

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

Date 4 July 2025

Addressee South Pacific Energy Limited

Subject The clearing manager has reported multiple breaches between 3 March 2025 and 4 April 2025 alleging that South Pacific Energy Limited (South Pacific Energy) did not meet its obligations relating to prudential security requirements by the due dates and times under the Electricity Industry Participation Code 2010 (Code)

Investigator Investigator appointed under Regulation 12 of the Electricity Industry (Enforcement) Regulations 2010 (Regulations)

Notifying industry participant

Energy Clearing House Limited (clearing manager)

Clauses allegedly breached

Part 14A clause 14A.6(2) of the Electricity Industry Participation Code 2010 (Code).

Circumstances of alleged breaches

On 3 March 2025, South Pacific Energy failed to provide the minimum security required by 4.00pm.
(Case 2503SPEL1).

On 26 March 2025, South Pacific Energy failed to provide the minimum security required by 4.00pm.
(Case 2504SPEL1).

On 27 March 2025, South Pacific Energy failed to provide the minimum security required by 4.00pm.
(Case 2504SPEL2).

On 4 April 2025, South Pacific Energy failed to provide the minimum security required by 4.00pm.
(Case 2504SPEL3).

Date and time of alleged breaches

4.00pm on 3 March 2025 - Case 2503SPEL1

4.00pm on 26 March 2025 - Case 2504SPEL1

4.00pm on 27 March 2025 - Case 2504SPEL2

4.00pm on 4 April 2025 - Case 2504SPEL3

Please note, under Regulation 16 of the Regulations, you are obliged to respond to these allegations, in writing, to the investigator within 10 working days of receipt of this notice (unless the investigator allows, in writing, a longer period).

Please provide your response to these allegations, 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 these 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 breaches of the Electricity Industry Participation Code 2010 by South Pacific Energy Limited

Energy Clearing House Limited (clearing manager) has reported to the Authority multiple breaches between 3 March 2025 and 4 April 2025 that South Pacific Energy Limited did not meet its obligations relating to prudential security requirements by the due dates and times under the Electricity Industry Participation Code 2010 (Code).

On 27 June 2025, the Authority appointed an investigator to investigate the alleged breaches 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 4 July 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, 18 July 2025).

The investigator can be contacted, citing the reference **2504SPEL3** 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
Wellington 6011