

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

<b>Date</b>	6 May 2025
<b>Addressee</b>	South Pacific Energy Limited
<b>Subject</b>	On 27 February 2025, South Pacific Energy Limited (South Pacific Energy) failed to provide the minimum security required by 4.00pm.
<b>Investigator</b>	Investigator appointed under Regulation 12 of the Electricity Industry (Enforcement) Regulations 2010 (Regulations)
<b>Notifying industry participant</b>	Energy Clearing House Limited
<b>Clauses allegedly breached</b>	Part 14A clause 14A.6(2) of the Electricity Industry Participation Code 2010 (Code).
<b>Circumstances of alleged breaches</b>	<ol style="list-style-type: none"><li>1. The clearing manager alleged that, on 27 February 2025, South Pacific Energy did not meet its obligation relating to completing payment of its prudential requirements by the by the 4.00pm deadline.</li></ol>
<b>Date and time of alleged breaches</b>	from 27/02/2025 04:00 pm - 28/02/2025 08:36 am
<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> <p>Please provide your response to this allegation, or request a longer period to respond, via the Authority's Compliance portal by clicking <a href="#">here</a> ↗ .</p>	

**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 28 February 2025, Energy Clearing House Limited reported to the Authority that South Pacific Energy Limited had breached Part 14A clause 14A.6(2) 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 **2502SPEL1** in the subject line, by email at [compliance@ea.govt.nz](mailto:compliance@ea.govt.nz), or at:

Compliance Investigator  
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