

Notice Under Regulation 16 of the Electricity Industry (Enforcement) Regulations 2010

Date	6 May 2025
Addressee	South Pacific Energy Limited
Subject	The clearing manager alleged that, on 20 December 2024, South Pacific Energy Limited (South Pacific Energy) did not complete payment of its settlement amount by the 1.00pm deadline.
Investigator	Investigator appointed under Regulation 12 of the Electricity Industry (Enforcement) Regulations 2010 (Regulations)
Notifying industry participant	Energy Clearing House Limited
Clauses allegedly breached	Part 14 clause 14.31(1)(a) of the Electricity Industry Participation Code 2010 (Code).
Circumstances of alleged breaches	<p>1. On 20 December 2024, South Pacific Energy failed to pay its settlement amount due into the clearing manager's settlement account by 1.00pm. The funds were received into the clearing manager's settlement account after the deadline on 20 December 2024.</p>
Date and time of alleged breaches	from 20/12/2024 01:00 pm - 20/12/2024 01:05 pm
<p>Please note, under Regulation 16 of the Regulations, you are obliged to respond to this allegation, in writing, to the investigator within 10 working days of receipt of this notice (unless the investigator allows, in writing, a longer period).</p>	

Please provide your response to this allegation, or request a longer period to respond, via the Authority's Compliance portal by clicking [here](#) ↗ .

Include the following in your response:

- Whether you believe you have breached the Code
- Whether there is another provision you consider more accurately describes the nature of the event
- A full explanation of the circumstances surrounding the alleged breaches
- Identification of any information provided in your response that you consider confidential and that should not be included in the investigator's report under Regulation 19 of the Regulations (Regulation 15(2) of the Regulations). If your response includes confidential information, please provide a second copy where the confidential information has been redacted in case your response needs to be shared with any other parties.

Notice Under Regulation 17 of the Electricity Industry (Enforcement) Regulations 2010

Investigation of alleged breach of the Electricity Industry Participation Code 2010 by South Pacific Energy Limited

On 16 January 2025, Energy Clearing House Limited reported to the Authority that South Pacific Energy Limited had breached Part 14 clause 14.31(1)(a) of the Electricity Industry Participation Code 2010 (Code).

On 30 April 2025, the Authority appointed an investigator to investigate the alleged breach under Regulation 12 of the Electricity Industry (Enforcement) Regulations 2010 (Regulations).

Under Regulation 16, the investigator must promptly notify the industry participant alleged to have breached the Code of the allegation that is being investigated. On 6 May 2025, the investigator gave South Pacific Energy Limited such notice.

Under Regulation 17, at the same time as the investigator sends a notice under Regulation 16, the investigator must publicise the information about the matter under investigation, including the content of the notice given under that regulation. This notice publicises the information about the matter under investigation, and a copy of the notice given under Regulation 16 is attached.

Any participant that considers it is affected by the matter being investigated and that wishes to become a party to this investigation, should notify the investigator within 10 working days after the date on which this notice is published (by 5pm, 20 May 2025).

The investigator can be contacted, citing the reference **2501SPEL1** in the subject line, by email at compliance@ea.govt.nz, or at:

Compliance Investigator
Electricity Authority - Te Mana Hiko
Level 7, AON Centre
1 Willis Street
PO Box 10041
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