

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

On 12 February 2024 the Authority alleged that Contact Energy Limited breached clause 15.2(1) and clause 11 of Schedule 15.3 of the Electricity Industry Participation Code 2010 (Code) in relation to its failure to submit accurate and correct information for the Christchurch City Council distributed unmetered load (DUML) database. The alleged breaches relate to database accuracy issues and Contact's methodology for deriving submission information for fixed period dimming profile load.

Contact Energy Limited (Contact) is the responsible participant for the distributed unmetered load (DUML) database 'CCC – Orion'. The Authority became aware, through regular DUML audits, that Contact was non-compliant with the requirements in:

- a. clause 11 of schedule 15.3 to ensure that an up-to-date database is maintained for each type of DUML for which it is responsible, and
- b. clause 15.2(1) to take all practicable steps to ensure submission information is complete and accurate.

Investigation process

On 10 April 2025, the Authority appointed an investigator to investigate the alleged breach. Although two parties joined the investigation, settlement was unable to be effected.

On 5 May 2026, the Authority received a report from the investigator recommending it lay a formal complaint with the Rulings Panel, under regulation 23(3)(b) of the Regulations.

The Authority's decision

On 5 May 2026, the Authority decided to lay a formal complaint with the Rulings Panel against Contact under regulation 23(3)(b) of the Regulations concerning alleged breaches of clause 15.2 and clause 11 of Schedule 15.3 of the Code.

Reasons for the Authority's decision

The reasons for the Authority's decision to lay a formal complaint with the Rulings Panel are:

- The alleged breaches were over a long period, between 4 March 2022 until 30 September 2025.
- The alleged breaches were reported following a series of audit reports that indicated deficiencies in database accuracy and inadequate steps to improve.
- The investigator found that Contact relied on other parties to ensure that the database was accurate and did not take steps to improve the database and submission accuracy even though there were mitigation or remedial steps available.
- The market impact of the alleged breaches was assessed as high.