

Amendment to dispensation under clause 6A.9(6) of Part 6A of the Electricity Industry Participation Code 2010 (WEL Network Limited and NewPower Limited)

In accordance with clause 6A.9(6) of Part 6A of the Electricity Industry Participation Code 2010 (“Code”) the Electricity Authority gives the following notice:

Notice

1. Principal dispensation –

(1) This notice amends the principal dispensation granted by the Authority on 1 October 2024 under clause 6A.9(6) of the Electricity Industry Participation Code 2010 (WEL Network Limited and NewPower Limited) (“principal exemption”)

2. Amendments to the principal dispensation –

(2) Delete and replace the condition 2(a) of the principal exemption with the following:

(2) Conditions - This dispensation is subject to the following conditions

a. This dispensation applies to the following generation owned by WEL or NewPower (as specified):

- i. a battery energy storage system up to maximum capacity of 32.495MW (New Power);
- ii. Taiohi solar farm in Huntly up to a nameplate Te Ohaaki solar farm in Huntly up to a nameplate capacity of 22.4MW (Newpower);
- iii. Rangimarie solar farm in Maramarua up to a nameplate capacity of 10MW (NewPower); and
- iv. various small scale solar, battery storage with a total capacity of 0.61789 MW as follows (WEL):

Location	Type	Capacity (kW)
Hamilton (Maui Street)	Solar	15
	Solar	60
	Solar	2
	Solar	59.8
	BESS	91
	Diesel	120
Pukete	Solar	10
Hamilton (Avalon Drive)	Solar	15
	BESS	15
	Diesel	80
Hamilton (McKee)	Solar	110
	Bess	40

- v. BESS up to a maximum capacity of 50Kw (WEL);
- vi. BESS up to a maximum capacity of 2MW (WEL or NewPower);

- vii. a solar farm up to a nameplate capacity of 24MW (NewPower);
- viii. a rooftop solar system to a nameplate capacity of 1 MW (WEL);
- b. The dispensation from the requirement to comply with rule 3I only applies to the appointment of persons identified in clause 2(c) to (f) to positions of material influence over NewPower.
- c. The dispensation only applies while WEL and NewPower are wholly owned by the WEL Energy Trust.
- d. This dispensation will expire on 1 October 2040 or the day that any additional generation (other than generation installed for the purpose of providing network support) owned by WEL, NewPower or any of WEL's subsidiaries, is connected to WEL's network, whichever date is earlier).

(1) Add new clause 3(b) to section 3 of the principal exemption as follows—

3. The reasons for granting the amendment to the dispensation on 26 June 2025 date under section under clause 6A.9(6) of the Code are:

- b. The Authority is satisfied that granting the amendment to the dispensation is necessary and desirable for meeting the Authority's objectives because:
 - i. competition and reliability are expected to be not affected by the granting of the amendment
 - ii. efficiency is expected to be improved by the granting of the amendment
 - iii. while total generation capacity will exceed the 50MW threshold by a more than minor amount, the overall capacity remains relatively small.
 - iv. any potential risks incentives or opportunities to inhibit competition can be addressed by the application of the remaining arm's length rules in Schedule 6A.1 of the Code, Part 6 of the Code, information disclosure requirements under the Commerce Act 1986 and the conditions set out in paragraph 2 of this notice.

Dated at Wellington this 6th day of July 2025
For and on behalf of the Authority:



ANNA KOMINK, Chair,
Electricity Authority