

11 June 2025

Dear Compliance Team

APPLICATION FOR PART 6A EXEMPTION – NEWPOWER ENERGY SERVICES LIMITED

Application

1. Pursuant to section 11(2) of the Electricity Industry Act 2010 ("**Act**"), this application is hereby made to the Electricity Authority (**Authority**) for an amended exemption from compliance with Schedule 6A.3(2) Clauses 3G, 3H, 3I and 3J under Part 6A of the Electricity Industry Participation Code 2010 (**Code**).

Details of the person filing the application

2. This application is made by NewPower Energy Services Limited ("**NewPower**") in respect of its involvement in WEL Networks Limited ("**WEL**").
3. In addition, pursuant to clause 6A.9 of the Code, NewPower makes an application on behalf of the following persons for dispensation from compliance with Part 6A of the Code in respect of their involvement in NewPower and WEL:
 - (a) the directors of NewPower; and
 - (b) the Chief Executive (currently Acting Chief Executive) of NewPower.(together, the "**Dispensation Applicants**").

Background to application

4. WEL has applied to the Authority for an amended exemption from compliance with Schedule 6A.3(2) Clauses 3G, 3H, 3I and 3J under Part 6A of the Electricity Industry Participation Code 2010 (**Code**) ("**WEL Application**"). As set out in the WEL Application:
 - (a) WEL has a current exemption from compliance Schedule 6A.3(2) Clauses 3G, 3H, 3I and 3J under Part 6A of the Code up to a maximum capacity of 65.963MW.
 - (b) WEL and NewPower have additional generation they are looking to develop totalling 25.05MW which includes 2 battery energy storage systems, one solar farm and one rooftop solar opportunity on its network (together the "**New Generation Assets**");
 - (c) the total capacity of the New Generation Assets will exceed the current maximum capacity of 65.963 under WEL's current exemption; and
 - (d) NewPower is regarded as a "connected generator" under Part 6A of the Code.
5. For the reasons described in the WEL's initial Application and its amended exemption application, NewPower considers that:
 - (a) it is a suitable candidate for exemption from compliance with clauses Schedule 6A.3(2) Clauses 3G, 3H, 3I and 3J under Part 6A of the Code; and

- (b) the Dispensation Applicants are suitable candidates for dispensation from compliance with Schedule 6A.3(2) Clauses 3G, 3H, 3I and 3J under Part 6A of the Code,

in each case, because it is not necessary for the purpose of achieving the Authority's objectives under section 15 of the Act for NewPower or the Dispensation Applicants, respectively, to comply with the arm's-length rules, and, in some cases, granting the exemption and dispensations would better achieve the Authority's objectives under the Act than requiring compliance.

6. If you have any questions or if any part of this application requires explanation, please contact Michelle Allfrey, General Manager - Commercial Engagement at WEL: +64 7 850 3143; michelle.allfrey@wel.co.nz.

Yours sincerely



David Barnett
Acting Chief Executive
NewPower Energy Services Limited