulted

⁶⁸ <https://www.transpower.co.nz/connect-grid/connection-enquiry-information>

⁶⁹ <https://www.transpower.co.nz/connect-grid/our-connection-process>

⁷⁰ Applicants must provide high-level project details, confirm they have technical support, provide a conceptual design, complete a connection capacity assessment, secure property rights and environmental approvals (including Overseas Investment Office approval if required), have a stakeholder engagement plan, pay a non-refundable fee and agree to Transpower's publishing basic project information.

⁷¹ For example, spare Transpower transmission assets and land.

⁷² These objectives include for example, security of supply, disaster recovery, decarbonisation, promoting GDP growth and supporting new infrastructure (eg, rail, roads, data centres, large property developments). Transpower seeks a balance of load types and considers maximum wait times.

⁷³ For a summary of the Authority's work in this area, see www.ea.govt.nz/projects/all/improving-visibility-of-generation-investment/ <https://www.ea.govt.nz/projects/all/improving-visibility-of-generation-investment/>

on changes to the way it collects and publishes information about grid-connected generation and load projects in the pipeline.

Issues with existing arrangements

- 5.200. Currently investors have no visibility of the projects looking to connect to specific networks. This can lead to inefficient investment decisions resulting from incomplete information (eg, applying to connect to part of a network with a long connection queue and little available capacity). This inefficiency slows the uptake of connections, slows decarbonisation and adds cost for consumers.
- 5.201. There are some challenges to improving the visibility of generation investment. Some developers do not publicly announce their projects, so this information is missing from the Authority's dashboard. Undertaking surveys is also time-consuming and survey information is often out of date before it is published.
- 5.202. As the pipeline of applications is known only to distributors, there is low visibility of sector performance around connections, including how quickly applications are processed and how generation and load connections are prioritised relative to each other.
- 5.203. Transpower currently has low visibility of the generation and load projects seeking to connect to networks. This makes wider system planning less efficient, again adding cost for consumers.

Proposal

- 5.204. The Authority proposes distributors publish, on an ongoing basis, a network connections pipeline for DG and load.⁷⁴ The pipeline, or separate pipelines for DG and load, would list and prioritise the applications to connect and upgrade connections.
- 5.205. The proposed Code drafting for the network connections pipeline is contained in Appendix A (see clause 6.3).
- 5.206. Unlike Transpower's CMF, where projects cannot enter the generation connection pipeline until they have met a number of conditions (eg, consents), the Authority proposes load and DG applications enter the network connections pipeline at the initial application stage.
- 5.207. For consistency, the Authority proposes similar disclosure requirements to those published by Transpower. However, we propose a lower size- threshold than Transpower's (DG applications $\geq 300\text{kW}$ and load applications $\geq 300\text{kVA}$), reflecting network applications are generally smaller than transmission connections.⁷⁵ To ensure the pipelines do not become unwieldy and only include projects that have a

⁷⁴ It is important the network connections pipeline stays up to date to inform investment decisions.

⁷⁵ The NCTG considered a 1MW threshold for the pipeline, but as these applications are fewer in number, it was thought this threshold would generate less benefit.

significant impact on capacity, the Authority has excluded small and medium applications.⁷⁶

- 5.208. To address commercial sensitivity concerns, the published pipelines would not include information about the project owner or the specific location. However, we propose distributors provide this information, along with other pipeline information, direct to the Authority. This will inform the Authority's wider work on improving the visibility of generation investment for both the transmission and distribution networks.⁷⁷
- 5.209. These proposals align with proposals to increase the amount of information the Authority collects and publishes on grid connections to support greater confidence in the investment pipeline.
- 5.210. The proposed Code drafting for providing pipeline information direct to the Authority is contained in Appendix A (see clause 6.3A). We recognise some of the information may be sensitive, so have included information protections in line with those used in Part 2 of the Code.
- 5.211. The Authority estimates the benefits of the proposal outweigh the costs. The network connections pipeline would improve the efficiency of investment decisions, increase the speed of connections, provide visibility of sector performance on connections, and assist with electricity system planning. The pipeline would deliver greater benefit when combined with network capacity information (see Proposal F below).
- 5.212. The information provided to the Authority would contribute to a holistic view of future electricity supply and demand. It would provide the Authority with comprehensive, reliable and regular information about the pipeline of significant DG and load projects, supporting:
- a) competition through transparency and a level playing field for access to information that informs investment decisions
 - b) reliable supply by better enabling the assessment of whether new generation in the pipeline is sufficient to meet expected demand and to respond appropriately
 - c) efficient operation by providing better information to investors and participants to help ensure the right investment happens at the right time and in the right place.
- 5.213. The cost for distributors should be minor, given distributors already gather the required information as part of the application process. However, there would be some cost for distributors to publish and maintain the pipeline information on their website.

⁷⁶ Once connected, these applications will be recorded in the registry and, in aggregate form, will be captured in the Authority's EMI dashboards, see (www.emi.ea.govt.nz).

⁷⁷<https://www.ea.govt.nz/projects/all/improving-visibility-of-generation-investment/>

Proposal C questions

L) Do you support the proposed network connections pipeline, why, why not? What changes would you make, if any? What are your thoughts on the scope of the information to be published?

M) What are your thoughts on the proposal for distributors to provide information directly to the Authority on an ongoing basis?

Summary of proposals A, B and C

	Process 2 DG (10kw to <300kW)	Process 3 DG (≥300kW)	Process 4 load (>69kVA to ≤300kVA)	Process 5 load (>300kVA)
Initial application				
Mandatory initial application fee		✓		
Business days for distributor to process application	40 (otherwise approved)	40 (otherwise approved)	40 (otherwise approved)	40 (otherwise approved)
Application can be resubmitted with conditions		✓		✓
Application entered into network connections pipeline		✓		✓
Interim application				
Maximum time to make interim application*		12 months after initial approval		12 months after initial approval
Business days for distributor to process application (<1MW/MVA) (1MW/MVA to <5MW) (≥ 5MW/MVA)		45, 60, 80 (otherwise approved)		45, 60, 80 (otherwise approved)
Time extensions if distributor reasonably requires (up to 40 business days each)		2		2
Time extensions if grid studies required (up to 40 business days each)		2		2
Application can be resubmitted at no cost		✓		✓
Application entered into network connections pipeline		✓		✓
Final application				
Maximum time to make final application*	12 months after initial approval	90 business days after interim approval/disputes resolution	12 months after initial approval	90 business days after interim approval/disputes resolution
External conditions proposed for final approval		✓		✓
Business days for distributor to process an application (for Processes 3 & 5 = <1MW, 1MW to <5MW, ≥ 5MW)	45 (otherwise approved)	20, 30, 40 (otherwise approved)	30 (otherwise approved)	20, 30, 40 (otherwise approved)
Time extensions if distributor reasonably requires (up to 40 business days each)	2	1	2	1
Time extensions if grid studies required (up to 40 business days each)	2		2	
Applications can be resubmitted with conditions		✓		✓
Distributor to encourage complementary applications		✓		✓
Projects must meet milestones to retain position in network connections pipeline		✓		✓
Application entered into network connections pipeline		✓		✓
* Distributor has discretion to accept later applications				

Proposal D: Require distributors to provide more information on network capacity

The existing arrangements

- 5.214. Clause 6.3 requires distributors to provide public information on export congestion on their networks.
- 5.215. This information is typically provided in a distributor's Asset Management Plan (AMP). The information provided may not be detailed and can be difficult for some access seekers to find.
- 5.216. There is good visibility of available capacity on medium voltage networks.⁷⁸ The Commerce Commission's Information Disclosure (ID) regime requires distributors to report, in their AMPs, the current and forecast status of zone substations, including available capacity and capacity constraints.⁷⁹
- 5.217. The Commerce Commission has recently completed its targeted review of its ID regime for distributors.⁸⁰ The Commission is:
- a) requiring zone substation information in a geospatial form by 31 August 2025, to significantly improve stakeholders' visibility of constraints occurring and forecasts to occur, and support the creation of a national constraints map in the future
 - b) requiring distributors to describe, in relation to both load and injection constraints on low voltage networks:
 - a. any challenges, and progress, towards collecting or procuring data used to inform the distributor of current and forecast constraints, including historical consumption data
 - b. any analysis and modelling, including any assumptions and limitations, the distributor undertakes, or intends to undertake, with that constraint-related data
 - c. any policies or practices for sharing information on current and forecast constraints across the distributor's network, including any low voltage network constraint information, to inform the decision-making of potential consumers connecting to the network and potential providers of non-network solutions.

⁷⁸ Zone substations typically output between 33kV and 11kV.

⁷⁹ <https://comcom.govt.nz/regulated-industries/electricity-lines/information-disclosure-requirements-for-electricity-distributors>

⁸⁰ https://comcom.govt.nz/_data/assets/pdf_file/0034/344869/Targeted-Information-Disclosure-Review-2024-Electricity-Distribution-Businesses-Final-decision-Reasons-paper-29-February-2024.pdf.

Distributors must publicly report on 2) by 31 August 2024, with future reporting possible via AMPs. The Commission is also encouraging distributors to provide ongoing information, rather than periodically via AMPs.⁸¹

- 5.218. There are currently no requirements to publish capacity data beyond the requirements above. The current Part 6 requirements are basic, limited to reporting on export congestion only. The Commerce Commission's requirements for medium voltage networks are much more comprehensive.

Issues with existing arrangements

- 5.219. Historically, distributors have sized their networks for an after diversity maximum demand (ADMD). Electricity demand per type of premise – residential, small commercial – was one-way and relatively stable. By multiplying the amount of electricity used per premise type, and dividing by the number/type of premise, a distributor could determine ADMD for part of its network and correctly size its infrastructure.
- 5.220. ADMD gives distributors a degree of confidence their networks can handle day-to-day demand and have sufficient capacity for peak demand. As such, there has historically been little need to monitor electricity use and available capacity on low voltage networks. Customers can be relied upon to alert distributors to faults, although this typically occurs after the fault has occurred and so doesn't support pre-emptive maintenance.
- 5.221. However, there is increasing need for distributors to better understand electricity use, power quality and available capacity on low voltage networks as:
- a) this is where the majority of electricity connections occur
 - b) EV charging, particularly residential wall-mounted chargers, is affecting ADMD levels
 - c) residential solar is increasing, impacting power flows on networks (eg, voltage levels)
- 5.222. access seekers, such as charge point operators, seek available capacity to connect without having to pay for expensive network upgrades.⁸²
- 5.223. In response, some distributors have started to invest in systems to provide a detailed picture of activity on their low voltage networks.⁸³ These systems use smart meter data and specialised IT algorithms to determine electricity demand, power quality and available capacity, including the ability to identify some faults before they occur.⁸⁴
- 5.224. The Authority expects others in the sector to follow distributors' efforts to obtain data to understand activity on low voltage networks. Data is essential to operating

⁸¹ The next mandatory AMP is due by 31 March 2026.

⁸² Most public and commercial EV chargers connect to low voltage networks.

⁸³ For example, Orion, Vector, WEL Networks and Counties Energy.

⁸⁴ In addition, some distributors are undertaking ad hoc monitoring of distribution transformers to better understand parts of their network.

efficient networks and is needed to reduce pressure on consumer costs. In recognition, the Commerce Commission has made a draft decision for increased data capture in its Default Price Path (DPP4) work.⁸⁵ The Authority is also undertaking work to make it easier for distributors to access smart meter data.⁸⁶

Proposal

- 5.225. The Authority proposes to increase the capacity information distributors must provide. The proposed Code drafting is contained in Appendix A (see clause 6.3).
- 5.226. The NCTG supports the proposal, but members differ on the granularity of information that should be published. We seek views on this. The Authority seeks a balance between providing information of benefit to access seekers, both load and DG, and not imposing publishing requirements that are too onerous or costly.
- 5.227. The proposal recognises distributors are transitioning to a better understanding of their low voltage networks. The more granular information would be published only where it is known, and there is no requirement to provide data as geospatial information at this time. However, all distributors will need a thorough understanding of capacity and power quality on their networks if they are to be efficient. To that end, the Authority is working on improving distributors' access to smart meter data.
- 5.228. The Authority estimates the benefits of the proposal outweigh the costs. The capacity data, particularly when coupled with pipeline information, would support more efficient investment decisions. It would increase the uptake of renewable technologies in New Zealand, including an information barrier to the connection of public EV chargers noted in the Drive Electric report; 'Principles for access: Developing principles for network connection'.⁸⁷
- 5.229. The capacity data would complement the zone substation data required by the Commerce Commission. It is more granular and more current than zone substation data, and this makes it particularly valuable for supporting ongoing access to networks. It would also require information to be published that might otherwise sit solely with distributors.
- 5.230. In terms of costs, distributors would face some additional cost to publish the capacity data on a quarterly basis. The proposal does not add costs for distributors to gather capacity data, as it is not required to be published where it is not held.
- 5.231. Alternatively, the Authority could rely on distributors to provide detailed capacity data to the market without Code requirements. To date, this has not happened, although the sector is transitioning, and some distributors may have little detailed information to provide. Also, distributors are not incentivised to make this information publicly available.

⁸⁵ See page 96 of draft decision paper: https://comcom.govt.nz/_data/assets/pdf_file/0031/353983/Default-price-quality-paths-for-electricity-distribution-businesses-from-1-April-2025-Draft-reasons-paper-29-May-2024.pdf. No final decision has been made.

⁸⁶ Refer to paragraph 3.6.

⁸⁷ <https://driveelectric.org.nz/public-charging-principles-for-access>

5.232. The Authority's preferred option is the proposal in this paper. In addition to the benefits noted above, it moves the sector towards the greater use of data for efficiency, competition and reliability.

Proposal D questions

N) What do you think of the proposal to publish more information on network capacity? What challenges do you see with providing the data? What changes would you make, if any?

O) What are your thoughts on the scope and granularity of the information to be published?

Proposal E: Update the regulated terms for distributed generation

The existing arrangements

5.233. The regulated terms for DG are set out in Schedule 6.2 *Regulated terms for distributed generation* of Part 6. These terms apply if a distributor and a distributed generator do not enter into a connection contract.

Issues with existing arrangements

5.234. The last substantive review of Part 6 occurred in 2012. The regulated terms require updating to better support network power quality, strengthen metering and disconnection requirements, reflect changes to the way applications are managed, and allow wider publishing of information.

Proposal

5.235. The Authority proposes a number of amendments to the regulated terms. The proposed Code drafting is contained in Appendix A (see Schedule 6.2). The changes include:

- a) updating clause 3 to support the maintenance of power quality and reduce potential disruption to supply. The revisions clarify the responsibilities of the parties involved
- b) amending clause 4 so the metering requirements better align with other Parts of the Code
- c) strengthening the disconnection requirements for DG in clause 15
- d) given the proposal to manage DG applications through the queueing and management process, revoking the requirement for DG to be constructed within 18 months (clause 15A)
- e) making minor revisions to clause 16 so information can be more widely published.

5.236. The proposed changes to the regulated terms would not apply retrospectively. This means they would apply only to connections made after the Code change comes into effect.

- 5.237. The Authority estimates the benefits of the proposal outweigh the costs. The proposal would provide greater protections for parties through regulated terms and better respond to the wider Code and some of the changes proposed in this paper. The cost implications are expected to be minimal.
- 5.238. The Authority is aware the installation of small-scale DG installations does not typically involve a connection contract. This means the regulated terms often apply, even though some of the terms may not seem appropriate for residential solar. Stage two of the 'Network connections project' will consider this issue, alongside other requirements for small-scale solar.

Proposal E questions

P) What are your thoughts on the proposed changes to the regulated terms?

Proposal F: Add regulated terms and prescribed terms for load applications to the Code and amend dispute resolution requirements

The existing arrangements

- 5.239. Schedule 2 *Regulated terms for distributed generation* provides operational terms for a distributor and a distributed generator if they do not enter into a connection contract. There is no similar schedule for load applications.

Issues with existing arrangements

- 5.240. Load customers have limited protections (eg, from disruptions, disconnections) and obligations (eg, providing distributor access) through the Code. Distributors typically have little direct engagement with load customers beyond the connection, construction and commissioning process.

Proposal

- 5.241. The Authority proposes regulated terms and prescribed terms for load connections when the applicant and distributor do not enter into a connection contract. These terms are a variation of the regulated terms for DG. The proposed Code drafting is contained in Appendix A (see Schedule 6.2A and Schedule 6.2B):
- a) Schedule 6.2A sets out the proposed regulated terms when the load applicant is a participant under the Act. This Schedule more closely reflects the regulated terms for DG.
 - b) Schedule 6.2B sets out the prescribed terms when the load applicant is not a participant. It reflects that the Authority cannot impose requirements on parties who are not participants under the Act.
- 5.242. The regulated and prescribed terms would only apply when applications are made to connect load through Processes 4 and 5 of Schedule 6.1.
- 5.243. We propose an amendment to clause 6.8 to extend the dispute resolution process in Schedule 6.3 of Part 6 of the Code to load applicants where they are participants.

This approach is also proposed in the Distribution connection pricing consultation in relation to pricing methodologies (with some modifications). The existing dispute resolution processes in Schedule 6.3 place incentives on the distributor to seek to resolve issues early.

- 5.244. Under the statutory framework, this dispute resolution approach can only apply to disputes between distributors and other participants.⁸⁸ However, applicants who are not participants can report a breach of the Code under the Enforcement Regulations.⁸⁹ To enhance this process, we propose a new clause 6.8A which will require distributors to resolve complaints in good faith. Non-participants can also make a complaint to Utilities Disputes Limited which operates as a designated dispute resolution scheme under the Act.
- 5.245. Although the Authority has proposed regulated and prescribed terms for load applications, alternative options should be considered. These include:
- 5.246. using contractual terms, similar to the default distributor agreement (DDA) approach, to set the regulated terms between distributors and DG and load applicants (discussed further below)⁹⁰
- a) not providing regulated or prescribed terms for load applicants. This approach would use only contracts between the distributor and applicant to determine operating terms
 - b) adding load applicants as participants, so the Code could set more consistent operational terms for DG and load applicants. This would require the Minister for Energy to recommend regulations under section 109 of the Act, if justified following an evaluation of the benefits and drawbacks of this approach.

Contractual terms alternative

- 5.247. As noted above we are considering an alternative approach where the regulated terms, dispute resolution terms and requirement to apply pricing methodologies, would be reframed as default contractual terms rather than Code requirements. The same approach would be applied to the DG requirements and pricing principles in Part 6 of the Code.

⁸⁸ See Electricity Industry Act 2010, section 50, which sets out requirements for complaints, appeals and disputes. This provision allows the Ruling Panel to resolve disputes of a kind identified in the Code or Regulations but only for disputes between industry participants. Accordingly, the Authority is unable to include dispute resolution provisions in the Code that involves persons who are not participants.

⁸⁹ Electricity Industry (Enforcement) Regulations 2010 (<https://www.legislation.govt.nz/regulation/public/2010/0362/latest/DLM3285301.html>). See also the discussion in the Distribution connection pricing consultation paper which discusses differences and similarities between the dispute processes that are proposed for participants and non-participants.

⁹⁰ The DDA sets out the default terms for distributors and retailers to work together to provide electricity to consumers effectively, efficiently and reliably. The DDA simplifies negotiations and clarifies requirements, enabling more competition between retailers, and reducing compliance costs, both of which can result in lower prices for consumers.

- 5.248. This proposed approach c would not change the substantive requirements or underlying rationale of the proposed terms, although the dispute resolution provisions would involve private rather than regulatory mechanisms.
- 5.249. Benefits of adopting a contractual terms approach include:
- (a) draft contractual terms best reflect the contractual nature of the relationship between the parties and would be more accessible to parties
 - (b) it avoids the need for separate terms to apply to non-participants and participants (the prescribed terms for non-participants and the regulated terms for participants)
 - (c) the approach has precedent: the default transmission agreement (DTA)⁹¹ and the default distribution agreement (DDA).⁹²
- 5.250. The approach would also allow for private dispute resolution arrangements to apply to the regulated terms without the need for regulatory enforcement processes (which are not primarily designed for dispute resolution purposes and could be more protracted or less flexible). This dispute resolution approach has been used in the DTA and DDA and is understood by the industry.
- 5.251. We refer to the more detailed discussion of the contractual terms alternative in the Distribution connection pricing consultation paper and seek views on this approach for the purpose of Proposal F. If we develop this option, the technical drafting will be released before any final decision is made.
- 5.252. The Authority seeks views on:
- a) the wording of the proposed regulated and prescribed terms, noting this content could also be used in the alternative approaches above
 - b) the alternative approaches above, including the contractual terms option, and whether there are other approaches the Authority should consider
 - c) whether there are other terms that should be included in the regulated and prescribed terms
 - d) the proposed approach to dispute resolution.

Proposal F questions

Q) What are your thoughts on the proposed regulated and prescribed terms for load? What changes would you make, if any?

R) What are your views on the proposed dispute resolution changes for Part 6? In what ways could dispute resolution be further improved? What are your thoughts on the alternative options to deliver dispute resolution discussed in this paper? Do you have any feedback on the 20-business day timeframe proposed?

S) Do you consider the alternative contractual terms option discussed in this paper (and in the Distribution connection pricing consultation paper) would be better than the proposal

⁹¹ Electricity Participation Code 2010, Schedule 12.6.

⁹² Electricity Participation Code 2010, Schedule 12A.1, Appendix A.

without contractual terms? What are your thoughts on the other alternative options referred to?

Proposal G: Increase record-keeping requirements for distributors

The existing arrangements

5.253. Part 6 requires distributors to keep a record of DG applications (clause 28 of Schedule 6.1).

Issues with existing arrangements

5.254. Distributors are receiving more requests to connect. New and emerging connection types, such as utility solar and public EV chargers, are becoming more commonplace. Distributors are facing pressure to accommodate these connections and manage their networks efficiently by making best use of available capacity and not over investing in infrastructure.

5.255. In this environment, it is important to monitor sector performance to help to identify potential issues, and where the sector and the Authority should focus its efforts. This monitoring would supplement the information the Authority receives from stakeholders via other means, including consultations and meetings.

5.256. The current Code requirements do not reflect the changes to record-keeping proposed to the Code in this paper.

Proposal

5.257. We propose to strengthen the record-keeping requirements for distributors. The proposed Code drafting is contained in Appendix A (see clause 6 of Schedule 6.1).

5.258. The Authority estimates the benefits of the proposal outweigh the costs. The proposal would help the Authority better understand how connections are being managed by the sector and to inform further improvements to Part 6. The marginal cost for distributors to capture the additional data should be low.

Proposal G questions

T) Do you support the proposal to increase the record-keeping requirements for distributors and why? What changes would you make, if any?

Proposal H: Introduce new Part 1 definitions and amend existing definitions

The existing arrangements

5.259. Definitions are set out in Part 1 of the Code *Preliminary provisions*.⁹³

Issues with existing arrangements

5.260. The proposals in this paper require new definitions and revisions to existing definitions.

Proposal

5.261. The Authority proposes revised and new definitions for Part 1 of the Code. The proposed Code drafting of these definitions is contained in the Part 1 section in Appendix A.

5.262. The Authority has considered other Authority work when developing these definitions (eg, review of Part 8 of the Code Common quality).

Proposal H questions

U) What are your thoughts on the proposed new definitions and amended definitions for Part 1 of the Code? What changes would you make, if any?

V) What other terms do you think the Authority should define and what definitions do you propose for those terms?

Proposal I: Make minor and incidental amendments to Part 6

The existing arrangements

5.263. Part 6 of the Code reflects current network application processes.

Issues with existing arrangements

5.264. In addition to the more significant changes to implement the proposals, we are proposing a number of minor changes to Part 6 to:

- a) make changes consequential on the changes proposed above
- b) make changes consequential on other Code changes that have been implemented since Part 6 was last amended
- c) improve the structure and wording of some clauses to make them easier to understand and follow without changing their meaning
- d) update clauses to more modern legislative drafting practice.

⁹³ <https://www.ea.govt.nz/documents/4813/Code - Part 1 - Preliminary Provisions - 1 May 2024 - EIPCA Controllable Load 2024.pdf>

Proposal

5.265. The Authority proposes the minor and incidental amendments to Part 6 set out in Appendix B, alongside the other changes to Part 6. We seek views on these changes.

Proposal I question

W) What are your thoughts on the proposed minor and incidental changes to Part 6? What minor and incidental changes has the Authority missed and what changes would you make, if any?

6. Transitional arrangements

When should the proposals come into effect

- 6.1. The Authority has proposed a large number of amendments to Part 6. Many of the proposals, when implemented, would work in concert to deliver benefits that are greater than the sum of their parts.
- 6.2. The Authority would prefer to implement the proposals all at once to minimise disruption to Code users. However, Stage two of the 'Network connections project' will generate further change, so iterative Code amendments are inevitable.
- 6.3. Although the Authority wants to realise benefits as soon as possible, we recognise the importance of providing the sector with sufficient time to respond to the Code changes and develop work products through the Streamlining Connections Programme.
- 6.4. The Authority proposes a 12-month transition period before any changes, as proposed in this paper, come into effect. This means changes are currently expected to become operational in 2026. We seek views on this, including whether certain proposals should have a shorter or longer transition period.
- 6.5. In terms of existing Code provisions, we propose these continue to apply until the proposals come into effect 12-months after making the amendment.
- 6.6. The NCTG will assist with assessing submissions to this paper and advise the Authority on how best to respond. The Authority will consider all relevant submissions and relevant NCTG feedback when drafting the decision paper for the Stage one proposals in 2025.

Transitional arrangement questions

X) What are your thoughts on the transitional arrangements for the proposals in this paper? Submitters can consider individual proposals when responding to this question.

Y) What proposals do you consider the most important? How long do you think is needed to implement these?

7. Evaluation of preferred options against the status quo

Evaluation of preferred options against status quo

- 7.1. The Authority proposes to:
- A. amend the application processes for larger-capacity DG applications
 - B. add application processes for larger-capacity load
 - C. require distributors to publish a network connections pipeline for large-capacity DG and load, and provide information on this pipeline to the Authority
 - D. require distributors to provide more information on network capacity
 - E. update the regulated terms for distributed generation
 - F. add regulated and prescribed terms for load applications and amend dispute resolution requirements
 - G. increase record-keeping requirements for distributors
 - H. introduce new Part 1 definitions and amend existing definitions
 - I. make minor and incidental amendments.
- 7.2. The proposals above complement each other, and when combined, provide greater benefits than the sum of each proposal. For example, Proposals D and E work in concert to provide investors with better information on where to invest. Proposal B ensures load applicants receive this benefit alongside DG investors.
- 7.3. The proposals in this paper are mostly focused on promoting the efficient operation of connection processes, and the competition benefits this will bring, in line with the Authority's main statutory objective (see below for examples). Stage two of the 'Network connections project' will place more emphasis on promoting reliability through, for example, more robust connection and operation standards.

Sector	Efficiency and competition examples
Distributors	<ul style="list-style-type: none"> > more efficient use of distributor resources (eg, applications are processed faster, more cheaply, requiring less administrative resources) > more efficient use of existing network capacity > deferred investment in new capacity
Applicants	<ul style="list-style-type: none"> > faster, cheaper and easier processing of applications > better investment decisions
All consumers	<ul style="list-style-type: none"> > faster decarbonisation > increased industry productivity (eg, solar) > job growth > increased investment in New Zealand

A. Amend the application processes for larger-capacity DG applications

Proposal	
All DG applications	
A1	Change the DG size thresholds from <i>nameplate capacity</i> to <i>maximum export power</i>
DG applications with maximum export power >10kW	
A2	Implement separate application processes for medium- and large-capacity DG applications (based on the current Part 2 process in Schedule 6.1)
Medium-capacity DG applications (>10kw and <300kW)	
A3	Require distributors to approve or decline initial and final applications within finite timeframes
A4	Provide more detail on how medium DG applications should be prioritised
Large-capacity DG applications (≥ 300kW)	
A5	Require applicants to pay an initial application fee that is non-refundable and non-transferable, unless the distributor agrees otherwise
A6	Require distributors to approve or decline an initial application within a finite timeframe
A7	Allow applicants to resubmit initial, interim and final applications at no cost
A8	Add an interim stage to the application process for large-capacity DG where most of the technical analysis is completed
A9	Amend the conditions under which a distributed generator must make a final application
A10	Require applications to meet external conditions to be eligible for final approval
A11	Change the prioritisation clause to encourage more collaboration of final applications that might otherwise compete
A12	Require distributors to approve or decline a final application within finite timeframes
A13	Require approved final applications to meet project milestones to retain position in distributor's network connections pipeline

- 7.4. In combination, Proposal A would deliver greater benefit than the status quo. These benefits are discussed in greater detail in Chapter 5 of this paper. In summary, the benefits include:
- a) application processes would better respond to the size and complexity of the actual application
 - b) speculative applications would be de-prioritised over applications that are more 'connection ready'
 - c) faster and fairer processing of applications to connect and connection upgrades
 - d) fairer allocation of capacity rights.
- 7.5. In combination, these benefits would improve the efficiency of distribution networks and deliver greater consumer benefits.

B. Add application processes for larger-capacity load to the Code (> 69kVA)

- 7.6. The Authority proposes to:
- a) add larger-capacity load application processes to Part 6
 - b) base the load application processes on the proposed DG processes, with amendments for load as necessary
 - c) add two load application processes, one for medium- (>69kVA and <300kVA) and another for large-load connections ($\geq 300\text{kVA}$).
- 7.7. There are currently no prescribed Code applications for load. The proposal would deliver a range of benefits beyond the status quo, and these are discussed in detail in section 5. In summary, the benefits include standardised application processes and clear obligations on applicants and distributors, including finite timelines to process applications.

C. Require distributors to publish a network connections pipeline for large-capacity DG and load, and provide information on this pipeline to the Authority

- 7.8. This proposal would require basic details of network applications to be put into the public domain. This would support more efficient investment decisions and more efficient use of distributor resources. It would deliver greater benefits than the status quo, which does not allow this information to be published.
- 7.9. This proposal complements Proposal D below.

D. Require distributors to provide more information on network capacity

- 7.10. Network capacity is a finite resource, which naturally creates a competitive environment. However, there is currently very little information on where capacity exists. Some distributors are starting to get better information on network capacity from using smart meter data. Others face challenges to access smart meter data, and the Authority is considering ways to remedy this.
- 7.11. To increase efficiency, distributors need to better understand activity on their low voltage networks. The sector is transitioning, and this is recognised in the proposed amendment. The proposed change would require capacity information to be

published only where it exists. It would get information into the public domain that might otherwise sit solely with distributors. The proposal also recognises some distributors still face challenges accessing smart meter data. It complements Commerce Commission data requirements at the zone substation level.

- 7.12. Providing information on network capacity would create more efficient use of network capacity, thereby deferring and reducing investment in new infrastructure. It would also deliver more efficient investment decisions. This proposed change would generate benefits beyond the status quo, which requires only export congestion information to be published.
- 7.13. This proposal complements Proposal C above.

E. Update the regulated terms for distributed generation

- 7.14. The updated regulated terms provide clearer protections for distributors and distributed generators. The benefits are discussed in more detail in section 5.

F. Add regulated and prescribed terms for load applications to the Code and amend dispute resolution requirements

- 7.15. Regulated and prescribed terms would provide obligations and protections for distributors and load applicants when a connection contract is not signed. The benefits are discussed in more detail in Chapter 5, alongside improved dispute resolution processes and alternative ways to apply operational terms and manage disputes.

G. Increase record-keeping requirements for distributors

- 7.16. This distribution sector is facing increasing demand for connections and connection upgrades. The proposed amendment would require distributors to keep more detailed information on the applications they process and applicant behaviour, such as the number of extensions sought. This would enable the Authority to better monitor the performance of the sector, gather empirical evidence and help it identify issues and potential Code solutions more quickly.

H. Introduce new Part 1 definitions and amend existing definitions

- 7.17. The new and amended definitions are required to respond to the proposed changes in this paper.

I. Make minor and incidental amendments to the Code

- 7.18. The proposed amendments are necessary to respond to changes in the sector, clarify requirements and respond to the proposed amendments in this paper.

8. Regulatory statement for the proposed amendments

Objectives of the proposed amendments

- 8.1. The proposed amendments uphold the Authority's statutory objective to promote competition in, reliable supply by, and the efficient operation of, the electricity industry for the long-term benefit of consumers.
- 8.2. This main objective for Stage one of the 'Network connections project' is 'to make connecting to networks, and amending existing connections, more efficient (eg, easier, faster, more equitable and more consistent across distribution networks)'.

Q2. Do you agree with the objectives of the proposed amendment? If not, why not?

The proposed amendments

- 8.3. The proposed amendments are discussed in this paper, with a complete draft Part 6 included in Appendix A.

The proposed amendments' benefits are expected to outweigh the costs

- 8.4. The Authority estimates the benefits of the proposed amendments outweigh the costs. The benefits and costs of individual proposals, including options and alternative approaches, are discussed in more detail in Chapter 5 of this paper.
- 8.5. The benefits of the proposals are wide-ranging and, in many instances, would accrue to both applicants and distributors. Some of the benefits include, for example:
 - a) faster throughput of network applications, delivering more renewable electricity and greater support for electric vehicles
 - b) faster decarbonisation
 - c) more efficient use of distributor's internal resources
 - d) more efficient use of network capacity
 - e) better information on sector performance.
- 8.6. These benefits flow through to consumers in reduced electricity bills. A range of broader public benefits can also be expected, such as increased investment in New Zealand, improved sector productivity and job growth.
- 8.7. The costs of the proposals would mainly fall on distributors. These include costs to update processes, documentation, databases and websites and change their operating practices to meet new Code requirements. Although distributors would bear the majority of the costs, they would receive resource and capacity benefits from the proposals.

Q3. Do you agree the benefits of the proposed amendment outweigh its costs? If not, why not?

The Authority has identified another way to address the objectives

- 8.8. An alternative to the proposals in this paper, at a high level, is industry develops its own processes to improve the efficiency of connections. This option is not preferred as:
- a) this approach has not addressed the challenges to date
 - b) the proposals in this paper complement industry action, so would deliver more benefit than industry action alone
 - c) without Code requirements, industry may develop solutions that benefit other parties over consumers
 - d) without Code requirements, industry may not act or act slowly
 - e) a key outcome is greater consistency of distributor practice, and this is less likely without new and updated Code requirements.
- 8.9. Given the above, the Authority's overall preferred option is to progress the proposals in this paper making some changes to the regulatory processes for DG and adding regulatory processes for load.
- 8.10. The Authority has identified a range of options at a more detailed level, and alternative proposals throughout this paper. Some examples include:
- a) setting a single, maximum timeframe to process an application from initial application to distributor decision on final application (eg, Proposals A3, A6 and A12)
 - b) using a 'complex application' designation rather than size threshold to determine the process an application must use (eg, Proposals A2 and A8)
 - c) putting some detail in the Code, with industry developing the guidelines and/or precedent policy detail (eg, Proposals A4, A12 and B4)
 - d) the Authority defers work on fees until Stage two on the 'Network connections project' (Proposal A5)
 - e) distributors develop a consistent application process for load (Proposal B3)
 - f) distributors voluntarily provide capacity data to the sector (Proposal D).
- 8.11. These options and alternative approaches are discussed in more detail in Chapter 5 of this paper, including estimated benefits and costs where possible. In each case, the Authority considers the preferred proposals best achieve the Authority's objectives compared to each alternative and have a higher net benefit than each alternative. In addition, as noted above, the proposals above complement each other, and when combined provide greater benefit than the sum of each proposal. We would expect this cumulative effect to be diminished if individual proposals are changed. The Authority's preferred approach, supported by advice from the NCTG, is to progress the proposals in this paper.

Q4. Do you agree the proposed amendments are preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objectives in sections 15 and 16 of the Electricity Industry Act 2010.

The proposed amendment complies with section 32(1) of the Act

- 8.12. 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.
- 8.13. Section 32(1) of the Act says 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).
- 8.14. The Authority considers the proposed amendments, both overall and at an individual level, are necessary or desirable to promote:
- a) competition in the electricity industry – for example, by reducing the ability of speculative DG applications to hinder firm applications
 - b) the reliable supply of electricity to consumers – for example, by strengthening the regulated terms for DG so distributors can better address the operation of DG affecting power quality
 - c) the efficient operation of the electricity industry – for example, by requiring distributors to provide more information on capacity and publish a network connections pipeline, driving more efficient investment decisions
 - d) the performance by the Authority of its functions – for example, by increasing the record-keeping requirements for distributors so the Authority can better monitor sector performance on network connections and upgrades.

