

Exemption Under Section 90(1)(a) of the Electricity Industry Act 2010 in Connection With Distributed Diesel/Bio-Diesel Generation by Top Energy Limited (“Top Energy”)

In accordance with section 90(1)(a) of the Electricity Industry Act 2010 (“Act”), the Electricity Authority (“Authority”) provides the following notice.

Notice

Principal Exemption and Commencement

- a. This notice grants Top Energy an exemption from section 76 of the Act only in respect of 17.87MW of diesel/bio-diesel generation installed at Taipā, Bonnetts Road, Kaitāia, Kaitāia Depot, Ōmanaia, and Pukenui upon such conditions as advised in the published Authority Decision Paper dated 14 October 2020 and as set out below.
- b. This notice comes into force the day after the date it is notified in the *New Zealand Gazette*.
- c. The exemption applies until 365 days after the date that the exemption is notified in the *New Zealand Gazette*.
- d. Within the 365-day exemption period Top Energy must conduct a registration of interest and, if any interest is registered, tender for network support. The registration of interest and tender should be technologically neutral and should provide greater transparency about the network support offered by competing providers. At the end of the exemption period, the Authority may consider revoking, varying or extending the exemption. Depending on the circumstance at the end of the exemption period, the Authority may or may not seek additional public feedback.
- e. The Top Energy board must consider all proposals and report their deliberations to the Authority before applying for an extension to the exemption or any new application of a similar nature.

Dated at Wellington this 19th day of October 2020.

For and on behalf of the Electricity Authority:
THOMAS BRENT LAYTON, Chair.