# Request to amend the Electricity Industry Participation Code 2010

This form is to request:

an amendment to an existing clause or clauses in the Electricity Industry Participation Code 2010 (Code)

the removal of an existing clause or clauses in the Code

a new clause or clauses in the Code

Please refer to the Code amendment request guidelines [insert link] when completing this form. The Guidelines contain more information about requesting a Code amendment and the Authority’s process when it receives a request.

Please complete all relevant sections of this form, with as much information as you can. The more information you include in your request, the better we will understand and be able to assess your request. If there is not enough room in this form, you can attach more pages.

Email completed forms to [info@ea.govt.nz](mailto:info@ea.govt.nz).

### Proposer

|  |  |
| --- | --- |
| Name: |  |
| Date: | DD/MM/YYYY |
| Organisation: |  |
| Position in organisation: |  |
| Telephone: |  |
| Email address: |  |

## Section 1: Information to include for all requests

Complete this section for all Code amendment requests.

### The proposal

| 1. **Objective of the proposal**   What do you want the proposal to achieve?  Provide supporting information on the problem or issue the proposal seeks to resolve | For example, the objective of the proposal might be to clarify ambiguity in the current Code about how to resolve a particular situation, to address a gap in the operation of the Code, or to update the Code to respond to changes in technology or business practices. |
| --- | --- |
| 1. **Category of request**   State whether you think the request is minor, medium or complex, and why (applying the criteria in the Guidelines [insert link]).  For minor requests, specify whether you think the nature of the amendment is technical and non-controversial. | For example, the request might be ‘minor’ because it only requires technical and non-controversial drafting changes, or because it only involves a minor policy change and there is no impact on market operation systems or participant processes or systems. |
| 1. **Clause(s) to which the proposal relates**   If the proposal relates to existing Code clause(s), state the full clause reference/s here.  If the proposal relates to a new clause, state where you think this would best fit in the Code. | For example: clause 7 of Schedule 11.2, or clause 7 of Part 11  For example: insert after clause 7 of Schedule 11.2, or insert after clause 7 of Part 11 |
| 1. **Description of the proposed amendment**   Describe the Code amendments you are proposing (or attach a draft of the proposed Code amendment when submitting this form).  Note: if you are providing draft wording of the proposed Code amendment, see the [Code drafting manual](https://www.ea.govt.nz/documents/927/Code_drafting_manual.pdf) for guidance. | For example:  Changes to clause 11.18 as follows:  11.18 Trader responsibility for ICP  (1) If a trader is recorded in the registry as accepting responsibility for an ICP identifier that is not also an NSP, the trader is responsible for all obligations in this Part that— (a) apply to traders; and (b) relate to an ICP that is not also an NSP. |
| 1. **How the proposal supports the Authority’s main objective**   Identify how your proposal would support the Authority’s main objective of promoting competition in, reliable supply by, and/or efficient operation of the electricity industry for the long-term benefit of consumers.  If the proposal is not expected to impact a limb of the main objective, use “No impact on this limb”  See s[ection 15(1) of the Act](http://www.legislation.govt.nz/act/public/2010/0116/latest/whole.html#DLM2634339) | **Competition:**  For example: This proposal promotes competition by reducing barriers to market entry for new participants by...  **Reliability:**  For example: This proposal promotes reliable supply by increasing generation supply in winter…  **Efficiency:**  For example: This proposal promotes efficient operation through better utilisation of resources by … |
| 1. **Application of the Authority’s additional objective**   Identify whether your proposal relates to the dealings of industry participants with domestic consumers and small business consumers.  If it does, identify how your proposal will protect the interests of domestic and small business consumers in relation to the supply of electricity to those consumers.  See sections 15(2)-(3) of the Act | For example: This amendment ensures that consumers have access to all information relevant to their choice in retail plans before signup, OR The proposal does not relate to the dealings of industry participants with domestic or small business consumers. |
| 1. **How the proposal complies with section 32 of the Act**   The Code may only contain provisions which are necessary or desirable to promote specific matters listed in [section 32(1)](https://www.legislation.govt.nz/act/public/2010/0116/latest/whole.html#DLM2634364) of the Act which are:   1. competition in the electricity industry 2. the reliable supply of electricity to consumers 3. the efficient operation of the electricity industry 4. the protection of the interests of domestic consumers and small business consumers in relation to the supply of electricity to those consumers 5. the performance by the Authority of its functions 6. any other matter specifically referred to in the Act as a matter for inclusion in the Code.   Identify which of the section 32(1) matters listed in the adjacent column your proposal relates to. | For example: This proposal promotes competition in the electricity industry (see Q5 above) OR This proposal promotes the efficient operation of the electricity industry and the performance by the Authority of its functions by making it easier for participants to understand and comply their obligations, and for the Authority to monitor compliance with the Code. |
| 1. **Affected parties**   Who is likely to be substantially affected by the proposal?  Thei could include other participants (such as generators, distributors metering equipment providers, intermittent generation owners), consumers, market operation service providers. | For example: The system operator will be substantially affected because the change will require a change to their processes and market tools. |
| 1. **Urgency**   Identify whether you consider your proposal to be urgent (providing supporting rationale).  [Section 40 of the Act](http://www.legislation.govt.nz/act/public/2010/0116/latest/whole.html#DLM2634373) | For example: It is necessary or desirable in the public interest that the amendment be made urgently because there is a real risk that in the coming months the problem highlighted above could [result in inefficient pricing / undermine the reliable supply of electricity etc - insert details]. |
| 1. **Support for the proposal**   Do you consider there is widespread support for your proposal among the people likely to be affected? If so, provide supporting rationale. | For example: The proposal aligns with the recommendations in a recent report [insert details] OR with processes already agreed with the industry. |
| 1. **Prior consultation**   Do you consider there has been adequate prior consultation on the proposal so that all relevant views have been considered? If so, provide supporting rationale. | For example: There has been no prior consultation OR The issue was consulted on in the preparation of a recent report [insert details]  OR We have consulted with several generators to understand their views because they could be impacted by the proposed Code change. Below is a summary of the feedback we received… |
| 1. **Other relevant information**   Is there any other relevant information you would like the Authority to consider? |  |