Q5. Do you agree the Authority's proposed amendments comply with section 32(1) of the Act?

The Authority has given regard to the Code amendment principles

- 8.15. This consultation paper has been prepared in accordance with the Authority's Consultation Charter, to the extent they are applicable.⁹⁴

Minor and incidental amendments to the Code

- 8.16. The Authority considers the minor and incidental amendment discussed above are technical and non-controversial amendments. Accordingly, a regulatory statement is not required, although many of the comments above in this section are applicable and the Authority is consulting on these minor and technical amendments.

⁹⁴ https://www.ea.govt.nz/documents/482/Consultation_Charter_2024.pdf

Appendix A: Proposed amendment

Proposed changes to Part 1 of the Code Preliminary provisions are included first in Appendix A.

As there are proposed edits throughout Part 6, Appendix A includes the proposed Part 6 of the Code *Connection to distribution networks* in its entirety.

The Code wording in Appendix A is set out as:

- a) unchanged text remains black
- b) added text or formatting is red underlined
- c) deleted text is red strikethrough

Where there are more than three amendments to an existing clause, the entire clause is red underlined. As there a large number of changes to Schedule 6.1, the entire Schedule is proposed to be replaced, although there may not be many changes within particular clauses. Consultees may wish to compare the new Schedule 6.1 and Appendices 6.1 and 6.2 in particular to the current Schedule 6.1 to understand the more detailed changes.

A copy of the current Part 6 of the Code *Connection of distributed generation* can be found here: [Part 6 \(ea.govt.nz\)](http://ea.govt.nz)

Code drafting question

Z) Do you have comment on the Authority's drafting of the proposed Code changes? What changes would you make, if any?

Electricity Industry Participation Code 2010

Part 1

Preliminary provisions

applicant, for the purposes of Part 6, means any person who:

(a) applies to a **distributor** to have **load** or **distributed generation owned or operated by that person connected to a **distribution network** or to a **consumer installation that is connected to a **distribution network**, including by a **network extension****; or**

(b) applies to a **distributor** to continue an existing connection of **load** or **distributed generation** in the circumstances specified in clause 6.1(b)(ii) and (iii);
or

(c) is a **distributed generator** and applies to a **distributor** to change the **maximum export power** or fuel type of connected **distributed generation**; or

(d) is a **consumer** and applies to a **distributor** to change the connected capacity of the person's **load** connection.

connection and operation standards, in relation to a **distributor** or **distributed generation or load**,—

- (a) means requirements, as amended from time to time by the **distributor**, that—
 - (i) are set out in written policies and standards of the **distributor**; and
 - (ii) relate to connecting **distributed generation or load** to a **distribution network** or to a consumer installation that is connected to a **distribution network**, and the operation of the **distribution network**, including requirements relating to the planning, design, construction, testing, inspection, and operation of **distributed generation or load** that is, or is proposed to be, connected; and
 - (iii) are made publicly available in accordance with clause 6.3; and
 - (iv) reflect, or are consistent with, reasonable and prudent operating practice; and
- (b) includes the following, as amended from time to time by the distributor:
 - (i) the **distributor's** congestion management policy, as referred to in clause 6.3(2)(d); and
 - (ii) the **distributor's** emergency response policies; and
 - (iii) the **distributor's** safety standards; and
- (c) until 1 September 2026, may include the **distributor's** policies for specifying available **maximum export power** amongst categories of network users, a **maximum export power** threshold for applications under Process 1A of Schedule 6.1, and the methodology used to determine that threshold

distributed generator, for the purposes of Part 6, means a person who owns or operates, ~~or intends to own or operate,~~ **distributed generation**

final application, for the purposes of Part 6, means an application made under clause 7 of Appendices 2 and 4 of Schedule 6.1 and clause 12 of Appendices 3 and 5 of Schedule 6.1

flexible connection means an arrangement whereby an **applicant's** export or import of **electricity** is managed (often through real-time control) based upon contracted and agreed principles of available capacity

generating plant means equipment collectively used for generating **electricity**. For the purposes of Part 6, this includes **energy storage systems, bi-directional chargers, inverters and equipment that converts solar energy to electricity, and which inject electricity into a distribution network**

grouped applications means, for the purposes of Part 6, a **first final application**, a **second final application**, and one or more **further final applications** that the **distributor** receives within 20 **business days** of the **first final application** and that the **distributor** is required to consider simultaneously under Appendices 2, 3, 4 and 5 of Schedule 6.1

initial application, for the purposes of Part 6, means an application made under clause 2 of appendices 2, 3, 4 and 5 of Schedule 6.1

interim application, for the purposes of Part 6, means an application made under clause 7 of appendices 3 and 5 of Schedule 6.1

load means, for the purposes of Part 6, any connection to a **distribution network** or to a **consumer installation** that consumes more than 69 kVA of **electricity**, other than **distributed generation**

maximum export power means the maximum **active power** exported into **a network** ~~the local network or embedded network~~ at an ICP of a **distributed generator**, and is equal to—

- (a) the **nameplate capacity** of the **distributed generation** minus the minimum **load** at the **point of connection**; or
- (b) the **active power** export limit imposed by an **active power** export control device

network connections pipeline, for the purposes of Part 6, means the applications to a **distributor** under Part 6 to connect **distributed generation** or **load** to the **distribution network** of the **distributor**, by **network**, ranked in the order of their priority position for consideration of those applications by the **distributor**.

prescribed terms means the terms set out in Schedule 6.2B

process 1, for the purposes of Part 6, means the process that applies to applications to connect **distributed generation** that has a **maximum export power** of 10 kW or less to a **distribution network** under appendix 1 of Schedule 6.1

process 1A, for the purposes of Part 6, means the one-stage process that applies to applications to connect **distributed generation** that has a **maximum export power** of 10 kW or less to a **distribution network** under Appendix 1A of Schedule 6.1

process 2, for the purposes of Part 6, means the process that applies to applications to connect **distributed generation** that has a **maximum export power** above 10 kW and below 300 kW to a **distribution network** under Appendix 2 of Schedule 6.1

process 3, for the purposes of Part 6, means the process that applies to applications to connect **distributed generation** with a **maximum export power** of 300 kW or more to a **distribution network** under Appendix 3 of Schedule 6.1

process 4, for the purposes of Part 6, means the process that applies applications to connect **load** above 69 kVA and below 300 kVA to a **distribution network** under Appendix 4 of Schedule 6.1

process 5, for the purposes of Part 6, means the process that applies applications to connect **load** of 300 kVA or more to a **distribution network** under Appendix 5 of Schedule 6.1

queueing and management policy means each **distributor's** policy for queueing and managing an application to connect **distributed generation** or **load** to a **distribution network**, and to change the capacity of a **distributed generation** or **load** connection, required under Part 6, where—

(a) queueing includes the distributor's processes to set the priority position of, and manage, applications in the **network connections pipeline**
(b) managing includes the **distributor's** process for managing applications with final approval to construction and completion, including setting project milestones, applying tolerance, and what occurs when project milestones are missed

regulated terms means the terms set out in Schedule 6.2 and Schedule 6.2A

second final application means, for the purposes of Part 6, a **final application** that a **distributor** receives within 20 **business days** after the date on which the **distributor** receives a **first application**, and **second final applications** has a corresponding meaning.

Electricity Industry Participation Code 2010

Part 6

~~Connection of distributed generation~~ Connection to distribution networks

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General

Meters

Access

Interruptions and disconnections

Confidentiality

Liability

Schedule 6.2B

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General

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Schedule 6.5

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6.1 Contents of this Part

This Part specifies—

-
- (a) a framework to enable the connection and continued connection of **distributed generation and load to a distribution network** if consistent with **a distributor's connection and operation standards**; and
- (b) in Schedule 6.1, processes (including time frames) under which **applicant distributed generators** may—
- (i) connect **distributed generation or load to a distribution network**; or
 - (ii) continue an existing connection of **distributed generation or load to a distribution network** if the connection contract for the **distributed generation connection**—
 - (A) is in force and the **distributed generator applicant** wishes to extend the term of the connection contract; or
 - (B) has expired; or
 - (iii) continue an existing connection of **distributed generation or load to a distribution network** that is connected without a connection contract if the **regulated terms or prescribed terms** do not apply; or
 - (iv) change the **nameplate capacity maximum export power** or fuel type of connected **distributed generation**; or
 - (v) **change the capacity of a load connection**; and
- (c) in Schedule 6.2, the **regulated terms** that apply to ~~the connection of distributed generation~~ in the absence of ~~contractually agreed terms a connection contract~~; and
- (ca) in Schedule 6.2A, the regulated terms that apply to load in the absence of a connection contract when the applicant is a participant; and**
- (cb) in Schedule 6.2B, the prescribed terms that apply to load in the absence of a connection contract when the applicant is not a participant; and**
- (d) in Schedule 6.3, a default dispute resolution process for disputes related to this Part; and
- (e) in Schedule 6.4, the **distributed generation** pricing principles to be applied for the purposes of this Part; and
- (f) in Schedule 6.5, prescribed maximum fees.

6.2 Purpose

The purpose of this Part is to enable **distributed generation and load** to be connected to a **distribution network** or to a **consumer installation** that is connected to a **distribution network**, if being connected is consistent with **connection and operation standards**.

6.2A Application of Part to distributors in respect of embedded networks

Nothing in this Part applies to—

- (a) a **distributor** in respect of the **distributor's** ownership or operation of an **embedded network** that conveys less than 5 GWh of **electricity** per annum; or
- (b) a **distributed generator** when the **distributed generator** wishes to connect or has **distributed generation** connected to such an **embedded network** that conveys less than 5 GWh of electricity per annum; or

- (c) an applicant when the applicant wishes to connect or has load connected to such an embedded network that conveys less than 5 GWh of electricity per annum.

6.2AB Application of Part to applicants who are not participants

- (1) For the avoidance of doubt, an applicant who is not a participant is not required to comply with this Part and cannot be subject to the enforcement measures set out in the Act or the Electricity Industry (Enforcement) Regulations 2010 for failing to comply with this Part.
- (2) Despite subclause (1), a distributor may refuse an application under this Part if an applicant who is not a participant fails to carry out the requirements expressed in this Part as applying to an applicant.

6.2B Application of Part to distributors in respect of systems of lines not directly or indirectly connected to grid

Nothing in this Part applies to—

- (a) a distributor in respect of the distributor's ownership or operation of a system of lines that is used for providing line function services only to the distributor; or
- (b) a distributor in respect of the distributor's ownership or operation of a system of lines—
- (i) that conveys less than 5 GWh of electricity per annum; and
 - (ii) that is not—
 - (A) directly connected to the grid; or
 - (B) indirectly connected to the grid through ~~one~~ or more other networks; or
- (c) a distributed generator when the distributed generator wishes to connect or has distributed generation connected to a system of lines described in paragraph (b).

6.2C Connection and operation standards

Each distributor must have connection and operation standards, including a queueing and management policy and congestion management policy, that align with good electricity industry practice.

6.3 Distributors must ~~make information publicly available~~ publish information

- (1) The purpose of this clause is to require each distributor to ~~make certain information publicly available~~ publish certain information to enable the efficient approval of distributed generation and load under Schedule 6.1.
- (2) Each distributor must ~~make publicly available, free of charge, from its office and Internet site,~~ publish—
- (a) application forms for applications under Schedule 6.1; and
 - (b) the distributor's connection and operation standards; and

- (c) a copy of the **regulated terms and prescribed terms**, together with an explanation of how the **regulated terms and prescribed terms** will apply if—
 - (i) approval is granted under Schedule 6.1; and
 - (ii) the **distributor** and the **distributed generator applicant** do not enter into a connection contract; and
 - (d) a statement of the circumstances in which **distributed generation or load** will be, or may be, curtailed or interrupted from time to time in order to ensure that the **distributor's other connection and operation standards** are met; and
 - (da) a list, updated on the first business day of January, April, July and October, of all locations on its **distribution network** that the **distributor** knows to be subject to **export congestion**; and
 - (db) a list, updated on the first business day of January, April, July and October, of all locations on its **distribution network** that the **distributor** expects to become subject to **export congestion** within the next 12 months; and
 - (dc) until 1 September 2026, the **maximum export power** threshold and the methodology used to determine that threshold, for locations at which the **distributor** has set a **maximum export power** threshold for applications under Part 1A of Schedule 6.1; and
 - (dd) distributor contact information for discussions on available and upcoming network capacity; and
 - (de) a list, updated on the first business day of January, April, July and October and, where known, of the location and available capacity, including time of use capacity, of zone substation feeders; and
 - (df) a list, updated on the first business day of January, April, July and October and, where known, of the location and available capacity, including time of use capacity, of low voltage transformers; and
 - (e) a list of any fees that the **distributor** charges under Schedule 6.1, which must not exceed the relevant maximum fees prescribed in Schedule 6.5; and
 - (f) a list of the makes and models of inverters that the **distributor** has approved for connection to its **distribution network**; and
 - (g) the **distributor's** contact information for any enquiries relating to ~~the connection of distributed generation~~ connecting to its **distribution network**.
- (3) The application forms referred to in subclause (2)(a) must specify the information, including any supporting documents, that must be provided with an application under Schedule 6.1.
- (4) The distributor must publish information, at both the network and zone substation level, on its network connections pipeline, which—
- (a) for distributed generation applications received by the distributor under Process 3 must include the following:
 - (i) number of distributed generation applications in the network connections pipeline;
 - (ii) the sum of the maximum export power of these applications (MW);
 - (iii) number of applications by fuel type (wind, solar, energy storage system, other generation):

- (iv) number of applications by project stage (**initial application, interim application, final application**, construction, connected):
 - (v) detail on each application in the **network connections pipeline** (priority position in pipeline, **maximum export power (MW)**, fuel type, project stage, location, and (where relevant) date commissioned); and
 - (b) for **load** applications received by the **distributor** under **Process 5** must include the following information:
 - (i) number of **load** applications received:
 - (ii) the sum of the **load** capacity of each of those applications (MVA):
 - (iii) number of applications by **load** type (transport, process heat, data centre, other **load**):
 - (iv) number of applications by project stage (**initial application, interim application, final application**, construction, connected):
 - (v) detail on each application in the **network connections pipeline** (priority position in pipeline, capacity (MVA), **load** type, project stage, location by zone substation or feeder, and (where relevant) date connected).
- (5) The **distributor** must continue to **publish** information on applications under subclause (4) unless:
 - (a) an application is withdrawn; or
 - (b) six months have passed since the date on which the **distributed generation or load** to which the application relates was connected.

6.3A Distributor must provide information to the Authority

- (1) The purpose of this clause is to require each **distributor** to provide the **Authority** with the information specified in subclause (2) to enable the **Authority** to—
 - (a) assess the effectiveness of **Process 3** and **Process 5** of Schedule 6.1; and
 - (b) monitor each **distributor's network connections pipeline**; and
 - (c) **publish** information about applications under **Process 3** and **Process 5** of Schedule 6.1 to provide participants with insight into each **distributor's network connections pipeline**; and
 - (d) carry out its objectives under section 15 of the **Act** and its functions under section 16 of the **Act** and section 14 of the Crown Entities Act 2004.
- (2) Every **distributor** that is dealing with an application under **Process 3** and **Process 5** of Schedule 6.1 must provide the following information to the **Authority** on the first **business day** of January, April, July and October of every calendar year:
 - (a) for each application under **Process 3**—
 - (i) the name of the **applicant**; and
 - (ii) the location by zone substation and global positioning system coordinates of the connection of the application to the network; and
 - (iii) the fuel type (wind, solar, **energy storage system**); and
 - (iv) the **maximum export power** in MW; and

- (v) the project stage by identifying whether the application is an **initial application, interim application** or **final application**; and
 - (vi) the application's position in the **network connections pipeline**; and
 - (vii) when the **applicant** expects to connect the **distributed generation**;
 - (b) for each application under **Process 5**—
 - (i) the name of the **applicant**; and
 - (ii) the location by zone substation and global positioning system coordinates of the connection of the application to the network; and
 - (iii) the **load** type (transport, process heat, data centre); and
 - (iv) the maximum import power in MVA;
 - (v) the project stage by identifying whether the application is an **initial application, interim application, final application** and whether the project is in construction or commissioned; and
 - (vii) the application's position in the **network connections pipeline**; and
 - (viii) when the **applicant** expects to connect the **load**.
- (3) The information provided to the **Authority** under subclause (2) must be in the form and by the means specified by the **Authority**.
- (4) The **distributor** is not required to provide the information in subclause (2) to the **Authority** if—
 - (a) the **distributor** does not have the information and it is not reasonably possible for the **distributor** to obtain the information, including because the person that holds the information may lawfully refuse to provide the information to the **distributor**;
or
 - (b) the **distributor** or the **applicant** has legal professional privilege in respect of the information.

6.3B Distributor may identify confidential information

- (1) In providing information to the **Authority** under clause 6.3A(2), a **distributor** may identify any information that is confidential in that—
 - (a) disclosure of the information would unreasonably prejudice the commercial position of the **distributor** or the person who is the subject of that information;
or
 - (b) confidentiality is necessary to protect information which is itself subject to an obligation of confidence; or
 - (c) if clause 6.3A(2) did not apply, disclosure by the **distributor** would be in breach of law.
- (2) If a **distributor** identifies confidential information to the **Authority** under subclause (1), and the **Authority** wishes to **publish** all or any part of that information, the **Authority** must determine whether the reasons for keeping the information confidential are outweighed by other considerations which render it desirable for the

Authority to publish all or any part of the information in order to give effect to one or more of the purposes set out in clause 6.3A(1).

- (3) If the **Authority** determines under subclause (2) that the reasons for keeping the information identified under subclause (1) confidential are outweighed by other considerations which render it desirable for the **Authority** to **publish** all or any part of the information, the **Authority** must inform the **distributor** of its determination.

6.3C Authority may publish information

- (1) If the **distributor** has not identified any confidential information under clause 6.3B(1), the **Authority** may **publish** all or any part of the information it has received from a **distributor** under clause 6.3A(2).
- (2) If the **distributor** has identified confidential information under clause 6.3B(1), and the **Authority** has determined under clause 6.3B(2) that the reasons for keeping the information identified under clause 6.3B(1) confidential are outweighed by other considerations, and has informed the **distributor** of its determination under clause 6.3B(3), the **Authority** may **publish** all or any part of the information provided to it under clause 6.3A(2).
- (3) If the **Authority** has determined under clause 6.3B(2) that there are reasons for keeping the information identified under clause 6.3B(1) confidential and does not consider that it is desirable to **publish** all or any part of the information identified under clause 6.3B(1), the **Authority** must not **publish** the information identified under clause 6.3B(1), subject to subclause (4).
- (4) Subclause (3) does not prevent the **Authority** from doing one or more of the following in relation to the information provided to it under clause 6.3A(2) including the information identified as confidential under clause 6.3B(1):
- (a) using the information in connection with any purpose in clause 6.3A(1):
 - (b) disclosing the information to any person in connection with any purpose in clause 6.3A(1) in anonymised or consolidated form such that the reasons for keeping the information confidential are not compromised:
 - (c) disclosing the information where the **distributor** who supplied the information, or the person who is the subject of the information has consented to the disclosure of the information:
 - (d) disclosing the information as required by law.

6.4 Process for obtaining approval

- (1) Schedule 6.1 applies if a ~~**distributed generator**~~ **an applicant** wishes to—
- (a) connect **distributed generation** or load to a **distribution network**, whether on the **regulated terms** or **prescribed terms** or on other terms; or
 - (b) continue an existing connection of **distributed generation** or load to a **distribution network** if the connection contract ~~for the **distributed generation**~~—

-
- (i) is in force and the ~~distributed generator applicant~~ wishes to extend the term of the connection contract; or
 - (ii) has expired; or
 - (c) continue an existing connection of **distributed generation or load to a distribution network** that is connected without a connection contract if the **regulated terms or prescribed terms** do not apply; or
 - (d) change the **nameplate capacity maximum export power** or fuel type of connected **distributed generation**; ~~or~~
(e) change the capacity of an existing load connection.
- (2) A **distributor** must approve an application submitted under Schedule 6.1 if the application complies with the requirements of that Schedule.
- (3) Except as provided in clause 6.4A, a **distributor** cannot contract out of the provisions of Schedule 6.1 with ~~a distributed generator~~ an applicant.

6.4A Distributor and ~~distributed generator applicant~~ may agree to simpler process for existing connection

A **distributor** and ~~a distributed generator~~ an applicant may agree a simpler process ~~for the continued connection of distributed generation to the distributor's distribution network to continue a connection to the distributor's distribution network~~ than the relevant process set out in Schedule 6.1 if—

- (a) a connection contract ~~for the distributed generation~~—
 - (i) is in force and the ~~distributed generator applicant~~ wishes to extend the term of the connection contract; or
 - (ii) has expired; or
- (b) the ~~distributed generation applicant~~ is connected without a connection contract; or
- (c) there is a change in the **nameplate capacity maximum export power** or fuel type of the **distributed generation**; ~~or~~
(d) there is a change to the capacity of the existing load connection.

6.5 Connection contract

If a **distributor** and ~~a distributed generator~~ an applicant enter into a contract ~~for the connection of to connect distributed generation, or load to a distribution network~~—

- (a) their rights and obligations in respect of the connection of **distributed generation or load** are governed by that contract, and accordingly the **regulated terms and the prescribed terms** do not apply; and
- (b) a breach of the terms of that contract is not a breach of this Code.

6.6 Connection on regulated terms

- (1) Schedule 6.2 sets out the **regulated terms** for the connection of **distributed generation and Schedule 6.2A sets out the regulated terms for the connection of load**.
- (2) The **regulated terms in Schedule 6.2** apply in the following circumstances:
 - (a) if a **distributor** and ~~a distributed generator~~ an applicant for connection of distributed generation do not enter into a connection contract by the expiry of the

period for negotiating a connection contract under ~~clauses 9 or 24~~clauses 6 of Appendix 1, 13 of Appendix 2 and 18 of Appendix 3 of Schedule 6.1:

(b) in accordance with ~~clause 9~~clause 7 of Appendix 1A of Schedule 6.1.

(2A) The **regulated terms** in Schedule 6.2A apply if a **distributor** and an **applicant** for connection of **load** do not enter into a connection contract by the expiry of the period for negotiating a connection contract under clause 13 of Appendix 4 and clause 18 of Appendix 5 of Schedule 6.1.

(3) If the **regulated terms** apply,—

(a) the parties' rights and obligations in respect of the connection ~~of the distributed generation~~ are governed by the **regulated terms**; and

(b) a breach of the **regulated terms** is not a breach of contract.

(4) Despite this clause, a **distributor** and ~~a distributed generator~~an applicant may at any time, by agreement, enter into a connection contract that will apply instead of the **regulated terms**.

6.6A Connection of load on prescribed terms

(1) Schedule 6.2B sets out the **prescribed terms** for the connection of **load**.

(2) The **prescribed terms** apply if a **distributor** and an **applicant** for the connection of **load** who is not a **participant** do not enter into a connection contract by the expiry of the period for negotiating a connection contract under clauses 13 of Appendix 4 and 18 of Appendix 5 of Schedule 6.1.

(3) If the **prescribed terms** apply,—

(a) the **distributor's** rights and obligations in respect of the connection are governed by the **prescribed terms**; and

(b) a breach of the **prescribed terms**, by a **participant**, is a breach of this Code.

(4) Despite this clause, a **distributor** and an **applicant** may at any time, by agreement, enter into a connection contract that will apply instead of the **prescribed terms**.

6.7 Extra terms

(1) The parties' rights and obligations in respect of a connection on the **regulated terms**, and the obligations of a distributor in respect of a connection on the **prescribed terms**, are also governed by any other terms and conditions that—

(a) were ~~made publicly available~~published under clause 6.3(2)(d) in a statement of the terms and conditions that would apply to ~~distributed generation~~ if there is congestion on the **distribution network**; or

(b) cover any other incidental matters (for example, invoicing procedures) if—

(i) the matters are not covered by the **regulated terms** or the **prescribed terms**; and

(ii) the other matters are reasonable terms and conditions that either were proposed by the **distributor** during the 30 **business day** negotiation period under clauses 6 of Appendix 1, 13 of Appendix 2, 18 of Appendix 3, 13 of Appendix 4, and 18 of Appendix 5 of Schedule 6.1 as part of a connection

contract or are terms that would be implied by law if the connection was under a connection contract; and

- (iii) the other terms and conditions do not contradict any of the **regulated terms** or the prescribed terms.

- (2) In this Part, if the parties have agreed to change all or any part of ~~one~~ or more of the **regulated terms** or prescribed terms as part of a binding contract, the resulting contract is, in total, a connection contract on terms that apply instead of the **regulated terms** or prescribed terms for the purposes of this Part.

6.8 Dispute resolution

- (1) Subject to subclause (2), Schedule 6.3 applies to a dispute between ~~a distributed generator~~ an applicant that is a **participant** and a **distributor** arising from any one of the following —
- (a) an allegation that a party has breached any of the **regulated terms** that apply under clause 6.6 ~~(2) or 6.6(2A)~~; and
 - (aa) an allegation that conditions specified by the **distributor** under ~~clause 18 of~~ Schedule 6.1 are not reasonably required; and
 - (ab) an allegation that a party has not attempted to negotiate in good faith under ~~clause 6 or clause 21 of~~ Schedule 6.1; and
 - (b) an allegation that a party has breached any of the other provisions of this Part.
- (2) However, Schedule 6.3 does not apply to disputes between ~~a distributed generator~~ an applicant and a **distributor** —
- (a) arising from an allegation that a party has breached any of the terms of a connection contract; or
 - (b) arising from an allegation that a party has breached any of the extra terms referred to in clause 6.7(1); or
 - (c) that the ~~distributed generator~~ applicant and the **distributor** have agreed should be determined by any other agreed method (for example, under any dispute resolution scheme under section 95 of the **Act**).

6.8A Complaints by applicants that are not participants

- (1) If an applicant that is not a participant is in a dispute with a distributor about the application of this Part, and has notified the distributor of the dispute, the distributor must attempt to resolve the dispute in good faith within 20 business days.
- (2) For the avoidance of doubt, nothing in this clause prevents the applicant from reporting a breach or possible breach of the Code under regulation 9 of the Electricity Industry (Enforcement) Regulations 2010 or from making a complaint to the distributor under regulation 5 of the Electricity Industry (Enforcement) Regulations 2010 at any time.

6.9 Distributed generation Pricing principles

Schedule 6.4 applies in accordance with—

- (a) clause 19 of Schedule 6.2; and

- (b) clause 4 of Schedule 6.3.

6.10 *[Revoked]*

6.11 Distributors must act at arm's length

A **distributor** must use, in respect of all ~~distributed generators~~applicants, the same reasonable efforts in processing and considering applications and notices under Schedule 6.1, regardless of—

- (a) whether the **distributor** has an ownership interest or a beneficial interest in the ~~distributed generator~~applicant, in the project to which the application relates, or any other distributed generation or load project connected to the distributor's network for which the distributor has received an application; or
- (b) who the ~~distributed generator~~applicant is.

6.12 This Part does not affect rights and obligations under Code

This Part does not affect any rights or obligations of a **distributor** or ~~a distributed generator~~an applicant who is a participant under any other clause in this Code.

Transitional provisions

6.13 This Part does not apply to earlier connections

- (1) This Part does not apply in relation to, or affect, any **distributed generation** that was connected under a contract entered into before 30 August 2007, except for the purpose of renewing or extending the term of the contract.
- (2) This Part does not apply in relation to, or affect, any **load** connections connected under a contract entered into before *[date that the amendment comes into force]*, except for the purpose of renewing or extending the term of the contract.

Schedule 6.1 Process for obtaining approval

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Preliminary provisions

1A—Contents of this Schedule

~~This Schedule specifies the procedures for processing applications from **distributed generators** for the connection or continued connection of **distributed generation**.~~

~~Clause 1A: amended, on 5 October 2017, by clause 38 of the Electricity Industry Participation Code Amendment (Code Review Programme) 2017.~~

1B—Distributed generator must apply

~~Subject to clause 6.4A and clause 1D, a **distributed generator** that owns or operates **distributed generation** must apply to a **distributor** if it wishes to—~~

- ~~(a) connect the **distributed generation** to the **distributor's distribution network**; or~~

- ~~(b) continue an existing connection of the **distributed generation** to the **distributor's distribution network** if a connection contract for the **distributed generation** —
 - ~~(i) is in force and the **distributed generator** wishes to extend the term of the connection contract; or~~
 - ~~(ii) has expired; or~~~~
- ~~(c) continue an existing connection of the **distributed generation** to the **distributor's distribution network** that is connected without a connection contract if the **regulated terms** do not apply; or~~
- ~~(d) change the **nameplate capacity** or fuel type of the **distributed generation** connected to the **distributor's distribution network**.~~

1C — How Parts apply to applications

This Schedule applies to applications made under clause 1B as follows:

- ~~(a) Part 1 applies to applications in respect of **distributed generation** that has a **nameplate capacity** of 10 kW or less in total, unless the **distributed generator** has elected, under clause 1D, to apply under Part 1A;~~
- ~~(b) Part 1A applies to applications in respect of **distributed generation** that has a **nameplate capacity** of 10 kW or less in total, if the **distributed generator** has elected, under clause 1D, to apply under Part 1A;~~
- ~~(c) Part 2 applies to applications in respect of **distributed generation** that has a **nameplate capacity** of more than 10 kW in total.~~

1D — When application may be made under Part 1A

- ~~(1) A **distributed generator** may elect to apply to a **distributor** under Part 1A instead of Part 1 if the **distributed generation** to which the application relates —
 - ~~(a) is designed and installed in accordance with AS/NZS 4777.1:2016; and~~
 - ~~(b) incorporates an inverter that —
 - ~~(i) has been tested and issued a Declaration of Conformity with AS/NZS 4777.2:2020 by a laboratory with accreditation issued or recognised by International Accreditation New Zealand; and~~
 - ~~(ii) has settings that meet the **distributor's connection and operation standards**.~~~~~~
- ~~(2) Until 1 September 2026, a **distributed generator** may only elect to apply to a **distributor** under Part 1A instead of Part 1, if the **distributed generation** to which the application relates has, in addition to the requirements in subclause (1) —
 - ~~(a) a volt-watt response mode;~~
 - ~~(b) a volt-var response mode;~~
 - ~~(c) control settings and volt-response mode settings that meet the **distributor's connection and operation standards**; and~~
 - ~~(d) a **maximum export power** limit at the ICP of the **distributed generator** that does not exceed the **maximum export power** threshold, if any, specified by the **distributor** in its **connection and operation standards**.~~~~

Part 1

Applications for distributed generation 10 kW or less in total

~~1—Contents of this Part~~

- ~~(1) This Part applies to applications relating to **distributed generation** that has a **nameplate capacity** of 10 kW or less in total, unless the **distributed generator** that owns or operates the **distributed generation** has elected, under clause 1D, to apply under Part 1A.~~
- ~~(2) This Part of this Schedule provides for a 1-stage application process.~~

Application process

~~2—Applications under this Part of this Schedule~~

- ~~(1) [Revoked]~~
- ~~(2) A **distributed generator** must apply to a **distributor** by—~~
- ~~(a) using the application form provided by the **distributor** that is publicly available under clause 6.3(2)(a); and~~
 - ~~(b) providing any information in respect of the **distributed generation** to which the application relates that is—~~
 - ~~(i) referred to in subclause (3); and~~
 - ~~(ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the application; and~~
 - ~~(c) paying the application fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(c).~~
- ~~(3) The information may include the following:~~
- ~~(a) the full name and address of the **distributed generator** and the contact details of a person that the **distributor** may contact regarding the **distributed generation**;~~
 - ~~(aa) whether the application is to—~~
 - ~~(i) connect **distributed generation**; or~~
 - ~~(ii) continue an existing connection of **distributed generation** that is connected in accordance with a connection contract if the connection contract—~~
 - ~~(A) is in force and the **distributed generator** wishes to extend the term of the connection contract; or~~
 - ~~(B) has expired; or~~
 - ~~(iii) continue an existing connection of **distributed generation** that is connected without a connection contract; or~~
 - ~~(iv) change the **nameplate capacity** or fuel type of connected **distributed generation**;~~
 - ~~(b) evidence of the **nameplate capacity** that the **distributed generation** will have, or other suitable evidence that the **distributed generation** is or will only be capable of generating **electricity** at a rate of 10 kW or less;~~
 - ~~(ba) if the application is to change the **nameplate capacity** or fuel type of connected **distributed generation**—~~
 - ~~(i) the **nameplate capacity** that the **distributed generation** will have after the change; and~~

- ~~(ii) — the aggregate **nameplate capacity** that all **distributed generation** that is connected at the **point of connection** at which the **distributed generation** is connected will have after the change; and~~
 - ~~(iii) — the fuel type that the **distributed generation** will have after the change;~~
 - ~~(c) — details of the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel);~~
 - ~~(d) — a brief description of the physical location at the address at which the **distributed generation** is or will be connected;~~
 - ~~(da) — if the application is to connect **distributed generation**, when the **distributed generator** expects the **distributed generation** to be connected;~~
 - ~~(e) — technical specifications of the **distributed generation** and **associated equipment**, including the following:
 - ~~(i) — technical specifications of equipment that allows the **distributed generation** to be **electrically disconnected** from the **distribution network** on loss of mains voltage;~~
 - ~~(ii) — manufacturer's rating of equipment;~~
 - ~~(iii) — number of phases;~~
 - ~~(iv) — proposed or current **point of connection** to the **distribution network** (for example, the **ICP identifier** and street address);~~
 - ~~(v) — details of either or both of any inverter and battery storage;~~
 - ~~(vi) — details of any load at the proposed or current **point of connection**;~~
 - ~~(vii) — details of the voltage (for example, 415 V or 11 kV) when it is **electrically connected**;~~~~
 - ~~(f) — information showing how the **distributed generation** complies with the **distributor's connection and operation standards**;~~
 - ~~(g) — any additional information or documents that are reasonably required by the **distributor**;~~
- ~~(4) — [Revoked]~~
- (5) — The **distributor** must, within 5 **business days** of receiving an application, give written notice to the applicant advising whether or not the application is complete.

