

17 March 2023

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Cc: [REDACTED]
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By e-mail only: [REDACTED]

Kia ora [REDACTED]

Extension to the deadline for Asset Management Plan disclosures under the Electricity Distribution Information Disclosure Determination 2012

1. We write in response to Eastland Network Limited's (**Eastland**) letter of 17 February 2023 (the **letter**), and subsequent email of 14 March 2023 requesting that the Commerce Commission (the **Commission**) provide an extension to the deadline for disclosure of Eastland's Asset Management Plan (**AMP**), as required under the Electricity Distribution Information Disclosure Determination 2012 (the **ID Determination**).¹
2. Eastland requested that the AMP disclosure deadline be extended by six months due to the impacts of recent weather events on the East Coast of the North Island (including Cyclone Gabrielle).²
3. This request follows the letter we received on 15 February 2023³ in which the Electricity Networks Association (the **ENA**) requested a two-week (10 working day) extension to the AMP disclosure deadline for all Electricity Distribution Businesses (**EDBs**). The Commission approved the ENA's request on 24 February 2024.⁴ As such,

¹ EDB ID Determination 2012, amended November 2022. Found [here](#) on our website.

² Eastland is the EDB that serves the Tairāwhiti and Wairoa areas.

³ *Request for an extension for upcoming regulatory disclosure deadlines*, dated 15 February 2023.

⁴ *Electricity Distribution ID Exemptions – All EDBs – Extension to deadline for year-beginning disclosures*, dated 24 February 2023. We intend to publish this letter on our website.

Eastland has already been granted a two-week extension in relation to its AMP disclosure obligations for 2023.^{5 6}

Background

4. The ID determination that requires EDBs, before the start of each disclosure year (DY),⁷ publicly disclose the following AMP-related information:
 - 4.1 an AMP, in accordance with clause 2.6.1 and 2.6.1A, or an AMP update in accordance with clause 2.6.3;
 - 4.2 information on forecasts and asset condition, in accordance with clause 2.6.6; and
 - 4.3 mandatory explanatory notes on forecast information, in accordance with clause 2.7.2.

Exemption request

5. In the letter, Eastland notified us that it will not be able to meet the deadline for its AMP reporting obligations due to the impacts of recent weather events on the East Coast of the North Island (including Cyclone Gabrielle) and requested permission to instead submit an AMP update in 2023. The AMP update would include any changes that were agreed pre-Cyclone Gabrielle but would exclude any DY 2024 recovery work and future resilience work.
6. Eastland stated that it would need a four-week extension to fulfil its AMP (update) reporting obligations. Eastland further noted that if the Commission concluded that a full AMP, inclusive of their post-Cyclone Gabrielle response, must be prepared in 2023 that Eastland would need a six-month extension to the current deadline.
7. Eastland disclosed that the recent weather events have resulted in numerous resources normally involved in the development of the AMP disclosures being diverted to restoration and recovery efforts. An extension to the deadline for the AMP disclosures will allow Eastland staff to commence the full post-restoration assessment, including work to fully define the longer-term costs of making permanent repairs and improving the resilience of the network.
8. Following discussions between Eastland and the Commission, Eastland elected to revise its exemption request and removed its application for an exemption to submit an AMP update for DY 2023. Eastland now solely requests a six-month extension to the original deadline for the full AMP.

⁵ These disclosures must now be publicly disclosed by the revised deadline of 18 April 2023.

⁶ The exemption of six months granted to Eastland in this letter is inclusive of the existing two-week extension.

⁷ The disclosure year for EDBs is 1 April – 31 March.

Exemption granted

9. We consider a further extension for Eastland, beyond the previously granted two-week extension applying to all EDBs, is reasonable given that:
 - 9.1 the Tairāwhiti and Wairoa areas were heavily affected by both cyclone Gabrielle and Cyclone Hale in January and February 2023;⁸
 - 9.2 key staff needed to complete Eastland’s AMP disclosures have been diverted to restoration and recovery efforts;⁹
 - 9.3 the events that led to Eastland reprioritising its staff are outside of its control; and
 - 9.4 the extension only relates to the timing of the AMP and does not alter the volume or category of information required to be publicly disclosed. Therefore, granting the exemption will not change the amount of information in the public domain and available to interested persons.
10. We have considered the impact of the extension on the purpose of information disclosure under section 53A of the Commerce Act 1986 and have concluded that the purpose will still be met if this exemption is granted.
11. By this notice, using the exemption powers in clause 2.11.1(1) of the ID Determination, the Commission grants Eastland an extension to **2 October 2023**¹⁰ for publicly disclosing the following information:
 - 11.1 an AMP (including post-Cyclone Gabrielle response forecasts), in accordance with clause 2.6.1 and 2.6.1A;
 - 11.2 information on forecasts and asset condition, in accordance with clause 2.6.6; and
 - 11.3 mandatory explanatory notes on forecast information, in accordance with clause 2.7.2.
12. The requirement for director certification of disclosed information, under clause 2.9.1 of the ID determination, continues to apply regardless of the deadline extensions above.

⁸ AMP submission extension request due to cyclone Gabrielle, (Eastland Network) dated 17 February 2023.

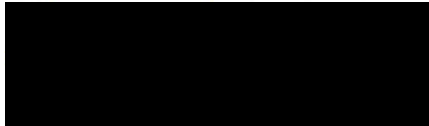
⁹ AMP submission extension request due to cyclone Gabrielle, (Eastland Network) dated 17 February 2023.

¹⁰ This is a six-month extension to the original deadline of 31 March 2023 (given that 30 September 2023 falls on a weekend day).

Further information

13. This exemption may be revoked or further amended by the Commission at any time in accordance with clause 2.11.1(2) of the ID determination.
14. A copy of this exemption response letter will be published on the Commission's website.
15. If you have any questions regarding this matter, please contact Ali Scholes at infrastructure.regulation@comcom.govt.nz.

Yours sincerely



Andy Burgess
General Manager, Infrastructure Regulation