

**From:** Jason Woolley  
**To:** Andy Doube  
**Cc:** Sarah Gillies; S9(2)(a); S9(2)(a)  
**Subject:** RE: [EXTERNAL] Letter from AD to Meridian re objections to consultant's letter(1331253.2)  
**Date:** Tuesday, 9 November 2021 7:39:54 am  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.gif](#)  
[image004.jpg](#)

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Hi Andy

Thanks for this. Would it be possible to get copies of the selected extracts of information from [the Meridian] papers that were provided to the consultants working for the Authority?

Regards

Jason

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**From:** Andy Doube S9(2)(a)  
**Sent:** Monday, 8 November 2021 12:33 pm  
**To:** Jason Woolley S9(2)(a)  
**Cc:** Sarah Gillies S9(2)(a); S9(2)(a); S9(2)(a)  
**Subject:** [EXTERNAL] Letter from AD to Meridian re objections to consultant's letter(1331253.2)

Hello Jason

Please find attach a letter following the discussion we had last Monday regarding treatment of Meridian's board material.

Kind rgds Andy

☐ **Andrew Doube**  
General Manager Market Policy  
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8 November 2021

Jason Woolley  
General Counsel  
Meridian Energy Limited  
Email: S9(2)(a)

Dear Jason

**Review of competition in the wholesale market**

Thank you for your email of 1 November 2021 in relation to a letter from Concept Consulting to the Authority dated 9 September 2021.

That letter was provided to the Authority as a record of the work that Concept Consulting was engaged to do to provide expert opinion and quality assurance around the Authority's report *Inefficient Price Discrimination in the Wholesale Electricity Market - Issues and Options Paper*. An unredacted version of that letter was accidentally published on the Authority's website for a period of not more than 5 days (including a weekend). That letter contained information on the price between NZAS and Meridian over which you had claimed confidentiality.

I again apologise for the accidental release of that information.

In our meeting with Sarah Gillies on 1 November, you raised two concerns; one regarding the steps we had taken to remove the unredacted letter and process the Authority will follow to replace it with the redacted version, and another regarding treatment of the Board papers and other information collected by way of section 46. I want to assure you how seriously the Authority views confidentiality.

The Authority removed the letter from our website as soon as practicable following your notification. The Authority has since engaged with Meridian staff about replacing it with the correct redacted version.

The Authority takes a range of measures to protect confidentiality of material in its possession. Meridian's Board papers and other material collected under statutory powers were stored in a secure folder in the Authority's electronic storage systems with very restricted access rights. No person was allowed access to those electronic files without my express permission. A very limited number of copies were printed to selected individuals and those copies were kept secure in locked cabinets and securely disposed of when no longer required. Confidentiality measures were reinforced with the team regularly.

Selected extracts of information from those papers were provided to reputable, leading consultants working for the Authority for the purposes of expert specialist review of the analysis. Expert review is an important and established part of Authority processes that adds to rigour and robustness of monitoring reviews as a part of the Authority discharging its responsibilities under the Act. In this case, the Authority engaged the professional services of both Concept Consulting Group Ltd and Munro Duignan Ltd.

Both consultants were required to sign Agreements which contain strict confidentiality provisions, preventing the disclosure of the information or the use of the information for any purposes outside the agreement. Both consultants were also required to confirm they had no conflict of interest. Both consultants were only provided with a limited set of information which was required for them to carry out their peer review.

Neither consultancy received Meridian's board papers or decision-making documents. However, we did share, over Zoom, four pages (p14, 28, 82 and 121) from one Board Paper, entitled "Special Board Meeting – NZAS – 9 July 2020 – Background".

The Authority considers it is entitled to share information obtained via section 46 of the Electricity Industry Act 2010 (the Act) with the Authority's consultants, for the purposes of carrying out its statutory functions under section 16(g) of the Act, namely to carry out and make publicly available reviews.

Please contact me if you have any questions about this letter or require further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Doube', with a stylized, cursive script.

**Andrew Doube**

**General Manager Market Policy**