

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 21(2)(a) of the Regulations, together with the reasons for the Authority's decision.

Background

On 17 July 2025, Genesis Energy Limited (Genesis) was alleged to have breached:

- clauses 11(1), 11(2)(c), and 11(2A) of Schedule 15.3 of the Electricity Industry Participation Code (Code) for failing to ensure that an up-to-date database was maintained for each type of distributed unmetered load (DUML) for which it was responsible and
- clauses 15.2(1) and 15.2(2) for failing to take all practicable steps to ensure submission information was complete and accurate and, once aware of the inaccuracies, failed to correct that information as soon as practicable.

These alleged Code breaches relate to the New Zealand Transport Agency (NZTA) Lower North Island DUML database.

Investigation process

On 4 December 2025, the Authority appointed an investigator to investigate the alleged Code breaches under regulation 12 of the Regulations.

The investigator publicised the information about the alleged Code breaches under investigation, as required under the Regulations, and no other parties joined the investigation.

Genesis did not respond to the regulation 16 notice of investigation within 10 working days of receiving that notice. Where a participant does not respond to the investigator within the time allowed the investigator must conduct an investigation of the facts surrounding the alleged breaches and the investigator's report must include a recommendation on whether a formal complaint should be laid with the Rulings Panel.

The Authority's decision

On 13 March 2026, the Authority received and considered the investigator's report and recommendation. Taking this into consideration, the Authority decided to discontinue the investigation under regulation 21(2)(a) 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 identified errors in the database had been substantially corrected and independently assessed
- the database corrections will be included in Genesis' reconciliation revision process, which will be monitored in Genesis' next reconciliation participant audit
- the Authority will continue monitor the progress of improvements to DUML processes through its audit review programme.