3—Distributor's decision on application

- ~~(1) — A **distributor** must, within 30 **business days** after the date of receipt of a completed application made in accordance with clause 2, give notice in writing to the applicant stating whether the application is approved or declined.~~
- (2) — A **distributor** must approve an application if—
 - (a) — the application has been properly made in accordance with Part 6 of this Code; and
 - (b) — the information provided in the application would reasonably support an assessment by the **distributor** that—
 - (i) — the **distributed generator** will comply at all times with the requirements of the Health and Safety at Work Act 2015; and

- (ii) ~~the **distributed generator** will ensure that the **distributed generation** complies at all times with the **Act**, and this Code; and~~
 - (iii) ~~the **distributed generation** meets the **distributor's connection and operation standards**.~~
- (3) ~~A notice stating that an application is declined must be accompanied by the following information:~~
- (a) ~~detailed reasons of why the application has been declined and the steps that the applicant can take to achieve approval if it makes a new application;~~
 - (b) ~~information about the default process under Schedule 6.3 for the resolution of disputes between **participants** about an alleged breach of the **regulated terms** or any other provision of Part 6 of this Code;~~
 - (c) ~~that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.~~

~~4—**Extension of time by mutual agreement for distributor to process application**~~

- (1) ~~A **distributor** may seek an extension of the time specified in clause 3(1) by which the **distributor** must give notice in writing stating whether an application is approved or declined.~~
- (2) ~~The **distributor** must do this by notice in writing to the **distributed generator** specifying the reasons for the extension.~~
- (3) ~~The **distributed generator** that made the application—~~
- (a) ~~may grant an extension which must not exceed 20 **business days**; and~~
 - (b) ~~must not unreasonably withhold consent to an extension.~~

~~5—**Distributed generator must give notice of intention to negotiate**~~

- (1) ~~If a **distributor** advises a **distributed generator** that its application is approved, the **distributed generator** must give written notice to the **distributor** confirming whether the **distributed generator** intends to negotiate a connection contract under clause 6 and, if so, confirming the details of the **distributed generation** to which the application relates.~~
- (2) ~~The **distributed generator** must give the notice within 10 **business days** after the **distributor** gives notice of approval, or such later date as is agreed by the **distributor** and the **distributed generator**.~~
- (3) ~~The **distributor's** duties under Part 6 of this Code arising from the application no longer apply if the **distributed generator** fails to give notice to the **distributor** within the time limit specified in subclause (2).~~
- (4) ~~Subclause (3) does not prevent the **distributed generator** from making a new application under Part 6 of this Code.~~

Post-approval process

6 — ~~30 business days to negotiate connection contract if distributed generator gives notice of intention to proceed~~

- (1) — ~~If a **distributed generator** whose application under clause 2 is approved gives notice to a **distributor** under clause 5, the **distributor** and the **distributed generator** have 30 **business days**, starting on the date on which the **distributor** receives the notice, during which they must, in good faith, attempt to negotiate a connection contract.~~
- (2) — ~~The **distributor** and the **distributed generator** may, by agreement, extend the time specified in subclause (1) for negotiating a connection contract.~~

7 — ~~Testing and inspection~~

- (1) — ~~Subject to subclause (1A), a **distributed generator** whose application under clause 2 is approved by a **distributor** must test and inspect the **distributed generation** to which the application relates within a reasonable time frame specified by the **distributor**.~~
- (1A) — ~~The **distributor** may waive the requirement that the **distributed generator** test and inspect if the **distributor** is satisfied that the **distributed generation** complies with the **distributor's connection and operation standards**.~~
- (2) — ~~The **distributed generator** must give adequate notice of the testing and inspection to the **distributor**.~~
- (3) — ~~The **distributor** may send qualified personnel to the site to observe the testing and inspection.~~
- (4) — ~~The **distributed generator** must give the **distributor** with a written test report when testing and inspection is complete, including suitable evidence that the **distributed generation** complies with the **distributor's connection and operation standards**.~~
- (5) — ~~The **distributed generator** must pay any fee specified by the **distributor** in accordance with clause 6.3(2)(e) for observing the testing and inspection.~~

8 — ~~Connection of distributed generation if connection contract negotiated~~

- (1) — ~~This clause applies if a **distributor** and a **distributed generator** whose application under this Part of this Schedule is approved enter into a connection contract before the period for negotiating a connection contract under this Part of this Schedule expires.~~
- (2) — ~~If the application is to connect **distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to connect the **distributed generation** in accordance with the contract as soon as practicable.~~
- (3) — ~~If the application is to continue an existing connection of **distributed generation** under clause 1B(b), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply —~~
~~(a) as soon as practicable, if the previous connection contract has expired; or~~
~~(b) no later than the expiry of the previous connection contract, if the contract is in force.~~
- (4) — ~~If the application is to continue an existing connection for which there is no connection contract under clause 1B(c), the **distributor** must use its best endeavours to ensure that~~

~~the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.~~

- ~~(5) If the application is to change the **nameplate capacity** or fuel type of connected **distributed generation** under clause 1B(d), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.~~

~~9 — Connection of distributed generation on regulated terms if connection contract not negotiated~~

- ~~(1) This clause applies if a **distributor** and a **distributed generator** whose application under this Part of this Schedule is approved do not enter into a connection contract before the period for negotiating a connection contract under this Part of this Schedule expires.~~
- ~~(2) If the application is to connect **distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to connect the **distributed generation** on the **regulated terms** as soon as practicable after the expiry of the period.~~
- ~~(3) If the application is to continue an existing connection of **distributed generation** under clause 1B(b), the **regulated terms** apply to the **distributed generator's** existing connection as follows:~~
- ~~(a) if the previous connection contract has expired, the **regulated terms** apply from the day after the date on which the period for negotiating a connection contract under this Part of this Schedule expires;~~
- ~~(b) if the previous connection contract is still in force, the **regulated terms** apply from the day after the date on which the contract expired.~~
- ~~(4) If the application is to continue an existing connection for which there is no connection contract under clause 1B(c), the **regulated terms** apply from the day after the date that the period for negotiating a connection contract under this Part of this Schedule expires.~~
- ~~(5) If the application is to change the **nameplate capacity** or fuel type of connected **distributed generation** under clause 1B(d), the **regulated terms** apply from the day after the date that the period for negotiating a connection contract under this Part of this Schedule expires.~~

Part 1A

Applications for distributed generation of 10 kW or less in total in specified circumstances

9A — Contents of this Part

- ~~(1) This Part applies to applications relating to **distributed generation** that has a **nameplate capacity** of 10 kW or less in total if the **distributed generator** that owns or operates the **distributed generation** has elected, under clause 1D, to apply under this Part of this Schedule.~~
- ~~(2) This Part of this Schedule provides for a simplified 1-stage application process.~~

~~9B — Application for distributed generation of 10 kW or less in total in specified circumstances~~

- ~~(1) A **distributed generator's** application to a **distributor** must specify which of the following circumstances applies:~~

-
- ~~(a) the **distributed generator** wishes to connect **distributed generation**;~~
~~(b) the **distributed generator** wishes to continue an existing connection of **distributed generation** that is connected in accordance with a connection contract that—~~
~~(i) is in force and the **distributed generator** wishes to extend the term of the connection contract; or~~
~~(ii) has expired;~~
~~(c) the **distributed generator** wishes to continue an existing connection of **distributed generation** that is connected without a connection contract;~~
~~(d) the **distributed generator** wishes to change the **nameplate capacity** or fuel type of connected **distributed generation**.~~
- ~~(2) An application must include the following:~~
~~(a) the name, contact, and address details of the **distributed generator** and, if applicable, the **distributed generator's** agent;~~
~~(b) a brief description of the physical location at the address at which the **distributed generation** is or will be connected;~~
~~(c) any application fee specified by the **distributor** in accordance with clause 6.3(2)(e);~~
~~(d) details of the make and model of the inverter;~~
~~(e) confirmation as to whether the inverter—~~
~~(i) is included on the **distributor's** list of approved inverters made publicly available under clause 6.3(2)(f); or~~
~~(ii) conforms with the settings specified in the **distributor's connection and operation standards**;~~
~~(f) if the inverter is not included on the **distributor's** list of approved inverters, a copy of the AS/NZS 4777.2:2020 Declaration of Conformity certificate for the inverter;~~
~~(g) details of—~~
~~(i) the **nameplate capacity** of the **distributed generation**; and~~
~~(ii) the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel).~~
- ~~(2A) Until 1 September 2026, an application must also include—~~
~~(a) confirmation as to whether the inverter conforms with the control settings and volt response mode settings specified in the **distributor's connection and operation standards**;~~
~~(b) confirmation that the **distributed generation** has a **maximum export power** limit that does not exceed the **maximum export power** threshold, if any, specified by the **distributor** in its **connection and operation standards**; and~~
~~(c) the **maximum export power** of the **distributed generation**.~~
- ~~(3) The **distributed generator** must also give the **distributor** the following information as soon as it is available, but no later than 10 **business days** after the approval of the application:~~
~~(a) a copy of the Certificate of Compliance issued under the Electricity (Safety) Regulations 2010 that relates to the **distributed generation**;~~
~~(b) the **ICP identifier** of the **ICP** at which the **distributed generation** is connected or is proposed to be connected, if one exists.~~
- ~~(4) A **distributor** must, no later than 2 **business days** after receiving an application from a **distributed generator**, acknowledge receipt of the application.~~

~~9C—Distributor may inspect distributed generation~~

- ~~(1) A **distributor** may inspect **distributed generation** that is connected or is proposed to be connected to its **distribution network** for the purpose of—~~
- ~~(a) verifying that the **distributed generation** meets, or continues to meet, the requirements specified in clause 1D; or~~
 - ~~(b) verifying the information contained in an application made under this Part of this Schedule.~~
- ~~(2) If a **distributor** wishes to inspect **distributed generation**, the **distributor** must give the **distributed generator** at least 2 **business days**' notice of the time and date on which the inspection will take place.~~
- ~~(3) Following receipt of a notice, the **distributed generator** must—~~
- ~~(a) pay the fee specified by the **distributor** in accordance with clause 6.3(2)(e) for the inspection (if any); and~~
 - ~~(b) provide or arrange for the **distributor** to have reasonable access to the **distributed generation**.~~

~~9D—Export congestion~~

- ~~(1) This clause applies if a **distributed generator** applies to a **distributor** under this Part of this Schedule to connect **distributed generation** or continue an existing connection of **distributed generation** to a location on the **distributor's distribution network** that is included in the list made publicly available in accordance with clause 6.3(2)(da) or (db).~~
- ~~(2) The **distributor** may advise the **distributed generator** that the **distributed generation** may be subject to **export congestion** as set out in the **distributor's congestion management policy**.~~
- ~~(3) If a **distributor** has advised a **distributed generator** under subclause (2), the **distributor** must take reasonable steps to work with the **distributed generator** to assess whether solutions exist to mitigate the **export congestion**.~~

~~9E Non-compliance or incomplete information~~

- ~~(1) This clause applies if a **distributor** considers that an application made to it by a **distributed generator** under this Part of this Schedule has 1 or more of the following deficiencies:~~
- ~~(a) the **distributed generation** to which the application relates does not meet the requirements specified in clause 1D;~~
 - ~~(b) the **distributed generation** to which the application relates is not as described in the information given under clause 9B(2);~~
 - ~~(c) the **distributed generator** has not complied with clause 9B(2).~~
- ~~(2) If this clause applies, the **distributor** must advise the **distributed generator** of the deficiency or deficiencies.~~
- ~~(3) If the **distributed generator** is advised of a deficiency or deficiencies, it must remedy each deficiency to the satisfaction of the **distributor** no later than 10 **business days** after being advised of the deficiency.~~
- ~~(4) If the **distributed generator** is required to remedy a deficiency it must pay the relevant fee specified by the **distributor** in accordance with clause 6.3(2)(e).~~
- ~~(5) If the **distributed generator** does not remedy each deficiency of which it is advised within the time frame specified in subclause (3)—~~

- (a) ~~if the **distributed generation** to which the application relates is **electrically connected** to the **distributor's distribution network** at the time the **distributor** advises the **distributed generator** under subclause (2), the **distributor** may, by notice to the **distributed generator**, require the **distributed generator** to—~~
- ~~(i) **electrically disconnect** the **distributed generation** within a reasonable time frame specified by the **distributor** (if applicable); and~~
 - ~~(ii) **keep the distributed generation electrically disconnected** until each deficiency is remedied to the **distributor's** satisfaction; or~~
- (b) ~~if the **distributed generation** is not connected to the **distributor's distribution network** at the time of being advised under subclause (2), the **distributor** may, by notice to the **distributed generator**, prohibit the **distributed generator** from connecting the **distributed generation** to the **distributor's distribution network** until each deficiency is remedied to the **distributor's** satisfaction.~~
- (6) ~~The **distributor** must approve connection of the **distributed generation** as soon as is reasonable in the circumstances if—~~
- ~~(a) the **distributed generator** complies with a notice given under subclause (5)(a) (if applicable); and~~
 - ~~(b) the **distributed generator** remedies each deficiency advised under subclause (2)—~~
 - ~~(i) to the satisfaction of the **distributor**; and~~
 - ~~(ii) no later than 12 months after the date of the notice given under subclause (5) or such later date as is agreed by the **distributor** and the **distributed generator**.~~
- (7) ~~If the **distributor** approves the connection of **distributed generation**, it must give a notice of final approval to the **distributed generator** under clause 9F.~~

9F Notice of final approval

- (1) ~~A **distributor** must give a notice of final approval of **distributed generation** to a **distributed generator** that has made an application to the **distributor** under this Part of this Schedule if the **distributor** is satisfied that—~~
- ~~(a) the **distributed generation** meets the requirements specified in clause 1D; and~~
 - ~~(b) the information given by the **distributed generator** under clause 9B(2) is complete and accurate.~~
- (2) ~~The **distributor** must give the notice no later than 10 **business days** after the date on which the application was submitted.~~
- (3) ~~If the **distributed generator** does not receive a notice by the date specified in subclause (2), the **distributor** is deemed to have given notice of final approval.~~

9G Regulated terms apply

- (1) ~~If a **distributor** gives a notice of final approval to a **distributed generator** under clause 9F, the **regulated terms** apply.~~
- (2) ~~Despite subclause (1), and in accordance with clause 6.6(4), the **distributor** and **distributed generator** may at any time enter into a connection contract on terms that apply instead of the **regulated terms**.~~

9H When distributed generator may connect to distribution network

- ~~(1) A **distributed generator** that has submitted an application to a **distributor** under clause 1D may connect the **distributed generation** to which the application relates to the **distributor's distribution network** if the **distributed generator** receives a notice of final approval under clause 9F(1), or is deemed to have received a notice of final approval under clause 9F(3).~~
- ~~(2) Despite subclause (1) a **distributor** may prohibit a **distributed generator** from connecting if —~~
- ~~(a) the **distributor** has advised the **distributed generator** of a deficiency under clause 9E(2) and the deficiency has not been remedied in accordance with clause 9E(3); or~~
- ~~(b) the **distributor** gave notice that it wished to inspect the **distributed generation** under clause 9C(2), but the **distributed generator** has not provided or arranged for the **distributor** to have reasonable access to the **distributed generation** under clause 9C(3)(b).~~

Part 2

Applications for distributed generation above 10 kW in total

10 — Contents of this Part

- ~~(1) This Part of this Schedule applies to applications relating to **distributed generation** that has a **nameplate capacity** of more than 10 kW in total.~~
- ~~(2) This Part of this Schedule provides for a 2-stage application process.~~

Initial application process

11 — **Distributed generator must make initial application and give information**

- ~~(1) [Revoked]~~
- ~~(2) A **distributed generator** must apply to a **distributor** ("**initial application**") by —~~
- ~~(a) using the application form provided by the **distributor** that is publicly available under clause 6.3(2)(a); and~~
- ~~(b) providing any information in respect of the **distributed generation** to which the application relates that is —~~
- ~~(i) referred to in subclause (3); and~~
- ~~(ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the application; and~~
- ~~(c) paying the application fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).~~
- ~~(3) The information may include the following:~~
- ~~(a) the full name and address of the **distributed generator** and the contact details of a person whom the **distributor** may contact regarding the **distributed generation**:~~
- ~~(aa) whether the application is to —~~
- ~~(i) connect **distributed generation**; or~~

- ~~(ii) continue an existing connection of **distributed generation** that is connected in accordance with a connection contract if the connection contract—
 - ~~(A) is in force and the **distributed generator** wishes to extend the term of the connection contract; or~~
 - ~~(B) has expired; or~~~~
- ~~(iii) continue an existing connection of **distributed generation** that is connected without a connection contract; or~~
- ~~(iv) change the **nameplate capacity** or fuel type of connected **distributed generation**:~~
- ~~(b) evidence of the **nameplate capacity** that the **distributed generation** will have:~~
- ~~(ba) if the application is to change the **nameplate capacity** or fuel type of connected **distributed generation**,—
 - ~~(i) the **nameplate capacity** that the **distributed generation** will have after the change; and~~
 - ~~(ii) the aggregate **nameplate capacity** that all **distributed generation** that is connected at the **point of connection** at which the **distributed generation** is connected will have after the change; and~~
 - ~~(iii) the fuel type that the **distributed generation** will have after the change;~~~~
- ~~(e) details of the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel):~~
- ~~(d) a brief description of the physical location at the address at which the **distributed generation** is or will be connected:~~
- ~~(da) if the application is to **connect distributed generation**, when the **distributed generator** expects the **distributed generation** to be connected:~~
- ~~(e) technical specifications of the **distributed generation** and **associated equipment**, including the following:
 - ~~(i) technical specifications of equipment that allows the **distributed generation** to be **electrically disconnected** from the **distribution network** on loss of mains voltage;~~
 - ~~(ii) manufacturer's rating of equipment;~~
 - ~~(iii) number of phases;~~
 - ~~(iv) proposed or current **point of connection** to the **distribution network** (for example, the **ICP identifier** and street address);~~
 - ~~(v) details of either or both of any inverter and battery storage;~~
 - ~~(vi) details of any load at the proposed or current **point of connection**;~~
 - ~~(vii) details of the voltage (for example, 415 V or 11 kV) when **electrically connected**;~~~~
- ~~(f) information showing how the **distributed generation** complies with the **distributor's connection and operation standards**:~~
- ~~(g) the maximum **active power** injected (MW max):~~
- ~~(h) the **reactive power** requirements (MVAr) (if any):~~
- ~~(i) resistance and reactance details of the **distributed generation**:~~
- ~~(j) fault level contribution (kA):~~
- ~~(k) method of voltage control:~~

- ~~(l) — single line diagram of proposed connection:~~
 - ~~(m) — means of **synchronising** with, **electrically connecting** to, and **electrically disconnecting** from, the **distribution network**, including the type and ratings of the proposed **circuit breaker**:~~
 - ~~(n) — details of compliance with frequency and voltage support requirements as specified in this Code (if applicable):~~
 - ~~(o) — proposed periods and amounts of **electricity injections** into, and **oftakes** from, the **distribution network** (if known):~~
 - ~~(p) — any other information that is required by the **system operator**:~~
 - ~~(q) — any additional information or **documents** that are reasonably required by the **distributor**:~~
- ~~(4) — [Revoked]~~
- ~~(5) — The **distributor** must, within 5 **business days** of receiving an **initial application**, give written notice to the applicant advising whether or not the application is complete.~~

12 Distributor must give information to distributed generator

~~A **distributor** must give a **distributed generator** that makes an **initial application** the following within 30 **business days** of receiving the completed **initial application**:~~

- ~~(a) — information about the **capacity** of the **distribution network**, including both the design **capacity** (including fault levels) and actual operating levels:~~
- ~~(b) — information about the extent to which connection and operation of the **distributed generation** may result in a breach of the relevant standards for safety, voltage, power quality, and reliability of **electricity** conveyed to **points of connection** on the **distribution network**:~~
- ~~(c) — information about any measures or conditions (including modifications to the design and operation of the **distribution network** or to the operation of the **distributed generation**) that may be necessary to address the matters referred to in paragraphs (a) and (b):~~
- ~~(d) — the approximate costs of any **distribution network** related measures or conditions identified under paragraph (c) and an estimate of time constraints or restrictions that may delay connecting the **distributed generation**:~~
- ~~(e) — information about any further detailed investigative studies that the **distributor** reasonably considers are necessary to identify any potential adverse effects the **distributed generation** may have on the system, together with an indication of —
 - ~~(i) — whether the **distributor** agrees to the **distributed generator**, or a suitably qualified agent of the **distributed generator**, undertaking those studies; or~~
 - ~~(ii) — if not, whether the **distributor** could undertake those studies and, if so, the reasonable estimated cost of the studies that the **distributed generator** would be charged:~~~~
- ~~(f) — information about any obligations to other parties that may be imposed on the **distributor** and that could affect the **distributed generation** (for example, obligations to **Transpower**, in respect of other **networks**, or under this Code):~~

- ~~(g) any additional information or documents that the **distributor** considers would assist the **distributed generator's** application;~~
- ~~(h) information about the extent to which planned and **unplanned outages** may adversely affect the operation of the **distributed generation**.~~

13 Other matters to assist with decision making

- ~~(1) A **distributor** must provide, if requested by a **distributed generator** making an **initial application**, further information that is reasonably necessary to enable the **distributed generator** to consider and act on the information given by the **distributor** under clause 12.~~
- ~~(2) The information that the **distributor** must provide under subclause (1) may include single line diagrams, equipment ratings, normal switch configurations (including fault levels), and protection system details relevant to the current or proposed **point of connection** of the **distributed generation** to the **distribution network**.~~
- ~~(3) The **distributor** must provide the further information under this clause within 10 **business days** of the request being received.~~

14 Distributor and distributed generator must make reasonable endeavours regarding new information

~~If a **distributor** or a **distributed generator** has given information under this Part of this Schedule and subsequently becomes aware of new information that is relevant to the application, the party that becomes aware of the new information must use reasonable endeavours to provide the other party with the new information.~~

Final application process

15 Distributed generator must make final application

- ~~(1) A **distributed generator** that makes an **initial application** to a **distributor** must make a **final application**, no later than 12 months after receiving information under clauses 12 and 13, if the **distributed generator** wishes to proceed with the application, unless—~~
 - ~~(a) the **distributor** and the **distributed generator** agree that a **final application** is not required; and~~
 - ~~(b) there are no persons to whom the **distributor** must give written notice under clause 16 at the time that the **distributor** and **distributed generator** agree that a **final application** is not required.~~
- ~~(1A) If a **final application** is not required—~~
 - ~~(a) subclause (2) does not apply; and~~
 - ~~(b) the **distributed generator's initial application** must be treated as a **final application** for the purposes of clauses 16 to 24.~~
- ~~(2) The **distributed generator** must make the **final application** by—~~
 - ~~(a) using the **final application** form provided by the **distributor** that is publicly available under clause 6.3(2)(a); and~~

- ~~(b) providing the results of any investigative studies that were identified by the distributor under clause 12(e)(i) as to be undertaken by the distributed generator or the distributed generator's agent.~~

~~16 Notice to third parties~~

~~A distributor that receives a final application must give written notice to the following persons no later than 10 business days after receiving the final application:~~

- ~~(a) all persons that have made an initial application relating to a particular part of the distribution network that the distributor considers would be affected by the approval of the final application; and~~
- ~~(b) all distributed generators that have distributed generation with a nameplate capacity of 10 kW or more in total connected on the regulated terms to the particular part of the distribution network that the distributor considers would be affected by the approval of the final application.~~

~~17 Priority of final applications~~

~~(1) Subclause (2) applies if—~~

- ~~(a) a distributor receives a final application (the first application); and~~
- ~~(b) the distributor receives another final application, within 20 business days after receiving the first application, relating to a particular part of the distribution network that the distributor considers would be affected by the approval of the first application.~~

~~(2) If this subclause applies, the distributor—~~

- ~~(a) may consider the final applications together as if they were competitive bids to use the same part of the distribution network; and~~
- ~~(b) must consider the final applications in light of the purpose of Part 6 of this Code.~~

~~(3) In any other case in which a distributor receives more than 1 final application relating to a similar part of the distribution network, the distributor must consider an earlier final application in priority to other final applications.~~

~~(4) Subclause (3) does not limit clause 19.~~

~~18 Distributor's decision on application~~

~~(1) A distributor must, within the time limit specified in clause 19, give notice in writing to the applicant stating whether the final application is approved or declined.~~

~~(2) A distributor must approve a final application, subject to any conditions specified by the distributor that are reasonably required, if—~~

- ~~(a) the application has been properly made in accordance with Part 6 of this Code; and~~
- ~~(b) the information provided in the application would reasonably support an assessment by the distributor that—~~
 - ~~(i) the distributed generator will comply at all times with the requirements of the Health and Safety at Work Act 2015; and~~
 - ~~(ii) the distributed generator will ensure that the distributed generation complies at all times with the Act and this Code; and~~

- (iii) ~~the **distributed generation** meets the **distributor's connection and operation standards** (assuming that the **distributed generator** meets the conditions (if any) referred to in subclause (3)).~~
- (3) ~~A notice stating that an application is approved must be accompanied by the following information:~~
- ~~(a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **distributed generator** must do to comply with them;~~
 - ~~(b) detailed reasons for those conditions (or other measures);~~
 - ~~(c) a detailed description of any charges payable by the **distributed generator** to the **distributor** or by the **distributor** to the **distributed generator**, and an explanation of how the charges have been, or will be, calculated;~~
 - ~~(d) the default process for resolving disputes under Schedule 6.3, if the **distributed generator** disputes all or any of the conditions (or other measures) or charges payable.~~
- (4) ~~A notice stating that an application is declined must be accompanied by the following information:~~
- ~~(a) detailed reasons as to why the application has been declined and what the applicant must do to get approval if it makes a new application;~~
 - ~~(aa) if the application is one to which clause 17(2) applies, the criteria used in making a decision under clause 17(2)(a) and clause 17(2)(b);~~
 - ~~(b) the default process for resolving disputes between **participants** under Schedule 6.3;~~
 - ~~(c) that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.~~

19 Time within which distributor must decide final applications

- (1) ~~A notice required by clause 18 must be given by a **distributor** to a **distributed generator** no later than—~~
- ~~(a) 45 **business days** after the date of receipt of the **final application**, in the case of **distributed generation** that will have a **nameplate capacity** of less than 1 MW;~~
 - ~~or~~
 - ~~(b) 60 **business days** after the date of receipt of the **final application**, in the case of **distributed generation** that will have a **nameplate capacity** of 1 MW or more but less than 5 MW; or~~
 - ~~(c) 80 **business days** after the date of receipt of the **final application**, in the case of **distributed generation** that will have a **nameplate capacity** of 5 MW or more.~~
- (2) ~~The **distributor** may seek 1 or more extensions of the time specified in subclause (1).~~
- (3) ~~The **distributor** must do this by notice in writing to the **distributed generator** specifying the reasons for the extension.~~
- (4) ~~A **distributed generator** that receives a notice seeking an extension—~~
- ~~(a) may grant an extension which must not exceed 40 **business days**; and~~

~~(b) must not unreasonably withhold consent to an extension.~~

~~20 Distributed generator must give notice of intention to negotiate~~

- ~~(1) If a **distributor** advises a **distributed generator** that the **distributed generator's final application** is approved, the **distributed generator** must give written notice to the **distributor** confirming whether or not the **distributed generator** intends to proceed to negotiate a connection contract under clause 21(1) and, if so, confirming—~~
- ~~(a) the details of the **distributed generation**; and~~
 - ~~(b) that the **distributed generator** accepts all of the conditions (or other measures) that have been specified by the **distributor** under clause 18.~~
- ~~(2) The **distributed generator** must give the notice no later than 30 **business days** after the day on which the **distributor** gives notice of approval under clause 18, or such later date as is agreed by the **distributor** and the **distributed generator**.~~
- ~~(3) If the **distributed generator** is a **participant** and does not accept 1 or more of the conditions specified by the **distributor** under clause 18(2) (if any), but intends to proceed to negotiate a connection contract under clause 21(1), the **distributed generator** must—~~
- ~~(a) give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 **business days** after the day on which the **distributor** gives notice of approval under clause 18; and~~
 - ~~(b) give a notice under subclause (1) within 30 **business days** after the dispute is resolved.~~
- ~~(4) The **distributor's** duties under Part 6 of this Code arising from the application no longer apply if the **distributed generator** fails to give notice to the **distributor** of an intention to proceed to negotiate a connection contract under clause 21(1) within the time limits specified in this clause.~~
- ~~(5) Subclause (4) does not prevent the **distributed generator** from making a new application under Part 6 of this Code.~~

Post approval process

~~21 30 business days to negotiate connection contract if distributed generator gives notice of intention to negotiate~~

- ~~(1) If a **distributed generator** whose **final application** is approved gives notice to a **distributor** under clause 20(1), the **distributor** and the **distributed generator** have 30 **business days**, starting on the date on which the **distributor** receives the notice, during which they must, in good faith, attempt to negotiate a connection contract.~~
- ~~(2) The **distributor** and the **distributed generator** may, by agreement, extend the time specified in subclause (1) for negotiating a connection contract.~~

~~22 Testing and inspection~~

- ~~(1) A **distributed generator** whose **final application** is approved by a **distributor** must test and inspect the **distributed generation** to which the **final application** relates within a reasonable time frame specified by the **distributor**.~~

- ~~(1A) The **distributor** may waive the requirement that the **distributed generator** test and inspect if the **distributor** is satisfied that the **distributed generation** complies with the **distributor's connection and operation standards**.~~
- ~~(2) The **distributed generator** must give adequate notice of the testing and inspection to the **distributor**.~~
- ~~(3) The **distributor** may send qualified personnel to the site to observe the testing and inspection.~~
- ~~(4) The **distributed generator** must give the **distributor** with a written test report when testing and inspection is complete, including suitable evidence that the **distributed generation** complies with the **distributor's connection and operation standards**.~~
- ~~(5) The **distributed generator** must pay any fee specified by the **distributor** in accordance with clause 6.3(2)(e) for observing the testing and inspection.~~

~~23 — Connection of distributed generation if connection contract negotiated~~

- ~~(1) This clause applies if a **distributor** and a **distributed generator** whose **final application** is approved enter into a connection contract before the period for negotiating a connection contract under this Part of this Schedule expires.~~
- ~~(2) If the application is to connect **distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to connect the **distributed generation** in accordance with the contract as soon as practicable.~~
- ~~(3) If the application is to continue an existing connection of **distributed generation** under clause 1B(b), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply—
 - ~~(a) as soon as practicable, if the previous connection contract has expired; or~~
 - ~~(b) no later than the expiry of the previous connection contract, if the contract is in force.~~~~
- ~~(4) If the application is to continue an existing connection for which there is no connection contract under clause 1B(c), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.~~
- ~~(5) If the application is to change the **nameplate capacity** or fuel type of connected **distributed generation** under clause 1B(d), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.~~

~~24 — Connection of distributed generation on regulated terms if connection contract not negotiated~~

- ~~(1) This clause applies if a **distributor** and a **distributed generator** whose **final application** is approved do not enter into a connection contract before the period for negotiating a connection contract under this Part of this Schedule expires.~~
- ~~(2) If the application is to connect **distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to connect the **distributed generation** on the **regulated terms** as soon as practicable after the later of the following:
 - ~~(a) the expiry of the period for negotiating a connection contract under this Part of this Schedule;~~~~

- ~~(b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the connection.~~
- ~~(3) If the application is to continue an existing connection of **distributed generation** under clause 1B(b), the **regulated terms** apply to the **distributed generator's** existing connection from the later of the following:
 - ~~(a) the expiry of the period for negotiating a connection contract under this Part of this Schedule;~~
 - ~~(b) the expiry of the existing connection contract;~~
 - ~~(c) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the connection.~~~~
- ~~(4) If the application is to continue an existing connection for which there is no connection contract under clause 1B(c), the **regulated terms** apply from the later of the following:
 - ~~(a) the expiry of the period for negotiating a connection contract under this Part of this Schedule;~~
 - ~~(b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the connection.~~~~
- ~~(5) If the application is to change the **nameplate capacity** or fuel type of connected **distributed generation** under clause 1B(d), the **regulated terms** apply from the later of the following:
 - ~~(a) the expiry of the period for negotiating a connection contract under this Part of this Schedule;~~
 - ~~(b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the connection.~~~~

Part 3 General provisions

Confidentiality

25 Confidentiality of information provided

- ~~(1) All information given with, or relating to, an application made under this Schedule to a **distributor** must be kept confidential by the **distributor** except as agreed otherwise by the person that gave the information.~~
- ~~(1A) A **distributor** may require a **distributed generator** to keep confidential information that—
 - ~~(a) is given to the **distributed generator** by the **distributor** for the purpose of an application under this Schedule; and~~
 - ~~(b) the **distributor** reasonably identifies as being confidential.~~~~
- ~~(1B) A **distributor** is excused from processing an application made by a **distributed generator** under this Schedule if the **distributed generator** does not agree to comply with a requirement to keep information confidential imposed under subclause (1A).~~

~~(2) Despite subclause (1), the **distributor**—~~

- ~~(a) may, in response to an application under this Schedule, disclose to the applicant that another **distributed generator** has made an application under this Schedule (without identifying who the other **distributed generator** is); and~~
- ~~(b) may, in the case of an application under Part 1 of this Schedule, generally indicate the location or proposed location of the **distributed generation** that is the subject of the other application; and~~
- ~~(c) may, in the case of an application under Part 2 of this Schedule, disclose the **nameplate capacity** and proposed location of the **distributed generation** that is the subject of the other application.~~

~~(3) The obligation to keep information confidential set out in subclause (1) includes—~~

- ~~(a) an obligation not to use the information for any purpose other than considering the application under this Schedule and enabling the connection or continued connection of the **distributed generation**; and~~
- ~~(b) an obligation to destroy the information as soon as is reasonably practicable after the later of—
 - ~~(i) the date on which the information is no longer required for the purposes in paragraph (a); and~~
 - ~~(ii) 60 months after receiving the information.~~~~

Record keeping

~~26 [Revoked]~~

~~27 [Revoked]~~

~~28 **Distributors must keep records**~~

~~A **distributor** must maintain records of each application and notice received under this Schedule and the resulting outcomes, including records of how long it took to approve or decline the application, and justification for these outcomes, for a minimum of 60 months after the day on which the application was approved or declined.~~

Costs

~~29 **Responsibility for costs under this Schedule**~~

~~A **distributor** and **distributed generator** must pay their respective costs (including legal costs) incurred under this Schedule.~~

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- 2 Applicant must apply
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- 4 When application may be made under Process 1A

Confidentiality

- 5 Confidentiality of information provided

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- 6 Distributors must keep records

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- 7 Responsibility for costs under this Schedule

Appendix 1

Process 1: Applications for distributed generation with maximum export power of 10 kW or less in total

- 1 Contents of this Appendix

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- 2 Application for distributed generation with maximum export power of 10kW or less in total
- 3 Distributor's decision on application
- 4 Extension of time by mutual agreement for distributor to process application
- 5 Distributed generator must give notice of intention to negotiate

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- 6 30 business days to negotiate connection contract if distributed generator gives notice of intention to proceed
- 7 Testing and inspection
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Appendix 1A

Process 1A: Applications for distributed generation with maximum export power of 10 kW or less in total in specified circumstances

- 1 Contents of this Appendix
- 2 Application for distributed generation with maximum export power of 10 kW or less in total in specified circumstances
- 3 Distributor may inspect distributed generation

- 4 Export congestion
- 5 Non-compliance or incomplete information
- 6 Notice of final approval
- 7 Regulated terms apply
- 8 When distributed generator may connect to distribution network

Appendix 2

Process 2: Applications for distributed generation with maximum export power above 10 kW and below 300 kW in total

- 1 Contents of this Appendix

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- 2 Distributed generator must make initial application and give information
- 3 Distributor must give information to distributed generator
- 4 Other matters to assist with decision making
- 5 Distributor and distributed generator must make reasonable endeavours regarding new information
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- 7 Distributed generator must make final application
- 8 Notice to third parties
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- 10 Distributor's decision on final application
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- 13 30 business days to negotiate connection contract if distributed generator gives notice of intention to negotiate
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Appendix 3

Process 3: Applications for distributed generation with maximum export power of 300 kW and above in total

- 1 Contents of this Appendix

Initial application process

- 2 Distributed generator must make initial application, give information and pay initial application fee
- 3 Distributor must give information to distributed generator

- 4 Other matters to assist with decision making
- 5 Distributor and distributed generator must make reasonable endeavours regarding new information
- 6 Distributor's decision on initial application
 - Interim application process*
 - 7 Distributed generator must make interim application and give information
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 - 9 Distributor's decision on interim application
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 - 18 30 business days to negotiate connection contract if distributed generator gives notice of intention to negotiate
 - 19 Connection of distributed generation if connection contract negotiated
 - 20 Connection of distributed generation on regulated terms if connection contract not negotiated
 - 21 Approved applications must meet milestones to retain priority position in distributor's network connections pipeline
 - 22 Treatment of approved applications at the same network location
 - 23 Testing and inspection

Appendix 4

Process 4: Applications for load above 69 kVA and below 300 kVA in total

- 1 Contents of this Appendix
 - Initial application process*
 - 2 Distributor must receive information to process an initial application
 - 3 Distributor must give information to applicant
 - 4 Other matters to assist with decision making
 - 5 Distributor must make reasonable endeavours regarding new information
 - 6 Distributor's decision on initial application
 - Final application process*
 - 7 Distributor must receive final application

8 Notice to third parties

9 Priority of final applications

10 Distributor's decision on final application

11 Time within which distributor must decide final applications

12 Distributor must negotiate if notified by applicant

Post-approval process

13 Distributor has 30 business days to negotiate connection contract if applicant gives notice of intention to negotiate

14 Connection of load if connection contract negotiated

15 Connection on prescribed terms if connection contract not negotiated

Appendix 5

Process 5: Applications to connect load at 300 kVA and above in total

1 Contents of this Appendix

Initial application process

2 Distributor must receive information to process an initial application

3 Distributor must give information to applicant

4 Other matters to assist with decision making

5 Distributor must make reasonable endeavours regarding new information

6 Distributor's decision on initial application

Interim application process

7 Distributor must receive interim application

8 Notice to third parties

9 Distributor's decision on interim application

10 Time within which distributor must decide interim applications

11 Applicant who is a participant must give notice of a dispute

Final application process

12 Distributor must receive final application

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15 Distributor's decision on final application

16 Time within which distributor must decide final applications

17 Distributor must negotiate if notified by applicant

Post-approval process

18 Distributor has 30 business days to negotiate connection contract if applicant gives notice of intention to negotiate

19 Connection of load if connection contract negotiated

20 Connection of load on prescribed terms if connection contract not negotiated

- 21 Approved applications must meet milestones to retain priority position in distributor's network connections pipeline
 - 22 Treatment of approved applications at the same network location
-

Preliminary provisions

1 Contents of this Schedule

This Schedule specifies the procedures under Part 6 for:

- (a) processing applications from **applicants** for the connection or continued connection of **distributed generation** or **load** to a **distribution network**; and
- (b) for the renewal of an existing or expired connection contract; and
- (c) particular changes to connections of **distributed generation** and **load connections**.

