

Notice of the Authority's decision under regulation 29 of the Electricity Industry (Enforcement) Regulations 2010

Under regulation 29(1) of the Electricity Industry (Enforcement) Regulations 2010 (Regulations), the Electricity Authority (Authority) must publicise every decision made under regulation 23(3) of the Regulations, together with the reasons for the Authority's decision.

Background

Switch Utilities Limited (Switch) is an electricity retailer responsible for approximately 56,500 ICPs (of which 95% are residential) across its 2degrees, Slingshot and Orcon retail brands.

On 3 June 2025, Switch self-reported an alleged breach of clause 37(1) of Part 11A Schedule 11A.1 (Consumer Care Obligations) of the Electricity Industry Participation Code 2010 when it disconnected the premises of a medically dependent consumer on 29 May 2025.

Switch subsequently self-reported additional alleged breaches of clauses 37(3), 39 and 31(1)(f)(i) – (iii) of the Consumer Care Obligations which require a retailer to:

- notify the Authority as soon as it becomes aware of a medically dependent consumer disconnection
- reconnect the premises as soon as possible under the above circumstances
- meet minimum contact requirements before disconnecting.

Investigation process

On 29 July 2025, the Authority appointed an investigator to investigate the alleged breaches under regulation 12 of the Regulations.

The alleged breaches were self-reported, and no other parties joined the investigation. As such, settlement was not possible as Switch was the only party to the investigation.

The Authority's decision

On 2 October 2025, the Authority received and considered the investigator's report. Based on the investigator's recommendation, the Authority decided to discontinue the investigation under regulation 23(3) of the Regulations.

Reasons for the Authority's decision

The reasons for the Authority's decision to discontinue the investigation were that, in the circumstances:

- the alleged breaches were not deliberate as Switch did not knowingly disconnect a medically dependent consumer

- Switch took action to rectify the alleged breaches upon learning of the medically dependent consumer disconnection
- Switch obtained no benefit or advantage as a result of the alleged breaches
- Switch does not have a pattern of repeated or ongoing noncompliance
- the investigator considers this to be a one-off event
- Switch has taken a number of steps to prevent reoccurrence, and the likelihood of the event reoccurring is therefore considered low
- Switch has been fully cooperative with the investigation and has shown remorse. Switch has acknowledged, accepted, and apologised for the alleged breaches.