## Application for an exemption from the Electricity Industry Participation Code 2010

## Please complete and return to [compliance@ea.govt.nz](mailto:marketoperations@ea.govt.nz)

## Date:

**1. Who is the exemption for?**

*Give the full legal company (or otherwise) name and address of the participant seeking the exemption and the relevant details of the contact person for the exemption. The application must be made by the participant that the exemption will apply to, though other parties (participants or otherwise) may be involved in the process.*

**2. When is the exemption required?**

*Specify the date when a decision is needed and when any exemption granted would need to be gazetted (active). For all non-urgent applications, please* [*refer to the Authority’s instructions*](http://www.ea.govt.nz/code-and-compliance/the-code/exemptions-to-the-code/how-to-apply-for-an-exemption/)*. If the application is urgent, please include the reasons for seeking urgent consideration.*

**3. What do you want an exemption from?**

*Give the provisions of the Code from which the exemption is sought*.

**4. Why are you seeking this exemption?**

*Please specify the problem that the exemption would resolve, reasons for the problem arising, and how the exemption would address this problem.*

**5 What alternatives to the exemption have been explored?**

*Please list the alternative solutions that have been explored and give details of why they are not suitable.to address the problem.*

**6. What effects will granting the exemption have on achieving the Authority’s statutory objectives?**

*The Electricity Industry Act 2010 (Act) only permits the Authority to grant an exemption if it is satisfied that (a) it is not necessary, for the purpose of achieving the Authority’s objectives under section 15, for the participant to comply with the Code or the specific provisions of the Code or (b) exempting the participant from the requirement to comply with the Code or the specific provisions of the Code would better achieve the Authority’s objectives than requiring compliance.*

*To enable the Authority to be satisfied that compliance with the Code is not necessary to achieve the Authority’s objectives under section 15, or that an exemption would better achieve the Authority’s objectives than requiring compliance, please address the following questions:*

1. *Please explain, with reasons, what impact (positive or negative) granting the exemption would have on the Authority’s ability to promote competition in the electricity industry for the long-term benefit of consumers?*
2. *Please explain, with reasons, what impact (positive or negative) granting the exemption would have on the Authority’s ability to promote reliability of supply for the long-term benefit of consumers?*
3. *Please explain, with reasons, what impact (positive or negative) granting the exemption would have on the Authority’s ability to promote efficiency for the long-term benefit of consumers?*
4. *If applicable to your application, please explain, with reasons, what impact (positive or negative) granting the exemption would have on the Authority’s ability to protect the interests of domestic consumers and small business consumers in relation to the supply of electricity to those consumers?*

**7. In your opinion, should the exemption be granted with terms or conditions? In your opinion, what terms or conditions would reasonably be considered necessary?**

**8. Are there any previous similar exemptions?**

*Identify any previous exemptions you have been granted, or that you are aware have been granted to other participants, that are similar to the exemption you seek, and which may provide a guide to how your application could be considered. State how the other exemptions are similar to, and different from, the exemption you are seeking.*

**9. What impact will granting the exemption have on the overall scheme of the Code?**

*Explain what impact, in your opinion, the granting of the exemption will have on your, and other participants', ability to comply with other provisions of the Code.*

**10. What effects will there be on other participants?**

*Describe who may be affected by the granting of the exemption and how they might be affected, including market operation service providers, and any costs and benefits to them (for example, whether there will be any financial or commercial effect on other participants or, if this exemption was granted to another participant, the effect it would have on you).*

**11. How long do you need the exemption for?**

*Bearing in mind that an exemption is intended to be an interim measure until a permanent solution is implemented, specify how long you are seeking the exemption for. Additionally, please include details if there is a specific event (such as a substation upgrade, or the customer switches to another trader etc) that may mean that the exemption could end sooner. Give reasons for the period that you specify.*