2 Applicant must apply

- (1) Subject to clause 6.4A and clause 4 of Schedule 6.1, an **applicant** must apply to a **distributor** if it wishes to—
 - (a) connect **distributed generation** or **load** to the **distributor's distribution network** using the processes in Part 6 and this Schedule; or
 - (b) continue an existing connection of **distributed generation** or **load** to the **distributor's distribution network** using the processes in Part 6 and this Schedule if a connection contract—
 - (i) is in force and the **applicant** wishes to extend the term of the connection contract; or
 - (ii) has expired; or
 - (c) continue an existing connection of **distributed generation** or **load** using the processes in Part 6 or this Schedule to the **distributor's distribution network** that is connected without a connection contract if the **regulated terms** and **prescribed terms** do not apply; or
 - (d) change the **maximum export power** or fuel type of the **distributed generation**; or
 - (e) change the capacity of an existing **load** connection.

3 How this Schedule applies to applications

- (1) The appendices to this Schedule set out different processes which apply to different kinds of applications under clause 2.
- (2) The appendices and the processes in those appendices apply as follows:
 - (a) **Process 1**, which is set out in Appendix 1, applies to applications for **distributed generation** that has **maximum export power** of 10 kW or less in total, unless the **distributed generator** has elected, under clause 4, to apply under **Process 1A**:
 - (b) **Process 1A**, which is set out in Appendix 1A, applies to applications for **distributed generation** that has **maximum export power** of 10 kW or less in total, if the **distributed generator** has elected, under clause 4, to apply under **Process 1A**:
 - (c) **Process 2**, which is set out in Appendix 2, applies to applications for **distributed generation** with **maximum export power** above 10 kW and below 300 kW in total:

- (d) **Process 3**, which is set out in Appendix 3, applies to applications for **distributed generation with maximum export power** of 300 kW and above in total:
- (e) **Process 4**, which is set out in Appendix 4, applies to applications to connect **load** above 69 kVA and below 300 kVA in total:
- (f) **Process 5**, which is set out in Appendix 5, applies to applications to connect **load** at 300 kVA and above in total:
- (3) If an **applicant** wishes to connect both **distributed generation** and **load** at the same **ICP** the **applicant** only needs to make an application for the connection of the higher capacity of either **distributed generation** or **load**.
- (4) Where subclause (3) applies—
 - (a) an **applicant** must provide the required information for both **distributed generation** and **load**; and
 - (b) the **distributor** must enter the information for both **distributed generation** and **load** into the information that the **distributor** has **published** in its **network connections pipeline**.

4 When application may be made under Process 1A

- (1) A **distributed generator** may elect to apply to a **distributor** under **Process 1A** instead of **Process 1** if the **distributed generation** to which the application relates—
 - (a) is designed and installed in accordance with AS/NZS 4777.1:2016; and
 - (b) incorporates an inverter that—
 - (i) has been tested and issued a Declaration of Conformity with AS/NZS 4777.2:2020 by a laboratory with accreditation issued or recognised by International Accreditation New Zealand; and
 - (ii) has settings that meet the **distributor's connection and operation standards**.
- (2) Until 1 September 2026, a **distributed generator** may only elect to apply to a **distributor** under **Process 1A** instead of **Process 1**, if the **distributed generation** to which the application relates has, in addition to the requirements in subclause (1)—
 - (a) a volt-watt response mode;
 - (b) a volt-var response mode;
 - (c) control settings and volt response mode settings that meet the **distributor's connection and operation standards**; and
 - (d) a **maximum export power** limit at the **ICP** of the **distributed generator** that does not exceed the **maximum export power** threshold, if any, specified by the **distributor** in its **connection and operation standards**.

Confidentiality

5 Confidentiality of information provided

- (1) All information given with, or relating to, an application made under this Schedule to a **distributor** must be kept confidential by the **distributor** except as required by clauses 6.3 and 6.3A, as required to be entered into the registry, and as agreed otherwise by the person that gave the information.
- (2) A **distributor** may require an **applicant** to keep confidential information that—

- (a) is given to the **applicant** by the **distributor** for the purpose of an application under this Schedule; and
 - (b) the **distributor** reasonably identifies as being confidential.
- (3) A **distributor** may decline to process an application made by an **applicant** under this Schedule if the **applicant** does not agree to comply with a requirement to keep information confidential imposed under subclause (2).
- (4) Despite subclause (1), the **distributor**—
 - (a) may, in response to an application under this Schedule, disclose to the **applicant** that another **applicant** has made an application under this Schedule (without identifying who the other **applicant** is); and
 - (b) may, in the case of an application under **Processes 1, 2, 3, 4 and 5** of this Schedule, generally indicate the location or proposed location of the other application; and
 - (c) may, in the case of an application under **Processes 2, 3, 4 and 5** of this Schedule, disclose the **maximum export power** and **export load** profile of the other application; and
 - (d) where **applicants** give written consent, may share the contact details of **applicants** for applications under **Process 3 and Process 5** of this Schedule, for the express purpose of encouraging complementary applications.
- (5) The obligation to keep information confidential set out in subclause (1) includes—
 - (a) an obligation not to use the information for any purpose other than considering the application under this Schedule, populating the **network connections pipeline**, enabling the connection or continued connection to a **distribution network**, and meeting the registry requirements under Part 11; and
 - (b) an obligation to destroy the information as soon as is reasonably practicable after the later of—
 - (i) the date on which the information is no longer required for the purposes in paragraph (a); and
 - (ii) 60 months after receiving the information.

Record keeping

6 Distributors must keep records

A **distributor** must maintain records of each application and notice received under this Schedule and the resulting outcomes, for a minimum of 60 months after the day on which the **initial applications, interim applications and final applications** were approved or declined, including records of:

- (a) **how long it took to approve or decline initial applications, interim applications and final applications:**
- (b) **the number of and time duration of each extension sought by the distributor:**
- (c) **the number of and time duration of each extension sought by the applicant:**
- (d) **and justification for these outcomes.**

Costs

7 Responsibility for costs under this Schedule

A distributor and an applicant must pay their own respective costs (including legal costs) incurred under this Schedule.

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Appendix 1

Process 1: Applications to connect distributed generation with maximum export power of 10 kW or less in total

1 Contents of this Appendix

- (1) This Appendix sets out **Process 1** and applies to applications to connect **distributed generation** that has a **maximum export power** of 10 kW or less in total, unless the **distributed generator** that owns or operates the **distributed generation** has elected, under clause 4 of Schedule 6.1, to apply under **Process 1A**.
- (2) **Process 1** provides for a one-stage application process.

Application process

2 Application to connect distributed generation with maximum export power of 10kW or less in total

- (1) A **distributed generator** must apply to a **distributor** by—
 - (a) using the application form provided by the **distributor** that is **published** under clause 6.3(2)(a); and
 - (b) providing any information in respect of the **distributed generation** to which the application relates that is—
 - (i) referred to in subclause (2); and
 - (ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the application; and
 - (c) paying the application fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).
- (2) The information includes the following:
 - (a) the full name and address of the **distributed generator** and the contact details of a person that the **distributor** may contact regarding the **distributed generation**;
 - (b) whether the application is to—
 - (i) connect **distributed generation**; or
 - (ii) continue an existing connection of **distributed generation** that is connected in accordance with a connection contract if the connection contract—
 - (A) is in force and the **distributed generator** wishes to extend the term of the connection contract; or
 - (B) has expired; or
 - (iii) continue an existing connection of **distributed generation** that is connected without a connection contract; or
 - (iv) change the **maximum export power** or fuel type of connected **distributed generation**;
 - (c) evidence of the **maximum export power** that the **distributed generation** will have, or other suitable evidence that the **distributed generation** is or will only be capable of generating **electricity** at a rate of 10 kW or less;
 - (d) if the application is to change the **maximum export power** or fuel type of connected **distributed generation**—

- (i) the **maximum export power** that the **distributed generation** will have after the change; and
 - (ii) the aggregate **maximum export power** that all **distributed generation** that is connected at the **point of connection** at which the **distributed generation** is connected will have after the change; and
 - (iii) the fuel type that the **distributed generation** will have after the change;
 - (e) details of the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel);
 - (f) a brief description of the physical location at the address at which the **distributed generation** is or will be connected;
 - (g) if the application is to connect **distributed generation**, when the **distributed generator** expects the **distributed generation** to be connected;
 - (h) technical specifications of the **distributed generation** and **associated equipment**, including the following:
 - (i) technical specifications of equipment that allows the **distributed generation** to be **electrically disconnected** from the **distribution network** on loss of mains voltage;
 - (ii) manufacturer's rating of equipment;
 - (iii) number of phases;
 - (iv) proposed or current **point of connection** to the **distribution network** (for example, the **ICP identifier** and street address);
 - (v) details of either or both of any inverter and battery storage;
 - (vi) details of any **load** at the proposed or current **point of connection**;
 - (vii) details of the voltage (for example, 400 V or 11 kV) when it is **electrically connected**;
 - (i) information showing how the **distributed generation** complies with the **distributor's connection and operation standards**;
 - (j) any additional information or **documents** that are reasonably required by the **distributor**.
- (3) The **distributed generator** must provide the **distributor** with the information required by clause 7(1)(o) of Schedule 11.1.
- (4) The **distributor** must, within five **business days** of receiving an application, give written notice to the **distributed generator** advising whether or not the application is complete.

3 Distributor's decision on application

- (1) A **distributor** must, within 30 **business days** after the date of receipt of a completed application made in accordance with clause 2, give notice in writing to the **applicant** stating whether the application is approved or declined.
- (2) A **distributor** must approve an application if—
- (a) the application has been properly made in accordance with Part 6 of this Code;
 - and

- (b) the information provided in the application would reasonably support an assessment by the **distributor** that—
 - (i) the **applicant** will comply at all times with the requirements of the Health and Safety at Work Act 2015; and
 - (ii) the **distributed generator** will ensure that the **distributed generation** complies at all times with the **Act**, and this Code; and
 - (iii) the **distributed generation** meets the **distributor's connection and operation standards**.
- (3) A notice stating that an application is declined must be accompanied by the following information:
 - (a) detailed reasons as to why the application has been declined and the steps that the **applicant** can take to achieve approval if it makes a new application;
 - (b) information about the default process under Schedule 6.3 for the resolution of disputes between **participants** about an alleged breach of the **regulated terms** or any other provision of Part 6 of this Code;
 - (c) that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.

4 Extension of time by mutual agreement for distributor to process application

- (1) A **distributor** may seek an extension of the time specified in clause 3(1) by which the **distributor** must give notice in writing stating whether an application is approved or declined.
- (2) The **distributor** must do this by notice in writing to the **distributed generator** specifying the reasons for the extension.
- (3) The **distributed generator** that made the application—
 - (a) may grant an extension which must not exceed 20 **business days**; and
 - (b) must not unreasonably withhold consent to an extension.

5 Distributed generator must give notice of intention to negotiate

- (1) If a **distributor** advises a **distributed generator** that its application is approved, the **distributed generator** must give written notice to the **distributor** confirming whether the **distributed generator** intends to negotiate a connection contract under clause 6 and, if so, confirming the details of the **distributed generation** to which the application relates.
- (2) The **distributed generator** must give the notice within 10 **business days** after the **distributor** gives notice of final approval, or such later date as is agreed by the **distributor** and the **distributed generator**.
- (3) The **distributor's** duties under Part 6 of this Code arising from the application no longer apply if the **distributed generator** fails to give notice to the **distributor** within the time limit specified in subclause (2).

- (4) Subclause (3) does not prevent the **distributed generator** from making a new application under Part 6 of this Code.

Post-approval process

6 30 business days to negotiate connection contract if distributed generator gives notice of intention to proceed

- (1) If a **distributed generator** whose application under clause 2 is approved gives notice to a **distributor** under clause 5, the **distributor** and the **distributed generator** have 30 **business days**, starting on the date on which the **distributor** receives the notice, during which they must, in good faith, attempt to negotiate a connection contract.
- (2) The **distributor** and the **distributed generator** may, by agreement, extend the time specified in subclause (1) for negotiating a connection contract.

7 Testing and inspection

- (1) Subject to subclause (2), a **distributed generator** whose application under clause 2 is approved by a **distributor** must test and inspect the **distributed generation** to which the application relates within a reasonable timeframe specified by the **distributor**.
- (2) The **distributor** may waive the requirement that the **distributed generator** test and inspect if the **distributor** is satisfied that the **distributed generation** complies with the **distributor's connection and operation standards**.
- (3) The **distributed generator** must give adequate notice of the testing and inspection to the **distributor**.
- (4) The **distributor** may send qualified personnel to the site to observe the testing and inspection.
- (5) The **distributed generator** must give the **distributor** with a written test report when testing and inspection is complete, including suitable evidence that the **distributed generation** complies with the **distributor's connection and operation standards**.
- (6) The **distributed generator** must pay any fee specified by the **distributor** in accordance with clause 6.3(2)(e) for observing the testing and inspection.

8 Connection of distributed generation if connection contract negotiated

- (1) This clause applies if a **distributor** and a **distributed generator** whose application under **Process 1** is approved enter into a connection contract before the period for negotiating a connection contract under **Process 1** expires.
- (2) If the application is to connect **distributed generation** under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **distributed generator** to connect the **distributed generation** in accordance with the contract as soon as practicable.
- (3) If the application is to continue an existing connection of **distributed generation** under clause 2(1)(b) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply—
- (a) as soon as practicable, if the previous connection contract has expired; or

- (b) no later than the expiry of the previous connection contract, if the contract is in force.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.
- (5) If the application is to change the **maximum export power** or fuel type of connected **distributed generation** under clause 2(1)(d) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.

9 Connection of distributed generation on regulated terms if connection contract not negotiated

- (1) This clause applies if a **distributor** and a **distributed generator** whose application under **Process 1** is approved do not enter into a connection contract before the period for negotiating a connection contract under this Part of this Schedule expires.
- (2) If the application is to connect **distributed generation** under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **distributed generator** to connect the **distributed generation** on the **regulated terms** as soon as practicable after the expiry of the period.
- (3) If the application is to continue an existing connection of **distributed generation** under clause 2(1)(b) of Schedule 6.1, the **regulated terms** apply to the **distributed generator's** existing connection as follows:
- (a) if the previous connection contract has expired, the **regulated terms** apply from the day after the date on which the period for negotiating a connection contract under **Process 1** expires;
- (b) if the previous connection contract is still in force, the **regulated terms** apply from the day after the date on which the contract expired.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **regulated terms** apply from the day after the date that the period for negotiating a connection contract under **Process 1** expires.
- (5) If the application is to change the **maximum export power** or fuel type of connected **distributed generation** under clause 2(1)(d) of Schedule 6.1, the **regulated terms** apply from the day after the date that the period for negotiating a connection contract under this Part of this Schedule expires.

Appendix 1A

Process 1A: Applications for distributed generation with maximum export power of 10 kW or less in total in specified circumstances

1 Contents of this Appendix

- (1) This Appendix sets out **Process 1A** and applies to applications relating to **distributed generation** that has a **maximum export power** of 10 kW or less to a **distribution network** if the **applicant** has elected, under clause 4 of Schedule 6.1, to apply under **Process 1A**.
- (2) **Process 1A** provides for a simplified 1-stage application process.

2 Application for distributed generation with maximum export power of 10 kW or less in total in specified circumstances

- (1) An application to a **distributor** must use the application form provided by the distributor that is publicly available under clause 6.3(2)(a), and specify which of the following circumstances applies:
 - (a) the **distributed generator** wishes to connect **distributed generation**:
 - (b) the **distributed generator** wishes to continue an existing connection of **distributed generation** that is connected in accordance with a connection contract that—
 - (i) is in force and the **distributed generator** wishes to extend the term of the connection contract; or
 - (ii) has expired:
 - (c) the **distributed generator** wishes to continue an existing connection of **distributed generation** that is connected without a connection contract:
 - (d) the **distributed generator** wishes to change the **maximum export power** or fuel type of connected **distributed generation**.
- (2) An application must include the following:
 - (a) the name, contact, and address details of the **distributed generator** and, if applicable, the **distributed generator's** agent:
 - (b) a brief description of the physical location at the address at which the **distributed generation** is or will be connected:
 - (c) any application fee specified by the **distributor** in accordance with clause 6.3(2)(e):
 - (d) details of the make and model of the inverter:
 - (e) confirmation as to whether the inverter—
 - (i) is included on the **distributor's** list of approved inverters **published** under clause 6.3(2)(f); or
 - (ii) conforms with the settings specified in the **distributor's connection and operation standards**:
 - (f) if the inverter is not included on the **distributor's** list of approved inverters, a copy of the AS/NZS 4777.2:2020 Declaration of Conformity certificate for the inverter:
 - (g) details of—

- (i) the **maximum export power** of the **distributed generation**; and
 - (ii) the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel).
- (h) the information required by clause 7(1)(o) of Schedule 11.1.
- (3) Until 1 September 2026, an application must also include—
 - (a) confirmation as to whether the inverter conforms with the control settings and volt response mode settings specified in the **distributor's connection and operation standards**; and
 - (b) confirmation that the **distributed generation** has a **maximum export power** limit that does not exceed the **maximum export power** threshold, if any, specified by the **distributor** in its **connection and operation standards**; and
 - (c) the **maximum export power** of the **distributed generation**.
- (4) The **distributed generator** must also give the **distributor** the following information as soon as it is available, but no later than 10 **business days** after the approval of the application:
 - (a) a copy of the Certificate of Compliance issued under the Electricity (Safety) Regulations 2010 that relates to the **distributed generation**;
 - (b) the **ICP identifier** of the **ICP** at which the **distributed generation** is connected or is proposed to be connected, if one exists.
- (5) A **distributor** must, no later than two **business days** after receiving an application from a **distributed generator**, acknowledge receipt of the application.

3 Distributor may inspect distributed generation

- (1) A **distributor** may inspect **distributed generation** that is connected or is proposed to be connected to its **distribution network** for the purpose of—
 - (a) verifying that the **distributed generation** meets, or continues to meet, the requirements specified in clause 4 of Schedule 6.1; or
 - (b) verifying the information contained in an application made under **Process 1A**.
- (2) If a **distributor** wishes to inspect **distributed generation**, the **distributor** must give the **distributed generator** at least two **business days'** notice of the time and date on which the inspection will take place.
- (3) Following receipt of a notice, the **distributed generator** must—
 - (a) pay the fee specified by the **distributor** in accordance with clause 6.3(2)(e) for the inspection (if any); and
 - (b) provide or arrange for the **distributor** to have reasonable access to the **distributed generation**.

4 Export congestion

- (1) This clause applies if a **distributed generator** applies to a **distributor** under **Process 1A** to connect **distributed generation** or continue an existing connection of **distributed generation** to a location on the **distributor's distribution network** that is included in the list **published** in accordance with clauses 6.3(2)(da) or 6.3(2)(db).
- (2) The **distributor** may advise the **distributed generator** that the **distributed generation** may be subject to **export congestion** as set out in the **distributor's congestion management policy**.

- (3) If a **distributor** has advised a **distributed generator** under subclause (2), the **distributor** must take reasonable steps to work with the **distributed generator** to assess whether solutions exist to mitigate the **export congestion**.

5 Non-compliance or incomplete information

- (1) This clause applies if a **distributor** considers that an application made to it by a **distributed generator** under **Process 1A** has one or more of the following deficiencies:
- (a) the **distributed generation** to which the application relates does not meet the requirements specified in clause 4 of Schedule 6.1;
 - (b) the **distributed generation** to which the application relates is not as described in the information given under clause 2(2);
 - (c) the **distributed generator** has not complied with clause 2(2).
- (2) If this clause applies, the **distributor** must advise the **distributed generator** of the deficiency or deficiencies.
- (3) If the **distributed generator** is advised of a deficiency or deficiencies, it must remedy each deficiency to the satisfaction of the **distributor** no later than **10 business days** after being advised of the deficiency.
- (4) If the **distributed generator** is required to remedy a deficiency it must pay the relevant fee specified by the **distributor** in accordance with clause 6.3(2)(e).
- (5) If the **distributed generator** does not remedy each deficiency of which it is advised within the time frame specified in subclause (3)—
- (a) if the **distributed generation** to which the application relates is **electrically connected** to the **distributor's distribution network** at the time the **distributor** advises the **distributed generator** under subclause (2), the **distributor** may, by notice to the **distributed generator**, require the **distributed generator** to—
 - (i) **electrically disconnect** the **distributed generation** within a reasonable time frame specified by the **distributor** (if applicable); and
 - (ii) **keep the distributed generation electrically disconnected** until each deficiency is remedied to the **distributor's** satisfaction; or
 - (b) if the **distributed generation** is not connected to the **distributor's distribution network** at the time of being advised under subclause (2), the **distributor** may, by notice to the **distributed generator**, prohibit the **distributed generator** from connecting the **distributed generation** to the **distributor's distribution network** until each deficiency is remedied to the **distributor's** satisfaction.
- (6) The **distributor** must approve connection of the **distributed generation** as soon as is reasonable in the circumstances if—
- (a) the **distributed generator** complies with a notice given under subclause (5)(a) (if applicable); and
 - (b) the **distributed generator** remedies each deficiency advised under subclause (2)—
 - (i) to the satisfaction of the **distributor**; and
 - (ii) no later than 12 months after the date of the notice given under subclause (5) or such later date as is agreed by the **distributor** and the **distributed generator**.
- (7) If the **distributor** approves the connection of **distributed generation**, it must give a notice of final approval to the **distributed generator** under clause 6.

6 Notice of final approval

- (1) A distributor must give a notice of final approval of distributed generation to a distributed generator that has made an application to the distributor under Process 1A if the distributor is satisfied that—**
 - (a) the distributed generation meets the requirements specified in clause 4 of Schedule 6.1; and**
 - (b) the information given by the distributed generator under clause 2(2) is complete and accurate.**
- (2) The distributor must give the notice no later than 10 business days after the date on which the application was submitted.**
- (3) If the distributed generator does not receive a notice by the date specified in subclause (2), the distributor is deemed to have given notice of final approval.**

7 Regulated terms apply

- (1) If a distributor gives a notice of final approval to a distributed generator under clause 6, the regulated terms apply.**
- (2) Despite subclause (1), and in accordance with clause 6.6(4), the distributor and distributed generator may at any time enter into a connection contract on terms that apply instead of the regulated terms.**

8 When distributed generator may connect to distribution network

- (1) A distributed generator that has submitted an application to a distributor under clause 4 of Schedule 6.1 may connect the distributed generation to which the application relates to the distributor's distribution network if the distributed generator receives a notice of final approval under clause 6(1), or is deemed to have received a notice of final approval under clause 6(3).**
- (2) Despite subclause (1) a distributor may prohibit a distributed generator from connecting if—**
 - (a) the distributor has advised the distributed generator of a deficiency under clause 5(2) and the deficiency has not been remedied in accordance with clause 5(3); or**
 - (b) the distributor gave notice that it wished to inspect the distributed generation under clause 3(2), but the distributed generator has not provided or arranged for the distributor to have reasonable access to the distributed generation under clause 3(3)(b).**

Appendix 2

Process 2: Applications to connect distributed generation with maximum export power above 10 kW and below 300 kW in total

1 Contents of this Appendix

- (1) This Appendix sets out **Process 2** and applies to applications to connect **distributed generation** with **maximum export power** above 10 kW and below 300 kW in total to a **distribution network**.
- (2) **Process 2** provides for a two-stage application process.

Initial application process

2 Distributed generator must make initial application and give information

- (1) A **distributed generator** must make an **initial application** to a **distributor** by—
 - (a) using the application form provided by the **distributor** that is **published** under clause 6.3(2)(a); and
 - (b) providing any information in respect of the **distributed generation** to which the application relates that is—
 - (i) referred to in subclause (2); and
 - (ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the application; and
 - (c) paying the application fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).
- (2) The information includes the following:
 - (a) the full name and address of the **distributed generator** and the contact details of a person whom the **distributor** may contact regarding the **distributed generation**;
 - (b) whether the application is to—
 - (i) connect **distributed generation**; or
 - (ii) continue an existing connection of **distributed generation** that is connected in accordance with a connection contract if the connection contract—
 - (A) is in force and the **distributed generator** wishes to extend the term of the connection contract; or
 - (B) has expired; or
 - (iii) continue an existing connection of **distributed generation** that is connected without a connection contract; or
 - (iv) change the **maximum export power** or fuel type of connected **distributed generation**;
 - (c) evidence of the **maximum export power** that the **distributed generation** will have;
 - (d) if the application is to change the **maximum export power** or fuel type of connected **distributed generation**—
 - (i) the **maximum export power** that the **distributed generation** will have after the change; and

- (ii) the aggregate **maximum export power** that all **distributed generation** that is connected at the **point of connection** at which the **distributed generation** is connected will have after the change; and
 - (iii) the fuel type that the **distributed generation** will have after the change:
 - (e) details of the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel):
 - (f) a brief description of the physical location at the address at which the **distributed generation** is or will be connected:
 - (g) if the application is to **connect distributed generation**, when the **distributed generator** expects the **distributed generation** to be connected:
 - (h) technical specifications of the **distributed generation** and **associated equipment**, including the following:
 - (i) technical specifications of equipment that allows the **distributed generation** to be **electrically disconnected** from the **distribution network** on loss of mains voltage:
 - (ii) manufacturer's rating of equipment:
 - (iii) number of phases:
 - (iv) proposed or current **point of connection** to the **distribution network** (for example, the **ICP identifier** and street address):
 - (v) details of either or both of any inverter and battery storage:
 - (vi) details of any **load** at the proposed or current **point of connection**:
 - (vii) details of the voltage (for example, 400 V or 11 kV) when **electrically connected**:
 - (i) information showing how the **distributed generation** complies with the **distributor's connection and operation standards**:
 - (j) the maximum **active power** injected (**MW max**):
 - (k) the **reactive power** requirements (**MVARs**) (if any):
 - (l) resistance and reactance details of the **distributed generation**:
 - (m) fault level contribution (**kA**):
 - (n) method of voltage control:
 - (o) single line diagram of proposed connection:
 - (p) means of **synchronising** with, **electrically connecting** to, and **electrically disconnecting** from, the **distribution network**, including the type and ratings of the proposed **circuit breaker**:
 - (q) details of compliance with frequency and voltage support requirements as specified in this Code (if applicable):
 - (r) proposed periods and amounts of **electricity injections** into, and **offtakes** from, the **distribution network** (if known):
 - (s) any other information that is required by the **system operator**:
 - (t) any additional information or **documents** that are reasonably required by the **distributor**.
- (4) The **distributed generator** must provide the **distributor** with the information required by clause 7(1)(o) of Schedule 11.1.

- (5) The **distributor** must, within five **business days** of receiving an **initial application**, give written notice to the **applicant** advising whether or not the application is complete and, if not, what information is needed to complete the application.

3 **Distributor must give information to distributed generator**

A **distributor** must give a **distributed generator** that makes an **initial application** the following information within 30 **business days** of receiving the completed **initial application**:

- (a) information about the **capacity** of the **distribution network**, including both the design **capacity** (including fault levels) and actual operating levels:
- (b) information about the extent to which connection and operation of the **distributed generation** may result in a breach of the relevant standards for safety, voltage, power quality, and reliability of **electricity** conveyed to **points of connection on the distribution network**:
- (c) information about any measures or conditions (including modifications to the design and operation of the **distribution network**, the **grid** or to the operation of the **distributed generation**) that may be necessary to address the matters referred to in paragraphs (a) and (b):
- (d) the approximate costs of any **distribution network** related measures or conditions identified under paragraph (c) and an estimate of time constraints or restrictions that may delay connecting the **distributed generation**:
- (e) information about any further detailed investigative studies, including estimated cost and time to complete those studies, that the **distributor** reasonably considers are necessary to identify any potential adverse effects the **distributed generation** may have on the system, together with an indication of—
 - (i) whether the **distributor** agrees to the **distributed generator**, or a suitably qualified agent of the **distributed generator**, undertaking those studies and, if not, the reasons for the **distributor's** decision; or
 - (ii) if not, whether the **distributor** could undertake those studies and, if so, the reasonable estimated cost of the studies that the **distributed generator** would be charged:
- (f) information about any obligations to other parties that may be imposed on the **distributor** and that could affect the **distributed generation** (for example, obligations to **Transpower**, in respect of other **networks**, or under this Code):
- (g) any additional information or **documents** that the **distributor** considers would assist the **distributed generator's** application:
- (h) information about the extent to which planned and **unplanned outages** may adversely affect the operation of the **distributed generation**.

4 **Other matters to assist with decision making**

- (1) A **distributor** must provide, if requested by a **distributed generator** making an **initial application**, further information that is reasonably necessary to enable the **distributed**

generator to consider and act on the information given by the distributor under clause 3.

- (2) The information that the distributor must provide under subclause (1) may include single line diagrams, equipment ratings, normal switch configurations (including fault levels), and protection system details relevant to the current or proposed point of connection of the distributed generation to the distribution network.
- (3) The distributor must provide the further information under this clause within 10 business days of the request being received.

5 Distributor and distributed generator must make reasonable endeavours regarding new information

If a distributor or a distributed generator has given information to the other party under this Appendix and subsequently becomes aware of new information that is relevant to the application, the party that becomes aware of the new information must use reasonable endeavours to provide the other party with the new information.

6 Distributor's decision on initial application

- (1) A distributor must, within 40 business days after receiving the completed initial application, give notice in writing to the distributed generator stating whether the initial application is approved or declined.
- (2) A distributor must approve an initial application, subject to any conditions specified by the distributor that are reasonably required, if—
 - (a) the initial application has been properly made in accordance with Part 6 of this Code; and
 - (b) the information provided in the initial application would reasonably support an assessment by the distributor.
- (3) If the distributor does not give notice in accordance with subclause (1) before the expiry of the timeframe in this clause, the distributor must treat the initial application as approved.
- (4) A notice stating that an initial application is approved must be accompanied by information about estimated charges payable by the distributed generator to the distributor to assess a final application.
- (5) A notice stating that an initial application is declined must be accompanied by detailed reasons as to why the initial application was declined.

Final application process

7 Distributed generator must make final application

- (1) A distributed generator that makes an initial application to a distributor must make a final application, no later than 12 months after the date on which the distributor approved the initial application, if the distributed generator wishes to proceed with the application, unless—
 - (a) the distributor and the distributed generator agree that a final application is not required; and

- (b) there are no persons to whom the **distributor** must give written notice under clause 8 at the time that the **distributor** and **distributed generator** agree that a **final application** is not required; or
 - (c) the **distributor** agrees to accept a **final application** later than 12 months after the date on which it approved the **initial application**.
- (2) If a **final application** is not required under subclause (1)—
 - (a) subclause (3) does not apply; and
 - (b) the **distributed generator's initial application** must be treated as a **final application** for the purposes of clauses 8 to 16.
- (3) The **distributed generator** must make the **final application** by—
 - (a) using the **final application** form provided by the **distributor** that is **published** under clause 6.3(2)(a); and
 - (b) providing the results of any investigative studies that were identified by the **distributor** under clause 3(e)(i) and to be undertaken by the **distributed generator** or the **distributed generator's** agent; and
 - (c) paying the **final application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).

8 Notice to third parties

A **distributor** that receives a **final application** must give written notice of the **final application** to the following persons no later than 10 **business days** after receiving the **final application**:

- (a) all persons that have made an **initial application, interim application** and **final application** relating to a part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**; and
- (b) all **distributed generators** that have **distributed generation** with a **maximum export power** of 10 kW or more in total connected on the **regulated terms** to the part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**.

9 Priority of final applications

- (1) Subclause (2) applies if—
 - (a) a **distributor** receives a **final application** (the first application); and
 - (b) a **second final application** (the second application) and any other **final applications** (further applications) within **20 business days** of receiving the first application; and
 - (c) the first application, the second application or any of the further applications (the **grouped applications**) relate to the same part of the **distribution network** and the **distributor** considers that any of those applications would be affected by the approval of the other applications.
- (2) If this subclause applies—
 - (a) the **distributor** must consider the **grouped applications** simultaneously; and
 - (b) if the **distributor** does not have sufficient **network** capacity to approve all of the **grouped applications**, the **distributor** must—

- (i) consider which applications to progress to a decision under clause 10 in whole or part or taking into account which application or applications would likely involve the optimal use of the **distribution network** while achieving the most long-term benefit for consumers and which applications to put on hold in whole or part while it considers the applications it has decided to progress; and
 - (ii) advise each **applicant** of its decision under sub-paragraph (i) as soon as possible and within the timeframes specified in clause 11; and
 - (iii) process the applications in accordance with that decision; or
 - (c) if the **distributor** has sufficient **network** capacity to approve all the applications, the **distributor** must—
 - (i) advise each **applicant** of this as soon as possible and within the timeframes specified in clause 11; and
 - (ii) continue to progress each application.
- (3) If a **distributor** makes a decision under subclause (2)(b)—
 - (a) the **distributor** must make its decision under clause 10 independently of its decision under subclause 2(b); and
 - (b) the decision under subclause 2(b) is without prejudice to any decision under clause 10, does not affect or pre-empt any decision under clause 10, or require any particular decision under clause 10.
- (4) For the avoidance of doubt, if the **distributor** receives a **final application** (later application) more than 20 **business days** after the first application—
 - (a) the distributor must continue to consider the **grouped applications** in accordance with subclause (2); and
 - (b) **distributor** must not include the later application with the **grouped applications** for consideration under subclause (2); and
 - (c) the **distributor** must not make a final decision on the later application until after it has made a final decision on each of the **grouped applications**.
- (5) Subclause (3) does not limit clause 11.

10 Distributor's decision on final application

- (1) A **distributor** must, within the time limit specified in clause 11 but subject to clause 9, give notice in writing to the **distributed generator** stating whether the **final application** is approved or declined.
- (2) A **distributor** must approve a **final application**, subject to any conditions specified by the **distributor** that are reasonably required, if—
 - (a) the application has been properly made in accordance with Part 6 of this Code; and
 - (b) the information provided in the application would reasonably support an assessment by the **distributor** that—
 - (i) the **distributed generator** will comply at all times with the requirements of the Health and Safety at Work Act 2015; and

- (ii) the **distributed generator** will ensure that the **distributed generation** complies at all times with the **Act** and this Code; and
 - (iii) the **distributed generation** meets the **distributor's connection and operation standards** (assuming that the **distributed generator** meets the conditions (if any) referred to in subclause (3)).
- (3) A notice stating that a **final application** is approved must be accompanied by the following information:
 - (a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **distributed generator** must do to comply with them;
 - (b) detailed reasons for those conditions (or other measures);
 - (c) a detailed description of any charges payable by the **distributed generator** to the **distributor** or by the **distributor** to the **distributed generator**, and an explanation of how the charges have been, or will be, calculated;
 - (d) the default process for resolving disputes under Schedule 6.3, if the **distributed generator** disputes all or any of the conditions (or other measures) or charges payable.
- (4) A notice stating that a **final application** is declined must be accompanied by the following information:
 - (a) detailed reasons as to why the **final application** was declined and what the **distributed generator** must do to obtain the **distributor's** approval if it makes a new **final application**;
 - (b) if the application is one to which clause 9(2) applies, the criteria used in making a decision under clauses 9(2)(a) and 9(2)(b);
 - (c) the default process for resolving disputes between **participants** under Schedule 6.3;
 - (d) that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.