## Section 2: Standard Code amendment requests

This section should be completed for all standard Code amendment requests. A request will be treated as a standard Code amendment request unless the Authority is satisfied that one of the following applies:

* the nature of the amendment is technical and non-controversial (question 2)
* the proposed amendment should be made urgently (question 9)
* there is widespread support for the amendment among the people likely to be affected by it (question 10), or
* there has been adequate prior consultation so that all relevant views have been considered (question 11).

You do not need to complete this section of the form if any of these apply. However, if the Authority does not agree with your assessment and decides to treat the request as a standard Code amendment request, we may come back to you and ask you to complete this section.

Provide a summary of the costs and benefits in the table below. Benefits can be qualitative and/or quantitative.

### Costs and benefits of the proposal

| 1. **Costs of the proposal**   Identify the expected costs of the proposal, including:   * your assessment of the direct cost to develop and implement the proposed Code amendment, and * the consequential costs as a result of the amendments. | Costs might include: direct costs for administration of the Code change process, direct costs incurred by the owners of intermittent generation to update their processes and tools. |
| --- | --- |
| 1. **Benefits of the proposal**   Identify the expected benefits of the proposal | Benefits might include: clearer rules, more accurate market information, a more secure system and lower electricity prices for consumers, reduced service provider costs, incentivise generators to co-operate on grid reinforcement costs. |
| 1. **Net benefit of the proposal**   State whether you consider the proposal has a positive net benefit, and why. | We consider the proposal has a positive net benefit because X, Y Z benefits outweigh the costs A, B, C. |

### Assessment of alternative options

|  |  |  |
| --- | --- | --- |
|  | **Alternative means of achieving proposal’s objective**  ***(repeat column as necessary)*** | |
|  | Alternative 1 | Alternative 2 |
| 1. **Describe alternative option**   Include a brief description of any alternative means identified of achieving your objective | For example: Status quo… | For example: Business process… |
| 1. **Identify extent to which the alternative would achieve your objective** |  |  |
| 1. **Affected parties**   Who is likely to be substantially affected by the alternative? |  |  |
| 1. **Expected costs and benefits**   Please include direct costs to develop the alternative and consequential costs and benefits to all affected parties |  |  |
| 1. **Why do you prefer the proposal over this alternative?** |  |  |