11 Time within which distributor must decide final applications

- (1) A notice required by clause 10 must be given by a **distributor** to a **distributed generator** no later than 45 **business days** after the date of receipt of the **final application**, subject to clause 9(2)(b)(i).
- (2) If the **distributor** is considering more than one application simultaneously under clause 9, the time frame under subclause (1) will commence on the date of receipt of the latest in time of those applications.
- (3) The **distributor** may seek up to two extensions of the time specified in subclause (1).
- (4) If the **distributor** requires **grid** studies to decide the **final application**, and the **distributor** has sought two extensions of time under subclause (3), the **distributor** may seek up to two additional extensions of the time specified in subclause (1).

- (5) If a **distributor** seeks an extension of time under subclauses (3) and (4) it must provide the **distributed generator** with a notice in writing specifying the reasons why the extension of time is sought.
- (6) A **distributed generator** that receives a notice seeking an extension of time under subclauses (3) and (4)—
 - (a) may grant an extension which must not exceed 40 **business days**; and
 - (b) must not unreasonably withhold consent to an extension.
- (7) Subclause (8) applies if the **distributor** requests or requires further information from the **distributed generator** that was missing from the **final application** that the **distributor** reasonably needs in order to progress the **final application**.
- (8) The total timeframe will pause on the making of the request or requirement and will resume on the **business day** after the **distributor** receives the information.
- (9) If the **distributor** does not give notice in accordance with subclause (1) before the expiry of the timeframes in this clause, including any extensions of time, the **distributor** must treat the **final application** as approved, subject to clause 9(2)(b)(i).
- (10) If subclause (9) applies, the **applicant** may choose to defer the **distributor's** decision on its **final application** until a later date of its choosing.

12 Distributed generator must give notice of intention to negotiate

- (1) If a **distributor** approves a **final application**, the **distributed generator** must give written notice to the **distributor** confirming whether or not the **distributed generator** intends to proceed to negotiate a connection contract under clause 13(1) and, if so, confirming—
 - (a) the details of the **distributed generation**; and
 - (b) that the **distributed generator** accepts all of the conditions (or other measures) that have been specified by the **distributor** under clause 10.
- (2) The **distributed generator** must give the notice no later than 30 **business days** after the day on which the **distributor** gives notice of final approval under clause 10, or such later date as is agreed by the **distributor** and the **distributed generator**.
- (3) If the **distributed generator** is a **participant** and does not accept one or more of the conditions specified by the **distributor** under clause 10(2) (if any), but intends to proceed to negotiate a connection contract under clause 13(1), the **distributed generator** must—
 - (a) give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 **business days** after the day on which the **distributor** gives notice of final approval under clause 10; and
 - (b) give a notice under subclause (1) within 30 **business days** after the dispute is resolved.
- (4) The **distributor's** duties under Part 6 of this Code arising from the application no longer apply if the **distributed generator** fails to give notice to the **distributor** of an intention to proceed to negotiate a connection contract under clause 13(1) within the time limits specified in this clause.
- (5) Subclause (4) does not prevent the **distributed generator** from making a new application under Part 6 of this Code.

Post-approval process

13 30 business days to negotiate connection contract if distributed generator gives notice of intention to negotiate

- (1) If a distributed generator whose final application is approved gives notice to a distributor under clause 12(1), the distributor and the distributed generator have 30 business days, starting on the date on which the distributor receives the notice, during which they must, in good faith, attempt to negotiate a connection contract.**
- (2) The distributor and the distributed generator may, by agreement, extend the time specified in subclause (1) for negotiating a connection contract.**

14 Testing and inspection

- (1) A distributed generator whose final application is approved by a distributor must test and inspect the distributed generation to which the final application relates within a reasonable time frame specified by the distributor.**
- (1A) The distributor may waive the requirement that the distributed generator test and inspect if the distributor is satisfied that the distributed generation complies with the distributor's connection and operation standards.**
- (2) The distributed generator must give adequate notice of the testing and inspection to the distributor.**
- (3) The distributor may send qualified personnel to the site to observe the testing and inspection.**
- (4) The distributed generator must give the distributor a written test report when testing and inspection is complete, including suitable evidence that the distributed generation complies with the distributor's connection and operation standards.**
- (5) The distributed generator must pay any fee specified by the distributor in accordance with clause 6.3(2)(e) for observing the testing and inspection.**

15 Connection of distributed generation if connection contract negotiated

- (1) This clause applies if a distributor and a distributed generator whose final application is approved enter into a connection contract before the period for negotiating a connection contract under Process 2 expires.**
- (2) If the application is to connect distributed generation under clause 2(1)(a) of Schedule 6.1, the distributor must allow the distributed generator to connect the distributed generation in accordance with the contract as soon as practicable.**
- (3) If the application is to continue an existing connection of distributed generation under clause 2(1)(b) of Schedule 6.1, the distributor must use its best endeavours to ensure that the new terms under which the distributed generator's existing connection continues apply—**
 - (a) as soon as practicable, if the previous connection contract has expired; or**
 - (b) no later than the expiry of the previous connection contract, if the contract is in force.**

- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.
- (5) If the application is to change the **maximum export power** or fuel type of connected **distributed generation** under clause 2(1)(d) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.

16 Connection of distributed generation on regulated terms if connection contract not negotiated

- (1) This clause applies if a **distributor** and a **distributed generator** whose **final application** is approved do not enter into a connection contract before the period for negotiating a connection contract under **Process 2** expires.
- (2) If the application is to connect **distributed generation** under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **distributed generator** to connect the **distributed generation** on the **regulated terms** as soon as practicable after the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 2**;
 - (b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.
- (3) If the application is to continue an existing connection of **distributed generation** under clause 2(1)(b) of Schedule 6.1, the **regulated terms** apply to the **distributed generator's** existing connection from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 2**;
 - (b) the expiry of the existing connection contract;
 - (c) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **regulated terms** apply from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 2**;
 - (b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.
- (5) If the application is to change the **maximum export power** or fuel type of connected **distributed generation** under clause 2(1)(d) of Schedule 6.1, the **regulated terms** apply from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 2**;
 - (b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.

Appendix 3

Process 3: Applications to connect distributed generation with maximum export power of 300 kW or more in total

1 Contents of this Appendix

- (1) This Appendix sets out **Process 3** and applies to applications to connect **distributed generation** with **maximum export power** of 300 kW or more in total to a **distribution network**.
- (2) **Process 3** provides for a three-stage application process.

Initial application process

2 Distributed generator must make initial application, give information, and pay initial application fee

- (1) A **distributed generator** must make an **initial application** to a **distributor** by—
 - (a) using the application form provided by the **distributor** that is **published** under clause 6.3(2)(a); and
 - (b) providing any information in respect of the **distributed generation** to which the application relates that is—
 - (i) referred to in subclause (3); and
 - (ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the application; and
 - (c) paying the **initial application** fee specified by the **distributor** in accordance with clause 6.3(2)(e).
- (2) The **initial application** fee is non-refundable and non-transferable unless the **distributor** agrees otherwise.
- (3) The information includes the following:
 - (a) the full name and address of the **distributed generator** and the contact details of a person whom the **distributor** may contact regarding the **distributed generation**;
 - (b) whether the application is to—
 - (i) connect **distributed generation**; or
 - (ii) continue an existing connection of **distributed generation** that is connected in accordance with a connection contract if the connection contract—
 - (A) is in force and the **distributed generator** wishes to extend the term of the connection contract; or
 - (B) has expired; or
 - (iii) continue an existing connection of **distributed generation** that is connected without a connection contract; or
 - (iv) change the **maximum export power** or fuel type of connected **distributed generation**;
 - (c) evidence of the **maximum export power** that the **distributed generation** will have;

- (d) if the application is to change the **maximum export power** or fuel type of connected **distributed generation**,—
 - (i) the **maximum export power** that the **distributed generation** will have after the change; and
 - (ii) the aggregate **maximum export power** that all **distributed generation** that is connected at the **point of connection** at which the **distributed generation** is connected will have after the change; and
 - (iii) the fuel type that the **distributed generation** will have after the change;
- (e) details of the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel);
- (f) a brief description of the physical location at the address at which the **distributed generation** is or will be connected;
- (g) if the application is to connect **distributed generation**, when the **distributed generator** expects the **distributed generation** to be connected;
- (h) technical specifications of the **distributed generation** and **associated equipment**, including the following:
 - (i) technical specifications of equipment that allows the **distributed generation** to be **electrically disconnected** from the **distribution network** on loss of mains voltage;
 - (ii) manufacturer's rating of equipment;
 - (iii) number of phases;
 - (iv) proposed or current **point of connection** to the **distribution network** (for example, the **ICP identifier** and street address);
 - (v) details of either or both of any inverter and battery storage;
 - (vi) details of any **load** at the proposed or current **point of connection**;
 - (vii) details of the voltage (for example, 400 V or 11 kV) when **electrically connected**;
- (i) information showing how the **distributed generation** complies with the **distributor's connection and operation standards**;
- (j) the maximum **active power** injected (in MW);
- (k) the **reactive power** requirements (in MVAr) (if any);
- (l) resistance and reactance details of the **distributed generation**;
- (m) fault level contribution (in kA);
- (n) method of voltage control;
- (o) single line diagram of proposed connection;
- (p) means of **synchronising** with, **electrically connecting** to, and **electrically disconnecting** from, the **distribution network**, including the type and ratings of the proposed **circuit breaker**;
- (q) details of compliance with frequency and voltage support requirements as specified in this Code (if applicable);
- (r) proposed periods and amounts of **electricity injections** into, and **offtakes** from, the **distribution network** (if known);
- (s) any other information that is required by the **system operator**;

- (t) any additional information or **documents** that are reasonably required by the **distributor**.
- (4) The **distributed generator** must provide the **distributor** with the information required by clause 7(1)(o) of Schedule 11.1.
- (5) The **distributor** must, within five **business days** of receiving an **initial application**, give written notice to the **applicant** advising whether or not the application is complete and, if not, what information is needed to complete the application.

3 Distributor must give information to distributed generator

A **distributor** must give a **distributed generator** that makes an **initial application** the following within 30 **business days** of receiving the completed **initial application**:

- (a) information about the **capacity** of the **distribution network**, including both the **design capacity** (including fault levels) and actual operating levels:
- (b) information about the extent to which connection and operation of the **distributed generation** may result in a breach of the relevant standards for safety, voltage, power quality, and reliability of **electricity** conveyed to **points of connection on the distribution network**:
- (c) information about any measures or conditions (including modifications to the design and operation of the **distribution network**, the **grid**, or to the operation of the **distributed generation**) that may be necessary to address the matters referred to in paragraphs (a) and (b):
- (d) the approximate costs of any **distribution network** related measures or conditions identified under paragraph (c) and an estimate of time constraints or restrictions that may delay connecting the **distributed generation**:
- (e) information about any further detailed investigative studies, including estimated cost and time to complete those studies, that the **distributor** reasonably considers are necessary to identify any potential adverse effects the **distributed generation** may have on the system, together with an indication of—
 - (i) whether the **distributor** agrees to the **distributed generator**, or a suitably qualified agent of the **distributed generator**, undertaking those studies and, if not, the reasons for the **distributor's** decision; or
 - (ii) if not, whether the **distributor** could undertake those studies and, if so, the reasonable estimated cost of the studies that the **distributed generator** would be charged:
- (f) information about any obligations to other parties that may be imposed on the **distributor** and that could affect the **distributed generation** (for example, obligations to **Transpower**, in respect of other **networks**, or under this Code):
- (g) any additional information or **documents** that the **distributor** considers would assist the **distributed generator's** application:
- (h) information about the extent to which planned and **unplanned outages** may adversely affect the operation of the **distributed generation**.

4 Other matters to assist with decision making

- (1) **A distributor must provide, if requested by a distributed generator making an initial application, further information that is reasonably necessary to enable the distributed generator to consider and act on the information given by the distributor under clause 3.**
- (2) **The information that the distributor must provide under subclause (1) may include single line diagrams, equipment ratings, normal switch configurations (including fault levels), and protection system details relevant to the current or proposed point of connection of the distributed generation to the distribution network.**
- (3) **The distributor must provide the further information under this clause within 10 business days of the request being received.**

5 Distributor and distributed generator must make reasonable endeavours regarding new information

If a distributor or a distributed generator has given information under this Appendix and subsequently becomes aware of new information that is relevant to the application, the party that becomes aware of the new information must use reasonable endeavours to provide the other party with the new information.

6 Distributor's decision on initial application

- (1) **A distributor must, within 40 business days of receiving the completed initial application, give notice in writing to the distributed generator stating whether the initial application is approved or declined.**
- (2) **A distributor must approve an initial application, subject to any conditions specified by the distributor that are reasonably required, if—**
 - (a) **the initial application has been properly made in accordance with Part 6 of this Code; and**
 - (b) **the information provided in the application would reasonably support an assessment by the distributor.**
- (3) **A distributor that does not give notice in accordance with subclause (1) is deemed to have approved the initial application.**
- (4) **A notice stating that an initial application is approved must be accompanied by the following information:**
 - (a) **the priority position of the initial application in the distributor's network connections pipeline at the time the distributor approved the initial application;**
and
 - (b) **estimated charges payable by the distributed generator to the distributor to assess an interim application and final application.**
- (5) **A notice stating that an initial application is declined must be accompanied by detailed reasons as to why the initial application was declined and what the distributed generator must do to resubmit an initial application.**

- (6) A **distributed generator** may only resubmit an **initial application** once and must do so within 30 **business days** after they receive a notice under subclause (4), otherwise a new application is required.
- (7) The **distributor** must not charge a **distributed generator** for **initial applications** that are resubmitted in accordance with subclauses (5) and (6).

Interim application process

7 Distributed generator must make interim application and give information

- (1) A **distributed generator** that makes an **initial application** to a **distributor** must make an **interim application**, no later than 12 months after receiving initial approval from the distributor, if the **distributed generator** wishes to proceed with the application, unless—
- (a) the **distributor** and the **distributed generator** agree that an **interim application** is not required; and
 - (b) there are no persons to whom the **distributor** must give written notice under clause 8 at the time that the **distributor** and **distributed generator** agree that an **interim application** is not required; or
 - (c) the **distributor** agrees to accept an **interim application** later than 12 months after the date on which it approved the **initial application**.
- (2) If an **interim application** is not required in accordance with subclause (1)—
- (a) subclause (3) does not apply; and
 - (b) the **distributed generator's initial application** must be treated as an **interim application** for the purposes of clauses 8 to 11; and
 - (c) the **distributed generator** must still pay the **interim application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).
- (3) The **distributed generator** must make the **interim application** by—
- (a) using the **interim application** form provided by the **distributor** that is **published** under clause 6.3(2)(a); and
 - (b) providing the results of any investigative studies that were identified by the **distributor** under clause 3(e)(i) and to be undertaken by the **distributed generator** or the **distributed generator's agent**; and
 - (c) providing details of any changes the **distributed generator** has made from the **initial application**; and
 - (d) paying the **interim application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).

8 Notice to third parties

A **distributor** that receives an **interim application** must give written notice of the **interim application** to the following persons no later than 10 **business days** after receiving the **interim application**:

- (a) all persons that have made an **initial application, interim application** and **final application** relating to a part of the **distribution network** that the **distributor** considers would be affected by the approval of the **interim application**; and

- (b) all **distributed generators** that have **distributed generation** with **maximum export power** of 10 kW or more in total connected on the **regulated terms** to the part of the **distribution network** that the **distributor** considers would be affected by the approval of the **interim application**.

9 Distributor's decision on interim application

- (1) A **distributor** must, within the time limit specified in clause 10, give notice in writing to the **distributed generator** stating whether the **interim application** is approved or declined.
- (2) A **distributor** must approve an **interim application**, subject to any conditions specified by the **distributor** that are reasonably required, if—
- (a) the **interim application** has been properly made in accordance with Part 6 of this Code; and
 - (b) the information provided in the **interim application** would reasonably support an assessment by the **distributor** that—
 - (i) the **distributed generator** will comply at all times with the requirements of the Health and Safety at Work Act 2015; and
 - (ii) the **distributed generator** will ensure that the **distributed generation** complies at all times with the **Act**, and this Code; and
 - (iii) the **distributed generation** meets the **distributor's connection and operation standards** (assuming that the **distributed generator** meets the conditions (if any) referred to in subclause (3)); and
 - (iv) the results of the studies provided indicate to the **distributor's** approval that the **distributed generation** can be connected without affecting other customers connected to the **distributor's network**; and
 - (v) the **distributor** has not identified, as a result of the initial studies, additional studies required to support the connection.
- (3) A notice stating that an **interim application** is approved must be accompanied by the following information:
- (a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **distributed generator** must do to comply with them;
 - (b) detailed reasons for those conditions (or other measures);
 - (c) a detailed description of any charges that would be payable by the **distributed generator** to the **distributor** or by the **distributor** to the **distributed generator**, and an explanation of how the charges have been, or will be, calculated;
 - (d) the default process for resolving disputes under Schedule 6.3, if the **distributed generator** disputes all or any of the conditions (or other measures) or charges payable;
 - (e) the priority position of the **interim application** in the **distributor's network connections pipeline** at the time the **distributor** approved the **interim application**;

- (f) estimated charges payable by the **distributed generator** to the **distributor** to assess a **final application**.
- (4) A notice stating that an **interim application** is declined must be accompanied by the following information:
- (a) detailed reasons as to why the application has been declined and what the **distributed generator** must do to obtain the **distributor's** approval if it resubmits its **interim application** under subclause (5):
- (b) the default process for resolving disputes between **participants** under Schedule 6.3:
- (c) that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.
- (5) A **distributed generator** may only resubmit an **interim application** once and must do so within 60 **business days** after receiving a notice under subclause (4), otherwise the **distributed generator** must submit a new **interim application** to the **distributor**.
- (6) The **distributor** must not charge a **distributed generator** for **interim applications** that are resubmitted in accordance with subclause (5).

10 Time within which distributor must decide interim applications

- (1) A notice required by clause 9 must be given by a **distributor** to a **distributed generator** no later than—
- (a) 45 **business days** after the date of receipt of the **interim application**, in the case of **distributed generation** with **maximum export power** of less than 1 MW; or
- (b) 60 **business days** after the date of receipt of the **interim application**, in the case of **distributed generation** with maximum export power of 1 MW or more but less than 5 MW; or
- (c) 80 **business days** after the date of receipt of the **interim application**, in the case of **distributed generation** with **maximum export power** of 5 MW or more.
- (2) The **distributor** may seek up to two extensions of the time specified in subclause (1).
- (3) If the **distributor** requires **grid** studies to decide the **interim application**, and the **distributor** has sought two extensions of time under subclause (2), the **distributor** may seek up to two additional extensions of time after subclause (2).
- (4) If a **distributor** seeks an extension of time under subclauses (2) and (3) it must provide the **distributed generator** with a notice in writing specifying the reasons why the extension of time is sought.
- (5) A **distributed generator** that receives a notice seeking an extension of time under subclause (4)—
- (a) may grant an extension which must not exceed 40 **business days**; and
- (b) must not unreasonably withhold consent to an extension.
- (6) Subclause (7) applies if the **distributor** requests or requires further information from the **distributed generator** that was missing from the **interim application**, during the period set out in subclause (1).

- (7) The total timeframe will pause on the making of the request or requirement and will resume on the **business day** after the **distributor** receives the information.
- (8) If the **distributor** does not give notice in accordance with subclause (1) before the expiry of the timeframes in this clause, including any extensions of time, the **distributor** must treat the **interim application** as approved.
- (9) If subclause (8) applies, the **distributed generator** may choose to defer the **distributor's** decision on its **interim application** until a later date of its choosing.

11 Distributed generator must give notice of a dispute

- (1) If the **distributed generator** is a **participant** and does not accept one or more of the conditions specified by the **distributor** under clause 9(3) (if any), the **distributed generator** may give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 **business days** after the day on which the **distributor** gives notice of approval under clause 9(1).
- (2) If the **distributed generator** fails to notify the **distributor** of a dispute under subclause (1) within 30 **business days** after the date on which the **distributed generator** receives the conditions specified by the **distributor** under clause 9(3), the **distributed generator** is deemed to have accepted the conditions specified by the **distributor**.
- (3) Subclause (2) does not prevent the **distributed generator** from declining the conditions specified by the **distributor** under clause 9(3) and making a new application under Part 6 of this Code.

Final application process

12 Distributed generator must make final application

- (1) A **distributed generator** that makes an **interim application** to a **distributor** must make a **final application** to the **distributor** no later than 90 **business days** after receiving a notice from the **distributor** under clause 9(2) approving the **interim application**, or 90 **business days** after the date on which a dispute was settled under Schedule 6.3, if the **distributed generator** wishes to proceed with the application, unless—
 - (a) the **distributor** and the **distributed generator** agree that a **final application** is not required; and
 - (b) there are no persons to whom the **distributor** must give written notice under clause 13 at the time that the **distributor** and **distributed generator** agree that a **final application** is not required; or
 - (c) the **distributor** agrees to accept a **final application** more than 90 **business days** after **interim approval** or the date that a dispute was settled under Schedule 6.3.
- (2) If a **final application** is not required in accordance with subclause (1)—
 - (a) subclause (3) does not apply; and
 - (b) the **distributed generator's interim application** must be treated as a **final application** for the purposes of clauses 13 to 23; and
 - (c) the **distributed generator** must still pay the **final application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).

- (3) The **distributed generator** must make the **final application** by—
- (a) using the **final application** form provided by the **distributor** that is **published** under clause 6.3(2)(a); and
 - (b) accepting the conditions stipulated by the **distributor** under clause 9(3) (if any) and how the **final application** responds to these conditions; and
 - (c) including evidence of a project investment decision and Overseas Investment Office approval, if available; and
 - (d) paying the **final application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).
- (4) If the **distributor** considers the **final application** does not adequately respond to the conditions the **distributor** must—
- (a) notify the **distributed generator** of the inadequacies; and
 - (b) allow the **distributed generator** 10 **business days** to correct the inadequacies in the **final application**; and
 - (c) if the **distributed generator** has not been able to correct the inadequacies in the **final application**, the **distributor** may treat the **final application** as an **interim application** under clause 9.
- (5) If subclause (4) applies, the **distributor** must not charge the **distributed generator** another **interim application** fee.

13 Notice to third parties

A **distributor** that receives a **final application** must give written notice of the **final application** to the following persons no later than 10 **business days** after receiving the **final application**:

- (a) all persons that have made an **initial application**, **interim application** and **final application** relating to a part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**; and
- (b) all **distributed generators** that have **distributed generation** with a **maximum export power** of 10 kW or more in total connected on the **regulated terms** to the part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**.

14 Priority of final applications

- (1) Subclause (2) applies if—
- (a) a **distributor** receives a **final application** (the first application);
 - (b) a **second final application** (the second application) and any other **final applications** (further applications) within 20 **business days** of receiving the first application; and
 - (c) the first application, the second application or any of the further applications (the **grouped applications**) relate to the same part of the **distribution network** and the **distributor** considers that any of those applications would be affected by the approval of any of the other the applications.
- (2) If this subclause applies —
- (a) the **distributor** must consider the **grouped applications** simultaneously; and

- (b) if the **distributor** does not have sufficient **network** capacity to approve all of the **grouped applications**—

 - (i) the **distributor** and **applicants** must use their best endeavours to amend the applications so that the **distributor** may consider the applications as complementary; and
 - (ii) consider which applications to progress to a decision under clause 10 in whole or part or taking into account the purpose of Part 6 of this Code and which applications to put on hold in whole or part while it considers the applications it has decided to progress; and
 - (iii) advise each applicant of its decision under sub-paragraph (i) as soon as possible and within the timeframes specified in clause 11; and
 - (iv) process the applications in accordance with that decision; or
 - (c) if the **distributor** has sufficient **network** capacity to approve all of the applications the **distributor**—must consider the **final applications** taking into account which application or applications would likely involve the optimal use of the **distribution network** while achieving the most long-term benefit for consumers.
- (3) If a **distributor** makes a decision under subclause (2)(b)—
- (a) the **distributor** must make its decision under clause 10 independently of its decision under subclause 2(b); and
 - (b) the decision under subclause 2(b) is without prejudice to any decision under clause 10, does not affect or pre-empt any decision under clause 10, or require any particular decision under clause 10.
- (4) For the avoidance of doubt, if the **distributor** receives a **final application** (later application) more than 20 **business days** after the first application—
- (a) the distributor must continue to consider the **grouped applications** in accordance with subclause (2); and
 - (b) **distributor** must not include the later application with the **grouped applications** for consideration under subclause (2); and
 - (c) the **distributor** must not make a final decision on the later application until after it has made a final decision on each of the **grouped applications**.

(5) Subclause (3) does not limit clause 16.

15 Distributor's decision on final application

- (1) A **distributor** must, within the time limit specified in clause 16, give notice in writing to the **distributed generator** stating whether the **final application** is approved or declined.
- (2) A **distributor** must approve a **final application**, subject to any conditions specified by the **distributor** that are reasonably required, if—

 - (a) the **final application** has been properly made in accordance with Part 6 of this Code; and
 - (b) the information provided in the application would reasonably support an assessment by the **distributor** that—

- (i) the **distributed generator** will comply at all times with the requirements of the Health and Safety at Work Act 2015; and
 - (ii) the **distributed generator** will ensure that the **distributed generation** complies at all times with the Act and this Code; and
 - (iii) the **distributed generation** meets the **distributor's connection and operation standards** (assuming that the **distributed generator** meets the conditions (if any) referred to in subclause (3)).
- (3) A notice stating that a **final application** is approved must be accompanied by the following information:
 - (a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **distributed generator** must do to comply with them;
 - (b) detailed reasons for those conditions (or other measures);
 - (c) a detailed description of any charges payable by the **distributed generator** to the **distributor** or by the **distributor** to the **distributed generator**, and an explanation of how the charges have been, or will be, calculated;
 - (d) the default process for resolving disputes under Schedule 6.3, if the **distributed generator** disputes all or any of the conditions (or other measures) or charges payable;
 - (e) the priority position of the **final application** in the **distributor's network connections pipeline** at the time the **distributor** approved the **final application**;
- (4) A notice stating that an application is declined must be accompanied by the following information:
 - (a) detailed reasons as to why the application has been declined and what the **distributed generator** must do to obtain the **distributor's** approval if it resubmits its **final application**;
 - (b) if the **final application** is one to which clause 14(2) applies, the criteria used in making a decision under clauses 14(2)(a) and 14(2)(b);
 - (c) the default process for resolving disputes between **participants** under Schedule 6.3;
 - (d) that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.
- (5) A **distributed generator** may only resubmit a **final application** once and must do so within 30 **business days** of receiving a notice under subclause (4), otherwise the **distributed generator** must submit a new **final application**.
- (6) The **distributor** must not charge a **distributed generator** for **final applications** that are resubmitted under subclause (5).

16 Time within which distributor must decide final applications

- (1) A notice required by clause 15 must be given by a **distributor** to a **distributed generator** no later than—

- (a) 20 business days after the date of receipt of the final application, in the case of distributed generation with maximum export power of less than 1 MW; or
- (b) 30 business days after the date of receipt of the final application, in the case of distributed generation with maximum export power of 1 MW or more but less than 5 MW; or
- (c) 40 business days after the date of receipt of the final application, in the case of distributed generation with maximum export power of 5 MW or more.
- (2) The distributor may seek one extension of the time specified in subclause (1).
- (3) If a distributor seeks an extension of time under subclause (2) it must provide the distributed generator with a notice in writing specifying the reasons why the extension of time is sought.
- (4) A distributed generator that receives a notice seeking—
 - (a) may grant an extension which must not exceed 40 business days; and
 - (b) must not unreasonably withhold consent to an extension.
- (5) Subclause (6) applies if the distributor requests or requires further information from the distributed generator that was missing from the final application.
- (6) The total timeframe will pause on the making of the request or requirement and will resume on the business day after the distributor receives the information.
- (7) If the distributor does not give notice in accordance with subclause (1) before the expiry of the timeframes in this clause, including an extension of time, the distributor must treat the final application as approved.
- (8) If subclause (7) applies, the applicant may choose to defer the distributor's decision on its final application until a later date of its choosing.

17 Distributed generator must give notice of intention to negotiate

- (1) If a distributor approves a final application, the distributed generator must give written notice to the distributor confirming whether or not the distributed generator intends to proceed to negotiate a connection contract under clause 18(1) and, if so, confirming—
 - (a) the details of the distributed generation; and
 - (b) that the distributed generator accepts all of the conditions (or other measures) that have been specified by the distributor under clause 15(2).
- (2) The distributed generator must give the notice no later than 30 business days after the day on which the distributor gives notice of final approval under clause 15(1), or such later date as is agreed by the distributor and the distributed generator.
- (3) If the distributed generator is a participant and does not accept one or more of the conditions specified by the distributor under clause 15(2) (if any), but intends to proceed to negotiate a connection contract under clause 18(1), the distributed generator must—
 - (a) give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 business days after the day on which the distributor gives notice of final approval under clause 15(1); and
 - (b) give a notice under subclause (1) within 30 business days after the dispute is resolved.

- (4) The **distributor's** duties under Part 6 of this Code arising from the application no longer apply if the **distributed generator** fails to give notice to the **distributor** of an intention to proceed to negotiate a connection contract under clause 18(1) within the time limits specified in this clause.
- (5) Subclause (4) does not prevent the **distributed generator** from making a new application under Part 6 of this Code.

Post-approval process

18 30 business days to negotiate connection contract if distributed generator gives notice of intention to negotiate

- (1) If a **distributed generator** whose **final application** is approved gives notice to a **distributor** under clause 17(1), the **distributor** and the **distributed generator** have 30 **business days**, starting on the date on which the **distributor** receives the notice, during which they must, in good faith, attempt to negotiate a connection contract.
- (2) The **distributor** and the **distributed generator** may, by agreement, extend the time specified in subclause (1) for negotiating a connection contract.

19 Connection of distributed generation if connection contract negotiated

- (1) This clause applies if a **distributor** and a **distributed generator** whose **final application** is approved enter into a connection contract before the period for negotiating a connection contract under this Part of this Schedule expires.
- (2) If the application is to connect **distributed generation** under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **distributed generator** to connect the **distributed generation** in accordance with the contract as soon as practicable.
- (3) If the application is to continue an existing connection of **distributed generation** under clause 2(1)(b) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply—
- (a) as soon as practicable, if the previous connection contract has expired; or
- (b) no later than the expiry of the previous connection contract, if the contract is in force.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.
- (5) If the application is to change the **maximum export power** or fuel type of connected **distributed generation** under clause 2(1)(d) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing connection continues apply as soon as practicable.

20 Connection of distributed generation on regulated terms if connection contract not negotiated

- (1) This clause applies if a **distributor** and a **distributed generator** whose **final application** is approved do not enter into a connection contract before the period for negotiating a connection contract under this Part of this Schedule expires.
- (2) If the application is to connect **distributed generation** under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **distributed generator** to connect the **distributed generation** on the **regulated terms** as soon as practicable after the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under this Part of this Schedule:
 - (b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.
- (3) If the application is to continue an existing connection of **distributed generation** under clause 2(1)(b) of Schedule 6.1, the **regulated terms** apply to the **distributed generator's** existing connection from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under this Part of this Schedule:
 - (b) the expiry of the existing connection contract:
 - (c) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **regulated terms** apply from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under this Part of this Schedule:
 - (b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.
- (5) If the application is to change the **maximum export power** or fuel type of connected **distributed generation** under clause 2(1)(d) of Schedule 6.1, the **regulated terms** apply from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under this Part of this Schedule:
 - (b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.

21 Approved applications must meet milestones to retain priority position in distributor's network connections pipeline

- (1) A **distributor** must queue and manage approved **final applications** in accordance with its **queueing and management policy** including setting delivery milestones that the **distributed generator** must meet to maintain its priority position in the **distributor's network connections pipeline**.
- (2) These milestones may relate to:
 - (a) securing environmental approvals;

- (b) obtaining property rights and easements;
 - (c) obtaining Overseas Investment Office approval, if required;
 - (d) confirming final grid connection requirements
 - (e) signing delivery services agreement
 - (f) signing construction contract
 - (g) completing works construction
 - (h) other issues that are reasonably required for the **distributor's queueing and management policy**.
- (3) The **distributor** must apply stated tolerances in their **queueing and management policy** with regards to milestones, recognising that there could be delays that lead to milestones not being achieved on time.

22 Treatment of approved applications at the same network location

- (1) A **distributed generator** may miss milestones and retain its place in a **distributor's network connections pipeline** if no other **final application** is received in respect of that part of the **distributor's network**.
- (2) If a **distributed generator** misses a milestone and another **final application** is approved for that part of the **network**, the **distributor** must inform the **distributed generator** within five **business days** and work with the **distributed generator** to set renegotiated milestones.
- (3) If a project fails to meet any renegotiated milestones after following the process in subclause (2) above, the **distributor** may prioritise another application ahead of this project. The **distributor** must consider the purpose of Part 6 of this Code when making this decision.
- (4) A **distributor** must adhere to its **queueing and management policy** when making decisions on the priority positions of projects in its **network connections pipeline**.

23 Testing and inspection

- (1) A **distributed generator** whose **final application** is approved by a **distributor** must test and inspect the **distributed generation** to which the **final application** relates within a reasonable time frame specified by the **distributor**.
- (2) The **distributor** may waive the requirement that the **distributed generator** test and inspect if the **distributor** is satisfied that the **distributed generation** complies with the **distributor's connection and operation standards**.
- (3) The **distributed generator** must give adequate notice of the testing and inspection to the **distributor**.
- (4) The **distributor** may send qualified personnel to the site to observe the testing and inspection.
- (5) The **distributed generator** must give the **distributor** with a written test report when testing and inspection is complete, including suitable evidence that the **distributed generation** complies with the **distributor's connection and operation standards**.
- (6) The **distributed generator** must pay any fee specified by the **distributor** in accordance with clause 6.3(2)(e) for observing the testing and inspection.

Appendix 4

Process 4: Applications for load above 69 kVA and below 300 kVA in total

1 Contents of this Appendix

- (1) This Appendix sets out **Process 4** and applies to applications to connect **load** above 69 kVA and below 300 kVA in total to a **distribution network**.**
- (2) **Process 4** provides for a two-stage application process.**

Initial application process

2 Distributor must receive information to process an initial application

- (1) To process an **initial application** from an **applicant**, a **distributor** must receive—**

 - (a) a completed **initial application** from the **applicant** using the form **published** by the **distributor** under clause 6.3(2)(a); and**
 - (b) information in respect of the connection to which the application relates that is—**
 - (i) referred to in subclause (2); and**
 - (ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the **initial application**; and**
 - (c) the **initial application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).**

- (2) The information includes the following:**
 - (a) the full name and address of the **applicant** and the contact details of a person whom the **distributor** may contact regarding the connection;**
 - (b) whether the application is to—**
 - (i) connect new **load**; or**
 - (ii) continue an existing **load** connection that is connected in accordance with a connection contract if the connection contract—**
 - (A) is in force and the **applicant** wishes to extend the term of the connection contract; or**
 - (B) has expired; or**
 - (iii) continue an existing **load** connection that is connected without a connection contract; or**
 - (iv) change the capacity of an existing **load** connection;**
 - (c) proposed or current point of connection to the **distribution network** (for example, the **ICP identifier** and street address);**
 - (d) when the **applicant** would like the **load** connection or increased capacity to be available;**
 - (e) details of the required voltage (for example, 400V or 11kV) for the **load** connection;**
 - (f) information showing how the **load** installation complies with the **distributor's connection and operation standards**;**

- (g) evidence that the **applicant** has undertaken a capacity assessment that considers maximum demand and, if known, time of use demand from the **distribution network**:
 - (h) any other information that is required by the **system operator**:
 - (i) any additional information or **documents** that are reasonably required by the **distributor**.
- (3) The **distributor** must, within five **business days** of receiving an **initial application**, give written notice to the **applicant** advising whether or not the application is complete and, if not, what information is needed to complete the application.

3 **Distributor must give information to applicant**

- (1) A **distributor** must give an **applicant** that makes an **initial application** the following within 30 **business days** of receiving the completed **initial application**:
- (a) information about the **capacity** of the **distribution network**, including both the **design capacity** (including fault levels) and actual operating levels:
 - (b) information about the extent to which the connection and operation of the **load connection** may result in a breach of the relevant standards for safety, voltage, power quality, and reliability of **electricity** conveyed to **points of connection on the distribution network**:
 - (c) information about any measures or conditions (including modifications to the design and operation of the **distribution network** or **grid**) to the operation of the **load connection** that may be necessary to address the matters referred to in paragraphs (a) and (b).
 - (d) the approximate costs of any **distribution network** related measures or conditions identified under paragraph (c) and an estimate of time constraints or restrictions that may delay connecting to the **network**:
 - (e) information about any further detailed investigative studies that the **distributor** reasonably considers are necessary to identify any potential adverse effects the connection may have on the system, together with an indication of—
 - (i) whether the **distributor** agrees to the **applicant**, or a suitably qualified agent of the **applicant**, undertaking those studies and, if not, the reasons for the distributor's decision; or
 - (ii) if not, whether the **distributor** could undertake those studies and, if so, the reasonable estimated cost of the studies that the **applicant** would be charged:
 - (f) information about any obligations to other parties that may be imposed on the **distributor** and that could affect the connection:
 - (g) information about the extent to which planned and **unplanned outages** may adversely affect the operation of the **load connection**.
 - (h) any additional information or **documents** that the **distributor** considers would assist the **applicant's** application:

4 Other matters to assist with decision making

- (1) A distributor must provide, if requested by an applicant making an initial application, further information that is reasonably necessary to enable the applicant to consider and act on the information given by the distributor under clause 3.**
- (2) The information that the distributor must provide under subclause (1) may include single line diagrams, equipment ratings, normal switch configurations (including fault levels), and protection system details relevant to the current or proposed point of connection of the load connection.**
- (3) The distributor must provide the further information under this clause within 10 business days of the request being received.**

5 Distributor must make reasonable endeavours regarding new information

If a distributor receives information under Process 4 from an applicant who is not a participant, and subsequently becomes aware of new information that is relevant to the application, the distributor must use reasonable endeavours to obtain the new information from the applicant.

6 Distributor's decision on initial application

- (1) A distributor must, within 40 business days of receiving the completed initial application, give notice in writing to the applicant stating whether the initial application is approved or declined.**
- (2) A distributor must approve an initial application, subject to any conditions specified by the distributor that are reasonably required, if—**
 - (a) the initial application has been properly made in accordance with Part 6 of this Code; and**
 - (b) the information provided in the application would reasonably support an assessment by the distributor.**
- (3) If the distributor does not give notice in accordance with subclause (1) before the expiry of the timeframe in this clause, the distributor must treat the initial application as approved.**
- (4) A notice stating that an initial application is approved must be accompanied by information about estimated charges payable by the applicant to the distributor to assess a final application.**
- (5) A notice stating that an initial application is declined must be accompanied by detailed reasons as to why the initial application was declined and what the applicant must do to obtain the distributor's approval if it makes another initial application.**

Final application process

7 Distributor must receive final application

- (1) To process a final application, a distributor must—**
 - (a) receive a completed final application from an applicant using the form published by the distributor under clause 6.3(2)(a); and**

- (b) receive the **final application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e); and
- (c) receive the results of any investigative studies that were identified by the **distributor** under clause 3(e)(i) and to be undertaken by the **applicant** or the **applicant's** agent; and
- (d) receive a **final application** within 12 months after the date on which it approved an **initial application**, unless—
 - (i) the **distributor** and the **applicant** agree that a **final application** is not required; and
 - (ii) there are no persons to whom the **distributor** must give written notice under clause 8 at the time that the **distributor** and **applicant** agree that a **final application** is not required; or
 - (iii) the **distributor** agrees to receive a final application later than 12 months after approving a **final application**.
- (2) If a **final application** is not required, the **distributor** must—
 - (a) treat the **applicant's** **initial application** as a **final application** for the purposes of clauses 8 to 15; and
 - (b) receive, from the **applicant**, the **final application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).

8 Notice to third parties

A **distributor** that receives a **final application** must, within 10 business days after receiving the **final application**, give written notice of the **final application** to all persons that have made an **initial application**, **interim application** and **final application** relating to a part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**.

9 Priority of final applications

- (1) Subclause (2) applies if—
 - (a) a **distributor** receives a **final application** (the first application);
 - (b) a **second final application** (the second application) and any other **final applications** (further applications) within 20 business days of receiving the first application; and
 - (c) the first application, the second application or any of the further applications (the **grouped applications**) relate to the same part of the **distribution network** and the **distributor** considers any of those applications would be affected by the approval of any of the other applications.
- (2) If this subclause applies—
 - (a) the **distributor** must consider the **grouped applications** simultaneously; and
 - (b) may if the **distributor** does not have sufficient **network** capacity to approve all of the **grouped applications**, the **distributor** must –
 - (i) consider which applications to progress to a decision under clause 10 in whole or in part taking into account which application or applications would likely involve the optimal use of the **distribution network** while achieving the most

- long-term benefit for consumers and which applications to put on hold in whole or part while it considers the applications it has decided to progress; and
- (ii) advise each **applicant** of its decision under sub-paragraph (i) as soon as possible and within the timeframes specified in clause 11; and
- (iii) process the applications in accordance with that decision; or
- (c) if the **distributor** has sufficient **network** capacity to approve all the applications, the **distributor** must—
- (i) advise each **applicant** of this as soon as possible and within the timeframes specified in clause 11; and
- (ii) continue to progress each application.
- (3) If a **distributor** makes a decision under subclause (2)(b)—
- (a) the **distributor** must make its decision under clause 10 independently of its decision under subclause 2(b); and
- (b) the decision under subclause 2(b) is without prejudice to any decision under clause 10, does not affect or pre-empt any decision under clause 10, or require any particular decision under clause 10.
- (4) For the avoidance of doubt, if the **distributor** receives a **final application** (later application) more than 20 **business days** after the first application—
- (a) the distributor must continue to consider the **grouped applications** in accordance with subclause (2); and
- (b) **distributor** must not include the later application with the **grouped applications** for consideration under subclause (2); and
- (c) the **distributor** must not make a final decision on the later application until after it has made a final decision on each of the **grouped applications**.
- (5) Subclause (3) does not limit clause 11.

10 Distributor's decision on final application

- (1) A **distributor** must, within the time limit specified in clause 11, give notice in writing to the **applicant** stating whether the **final application** is approved or declined.
- (2) A **distributor** must approve a **final application**, subject to any conditions specified by the **distributor** that are reasonably required, if—
- (a) the **final application** has been properly made in accordance with Part 6 of this Code; and
- (b) the information provided in the application would reasonably support an assessment by the **distributor** that the connected **load** will comply with the **distributor's connection and operation standards**.
- (3) A notice stating that a **final application** is approved must be accompanied by the following information:
- (a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **applicant** must do to comply with them;
- (b) detailed reasons for those conditions (or other measures):

- (c) a detailed description of any charges payable by the **applicant** to the **distributor** or by the **distributor** to the **applicant**, and an explanation of how the charges have been, or will be, calculated;
- (d) the default process for resolving disputes under Schedule 6.3, if the **applicant** is a **participant** and disputes all or any of the conditions (or other measures) or charges payable.
- (4) A notice stating that a **final application** is declined must be accompanied by the following information:

 - (a) detailed reasons as to why the **final application** has been declined and what the **applicant** must do to obtain the **distributor's** approval if it makes a new **final application**;
 - (b) if the **final application** is one to which clause 9(2) applies, the criteria used in making a decision under clause 9(2)(a) and clause 9(2)(b);
 - (c) the default process for resolving disputes between **participants** under Schedule 6.3;
 - (d) that if the **applicant** is not a **participant**, the **applicant** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.

11 Time within which distributor must decide final applications

- (1) A notice required by clause 10 must be given by a **distributor** to an **applicant** no later than 30 **business days** after the date the **distributor** receives the **final application**.
- (2) The **distributor** may seek up to two extensions of the time specified in subclause (1).
- (3) If the **distributor** requires **grid** studies to decide the **final application**, and the **distributor** has sought to extensions of time under subclause (2), the **distributor** may seek up to two additional extensions of the time specified in subclause (1).
- (4) If a **distributor** seeks an extension of time under subclauses (2) and (3) it must provide the **applicant** with a notice in writing specifying the reasons why the extension of time is sought.
- (5) Each extension of time sought under subclauses (2) and (3) must not exceed 40 **business days**; and
- (6) Subclause (7) applies if the **distributor** requests or requires further information from the **applicant** after receiving the **final application**.
- (7) The total timeframe will pause on the making of a request or requirement and will resume on the **business day** after the **distributor** receives the information.
- (8) If the **distributor** does not give notice in accordance with subclause (1) before the expiry of the timeframes in this clause, including any extensions of time, the **distributor** must treat the **final application** as approved.
- (9) If subclause (8) applies, the **applicant** may choose to defer the **distributor's** decision on its **final application** until a later date of its choosing.

12 Distributor must negotiate if notified by applicant

- (1) A **distributor** must negotiate with an **applicant** if, after providing the **applicant** with notice of final approval, it receives written notice from the **applicant** confirming the **applicant** intends to proceed to negotiate a connection contract under clause 13(1) and—

 - (a) the **applicant** provides details of the **load** connection; and
 - (b) the **applicant** confirms it accepts all of the conditions (or other measures) that have been specified by the **distributor** under clause 10.
- (2) The **distributor** is not required to negotiate if it receives the written notice later than 30 **business days** after the day on which it gives notice of final approval under clause 10, or such later date as previously agreed by the **distributor** and the **applicant**.
- (3) If the **applicant** is a **participant** and does not accept one or more of the conditions specified by the **distributor** under clause 10(2) (if any), but intends to proceed to negotiate a connection contract under clause 13(1), the **applicant** must—

 - (a) give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 **business days** after the day on which the **distributor** gives notice of final approval under clause 10; and
 - (b) give a notice under subclause (1) within 30 **business days** after the dispute is resolved.
- (4) The **distributor's** duties under Part 6 of this Code arising from the application no longer apply if the **applicant** fails to give notice to the **distributor** of an intention to proceed to negotiate a connection contract under clause 13(1) within the time limits specified in this clause.
- (5) Subclause (4) does not prevent the **applicant** from making a new application under Part 6 of this Code.

Post-approval process

13 Distributor has 30 business days to negotiate connection contract if applicant gives notice of intention to negotiate

- (1) If an **applicant** whose **final application** is approved gives notice to a **distributor** under clause 12(1), the **distributor** has 30 **business days**, starting on the date on which the **distributor** receives the notice, during which they must, in good faith, attempt to negotiate a connection contract.
- (2) The **distributor** and the **applicant** may, by agreement, extend the time specified in subclause (1) for negotiating a connection contract.

14 Connection of load if connection contract negotiated

- (1) This clause applies if a **distributor** and an **applicant** whose **final application** is approved enter into a connection contract before the period for negotiating a connection contract under **Process 4** expires.
- (2) If the application is to connect under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **applicant** to connect in accordance with the contract as soon as practicable.

- (3) If the application is to continue an existing connection under clause 2(1)(b) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **applicant's** existing connection continues apply—
 - (a) as soon as practicable, if the previous connection contract has expired; or
 - (b) no later than the expiry of the previous connection contract, if the contract is in force.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **applicant's** existing connection continues apply as soon as practicable.
- (5) If the application is to change the capacity of an existing **load** connection under clause 2(1)(e) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **applicant's** existing connection continues apply as soon as practicable.

15 Connection on prescribed terms if connection contract not negotiated

- (1) This clause applies if a **distributor** and an **applicant** whose **final application** is approved do not enter into a connection contract before the period for negotiating a connection contract under **Process 4** expires.
- (2) If the application is to connect under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **applicant** to connect on the **prescribed terms** as soon as practicable after the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 4**:
 - (b) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.
- (3) If the application is to continue an existing connection under clause 2(1)(b) of Schedule 6.1, the **prescribed terms** apply to the **applicant's** existing connection from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 4**:
 - (b) the expiry of the existing connection contract:
 - (c) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **prescribed terms** apply from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 4**:
 - (b) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.
- (5) If the application is to change the capacity of the connected **load** under clause 2(1)(e) of Schedule 6.1, the **prescribed terms** apply from the later of the following:
 - (a) the expiry of the period for negotiating a connection contract under **Process 4**:

(b) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 10 as conditions of the connection.

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Appendix 5

Process 5: Applications to connect load at 300 kVA and above in total

1 Contents of this Appendix

- (1) This Appendix sets out **Process 5** and applies to applications to connect **load** at 300 kVA and above in total to a **distribution network**.
- (2) **Process 5** provides for a three-stage application process.

Initial application process

2 Distributor must receive information to process an initial application

- (1) To process an **initial application** from an **applicant**, a **distributor** must receive—
 - (a) a completed **initial application** from the **applicant** using the form **published** by the **distributor** under clause 6.3(2)(a); and
 - (b) information in respect of the connection to which the **initial application** relates that is—
 - (i) referred to in subclause (2); and
 - (ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the **initial application**; and
 - (c) the **initial application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).
- (2) The information includes the following:
 - (a) the full name and address of the **applicant** and the contact details of a person whom the **distributor** may contact regarding the connection:
 - (b) whether the application is to—
 - (i) connect new **load**; or
 - (ii) continue an existing **load** connection that is connected in accordance with a connection contract if the connection contract—
 - (A) is in force and the **applicant** wishes to extend the term of the connection contract; or
 - (B) has expired; or
 - (iii) continue an existing **load** connection that is connected without a connection contract; or
 - (iv) change the capacity of an existing **load** connection:
 - (c) proposed or current **point of connection** to the **distribution network** (for example, the **ICP** identifier and street address):
 - (d) when the **applicant** would like the **load** connection or increased capacity to be available:
 - (e) details of the required voltage (for example, 400V or 11kV) for the **load** connection:
 - (f) information showing how the **load** installation complies with the **distributor's connection and operation standards**:

- (g) evidence that the **applicant** has undertaken a capacity assessment that considers maximum demand and, if known, time of use demand from the **distribution network**:
 - (h) any other information that is required by the **system operator**:
 - (i) any additional information or **documents** that are reasonably required by the **distributor**.
- (3) The **distributor** must, within five **business days** of receiving an **initial application**, give written notice to the **applicant** advising whether or not the application is complete and, if not, what information is needed to complete the application.

3 Distributor must give information to applicant

A **distributor** must give an **applicant** that makes an **initial application** the following within 30 **business days** of receiving the completed **initial application**:

- (a) information about the **capacity** of the **distribution network**, including both the design **capacity** (including fault levels) and actual operating levels:
- (b) information about the extent to which the connection and operation of the **load** connection may result in a breach of the relevant standards for safety, voltage, power quality, and reliability of **electricity** conveyed to **points of connection on the distribution network**:
- (c) information about any measures or conditions (including modifications to the design and operation of the **distribution network** or **grid**) to the operation of the **load** connection that may be necessary to address the matters referred to in paragraphs (a) and (b).
- (d) the approximate costs of any **distribution network** related measures or conditions identified under paragraph (c) and an estimate of time constraints or restrictions that may delay connecting to the **network**:
- (e) information about any further detailed investigative studies that the **distributor** reasonably considers are necessary to identify any potential adverse effects the connection may have on the system, together with an indication of—
 - (i) whether the **distributor** agrees to the **applicant**, or a suitably qualified agent of the **applicant**, undertaking those studies and, if not, the reasons for the **distributor's** decision; or
 - (ii) if not, whether the **distributor** could undertake those studies and, if so, the reasonable estimated cost of the studies that the **applicant** would be charged:
- (f) information about any obligations to other parties that may be imposed on the **distributor** and that could affect the connection:
- (g) information about the extent to which planned and **unplanned outages** may adversely affect the operation of the **load** connection:
- (h) any additional information or **documents** that the **distributor** considers would assist the **applicant's** application.

4 Other matters to assist with decision making

- (1) A distributor must provide, if requested by an applicant making an initial application, further information that is reasonably necessary to enable the applicant to consider and act on the information given by the distributor under clause 3.**
- (2) The information that the distributor must provide under subclause (1) may include single line diagrams, equipment ratings, normal switch configurations (including fault levels), and protection system details relevant to the current or proposed point of connection of the load.**
- (3) The distributor must provide the further information under this clause within 10 business days of the request being received.**

5 Distributor must make reasonable endeavours regarding new information

If a distributor receives information under Process 5 from an applicant who is not a participant, and subsequently becomes aware of new information that is relevant to the application, the distributor must use reasonable endeavours to obtain the new information from the applicant.

6 Distributor's decision on initial application

- (1) A distributor must, within 40 business days of receiving the completed initial application, give notice in writing to the applicant stating whether the initial application is approved or declined.**
- (2) A distributor must approve an initial application, subject to any conditions specified by the distributor that are reasonably required, if—**
 - (a) the initial application has been properly made in accordance with Part 6 of this Code; and**
 - (b) the information provided in the initial application would reasonably support an assessment by the distributor.**
- (3) If the distributor does not give notice in accordance with subclause (1) before the timeframe in this clause expires, the distributor is deemed to have approved the initial application.**
- (4) A notice stating that an initial application is approved must be accompanied by the following information:**
 - (a) the priority position of the initial application in the distributor's network connections pipeline at the time the distributor approved the initial application; and**
 - (b) estimated charges payable by the applicant to the distributor to assess an interim application and final application.**
- (5) A notice stating that an initial application is declined must be accompanied by detailed reasons as to why the initial application was declined and what the applicant must do to obtain the distributor's approval if the applicant resubmits an initial application under subclause (6).**

- (6) An **applicant** may only resubmit an **initial application** once and must do so within 30 **business days** after receiving a notice under subclause (4), otherwise a new application is required.
- (7) The **distributor** must not charge an **initial application** fee for **initial applications** that are resubmitted under subclause (6).

Interim application process

7 Distributor must receive interim application

- (1) To process an **interim application**, a **distributor** must—
- (a) receive a completed **interim application** from the **applicant** using the form **published** by the **distributor** under clause 6.3(2)(a); and
 - (b) the **interim application fee** (if any) specified by the **distributor** in accordance with clause 6.3(2)(e); and
 - (c) receive the results of any investigative studies that were identified by the **distributor** under clause 3(e)(i) and to be undertaken by the **applicant** or the **applicant's agent**; and
 - (d) receive the **interim application** within 12 months after the date on which it approved the **initial application**, unless—
 - (i) the **distributor** and the **applicant** agree that an **interim application** is not required; and
 - (ii) there are no persons to whom the **distributor** must give written notice under clause 8 at the time that the **distributor** and **applicant** agree that an **interim application** is not required; or
 - (iii) the **distributor** agrees to accept an **interim application** later than 12 months after the date on which it approved the **initial application**.
- (2) If the **distributor** and **applicant** agree an **interim application** is not needed, the **distributor** must—
- (a) treat the **applicant's initial application** as an **interim application** for the purposes of clauses 8 to 11; and
 - (b) receive, from the **applicant**, the **interim application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).

8 Notice to third parties

A **distributor** that receives a **interim application** must, within 10 **business days** after receiving the **interim application**, give written notice of the **interim application** to all persons that have made an **initial application**, **interim application** and **final application** relating to a particular part of the **distribution network** that the **distributor** considers would be affected by the approval of the **interim application**.

9 Distributor's decision on interim application

- (1) A **distributor** must, within the time limit specified in clause 10, give notice in writing to the **applicant** stating whether the **interim application** is approved or declined.

- (2) A **distributor** must approve an **interim application**, subject to any conditions specified by the **distributor** that are reasonably required, if—
- (a) the **interim application** has been properly made in accordance with Part 6 of this Code; and
 - (b) the information provided in the application would reasonably support an assessment by the **distributor** that the connected **load** will meet the **distributor's connection and operation standards** (assuming that the **applicant** meets the conditions (if any) referred to in subclause (3)).
- (3) A notice stating that an **interim application** is approved must be accompanied by the following information:
- (a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **applicant** must do to comply with them;
 - (b) detailed reasons for those conditions (or other measures);
 - (c) a detailed description of any charges that would be payable by the **applicant** to the **distributor** or by the **distributor** to the **applicant**, and an explanation of how the charges have been, or will be, calculated;
 - (d) the default process for resolving disputes under Schedule 6.3, if the **applicant** disputes all or any of the conditions (or other measures) or charges payable;
 - (e) the priority position of the **interim application** in the **distributor's network connections pipeline** at the time the **distributor** approved the **interim application**; and
 - (f) estimated charges payable by the **applicant** to the **distributor** to assess a **final application**.
- (4) A notice stating that an **interim application** is declined must be accompanied by the following information:
- (a) detailed reasons as to why the **interim application** has been declined and what the **applicant** must do to obtain the **distributor's** approval if it resubmits its **interim application** under subclause (5);
 - (b) the default process for resolving disputes between **participants** under Schedule 6.3;
 - (c) that if the **applicant** is not a **participant**, the **applicant** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.
- (5) An **applicant** may only resubmit an **interim application** once and must do so within 60 **business days** after receiving a notice under subclause (4), otherwise the **applicant** must submit a new **interim application** to the **distributor**.
- (6) The **distributor** must not charge an **interim application** fee for **interim applications** that are resubmitted under subclause (5).

10 Time within which distributor must decide interim applications

- (1) A notice required by clause 9 must be given by a **distributor** to an **applicant** no later than—

 - (a) 45 **business days** after the date of receipt of the **interim application**, in the case of **load** with a maximum demand of less than 1 MVA; or
 - (b) 60 **business days** after the date of receipt of the **interim application**, in the case of **load** with a maximum demand of 1 MVA or more but less than 5 MW; or
 - (c) 80 **business days** after the date of receipt of the **interim application**, in the case of **load** with a maximum demand of 5 MVA or more.
- (2) The **distributor** may seek up to two extensions of time specified in subclause (1).
- (3) If the **distributor** requires **grid** studies to decide the **interim application**, and the **distributor** has sought two extensions of time under subclause (2), the **distributor** may seek up to two additional extensions of the time specified in subclause (1).
- (4) If a **distributor** seeks an extension of time under subclauses (2) and (3) it must provide the **applicant** with a notice in writing specifying the reasons why the extension of time is sought.
- (5) Each extension of time sought under subclauses (2) and (3) must not exceed 40 **business days**; and
- (6) Subclause (7) applies if the **distributor** requests or requires further information from the **applicant** that was missing from the **interim application**, during the period set out in subclause (1).
- (7) The total timeframe will pause on the making of a request or requirement and will resume on the **business day** after the **distributor** receives the information.
- (8) If the **distributor** does not give notice in accordance with subclause (1) before the expiry of the timeframes in this clause, including any extensions of time, the **distributor** must treat the **interim application** as approved.
- (9) If subclause (8) applies, the **applicant** may choose to defer the **distributor's** decision on its **interim application** until a later date of its choosing.

11 Applicant who is a participant must give notice of a dispute

- (1) If the **applicant** is a **participant** and does not accept one or more of the conditions specified by the **distributor** under clause 9(3)(a) (if any), the **applicant** must give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 **business days** after the day on which the **distributor** gives notice of approval under clause 9.
- (2) If the **applicant** is a **participant** and fails to notify the **distributor** of a dispute under subclause (1) within 30 **business days** after the date on which the **applicant** receives the conditions specified by the **distributor** under clause 9(3) the **applicant** is to be treated as having accepted the conditions specified by the **distributor**.
- (3) An **applicant** who is not a **participant** can make a complaint about the reasonableness of a **distributor's** conditions to the dispute resolution scheme under section 95 of the **Act**.
- (4) Subclauses (2) and (3) do not prevent the **applicant** from declining the conditions specified by the **distributor** under clause 9(3) and making a new application under Part 6 of this Code.

Final application process

12 Distributor must receive final application

- (1) To process a **final application**, a **distributor** must receive—
- (a) a completed **final application** from the **applicant** using the form **published** by the **distributor** under clause 6.3(2)(a); and
 - (b) the **final application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e); and
 - (c) written acceptance from the **applicant** of the conditions stipulated by the **distributor** under 9(3)(a) (if any) and how the **final application** responds to these conditions. If the **distributor** considers the **final application** does not adequately respond to the conditions, and the **distributor** and **applicant** cannot agree on a resolution, then the **distributor** may treat the **final application** as an **interim application**. In this instance, the **distributor** can request further investigative studies to be undertaken by the **applicant** or the **applicant's** agent, and the **distributor** must not require the **applicant** to pay another **interim application** fee (if any); and
 - (d) the **final application** within 90 **business days** after approving the **interim application**, unless—
 - (i) the **distributor** and the **applicant** agree that a **final application** is not required; and
 - (ii) there are no persons to whom the **distributor** must give written notice under clause 13 at the time that the **distributor** and **applicant** agree that a **final application** is not required; or
 - (iii) the **distributor** agrees to accept a **final application** received more than 90 **business days** after the approval of the **interim application** or the date on which a dispute was resolved under Schedule 6.3, under section 95 of the **Act**.
- (2) If the **distributor** and **applicant** agree a **final application** is not needed, the **distributor** must—
- (a) treat the **applicant's** **interim application** as a **final application** for the purposes of clauses 13 to 22; and
 - (b) receive, from the **applicant**, the **final application** fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e).

13 Notice to third parties

A **distributor** that receives a **final application** must, within 10 **business days** after receiving the **final application**, give written notice of the **final application** to all persons that have made an **initial application**, **interim application** and **final application** relating to a part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**.

14 Priority of final applications

- (1) Subclause (2) applies if—
 - (a) a **distributor** receives a **final application** (the first application);
 - (b) a **second final application** (the second application) and any other **final applications** (further applications) within 20 **business days** of receiving the first application; and
 - (c) the first application, the second application or any of the further applications (the **grouped applications**) relate to the same part of the **distribution network** and the **distributor** considers that any of those applications would be affected by the approval of any of those applications.
- (2) If this subclause applies—
 - (a) the **distributor** may consider the **grouped applications** together as if they were competitive bids to use the same part of the **distribution network**; and
 - (b) the **distributor** must use its best endeavours to get the **applicants** to work together to amend their applications so that the **distributor** may consider the applications as complementary; and
 - (c) must consider the **final applications** taking into account which application or applications would likely involve the optimal use of the **distribution network** while achieving the most long-term benefit for consumers and delivering that benefit as soon as possible.
- (3) For the avoidance of doubt, if the **distributor** receives a **final application** (later application) more than 20 **business days** after the first application—
 - (a) the distributor must continue to consider the **grouped applications** in accordance with subclause (2); and
 - (b) **distributor** must not include the later application with the **grouped applications** for consideration under subclause (2); and
 - (c) the **distributor** must not make a final decision on the later application until after it has made a final decision on each of the **grouped applications**.
- (4) Subclause (3) does not limit clause 16.

15 Distributor's decision on final application

- (1) A **distributor** must, within the time limit specified in clause 16, give notice in writing to the **applicant** stating whether the **final application** is approved or declined.
- (2) A **distributor** must approve a **final application**, subject to any conditions specified by the **distributor** that are reasonably required, if—
 - (a) the **final application** has been properly made in accordance with Part 6 of this Code; and
 - (b) the information provided in the application would reasonably support an assessment by the **distributor** that the connected **load** meets the **distributor's connection and operation standards** (assuming that the **applicant** meets the conditions (if any) referred to in subclause (3)); and
 - (c) the **applicant** has provided a project investment decision and Overseas Investment Office approval, if available.

- (3) A notice stating that a **final application** is approved must be accompanied by the following information:
- (a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **applicant** must do to comply with them:
 - (b) detailed reasons for those conditions (or other measures):
 - (c) a detailed description of any charges payable by the **applicant** to the **distributor** or by the **distributor** to the **applicant**, and an explanation of how the charges have been, or will be, calculated:
 - (d) the default process for resolving disputes under Schedule 6.3, if an **applicant** who is a **participant** disputes all or any of the conditions (or other measures) or charges payable:
 - (e) the priority position of the **final application** in the **distributor's network connections pipeline** at the time the **distributor** approved the **final application**
- (4) A notice stating that a **final application** is declined must be accompanied by the following information:
- (a) detailed reasons as to why the **final application** has been declined and what the **applicant** must do to get approval if it resubmits its **final application** under subclause (5):
 - (b) if the application is one to which clause 14(2) applies, the criteria used to determine the priority of applications:
 - (c) the default process for resolving disputes between **participants** under Schedule 6.3:
 - (d) that if the **applicant** is not a **participant**, the **applicant** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code.
- (5) An **applicant** may only resubmit a **final application** once and must do so within 30 **business days** of receiving a notice under subclause (4), otherwise a new **final application** is required.
- (6) The **distributor** must not charge a **final application** fee for **final applications** that are resubmitted under subclause (5).

16 Time within which distributor must decide final applications

- (1) A notice required by clause 15 must be given by a **distributor** to an **applicant** no later than—
- (a) 20 **business days** after the date of receipt of the **final application**, in the case of **load** with a maximum demand of less than 1 **MVA**; or
 - (b) 30 **business days** after the date of receipt of the **final application**, in the case of **load** with a maximum demand of 1 **MVA** or more but less than 5 **MVA**; or
 - (c) 40 **business days** after the date of receipt of the **final application**, in the case of **load** with a maximum demand of 5 **MVA** or more.
- (2) The **distributor** may seek one extension of time specified in subclause (1).

- (3) If a **distributor** seeks an extension of time under subclause (2) it must provide the **applicant** with a notice in writing specifying the reasons why the extension of time is sought.
- (4) An extension of time sought under subclause (2) must not exceed 40 **business days**.
- (5) Subclause (6) applies if the **distributor** reasonably requests or requires further information from the **applicant** after receiving the **final application**.
- (6) The total timeframe will pause when the **distributor** has made a request or requirement and will resume on the **business day** after the **distributor** receives the information.
- (7) If the **distributor** does not give notice in accordance with subclause (1) before the expiry of the timeframes in this clause, including an extension of time, the **distributor** must treat the **final application** as approved.
- (8) If subclause (7) applies, the **applicant** may choose to defer the **distributor's** decision on its **final application** until a later date of its choosing.

17 Distributor must negotiate if notified by applicant

- (1) A **distributor** must negotiate with an **applicant** if, after providing the **applicant** with notice of final approval, it receives written notice from the **applicant** confirming the **applicant** intends to proceed to negotiate a connection contract under clause 18(1) and—
 - (a) the **applicant** provides details of the **load**; and
 - (b) the **applicant** confirms it accepts all of the conditions (or other measures) that have been specified by the **distributor** under clause 15.
- (2) The **distributor** is not required to negotiate if it receives the written notice later than 30 **business days** after the day on which it gives notice of final approval under clause 15, or such later date as previously agreed by the **distributor** and the **applicant**.
- (3) If the **applicant** is a **participant** and does not accept one or more of the conditions specified by the **distributor** under clause 15(3) (if any), but intends to proceed to negotiate a connection contract under clause 18(1), the **applicant** must—
 - (a) give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 **business days** after the day on which the **distributor** gives notice of final approval under clause 15; and
 - (b) give a notice under subclause (1) within 30 **business days** after the dispute is resolved.
- (4) Subclause (4) does not prevent the **applicant** from making a new application under Part 6 of this Code.

Post-approval process

18 Distributor has 30 business days to negotiate connection contract if applicant gives notice of intention to negotiate

- (1) If an **applicant** whose **final application** is approved gives notice to a **distributor** under clause 17(1), the **distributor** has 30 **business days**, starting on the date on which the **distributor** receives the notice, during which the **distributor** must, in good faith, attempt to negotiate a connection contract.

- (2) The **distributor** and the **applicant** may, by agreement, extend the time specified in subclause (1) for negotiating a connection contract.

19 Connection of load if connection contract negotiated

- (1) This clause applies if a **distributor** and an **applicant** whose **final application** is approved enter into a connection contract before the period for negotiating a connection contract under **Process 5** expires.
- (2) If the application is to connect **load** under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **applicant** to connect the **load** in accordance with the connection contract as soon as practicable.
- (3) If the application is to continue an existing connection of **load** under clause 2(1)(b) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **applicant's** existing connection continues apply—
- (a) as soon as practicable, if the previous connection contract has expired; or
- (b) no later than the expiry of the previous connection contract, if the contract is in force.
- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **applicant's** existing connection continues apply as soon as practicable.
- (5) If the application is to change the capacity of the connected **load** under clause 2(1)(e) of Schedule 6.1, the **distributor** must use its best endeavours to ensure that the new terms under which the **applicant's** existing connection continues apply as soon as practicable.

20 Connection of load on prescribed terms if connection contract not negotiated

- (1) This clause applies if a **distributor** and an **applicant** whose **final application** is approved do not enter into a connection contract before the period for negotiating a connection contract under **Process 5** expires.
- (2) If the application is to connect **load** under clause 2(1)(a) of Schedule 6.1, the **distributor** must allow the **applicant** to connect the **load** on the **prescribed terms** as soon as practicable after the later of the following:
- (a) the expiry of the period for negotiating a connection contract under this Part of this Schedule;
- (b) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.
- (3) If the application is to continue an existing connection of **load** under clause 2(1)(b) of Schedule 6.1, the **prescribed terms** apply to the **applicant's** existing connection from the later of the following:
- (a) the expiry of the period for negotiating a connection contract under **Process 5**;
- (b) the expiry of the existing connection contract;
- (c) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.

- (4) If the application is to continue an existing connection for which there is no connection contract under clause 2(1)(c) of Schedule 6.1, the **prescribed terms** apply from the later of the following:
- (a) the expiry of the period for negotiating a connection contract under **Process 5**:
 - (b) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.
- (5) If the application is to change the capacity or the connected **load** under clause 2(1)(e) of Schedule 6.1, the **prescribed terms** apply from the later of the following:
- (a) the expiry of the period for negotiating a connection contract under **Process 5**:
 - (b) the date on which the **applicant** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 15 as conditions of the connection.

21 Approved applications must meet milestones to retain priority position in distributor's network connections pipeline

- (1) A **distributor** must queue and manage approved **final applications** in accordance with its **queueing and management policy**. This includes setting delivery milestones that a project must meet to maintain its priority position in the **distributor's network connections pipeline**.
- (2) These milestones may relate to:
- (a) securing environmental approvals;
 - (b) obtaining property rights & easements;
 - (c) getting Overseas Investment Office approval, if required;
 - (d) confirming final grid connection requirements
 - (e) signing delivery services agreement
 - (f) signing construction contract
 - (g) completing works construction
 - (h) other issues that are reasonably required for the **distributor's queueing and management policy**.
- (3) The **distributor** must apply stated tolerances with regards to milestones, recognising that there could be delays that lead to milestones not being achieved on time, and provide an **applicant** with an opportunity to get its project back on schedule within agreed time periods.

22 Treatment of approved applications at the same network location

- (1) A **distributor** must allow a project to retain its place in a **distributor's network connections pipeline** if no other **final application** is received for that part of the network.
- (2) If a project fails to meet a milestone and another **final application** is approved for the same part of the **distribution network** as the project, the **distributor** must inform the **applicant** of the project within five **business days** and work with the **applicant** to set renegotiated milestones.
- (3) If a project fails to meet milestones renegotiated under subclause (2), the **distributor** may prioritise another approved **final application** ahead of the project. The **distributor** must consider which application or applications would likely involve the optimal use of

the **distribution network** while achieving the most long-term benefit for consumers and delivering that benefit as soon as possible when making this decision.

- (4) A **distributor** must adhere to its **queueing and management policy** when making decisions on the priority positions of projects in its **network connections pipeline**.

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Schedule 6.2

Regulated terms for distributed generation

cl 6.6

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General

1 Contents of this Schedule

This Schedule sets out the **regulated terms** that apply to a **distributor** and a **distributed generator** in respect of **distributed generation** that is connected in accordance with clause 6.6 and Schedule 6.1.

2 Interpretation

These **regulated terms** must be interpreted—

- (a) in light of the purpose of Part 6 of this Code; and
- (b) so as to give business efficacy to the relationship between the **distributor** and the **distributed generator** created by Part 6 of this Code.

3 General obligations

- (1) The **distributor** and the **distributed generator** must perform all obligations under these **regulated terms** in accordance with **connection and operation standards** (where applicable).
- (2) The **distributor** and the **distributed generator** must each **construct**, connect, operate, test, and **maintain** their respective equipment in accordance with—
 - (a) these **regulated terms**; and
 - (b) **connection and operation standards** (where applicable); and
 - (c) this Code.
- (3) The **distributed generator** must, subject to subclause (2), **construct**, connect, operate, test, and **maintain** its **distributed generation** in accordance with—
 - (a) **reasonable and prudent operating practice**; and
 - (b) the applicable manufacturer's instructions and recommendations.
- (4) The **distributor** and **distributed generator** must each be fully responsible for the respective facilities they own or operate.
- (4A) The **distributed generator** must seek the **distributor's** approval before making any changes to the connection of the **distributed generation**, or changes to the **distributed generation protection settings**.
- (5) The **distributor** and **distributed generator** must each ensure that their respective facilities adequately protect each other's equipment, personnel, and other persons and their property, from damage and injury.
- (6) The **distributed generator** must comply with any conditions specified by the **distributor** under clause 18 of Schedule 6.1 (or, to the extent that those conditions were the subject of a dispute under clause 20(3) of that Schedule, or of negotiation during the period for negotiation of the connection contract, the conditions or other measures as finally resolved or negotiated).
- (7) Where the **distributor's** power quality obligations are breached for any reason—

- (a) due to the operation of the **distributed generation**, the **distributed generator** will resolve the power quality obligations as soon as practicable at its own cost; or
- (b) due to **network** conditions, any injection of **reactive energy** by the **distributed generator** not related to (a) above, must be subject to a **network** support services agreement agreed between the **distributed generator** and the **distributor**.

Meters

4 Installation of meters and access to metering information

- (1) *[Revoked]*
 - (2) The **distributed generator** must give the **distributor**, at the **distributor's** request, the interval data and cumulative data recorded by the **metering installations** at the **point of connection** at which the **distributed generation** is connected or is proposed to be connected.
- (2A) The **distributed generator** must—
- (a) provide any data required under subclause (2) to the **distributor** within three **business days** of the request unless agreed otherwise; and
 - (b) deliver the data to the **distributor** in a manner agreed with the **distributor**; and
 - (c) format the data to comply with **EIEP3** unless an alternative format is agreed; and
 - (d) manage the data in accordance with Parts 10 and 15 of the Code.
- (3) The **distributed generator** must provide **reactive** metering if—
 - (a) the **meter** for the **distributed generation** is part of a **category 2 metering installation**, or a higher category of **metering installation**; and
 - (b) the **distributed generator** is required to do so by the **distributor**.
 - (4) The **distributor's** requirements in respect of metering measurement and accuracy must be no more than required for a **certified metering installation the same** as set out in Part 10 of this Code.

Access

5 Right of distributor to access distributed generator's premises

- (1) The **distributed generator** must provide the **distributor**, or a person appointed by the **distributor**, with safe and unobstructed access onto the **distributed generator's** premises at all reasonable times—
 - (a) for the purpose of installing, testing, inspecting, maintaining, repairing, replacing, operating, reading, or removing any of the **distributor's** equipment and for any other purpose related to these **regulated terms**; and
 - (b) for the purpose of verifying **metering information**; and
 - (c) for the purpose of ascertaining the cause of any interference to the quality of delivery services being provided by the **distributor** to the **distributed generator**;and

- (d) for the purpose of protecting, or preventing danger or damage to, persons or property; and
 - (e) for the purposes of **electrically connecting** or **electrically disconnecting** the **distributed generation**; and
 - (f) for any other purpose relevant to either or both of—
 - (i) the **distributor** connecting **distributed generation** in accordance with **connection and operation standards**; and
 - (ii) maintaining the integrity of the **distribution network**.
- (2) The rights of access conferred by these **regulated terms** are in addition to any right of access the **distributor** may have under a statute or regulation or contract.

6 Process if distributor wants to access distributed generator's premises

- (1) The **distributor** must exercise its right of access under clause 5 by,—
- (a) wherever practicable, giving to the **distributed generator** reasonable notice of its intention and of the purpose for which it will exercise its right of access; and
 - (b) causing as little inconvenience as practicable to the **distributed generator** in carrying out its work; and
 - (c) observing **reasonable and prudent operating practice** at all times; and
 - (d) observing any reasonable security or site safety requirements that are made known to the **distributor** by the **distributed generator**.
- (2) However, the **distributor** may take all reasonable steps to gain immediate access where it reasonably believes there is immediate danger to persons or property.

7 Distributor must not interfere with distributed generator's equipment

- (1) The **distributor** must not interfere with the **distributed generator's** equipment without the prior written consent of the **distributed generator**.
- (2) However, if emergency action has to be taken to protect the health and safety of persons, or to prevent damage to property, the **distributor**—
- (a) may interfere with the **distributed generator's** equipment without prior written consent; and
 - (b) must, as soon as practicable, inform the **distributed generator** of the occurrence and circumstances involved.

8 Distributed generator must not interfere with, and must protect, distributor's equipment

- (1) The **distributed generator** must not interfere with the **distributor's** equipment without the prior written consent of the **distributor**.
- (2) However, if emergency action has to be taken to protect the health and safety of persons, or to prevent damage to property, the **distributed generator**—
- (a) may interfere with the **distributor's** equipment without prior written consent; and
 - (b) must, as soon as practicable, inform the **distributor** of the occurrence and circumstances involved.

- (3) The **distributed generator** must protect the **distributor's** equipment against interference and damage.

9 Obligation to advise if interference with distributor's equipment or theft of electricity is discovered

- (1) If the **distributor** or the **distributed generator** discovers evidence of interference with the **distributor's** equipment, or evidence of theft of **electricity**, the party discovering the interference or evidence must advise the other party within 24 hours.
- (2) If interference with the **distributor's** equipment at the **distributed generator's** installation is suspected, the **distributor** may itself carry out an investigation and present the findings to the **distributed generator** within a reasonable period.
- (3) The cost of the investigation—
- (a) must be borne by the **distributed generator** if it is discovered that interference by the **distributed generator**, or by its subcontractors, agents, or invitees, has occurred, or if the interference has been by a third party, and the **distributed generator** has failed to provide reasonable protection against interference to the **distributor's** equipment; and
 - (b) must be borne by the **distributor** in any other case.

Interruptions and disconnections

10 General obligation relating to interruptions

The **distributor** must make reasonable endeavours to ensure that the connection of the **distributed generation** is not interrupted.

11 Circumstances allowing distributor to temporarily electrically disconnect distributed generation

Despite clause 10, the **distributor** may interrupt the connection service, or curtail either the operation or output of the generation, or both, and may temporarily **electrically disconnect** the **distributed generation** in any of the following cases:

- (a) in accordance with the **distributor's congestion management policy**;
- (b) if reasonably necessary for planned **maintenance, construction**, and repairs on the **distribution network**;
- (c) for the purpose of protecting, or preventing danger or damage to, persons or property;
- (d) if the **distributed generator** fails to allow the **distributor** access as required by clause 5;
- (e) *[Revoked]*
- (f) in accordance with clause 13 (adverse operating effects):
- (g) if the **distributed generator** fails to comply with the **distributor's**—
 - (i) **connection and operation standards**; or
 - (ii) safety requirements.

12 Obligations if distributed generation temporarily electrically disconnected by distributor

- (1) The **distributor** must make reasonable endeavours to—
 - (a) advise the **distributed generator** before an interruption under clause 11; and
 - (b) co-ordinate with the **distributed generator** to minimise the impact of the interruption.
- (2) The **distributor** and the **distributed generator** must co-operate to restore the **distribution network** and the **distributed generation** to a normal operating state as soon as is reasonably practicable following the **distributed generation** being temporarily **electrically disconnected**.
- (3) In the case of a forced outage, the **distributor** must, subject to the need to restore the **distribution network**, make reasonable endeavours to—
 - (a) restore service to the **distributed generator**; and
 - (b) advise the **distributed generator** of the expected duration of the outage.

13 Adverse operating effects

- (1) The **distributor** must advise the **distributed generator** as soon as is reasonably practicable if it reasonably considers that operation of the **distributed generation** may—
 - (a) adversely affect the service provided to other **distribution network** customers; or
 - (b) cause damage to the **distribution network** or other facilities; or
 - (c) present a hazard to a person.
- (2) If, after receiving that advice, the **distributed generator** fails to remedy the adverse operating effect within a reasonable time, the **distributor** may **electrically disconnect** the **distributed generation** by giving reasonable notice (or without notice when reasonably necessary in the event of an emergency or hazardous situation).

14 Interruptions by distributed generator

- (1) This clause applies to any connected **distributed generation** above 10 kW in total.
- (2) The **distributed generator** must advise the **distributor** of any **planned outages** and must make reasonable endeavours to advise the **distributor** of an event that affects **distribution network** operations.
- (3) The **distributed generator** must make reasonable endeavours to advise the **distributor** of the interruption and to co-ordinate with the **distributor** to minimise the impact of the interruption.

15 Disconnecting distributed generation

- (1) Despite clause 10, the **distributor** may disconnect **distributed generation** in the following circumstances:
 - (a) on receipt of a request from a **distributed generator** or the trader responsible for the distributed generation:
 - (aa) on request of the Authority in the event of default by a trader:

-
- (ab) in the event that the **distributed generation** interferes with the **distributor's network** as set out in clause 13, and the **distributed generator** fails to correct the **problem**:
- (b) without notice, if a **distributed generator** has been temporarily **electrically disconnected** under clause 11(g) and—
- (i) the **distributed generator** fails to remedy the non-compliance within a reasonable period of time; and
- (ii) there is an ongoing risk to persons or property:
- (c) without notice, if the **trader** that is recorded in the **registry** as being responsible for the **ICP** to which the **distributed generation** is connected to the **distribution network** has **electrically disconnected** the **ICP** and updated the **ICP's** status in the **registry** to "inactive" with the reason of "electrically disconnected – ready for decommissioning":
- (d) on at least 10 **business days'** notice of intention to disconnect, if—
- (i) the **distributed generator** has not injected **electricity** into the **distribution network** at any time in the preceding 12 months; and
- (ii) the **distributed generator** has not given written notice to the **distributor** of the reasons for the non-injection; and
- (iii) the **distributor** has reasonable grounds for believing that the **distributed generator** has ceased to operate the **distributed generation**.
- (2) *[Revoked]*
- (3) If a **distributor** disconnects **distributed generation** under subclause (1) and the **point of connection** is to be **decommissioned**, the **distributor** must—
- (a) remove all electrical conductors between the **distributed generation** and the **distributor's lines**;
- (b) advise the **distributed generator** within two **business days** of the completion of the work referred to in paragraph (a).
- (4) *[Revoked]*
- (5) *[Revoked]*

Time frame for construction

~~15A Distributed generator must construct distributed generation within 18 months of approval~~

- ~~(1) This clause applies if the **distributor** approves the **distributed generator's** application to connect **distributed generation** under Part 1, Part 1A, or Part 2 of Schedule 6.1.~~
- ~~(2) The **regulated terms** cease to apply if the **distributed generator** does not **construct** the **distributed generation** within—~~
- ~~(a) 18 months from the date on which approval was granted; or~~
- ~~(b) such later date as is agreed by the **distributor** and **distributed generator**.~~
- ~~(3) The **distributed generator** must reapply under Schedule 6.1 if—~~
- ~~(a) the **regulated terms** no longer apply in accordance with subclause (1); and~~
- ~~(b) the **distributed generator** wishes to connect **distributed generation** to the **distributor's distribution network**.~~

Confidentiality

16 General obligations relating to confidentiality

- (1) Each party must preserve the confidentiality of **confidential information**, and must not directly or indirectly reveal, report, publish, transfer, or disclose the existence of any **confidential information**, except as permitted in [clause 5 of Schedule 6.1](#) and subclause (2).

[\(1A\) The distributor may seek a confidentiality agreement between itself and the distributed generator that does not contravene the requirements of clause 5 of Schedule 6.1.](#)

- (2) Each party must only use **confidential information** for the purposes expressly permitted by these **regulated terms**.

17 When confidential information can be disclosed

Either party may disclose **confidential information** in any of the following circumstances:

- (a) if the **distributed generator** and **distributor** agree in writing to the disclosure of information:
- (b) if disclosure is expressly provided for under these **regulated terms**:
- (c) if, at the time of receipt by the party, the **confidential information** is in the public domain or if, after the time of receipt by either party, the **confidential information** enters the public domain (except where it does so as a result of a breach by either party of its obligations under this clause or a breach by any other person of that person's obligation of confidence):
- (d) if either party is required to disclose **confidential information** by—
 - (i) a statutory or regulatory obligation, body, or authority; or
 - (ii) a judicial or arbitration process; or
 - (iii) the regulations of a stock exchange upon which the share capital of either party is from time to time listed or dealt in; or
 - (iv) this Code:
- (e) if the **confidential information** is released to the officers, employees, directors, agents, or advisors of the party, provided that—
 - (i) the information is disseminated only on a need-to-know basis; and
 - (ii) recipients of the **confidential information** have been made fully aware of the party's obligations of confidence in relation to the information; and
 - (iii) any copies of the information clearly identify it as **confidential information**:
- (f) if the **confidential information** is released to a bona fide potential purchaser of the business or any part of the business of a party, subject to that bona fide potential purchaser having signed a confidentiality agreement enforceable by the other party in a form approved by that other party, and that approval may not be unreasonably withheld.

18 Disclosures by employees, agents, etc

To avoid doubt, a party is responsible for any unauthorised disclosure of **confidential information** made by that party's officers, employees, directors, agents, or advisors.

Pricing

19 Pricing principles

Charges that are payable by the **distributed generator** or the **distributor** must be determined in accordance with the pricing principles set out in Schedule 6.4.

Liability

20 General obligations relating to liability

- (1) If the **distributor** or the **distributed generator** breaches any of the **regulated terms** (whether by act or omission), that party is liable to the other.
- (2) The **distributed generator's** and the **distributor's** liability to each other is limited to damages for any direct loss caused by that breach.
- (3) This clause and clauses 21 to 25 do not limit the liability of either party to pay all charges and other amounts due under Part 6 of this Code or the **regulated terms**.

21 Exceptions to obligations relating to liability

- (1) Neither the **distributor** nor the **distributed generator**, nor any of its officers, employees, directors, agents, or advisors, are in any circumstances liable to the other party for—
 - (a) any indirect loss, consequential loss (including, but not limited to, incidental or special damages), loss of profit, loss of revenue (except any liability under clause 20(3)), loss of use, loss of opportunity, loss of contract, or loss of goodwill; or
 - (b) any loss resulting from the liability of the other party to another person; or
 - (c) any loss or damage incurred by the other party if, and to the extent that, this results from any breach of the **regulated terms** or any negligent action.
- (2) The **distributor** is not liable, except to the extent caused or contributed to by the **distributor** in circumstances where the **distributor** was not acting in accordance with Part 6 of this Code (including these **regulated terms**), for—
 - (a) any momentary fluctuations in the voltage or frequency of **electricity** conveyed to or from the **distributed generation's point of connection** or nonconformity with harmonic voltage and current levels; or
 - (b) any failure to convey **electricity** to the extent that—
 - (i) the failure arises from any act or omission of the **distributed generator** or other person, excluding the **distributor** and its officers, employees, directors, agents, or advisors; or
 - (ii) the failure arises from a reduced **injection** of **electricity** into the **distribution network**; or

- (ia) the failure arises from an interruption in the conveyance of **electricity** in the **distribution network**, if the interruption was at the request of the **system operator** or under a nationally or regionally co-ordinated response to an **electricity** shortage; or
- (iii) the failure arises from any defect or abnormal conditions in or about the **distributed generator's** premises; or
- (iv) the **distributor** was taking any action in accordance with Part 6 of this Code or the **regulated terms**; or
- (v) the **distributor** was prevented from making necessary repairs (for example, by police at an accident scene).

(3) The **distributed generator** is not liable for—

- (a) a failure to perform an obligation under these **regulated terms** caused by the **distributor's** failure to comply with the obligation; or
- (b) a failure to perform an obligation under these **regulated terms** arising from any defect or abnormal conditions in the **distribution network**.

22 Limits on liability

The maximum total liability of each party, as a result of a breach of the **regulated terms**, must not in any circumstances exceed, in respect of a single event or series of events arising from the same event or circumstance, the lesser of—

- (a) the direct damage suffered or the maximum total liability that the party bringing the claim against the other party has at the time that the event (or, in the case of a series of related events, the first of such events) giving rise to the liability occurred; or
- (b) \$1,000 per kW of ~~nameplate capacity~~ **maximum export power** up to a maximum of \$5 million.

23 Liability clauses do not apply to fraud, wilful breach, and breach of confidentiality

The exceptions in clause 21, and the limits on liability in clause 22, do not apply—

- (a) if the **distributor** or the **distributed generator**, or any of its officers, employees, directors, agents, or advisors, has acted fraudulently or wilfully in breach of these **regulated terms**; or
- (b) to a breach of confidentiality under clause 16 by either party.

24 [Revoked]

25 Force majeure

- (1) A failure by either party to comply with or observe any provisions of these **regulated terms** (other than payment of any amount due) does not give rise to any cause of action or liability based on default of the provision if—
 - (a) the failure is caused by—

- (i) an event or circumstance occasioned by, or in consequence of, an act of God, being an event or circumstance—
 - (A) due to natural causes, directly or indirectly and exclusively without human intervention; and
 - (B) that could not reasonably have been foreseen or, if foreseen, could not reasonably have been resisted; or
 - (ii) a strike, lockout, other industrial disturbance, act of public enemy, war, blockade, insurrection, riot, epidemic, aircraft, or civil disturbance; or
 - (iii) the binding order or requirement of a Court, government, **local authority**, the **Rulings Panel**, or the **Authority**, and the failure is not within the reasonable control of the affected party; or
 - (iv) the partial or entire failure of the **injection of electricity** into the **distribution network**; or
 - (v) any other event or circumstance beyond the control of the party invoking this clause; and
- (b) the party could not have prevented such failure by the exercise of the degree of skill, diligence, prudence, and foresight that would reasonably and ordinarily be expected from a skilled and experienced **distributor** or **distributed generator** engaged in the same type of undertaking under the same or similar circumstances in New Zealand at the time.
- (2) If a party becomes aware of a prospect of a forthcoming **force majeure event**, it must advise the other party as soon as is reasonably practicable of the particulars of which it is aware.
- (3) If a party invokes this clause, it must as soon as is reasonably practicable advise the other party that it is invoking this clause and of the full particulars of the **force majeure event** relied on.
- (4) The party invoking this clause must—
- (a) use all reasonable endeavours to overcome or avoid the **force majeure event**; and
 - (b) use all reasonable endeavours to mitigate the effects or the consequences of the **force majeure event**; and
 - (c) consult with the other party on the performance of the obligations referred to in paragraphs (a) and (b).
- (5) Nothing in subclause (4) requires a party to settle a strike, lockout, or other industrial disturbance by acceding, against its judgement, to the demands of opposing parties.

Schedule 6.2A
Regulated terms for load connections under Process 4 and Process 5 of
Schedule 6.1 when applicant is a participant

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General

1 Contents of this Schedule

This Schedule sets out the regulated terms that apply to an application to connect load using Process 4 and Process 5 in Schedule 6.1 when the applicant is a participant.

2 Interpretation

These **regulated terms** must be interpreted—

- (a) in light of the purpose of Part 6 of this Code; and
- (b) so as to give business efficacy to the relationship between the **distributor** and the **applicant** created by Part 6 of this Code.

3 General obligations

- (1) The **distributor** and the **applicant** must perform all obligations under these **regulated terms** in accordance with **connection and operation standards** (where applicable).
- (2) The **distributor** and the **applicant** must each **construct**, connect, operate, test, and **maintain** their respective equipment in accordance with—
 - (a) these **regulated terms**; and
 - (b) **connection and operation standards** (where applicable); and
 - (c) this Code.
- (3) The **applicant** must, subject to subclause (2), **construct**, connect, operate, test, and **maintain its load** installation in accordance with—
 - (a) **reasonable and prudent operating practice**; and
 - (b) the applicable manufacturer's instructions and recommendations.
- (4) The **distributor** and **applicant** must each be fully responsible for the respective facilities they own or operate.
- (5) The **applicant** must seek the **distributors** approval before making any significant changes to the **load** installation, or changes to the protection settings.
- (6) The **distributor** and **applicant** must each ensure that their respective facilities adequately protect each other's equipment, personnel, and other persons and their property, from damage and injury.
- (7) The **applicant** must comply with any conditions specified by the **distributor** under Schedule 6.1, (or, to the extent that those conditions were the subject of a dispute under Schedule 6.1, or of negotiation during the period for negotiation of the connection contract, the conditions or other measures as finally resolved or negotiated).
- (7) Where the **distributors** power quality obligations are breached for any reason due to the operation of the **load** installation, the **applicant** will resolve the power quality obligations as soon as practicable at its own cost.

Meters

4 Installation of meters and access to metering information

- (1) The **applicant** will meet the **distributors** requirements for **metering** configuration.
- (2) The **applicant** must give the **distributor**, at the **distributor's** request, the interval data and cumulative data recorded by the **metering installations** at the **point of connection** at which the **applicant's load** installation is connected or is proposed to be connected.
- (3) The **applicant** must—

- (a) provide the data required under subclause (2) to the **distributor** within three **business days** of the request unless agreed otherwise; and
- (b) deliver the data to the **distributor** in a manner agreed with the **distributor**; and
- (c) format the data to comply with **EIEP3** unless an alternative format is agreed.
- (4) The **metering installation** measurement and accuracy must be no more than required for a **certified metering installation** as set out in Part 10 of this Code.

Access

5 Right of distributor to access applicant's premises

- (1) The **applicant** must provide the **distributor**, or a person appointed by the **distributor**, with safe and unobstructed access onto the **applicant's** premises at all reasonable times—
 - (a) for the purpose of installing, testing, inspecting, maintaining, repairing, replacing, operating, reading, or removing any of the **distributor's** equipment and for any other purpose related to these **regulated terms**; and
 - (b) for the purpose of verifying **metering information**; and
 - (c) for the purpose of ascertaining the cause of any interference to the quality of delivery services being provided by the **distributor** to the **applicant**; and
 - (d) for the purpose of protecting, or preventing danger or damage to, persons or property; and
 - (e) for the purposes of **electrically connecting** or **electrically disconnecting** the **applicant's load** connection; and
 - (f) for any other purpose relevant to either or both of—
 - (i) the **distributor** connecting the **applicant's load** installation in accordance with **connection and operation standards**; and
 - (ii) maintaining the integrity of the **distribution network**.
- (2) The rights of access conferred by these **regulated terms** are in addition to any right of access the **distributor** may have under a statute or regulation or contract.

6 Process if distributor wants to access applicant's premises

- (1) The **distributor** must exercise its right of access under clause 5 by,—
 - (a) wherever practicable, giving to the **applicant** reasonable notice of its intention and of the purpose for which it will exercise its right of access; and
 - (b) causing as little inconvenience as practicable to the **applicant** in carrying out its work; and
 - (c) observing **reasonable and prudent operating practice** at all times; and
 - (d) observing any reasonable security or site safety requirements that are made known to the **distributor** by the **applicant**.
- (2) However, the **distributor** may take all reasonable steps to gain immediate access where it reasonably believes there is immediate danger to persons or property.

7 Distributor must not interfere with applicant's equipment

- (1) The **distributor** must not interfere with the **applicant's** equipment without the prior written consent of the **applicant**.
- (2) However, if emergency action has to be taken to protect the health and safety of persons, or to prevent damage to property, the **distributor**—
 - (a) may interfere with the **applicant's** equipment without prior written consent; and
 - (b) must, as soon as practicable, inform the **applicant** of the occurrence and circumstances involved.

8 Applicant must not interfere with, and must protect, distributor's equipment

- (1) The **applicant** must not interfere with the **distributor's** equipment without the prior written consent of the **distributor**.
- (2) However, if emergency action has to be taken to protect the health and safety of persons, or to prevent damage to property, the **applicant**—
 - (a) may interfere with the **distributor's** equipment without prior written consent; and
 - (b) must, as soon as practicable, inform the **distributor** of the occurrence and circumstances involved.
- (3) The **applicant** must protect the **distributor's** equipment against interference and damage.

9 Obligation to advise if interference with distributor's equipment or theft of electricity is discovered

- (1) If the **distributor** or the **applicant** discovers evidence of interference with the **distributor's** equipment, or evidence of theft of **electricity**, the party discovering the interference or evidence must advise the other party within 24 hours.
- (2) If interference with the **distributor's** equipment at the **applicant's** electrical installation is suspected, the **distributor** may itself carry out an investigation and present the findings to the **applicant** within a reasonable period.
- (3) The cost of the investigation—
 - (a) must be borne by the **applicant** if it is discovered that interference by the **applicant**, or by its subcontractors, agents, or invitees, has occurred, or if the interference has been by a third party, and the **applicant** has failed to provide reasonable protection against interference to the **distributor's** equipment; and
 - (b) must be borne by the **distributor** in any other case.

Interruptions and disconnections

10 General obligations relating to interruptions

The **distributor** must make reasonable endeavours to ensure that the **applicant's** load connection is not interrupted.

11 Circumstances allowing distributor to temporarily electrically disconnect applicant's load connection

Despite clause 10, the **distributor** may interrupt the connection service, and may temporarily **electrically disconnect** the **applicant's load** connection in any of the following cases:

- (a) in accordance with the **distributor's congestion management policy**;
- (b) if reasonably necessary for planned **maintenance, construction**, and repairs on **the distribution network**;
- (c) for the purpose of protecting, or preventing danger or damage to, persons or property;
- (d) if the **applicant** fails to allow the **distributor** access as required by clause 5;
- (e) in accordance with clause 13 (adverse operating effects);
- (f) if the **applicant** fails to comply with the **distributor's**—
 - (i) **connection and operation standards**; or
 - (ii) safety requirements.

12 Obligations if applicant's load connection is temporarily electrically disconnected by distributor

- (1) The **distributor** must make reasonable endeavours to—
 - (a) advise the **applicant** before an interruption under clause 11; and
 - (b) co-ordinate with the **applicant** to minimise the impact of the interruption.
- (2) The **distributor** and the **applicant** must co-operate to restore the **distribution network** and the **applicant's load** connection to a normal operating state as soon as is reasonably practicable following the **applicant's load** connection being temporarily **electrically disconnected**.
- (3) In the case of a forced outage, the **distributor** must, subject to the need to restore the **distribution network**, make reasonable endeavours to—
 - (a) restore service to the **applicant's load** installation; and
 - (b) advise the **applicant** of the expected duration of the outage.

13 Adverse operating effects

- (1) The **distributor** must advise the **applicant** as soon as is reasonably practicable if it reasonably considers that operation of the **applicant's load** installation may—
 - (a) adversely affect the service provided to other **distribution network** customers; or
 - (b) cause damage to the **distribution network** or other facilities; or
 - (c) present a hazard to a person.
- (2) If, after receiving that advice, the **applicant** fails to remedy the adverse operating effect within a reasonable time, the **distributor** may **electrically disconnect** the **applicant's load** connection by giving reasonable notice (or without notice when reasonably necessary in the event of an emergency or hazardous situation).

Confidentiality

14 General obligations relating to confidentiality

- (1) Each party must preserve the confidentiality of **confidential information**, and must not directly or indirectly reveal, report, publish, transfer, or disclose the existence of any **confidential information**, except as required by clause 5 of Schedule 6.1 or as permitted in clause 15.
- (1A) The **distributor** may seek a confidentiality agreement between itself and the **distributed generator** provided that agreement does not prevent the disclosure of information in accordance with clause 5 of Schedule 6.1.
- (2) Each party must only use **confidential information** for the purposes expressly permitted by these **regulated terms**.

15 When confidential information can be disclosed

Either party may disclose **confidential information** in any of the following circumstances:

- (a) if the **applicant** and **distributor** agree in writing to the disclosure of information;
- (b) if disclosure is expressly provided for under these **regulated terms**;
- (c) if, at the time of receipt by the party, the **confidential information** is in the public domain or if, after the time of receipt by either party, the **confidential information** enters the public domain (except where it does so as a result of a breach by either party of its obligations under this clause or a breach by any other person of that person's obligation of confidence);
- (d) if either party is required to disclose **confidential information** by—
- (i) a statutory or regulatory obligation, body, or authority; or
 - (ii) a judicial or arbitration process; or
 - (iii) the regulations of a stock exchange upon which the share capital of either party is from time to time listed or dealt in; or
 - (iv) this Code;
- (e) if the **confidential information** is released to the officers, employees, directors, agents, or advisors of the party, provided that—
- (i) the information is disseminated only on a need-to-know basis; and
 - (ii) recipients of the **confidential information** have been made fully aware of the party's obligations of confidence in relation to the information; and
 - (iii) any copies of the information clearly identify it as **confidential information**;
- (f) if the **confidential information** is released to a bona fide potential purchaser of the business or any part of the business of a party, subject to that bona fide potential purchaser having signed a confidentiality agreement enforceable by the other party in a form approved by that other party, and that approval may not be unreasonably withheld.

16 Disclosures by employees, agents, etc

To avoid doubt, a party is responsible for any unauthorised disclosure of **confidential information** made by that party's officers, employees, directors, agents, or advisors.

Liability

17 General obligations relating to liability

- (1) If the **distributor** or the **applicant** breaches any of the **regulated terms** (whether by act or omission), that party is liable to the other.
- (2) The **applicant's** and the **distributor's** liability to each other is limited to damages for any direct loss caused by that breach.
- (3) This clause and clauses 18 to 21 do not limit the liability of either party to pay all charges and other amounts due under Part 6 of this Code or the **regulated terms**.

18 Exceptions to obligations relating to liability

- (1) Neither the **distributor** nor the **applicant**, nor any of its officers, employees, directors, agents, or advisors, are in any circumstances liable to the other party for—
 - (a) any indirect loss, consequential loss (including, but not limited to, incidental or special damages), loss of profit, loss of revenue (except any liability under clause 17(3)), loss of use, loss of opportunity, loss of contract, or loss of goodwill; or
 - (b) any loss resulting from the liability of the other party to another person; or
 - (c) any loss or damage incurred by the other party if, and to the extent that, this results from any breach of the **regulated terms** or any negligent action.
- (2) The **distributor** is not liable, except to the extent caused or contributed to by the **distributor** in circumstances where the **distributor** was not acting in accordance with Part 6 of this Code (including these **regulated terms**), for—
 - (a) any momentary fluctuations in the voltage or frequency of **electricity** conveyed to or from the **applicant's point of connection** or nonconformity with harmonic voltage and current levels; or
 - (b) any failure to convey **electricity** to the extent that—
 - (i) the failure arises from any act or omission of the **applicant** or other person, excluding the **distributor** and its officers, employees, directors, agents, or advisors; or
 - (ii) the failure arises from an interruption in the conveyance of **electricity** in the **distribution network**, if the interruption was at the request of the **system operator** or under a nationally or regionally co-ordinated response to an **electricity** shortage; or
 - (iii) the failure arises from any defect or abnormal conditions in or about the **applicant's** premises; or
 - (iv) the **distributor** was taking any action in accordance with Part 6 of this Code or the **regulated terms**; or

(v) the **distributor** was prevented from making necessary repairs (for example, by police at an accident scene).

(3) The **applicant** is not liable for—

- (a) a failure to perform an obligation under these **regulated terms** caused by the **distributor's** failure to comply with the obligation; or
- (b) a failure to perform an obligation under these **regulated terms** arising from any defect or abnormal conditions in the **distribution network**.

19 Limits on liability

The maximum total liability of each party, as a result of a breach of the **regulated terms**, must not in any circumstances exceed, in respect of a single event or series of events arising from the same event or circumstance, the lesser of—

- (a) the direct damage suffered or the maximum total liability that the party bringing the claim against the other party has at the time that the event (or, in the case of a series of related events, the first of such events) giving rise to the liability occurred; or
- (b) \$1,000 per kW of connected capacity up to a maximum of \$5 million.

20 Liability clauses do not apply to fraud, wilful breach, and breach of confidentiality

The exceptions in clause 18, and the limits on liability in clause 19, do not apply—

- (a) if the **distributor** or the **applicant**, or any of its officers, employees, directors, agents, or advisors, has acted fraudulently or wilfully in breach of these **regulated terms**; or
- (b) to a breach of confidentiality under clause 17 by either party.

21 Force majeure

(1) A failure by either party to comply with or observe any provisions of these **regulated terms** (other than payment of any amount due) does not give rise to any cause of action or liability based on default of the provision if—

- (a) the failure is caused by—
 - (i) an event or circumstance occasioned by, or in consequence of, an act of God, being an event or circumstance—
 - (A) due to natural causes, directly or indirectly and exclusively without human intervention; and
 - (B) that could not reasonably have been foreseen or, if foreseen, could not reasonably have been resisted; or
 - (ii) a strike, lockout, other industrial disturbance, act of public enemy, war, blockade, insurrection, riot, epidemic, aircraft, or civil disturbance; or
 - (iii) the binding order or requirement of a Court, government, **local authority**, the **Rulings Panel**, or the **Authority**, and the failure is not within the reasonable control of the affected party; or

- (iv) the partial or entire failure of the **consumption of electricity** from the **distribution network**; or
 - (v) any other event or circumstance beyond the control of the party invoking this clause; and
- (b) the party could not have prevented such failure by the exercise of the degree of skill, diligence, prudence, and foresight that would reasonably and ordinarily be expected from a skilled and experienced **distributor** or a person similar to the **applicant** engaged in the same type of undertaking under the same or similar circumstances in New Zealand at the time.
- (2) If a party becomes aware of a prospect of a forthcoming **force majeure event**, it must advise the other party as soon as is reasonably practicable of the particulars of which it is aware.
- (3) If a party invokes this clause, it must as soon as is reasonably practicable advise the other party that it is invoking this clause and of the full particulars of the **force majeure event** relied on.
- (4) The party invoking this clause must—
 - (a) use all reasonable endeavours to overcome or avoid the **force majeure event**; and
 - (b) use all reasonable endeavours to mitigate the effects or the consequences of the **force majeure event**; and
 - (c) consult with the other party on the performance of the obligations referred to in paragraphs (a) and (b).
- (5) Nothing in subclause (4) requires a party to settle a strike, lockout, or other industrial disturbance by acceding, against its judgement, to the demands of opposing parties.

Schedule 6.2B
Prescribed terms for load connections using Processes 4 and 5 of
Schedule 6.1 when applicant is not a participant

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General

1 Contents of this Schedule

This Schedule sets out the **prescribed terms** that apply to an application to connect load using **Process 4** and **Process 5** of Schedule 6.1.

2 Interpretation

These **prescribed terms** must be interpreted—

- (a) in light of the purpose of Part 6; and
- (b) so as to give business efficacy to the relationship between the **distributor** and the **applicant** under Part 6.

3 Application of prescribed terms to applicants

(1) The **applicant** is not subject to these prescribed terms as it is not a **participant**.

(2) Instead, where a clause of these **prescribed terms** state that this clause applies and one or more of the events set out in that clause occurs:

- (a) the **distributor** is not required to comply with these **prescribed terms** to the extent that the event reasonably prevents the **distributor** from carrying out its obligations under these **prescribed terms** or could cause loss or damage to the **distributor** or the **distributor's** equipment plan; and
- (b) on the remedying of the event or at such time as that event no longer prevents the **distributor** from carrying out its obligations under these **prescribed terms** or could cause loss or damage to the **distributor** or the **distributor's** equipment or plant the **distributor** must fully comply with these terms.

4 General obligations

(1) The **distributor** must perform all obligations under these **prescribed terms** in accordance with **connection and operation standards** (where applicable).

(2) The **distributor** must **construct**, connect, operate, test, and **maintain** its equipment in accordance with—

- (a) these **prescribed terms**; and
- (b) **connection and operation standards** (where applicable); and
- (c) this Code.

(3) The **distributor** is fully responsible for the facilities it owns or operates.

(4) The **distributor** must ensure that its facilities adequately protect the **applicant's** equipment, personnel, and other persons and their property, from damage and injury.

(5) Clause 3(2) applies if the **applicant**—

- (a) does not **construct**, connect, operate, test, and **maintain** its **load** installation in accordance with **reasonable and prudent operating practice** and the applicable manufacturer's instructions and recommendations;
- (b) does not seek the **distributor's** approval before making any significant changes to the **load** installation, or changes to the protection settings;

- (c) does not ensure that its **load** installation adequately protect the **distributor's** equipment, personnel, and other persons and their property, from damage and injury;
- (d) does not comply with any conditions specified by the **distributor** under Schedule 6.1 (or, to the extent that those conditions were the subject of a dispute under Schedule 6.1, or of negotiation during the period for negotiation of the connection contract, the conditions or other measures as finally resolved or negotiated); and
- (e) does not resolve, as soon as practicable at its own cost, the operation of its **load** installation if it breaches a **distributor's** power quality obligations.

Meters

5 Installation of meters and access to metering information

- (1) Clause 3(2) applies if the **applicant**—
 - (a) does not meet the **distributor's** requirements for **metering** configuration
 - (b) does not give the **distributor**, at the **distributor's** request, the interval data and cumulative data recorded by the **metering installations** at the **point of connection** at which the **applicant's load** is connected or is proposed to be connected—
 - (i) within three **business days** of the request unless agreed otherwise; and
 - (ii) in a manner agreed with the **distributor**; and
 - (iii) formatted to comply with **EIEP3** unless an alternative format is agreed; and
- (2) The **metering installation** measurement and accuracy for the purposes of clause (1) may be no more than required for a **metering installation** that is a **certified metering installation** as set out in Part 10 of this Code.

Access

6 Right of distributor to access applicant's premises

- (1) Clause 3(2) applies if the **applicant**—
 - (a) does not provide the **distributor**, or a person appointed by the **distributor**, with safe and unobstructed access onto the **applicant's** premises at all reasonable times for the purpose of—
 - (i) installing, testing, inspecting, maintaining, repairing, replacing, operating, reading, or removing any of the **distributor's** equipment and for any other purpose related to these **prescribed terms**;
 - (ii) verifying **metering information**;
 - (iii) ascertaining the cause of any interference to the quality of delivery services being provided by the **distributor** to the **applicant**;
 - (iv) protecting, or preventing danger or damage to, persons or property;
 - (v) **electrically connecting** or **electrically disconnecting** the **applicant's load** connection; and
 - (vi) for any other purpose relevant to either or both of—

- (i) the **distributor** connecting the **applicant's load** installation in accordance with **connection and operation standards**; and
 - (ii) maintaining the integrity of the **distribution network**.
- (2) The rights of access conferred by these **prescribed terms** are in addition to any right of access the **distributor** may have under a statute or regulation or contract.

7 Process if distributor seeks to access applicant's premises

- (1) The **distributor** must exercise its right of access under clause 5 by,—
 - (a) wherever practicable, giving the **applicant** reasonable notice of its intention and of the purpose or purposes for which it seeks to exercise its right of access; and
 - (b) causing as little inconvenience as practicable to the **applicant**; and
 - (c) observing **reasonable and prudent operating practice** at all times; and
 - (d) observing any reasonable security or site safety requirements that the applicant makes known to the **distributor** before the **distributor** accesses the **applicant's** premises.

8 Distributor must not interfere with applicant's equipment

- (1) The **distributor** must not interfere with the **applicant's** equipment without the prior written consent of the **applicant**.
- (2) The **distributor** may take all reasonable steps to gain immediate access if it reasonably believes there is immediate danger to persons or property.
- (3) The **distributor** is not liable if the **applicant** stops the **distributor** from taking emergency action to protect the health and safety of persons, or to prevent damage to property.
- (4) If action is taken under subclause (2), the **distributor** must, as soon as practicable, inform the **applicant** of the occurrence and circumstances involved.

9 Applicant must not interfere with, and must protect, distributor's equipment

- (1) The **distributor** is not required to comply with these prescribed terms if the **applicant**—
 - (a) interferes with the **distributor's** equipment without the prior written consent of the **distributor**, unless—
 - (i) that action has been taken to protect the health and safety of persons; or
 - (ii) or to prevent damage to property; and
 - (b) if subclause (1)(a) applies, has not informed the **distributor** of the occurrence and circumstances involved as soon as practicable; and
 - (c) has failed to protect the **distributor's** equipment against interference and damage.

10 Obligation to advise if interference with distributor's equipment or theft of electricity is discovered

- (1) The **distributor** must inform the **applicant** within 24 hours of discovering evidence of interference with the **distributor's** equipment, or evidence of theft of **electricity**.

- (2) Clause 3(2) applies if the **applicant**—
- (a) discovers evidence of interference with the **distributor's** equipment, or evidence of theft of **electricity** and does not advise the **distributor** within 24 hours under subclause (1); and
 - (b) does not allow the **distributor** to carry out an investigation if interference with the **distributor's** equipment at the **applicant's** electrical installation is suspected
- (3) The **distributor** is not required to bear the costs if it is discovered that interference by the **applicant**, or by its subcontractors, agents, or invitees, has occurred, or if the interference has been by a third party, and the **applicant** has failed to provide reasonable protection against interference to the **distributor's** equipment.
- (4) The **distributor** must bear the costs in any other case than that specified in subclause (3) above.
- (5) The **distributor** must present the findings of an investigation to the **applicant** within a reasonable period after receiving the findings of the investigation.

Interruptions and disconnections

11 General obligations relating to interruptions

The **distributor** must make reasonable endeavours to ensure that the **applicant's** load connection is not interrupted.

12 Circumstances allowing distributor to temporarily electrically disconnect applicant's load connection

- (1) Despite clause 11, clause 3(2) applies if the **applicant** does not allow the **distributor** to interrupt or temporarily electrically disconnect the **applicant's** load connection in any of the following cases—
- (a) in accordance with the **distributor's** congestion management policy;
 - (b) if reasonably necessary for planned **maintenance, construction, and repairs on the distribution network**;
 - (c) for the purpose of protecting, or preventing danger or damage to, persons or property;
 - (d) if the **applicant** fails to allow the **distributor** access as required by clause 6;
 - (e) in accordance with clause 14;
 - (f) if the **applicant** fails to comply with the **distributor's**—
 - (i) **connection and operation standards**; or
 - (ii) safety requirements.

13 Obligations if applicant's load connection is temporarily electrically disconnected by distributor

- (1) The **distributor** must make reasonable endeavours to—
- (a) advise the **applicant** before an interruption under clause 12; and
 - (b) co-ordinate with the **applicant** to minimise the impact of the interruption.

- (2) The **distributor** must co-operate with the **applicant** to restore the **distribution network** and the **applicant's load** connection to a normal operating state as soon as is reasonably practicable following the **applicant's load** connection being temporarily **electrically disconnected**.
- (3) In the case of a forced outage, the **distributor** must, subject to the need to restore the **distribution network**, make reasonable endeavours to—
- (a) restore service to the **applicant's load** installation; and
 - (b) advise the **applicant** of the expected duration of the outage.

14 Adverse operating effects

- (1) The **distributor** must advise the **applicant** as soon as is reasonably practicable if it reasonably considers that operation of the **applicant's load** installation may—
- (a) adversely affect the service provided to other **distribution network** customers; or
 - (b) cause damage to the **distribution network** or other facilities; or
 - (c) present a hazard to a person.
- (2) The **distributor** is not liable if—
- (a) after receiving advice under subclause (1), the **applicant** fails to remedy the adverse operating effect within a reasonable time, and;
 - (b) if the adverse operating effects persist, the **applicant** does not give written consent to the **distributor** to **electrically disconnect the applicant's load** connection after giving reasonable notice (or without notice when reasonably necessary in the event of an emergency or hazardous situation).

Confidentiality

15 General obligations relating to confidentiality

- (1) The **distributor** must preserve the confidentiality of **confidential information**, and must not directly or indirectly reveal, report, publish, transfer, or disclose the existence of any **confidential information**, except as required by clause 5 of Schedule 6.1 or as permitted in clause 15, and must only use **confidential information** for the purposes expressly permitted by these **prescribed terms**.
- (2) Clause 3(2) applies if the **applicant** fails to preserve the confidentiality of **confidential information**, and does not directly or indirectly reveal, report, publish, transfer, or disclose the existence of any **confidential information**, except as permitted in Schedule 6.1 and clause 16, and uses **confidential information** for the purposes expressly permitted by these **prescribed terms**.

16 When confidential information can be disclosed

- (1) The **distributor** may disclose **confidential information** in any of the following circumstances:
- (a) if the **applicant** agrees in writing to the disclosure of information;
 - (b) if disclosure is expressly required under these **prescribed terms**;

- (c) if the **confidential information** is in the public domain or if, after the time of receipt by the **distributor** or **applicant**, the **confidential information** enters the public domain (except where it does so as a result of a breach by the **distributor** of its obligations under this clause or a breach by any other person of the **distributor's** obligation of confidence):
- (d) if the **distributor** is required to disclose **confidential information** by—

 - (i) a statutory or regulatory obligation, body, or authority; or
 - (ii) a judicial or arbitration process; or
 - (iii) the regulations of a stock exchange upon which the share capital of the **distributor** is from time to time listed or dealt in; or
 - (iv) this Code;
- (e) if the **confidential information** is released to the officers, employees, directors, agents, or advisors of the **distributor**, provided that—

 - (i) the information is disseminated only on a need-to-know basis; and
 - (ii) recipients of the **confidential information** have been made fully aware of the **distributor's** obligations of confidence in relation to the information; and
 - (iii) any copies of the information clearly identify it as **confidential information**;
- (f) if the **confidential information** is released to a bona fide potential purchaser of the business or any part of the business of a **distributor**, subject to that bona fide potential purchaser having signed a confidentiality agreement enforceable by the **distributor** in a form approved by the **applicant**, and that approval may not be unreasonably withheld.
- (2) Clause 15(2) does not apply if the **applicant**—

 - (a) discloses **confidential information** with the **distributor's** written consent; and
 - (b) discloses **confidential information** in accordance with these **prescribed terms**; and
 - (c) discloses **confidential information** if required to do so by—
 - (i) a statutory or regulatory obligation, body, or authority; or
 - (ii) a judicial or arbitration process; or
 - (iii) the regulations of a stock exchange upon which the share capital of the **applicant** is from time to time listed or dealt in; or
 - (iv) this Code; and
 - (e) discloses **confidential information** to the officers, employees, directors, agents, or advisors of the party, and—
 - (i) disseminates the information on a need-to-know basis; and
 - (ii) makes the recipients of the **confidential information** fully aware of the party's obligations of confidence in relation to the information; and
 - (iii) marks any copies of the information clearly as **confidential information**; and

- (f) releases the **confidential information** to a bona fide potential purchaser of the business or any part of the business of the **applicant**, subject to that bona fide potential purchaser having signed a confidentiality agreement enforceable by the **applicant** and approved by the **distributor**, and that approval may not be unreasonably withheld.

17 Disclosures by employees, agents, etc

To avoid doubt, a **distributor** is responsible for any unauthorised disclosure of **confidential information** made by its officers, employees, directors, agents, or advisors.

18 Distributor may require applicant to enter into a confidentiality deed

- (1) The **distributor** may require the **applicant** to enter into a confidentiality deed on reciprocal terms to those set out in clauses 15 and 17 that apply to the **distributor** and subject to equivalent exceptions to those set out in clause 16.
- (2) The confidentiality deed may not prevent the disclosure of information in accordance with clause 5 of Schedule 6.1.
- (3) If the **applicant** does not enter into a confidentiality deed as required by the **distributor**, acting reasonably, the **distributor** is not required to comply with these prescribed terms.

Liability

19 General obligations relating to liability

- (1) If the **distributor** breaches any of the **prescribed terms** (whether by act or omission), it is liable to the **applicant**.
- (2) The **distributor's** liability to the **applicant** is limited to damages for any direct loss caused by the **distributor's** breach.
- (3) This clause and clauses 20 to 22 do not limit the liability of the **distributor** to pay all charges and other amounts due under Part 6 of this Code or the **prescribed terms**.
- (4) As the **applicant** is not a **participant**, it is not liable to the **distributor** for any breach of these **prescribed terms** but the **prescribed terms** do not prevent the **distributor** from claiming liability under any other cause of action.

20 Exceptions to obligations relating to liability

- (1) Neither the **distributor**, nor any of its officers, employees, directors, agents, or advisors, are in any circumstances liable to the **applicant** for—
- (a) any indirect loss, consequential loss (including, but not limited to, incidental or special damages), loss of profit, loss of revenue (except any liability under clause 19(3)), loss of use, loss of opportunity, loss of contract, or loss of goodwill; or
- (b) any loss resulting from the liability of the **distributor** to another person; or

- (c) any loss or damage incurred by the **applicant** if, and to the extent that, this results from any failure by the applicant to take an action set out in these **prescribed terms** or any negligent action by the **applicant**.
- (2) The **distributor** may not hold the **applicant**, nor any of its officers, employees, directors, agents, or advisors, are in any circumstances liable to the **distributor** for—
- (a) any indirect loss, consequential loss (including, but not limited to, incidental or special damages), loss of profit, loss of revenue (other than any charges or other amounts due under Part 6 of this Code), loss of use, loss of opportunity, loss of contract, or loss of goodwill; or
- (b) any loss resulting from the liability of the **applicant** to another person; or
- (c) any loss or damage incurred by the **distributor** if, and to the extent that, this results from any breach of the **prescribed terms** or any negligent action by the **distributor**.
- (3) The **distributor** is not liable, except to the extent caused or contributed to by the **distributor** in circumstances where the **distributor** was not acting in accordance with Part 6 of this Code (including these **prescribed terms**), for—
- (a) any momentary fluctuations in the voltage or frequency of **electricity** conveyed to or from the **applicant's point of connection** or nonconformity with harmonic voltage and current levels; or
- (b) any failure to convey **electricity** to the extent that—
- (i) the failure arises from any act or omission of the **applicant** or other person, excluding the **distributor** and its officers, employees, directors, agents, or advisors; or
- (ii) the failure arises from an interruption in the conveyance of **electricity** in the **distribution network**, if the interruption was at the request of the **system operator** or under a nationally or regionally co-ordinated response to an **electricity** shortage; or
- (iii) the failure arises from any defect or abnormal conditions in or about the **applicant's** premises; or
- (iv) the **distributor** was taking any action in accordance with Part 6 of this Code or the **prescribed terms**; or
- (v) the **distributor** was prevented from making necessary repairs (for example, by police at an accident scene).
- (4) The **distributor** cannot hold the **applicant** liable for—
- (a) any event caused by the **distributor's** failure to comply with an obligation under these **prescribed terms**; or
- (b) any event arising from any defect or abnormal conditions in the **distribution network**.

21 Limits on liability

- (1) The maximum total liability of the distributor, as a result of a breach of the prescribed terms, must not in any circumstances exceed, in respect of a single event or series of events arising from the same event or circumstance, the lesser of—
- (a) the direct damage suffered or the maximum total liability that the applicant has at the time that the event (or, in the case of a series of related events, the first of such events) giving rise to the liability occurred; or
 - (b) \$1,000 per kW of capacity up to a maximum of \$5 million.
- (2) The distributor may not hold the applicant liable, as a result of any matter arising in relation to the provision of services by the distributor to the applicant under these prescribed terms, for any amount exceeding, in any circumstances, in respect of a single event or series of events arising from the same event or circumstance, the lesser of—
- (a) the direct damage suffered or the maximum total liability that the distributor has at the time that the event (or, in the case of a series of related events, the first of such events) giving rise to the liability occurred; or
 - (b) \$1,000 per kW of capacity up to a maximum of \$5 million.

22 Liability clauses do not apply to fraud, wilful breach, and breach of confidentiality

The exceptions in clause 20, and the limits on liability in clause 21, do not apply—

- (a) if the distributor or the applicant, or any of their officers, employees, directors, agents, or advisors, has acted fraudulently; or
- (b) the distributor has acted wilfully in breach of these prescribed terms; or
- (c) the applicant has wilfully acted in a manner to cause loss to the distributor; or
- (d) to a breach of confidentiality under clause 15 by the distributor or of any confidentiality deed required by the distributor under clause 17; or
- (e) any of the events in clauses 15(2) have occurred.

23 Force majeure affecting distributor

- (1) A failure by the distributor to comply with or observe any provisions of these prescribed terms (other than payment of any amount due) does not give rise to any cause of action or liability based on default of the provision if—
- (a) the failure is caused by—
 - (i) an event or circumstance occasioned by, or in consequence of, an act of God, being an event or circumstance—
 - (A) due to natural causes, directly or indirectly and exclusively without human intervention; and
 - (B) that could not reasonably have been foreseen or, if foreseen, could not reasonably have been resisted; or
 - (ii) a strike, lockout, other industrial disturbance, act of public enemy, war, blockade, insurrection, riot, epidemic, aircraft, or civil disturbance; or

- (iii) the binding order or requirement of a Court, government, local authority, the Rulings Panel, or the Authority, and the failure is not within the reasonable control of the affected party; or
 - (iv) the partial or entire failure of the consumption of electricity from the distribution network; or
 - (v) any other event or circumstance beyond the control of the party invoking this clause; and
 - (b) the distributor could not have prevented such failure by the exercise of the degree of skill, diligence, prudence, and foresight that would reasonably and ordinarily be expected from a skilled and experienced distributor or applicant engaged in the same type of undertaking under the same or similar circumstances in New Zealand at the time.
- (2) If the distributor becomes aware of a prospect of a forthcoming force majeure event, it must advise the applicant as soon as is reasonably practicable of the particulars of which it is aware.
- (3) If the distributor invokes this clause, it must as soon as is reasonably practicable advise the applicant that it is invoking this clause and of the full particulars of the force majeure event relied on.
- (4) The distributor must—
 - (a) use all reasonable endeavours to overcome or avoid the force majeure event; and
 - (b) use all reasonable endeavours to mitigate the effects or the consequences of the force majeure event; and
 - (c) consult with the applicant on the performance of the obligations referred to in paragraphs (a) and (b).
- (5) Nothing in subclause (4) requires the distributor to settle a strike, lockout, or other industrial disturbance by acceding, against its judgement, to the demands of opposing parties.

24 Force majeure affecting applicant

- (1) A failure by the applicant to carry out any action (other than payment of any amount due) does not excuse the distributor from compliance with these prescribed terms or give rise to any cause of action or liability against the applicant based on default if—
 - (a) the failure is caused by—
 - (i) an event or circumstance occasioned by, or in consequence of, an act of God, being an event or circumstance—
 - (A) due to natural causes, directly or indirectly and exclusively without human intervention; and
 - (B) that could not reasonably have been foreseen or, if foreseen, could not reasonably have been resisted; or
 - (ii) a strike, lockout, other industrial disturbance, act of public enemy, war, blockade, insurrection, riot, epidemic, aircraft, or civil disturbance; or

- (iii) the binding order or requirement of a Court, government, local authority, the **Rulings Panel**, or the **Authority**, and the failure is not within the reasonable control of the affected party; or
 - (iv) the partial or entire failure of the **consumption of electricity** from the **distribution network**; or
 - (v) any other event or circumstance beyond the control of the party invoking this clause; and
 - (b) the **applicant** could not have prevented such failure by the exercise of the degree of skill, diligence, prudence, and foresight that would reasonably and ordinarily be expected from a skilled and experienced person similar to the **applicant** and engaged in the same type of undertaking under the same or similar circumstances in New Zealand at the time.
- (2) This clause does not apply unless:
 - (a) the **applicant** advises the **distributor** as soon as is reasonably practicable of the particulars of any forthcoming **force majeure event** that it is aware of; and
 - (b) as soon as is reasonably practicable advises the **distributor** of any **force majeure event** that it wishes to rely on occurs and of the full particulars of the **force majeure event**.
 - (c) The **applicant**—
 - (i) uses all reasonable endeavours to overcome or avoid the **force majeure event**; and
 - (ii) uses all reasonable endeavours to mitigate the effects or the consequences of the **force majeure event**; and
 - (iii) consults with the **distributor** on the performance of the obligations referred to in paragraphs (a) and (b).
- (3) Nothing in subclause (2) requires the **applicant** to settle a strike, lockout, or other industrial disturbance by acceding, against its judgement, to the demands of opposing parties

Schedule 6.3 Default dispute resolution process

cl 6.8

Contents

- 1 Application of this schedule
 - 2 Notice of dispute
 - 3 Complaints
 - 4 Application of pricing principles to disputes
 - 5 Orders that Rulings Panel can make
-

1 Application of this Schedule

This Schedule applies in accordance with clause 6.8.

2 Notice of dispute

- (1) A party must give written notice to the other party of the dispute.
- (2) The parties must attempt to resolve the dispute with each other in good faith.
- (3) If the parties are unable to resolve the dispute, either party may complain in writing to the **Authority**.

3 Complaints

- (1) A complaint made under clause 2(3) must be treated as if it were a notification given under regulations made under section 112 of the **Act**.
- (2) The following provisions apply to the complaint:
 - (a) sections 53-62 of the **Act**; and
 - (b) the Electricity Industry (Enforcement) Regulations 2010 except regulations 5, 6, 7, 9, 17, 51 to 75, and subpart 2 of Part 3.
- (3) Those provisions apply—
 - (a) to the dispute that is the subject of the complaint in the same way as those provisions apply to a notification of an alleged breach of this Code; and
 - (b) as if references to a **participant** in those provisions were references to a party under Part 6 of this Code; and
 - (c) with any further modifications that the **Authority** or the **Rulings Panel**, as the case may be, considers necessary or desirable for the purpose of applying those provisions to the complaint.

4 Application of pricing principles to disputes

- (1) The **Authority** and the **Rulings Panel** must apply the **distributed generation** pricing principles set out in Schedule 6.4 to determine any connection charges payable in respect of connections of **distributed generation**.
- (2) Subclause (1) applies if—
 - (a) there is a dispute under Part 6 of this Code; and

- (b) in the opinion of the **Authority** or the **Rulings Panel** it is necessary or desirable to apply subclause (1) in order to resolve the dispute.

5 Orders that Rulings Panel can make

If a complaint is referred to it, the **Rulings Panel** may make any order, or take any action, that it is able to make or take in accordance with section 54 of the **Act**.

DRAFT

Schedule 6.4

cl 6.9

Distributed generation Pricing principles

- 1 This Schedule sets out the pricing principles to be applied for the purposes of Part 6 of this Code in accordance with clause 6.9 (which relates to clause 19 of Schedule 6.2 and clause 4 of Schedule 6.3).
- 2 The pricing principles are as follows:

*Charges to be based on recovery of reasonable costs incurred by **distributor** as a result of connecting the distributed generator and to comply with connection and operation standards within the distribution network, and must include consideration of any identifiable avoided or avoidable costs*

- (a) subject to paragraph (i), connection charges in respect of **distributed generation** must not exceed the **incremental costs** of providing connection services to the **distributed generation**:
- (b) when calculating **incremental costs**, any costs that cannot be calculated must be estimated with reference to reasonable estimates of how the **distributor's** capital investment decisions and operating costs would differ, in the future, with and without the generation:
- (c) estimated costs may be adjusted ex post. Ex-post adjustment involves calculating, at the end of a period, what the actual costs incurred by the **distributor** as a result of the **distributed generation** being **electrically connected** to the **distribution network** were and deducting the costs that would have been incurred had the generation not been **electrically connected**. In this case, if the costs differ from the costs charged to the **distributed generator**, the **distributor** must advise the **distributed generator** and recover or refund those costs after they are incurred (unless the **distributor** and the **distributed generator** agree otherwise):

Capital and operating expenses

- (d) if costs include distinct capital expenditure, such as costs for a significant **asset** replacement or upgrade, the connection charge attributable to the **distributed generator's** actions or proposals is payable by the **distributed generator** before the **distributor** has committed to incurring those costs. When making reasonable endeavours to facilitate connection, the **distributor** is not obliged to incur those costs until that payment has been received:
- (e) if **incremental costs** are negative, the **distributed generator** is deemed to be providing network support services to the **distributor**, and may invoice the **distributor** for this service and, in that case, the **distributed generator** must

comply with all relevant obligations (for example, obligations under Part 6 of this Code and in respect of tax):

- (f) if costs relate to ongoing or periodic operating expenses, such as costs for routine **maintenance**, the connection charge attributable to the **distributed generator's** actions or proposals may take the form of a periodic charge:
- (g) *[Revoked]*
- (h) after the connection of the **distributed generation**, the **distributor** may review the connection charges payable by a **distributed generator** not more than once in any 12-month period. Following a review, the **distributor** must advise the **distributed generator** in writing of any change in the connection charges payable, and the reasons for any change, not less than ~~3~~**three** months before the date the change is to take effect:

Share of generation-driven costs

- (i) if multiple **distributed generators** are sharing an investment, the portion of costs payable by any ~~one~~ **distributed generator**—
 - (i) must be calculated so that the charges paid or payable by each **distributed generator** take into account the relative expected peak of each **distributed generator's** injected generation; and
 - (ii) may also have regard to the percentage of **assets** that will be used by each **distributed generator**, the percentage of **distribution network capacity** used by each **distributed generator**, the relative share of expected maximum combined peak output, and whether the combined peak generation is coincident with the peak **load** on the **distribution network**:
- (j) in order to facilitate the calculation of equitable connection charges under paragraph (i), the **distributor** must make and retain adequate records of investments for a period of 60 months, provide the rationale for the investment in terms of facilitating **distributed generation**, and indicate the extent to which the associated costs have been or are to be recovered through generation connection charges:

Repayment of previously funded investment

- (k) if a **distributed generator** has paid connection charges that include (in part) the cost of an investment that is subsequently shared by other **distributed generators**, the **distributor** must refund to the **distributed generator** all connection charges paid to the **distributor** under paragraph (i) by other **distributed generators** in respect of that investment:
- (l) if there are multiple prior **distributed generators**, a refund to each **distributed generator** referred to in paragraph (k) must be provided in accordance with the expected peak of that **distributed generator's** injected generation over a period of

time agreed between the **distributed generator** and the **distributor**. The refund—

- (i) must take into account the relative expected peak of each **distributed generator's** injected generation; and
 - (ii) may also have regard to the percentage of **assets** that will be used by each **distributed generator**, the percentage of **distribution network capacity** used by each **distributed generator**, the relative share of expected maximum combined peak output, and whether the combined peak generation is coincident with the peak **load** on the **distribution network**:
- (m) no refund of previous payments from the **distributed generator** referred to in paragraph (k) is required after a period of 36 months from the initial connection of that **distributed generator**:

Non-firm connection service

- (n) to avoid doubt, nothing in Part 6 of this Code creates any **distribution network capacity** or property rights in any part of the **distribution network** unless these are specifically contracted for. **Distributors** must **maintain** connection and **lines** services to **distributed generators** in accordance with their **connection and operation standards**.

2A *[Revoked]*

2B *[Revoked]*

2C *[Revoked]*

3 *[Revoked]*

4 *[Revoked]*

Schedule 6.5 cls 2(4), 7(5), 11(4), and 22(5) of Sch 6.1
Prescribed maximum fees

1 *[Revoked]*

2 A **distributor** may require the payment of fees for any of the following activities prescribed under Part 6 of this Code to the maximum fee specified in the column opposite that activity:

Description of fee	\$ (exclusive of GST)
<u>Part-Process 1</u> of Schedule 6.1 application	
Application fee under clause 2(21)(c)	310
Fee for observation of testing and inspection under clause 7(5)	90
<u>Part-Process 1A</u> of Schedule 6.1 application	
Application fee under clause 9B <u>2(2)(c)</u>	140
Fee for inspection under clause 9C <u>3(3)</u>	80
Deficiency fee under clause 9E <u>5(4)</u>	110
<u>Part-Process 2 and Process 3</u> of Schedule 6.1 applications	
Application fee for distributed generation with nameplate capacity of more than 10 kW but less than 100 kW under clause 11(2)	770
Application fee for distributed generation with nameplate capacity of 100 kW or more in total but less than 1 MW under clause 11(2)	1,540
Application fee for distributed generation with nameplate capacity of 1 MW or more under clause 11(2)	7,690

Fee for observation of testing and inspection of distributed generation with nameplate capacity of more than 10 kW but less than 100 kW under clause 22	180
Fee for observation of testing and inspection of distributed generation with nameplate capacity of 100 kW or more under clause 22	1,850

DRAFT

Appendix B: What are distribution networks?

Distribution networks are the power poles and lines that take electricity, after it has left the national transmission grid (the grid), and deliver it to our homes and businesses (see image below):

The Grid

Large power stations (eg, hydro, geothermal) generate electricity.

This electricity is stepped up to high voltage⁹⁵ (HV), so it can be transmitted over long distances without major energy losses. Transmission is typically 110kV or 220kV, and there is a 'high voltage direct current' link between the South and North islands.

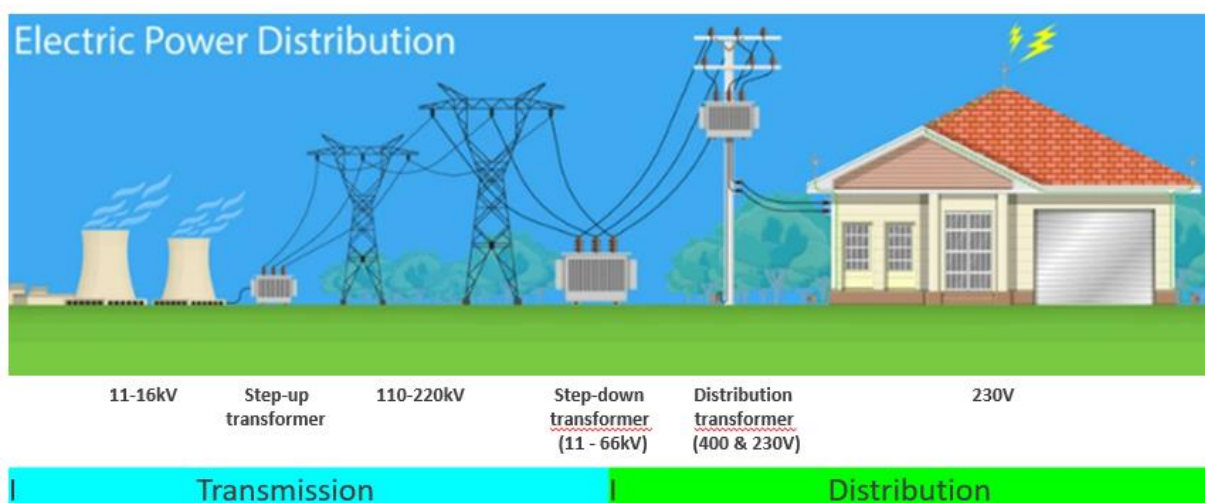
This HV electricity is stepped down, typically to 33kV (although other voltages are also used) as it leaves the grid at a grid exit point (GXP) and delivered to distributors.

Distribution networks

Electricity is transferred via the distribution network from the GXP to a zone substation (not shown in the Figure below), where it is typically stepped down to 11kV.

The 11kV electricity is then stepped down further to the low voltage (LV) electricity we use in our homes and businesses (400V and 230V). This is done by many distribution transformers, mostly located on street-side poles and in pavement-mounted cabinets.

A representation of the transmission grid and distribution networks (find better image)



⁹⁵ Voltage is the difference in electric potential between two points. In simple terms, it is the 'pressure' that pushes the electricity through the wires. Voltage is measured in volts (V). A kilovolt (kV) is 1,000 volts.

Distributors own, manage and maintain the distribution networks in New Zealand. They operate regionally (see figure below) and are mostly owned by consumer trusts or local councils, but some are privately owned.

New Zealand distributors by region⁹⁶



⁹⁶ <https://comcom.govt.nz/regulated-industries/electricity-lines/electricity-distributor-map>.

Appendix B: Table of proposed minor and incidental amendments to Part 6

Code ref.	Change	Rationale
Whole of Part 6		
Part 6	Change title from <i>Connection of distributed generation</i> to <i>Connection to distribution networks</i>	To reflect the proposed wider scope for Part 6
Part 6	Replace <i>publicly available</i> with <i>published</i>	To reflect definition of <i>publish</i>
Contents		
6.2A(b)	Revise clause	To convey that embedded networks must continue to convey less than 5GWh for Part 6 to not apply
6.6	Revise clause	To include revised clause references in 6.6.(2)(a)
6.7	Revise clause	To include applicant, prescribed terms and revised clause references
6.9	Revise clause	To reflect the pricing principles only apply to DG
S6.1 General provisions		
Clause 5	Revise clause	To reflect the registry changes to Part 11 of the Code from Omnibus Three
S6.1 Process 1		
2(4)	Revise clause	To reflect the registry changes to Part 11 of the Code from Omnibus Three
S6.1 Process 1A		
9B	Revise clause	To reflect the registry changes to Part 11 of the Code from Omnibus Three

S6.1 Process 2 (DG >10kw and <300kW)		
Clause 2	Revise clause	To reflect the registry changes to Part 11 of the Code from Omnibus Three and correct the low voltage value
S6.1 Process 3 (DG ≥ 300kW)		
Clause 2	Revise clause	To reflect the registry changes to Part 11 of the Code from Omnibus Three and correct the low voltage value
Schedule 6.3 Default dispute resolution process		
4	Add "...distributed generation..."	To reflect the pricing principles only apply to DG
Schedule 6.4 Pricing principles		
S6.4	Rename <i>Pricing principles</i> to <i>Distributed generation pricing principles</i>	To reflect the pricing principles only apply to DG

Glossary of abbreviations and terms

Act	Electricity Industry Act 2010 (https://www.legislation.govt.nz/act/public/2010/0116/latest/whole.html#contents)
After Diversity Maximum Demand (ADMD)	How distributors assess the aggregated load on sections of lines. Each ICP may have a theoretical maximum demand, but a group of ICPs typically will not have all their load switched on simultaneously. This is called diversity, and the number value is the after diversity maximum demand – usually around 5kVA per ICP.
Asset Management Plans (AMPs)	The principal document that communicates a distributor’s asset investment and maintenance plans.
Code	The Electricity Industry Participation Code sets the rules for the operation of the electricity sector (https://www.ea.govt.nz/code-and-compliance/code/).
Common quality	The Code defines common quality to mean: Those elements of quality of electricity conveyed across the grid (the Code’s term for New Zealand’s transmission network) that cannot be technically or commercially isolated to an identifiable person or group of persons.
Connection Management Framework (CMF)	Part of Transpower’s process for managing connections (for more detail see https://www.transpower.co.nz/connect-grid/our-connection-process)
Default price-quality path	The price path set under the Commerce Commission’s price-quality regulation of electricity distribution networks, intended to influence the behaviour of a regulated business by setting maximum allowable revenue an electricity distribution business can charge, and standards for the quality of services that must be met.
Distributed generation (DG)	Distributed generation is any form of generation connected to a distribution network, whether directly or indirectly via a consumer’s electrical installation.
Distributed generators	The Code defines distributed generator to mean, for the purposes of Part 6, a person who owns or operates, or intends to own or operate, distributed generation.
Electric vehicles (EVs)	Vehicles that use electricity for motive power.
Network Connections Technical Group (NCTG)	An industry technical group established in February 2024 to assist the Authority to improve the efficiency of network connections. Network Connections Technical Group Electricity Authority (ea.govt.nz)

Non-network solutions	Non-network solutions, also referred to as non-wire alternatives, are projects chosen to deliver flexibility services as an alternative to investing in greater network capacity.
Part 1	The part of the Code that sets out definitions (https://www.ea.govt.nz/documents/4813/Code - Part 1 - Preliminary Provisions - 1 May 2024 - EIPCA Controllable Load 2024.pdf)
Part 6	The part of the Code that sets the rules for the connection of distributed generation to distribution networks (https://www.ea.govt.nz/documents/2549/Code - Part 6 - Connection of distributed generation - 1 APRIL 2023.pdf).
Solar	Solar electricity systems, sometimes called solar photovoltaics (PVs). Normally comprise modules (panels) and an inverter and generate electricity from sunlight.