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Sent: 26/11/2020 8:40:36 a.m.
To: Feedback Aurora Plan [feedbackauroraplan@comcom.govt.nz]
Subject: Aurora CPP Draft Decision

Commerce Commission
Wellington

After recently attending the on-line release, the public meeting in Alexandra, the stakeholder meeting in Alexandra and the "private" meeting in Cromwell on the draft Commerce Commission finding of the Aurora Energy CPP application, I'd like to make this brief submission.

As you will see, I'm not making any attempt to delve into the pages and pages of technical issues, but rather I am addressing the much more important and basic issues of ownership, failure to deliver a service previously paid for and the future and continuing corporate robbery practised by Aurora Energy. As a lay, but informed, reluctant customer of Aurora, and as a community representative, I submit that rather than tinkering with the argument of how much we are going to be robbed, we should be addressing the question of why we are being robbed.

1 There still persists in the minds of the Central Otago community, a sense, a perception, that the CC are not doing all they can to look after the consumer, but rather, by their actions, looking after Aurora. This persists because of a number of factors. The insistence by the CC that they will not "relitigate" the past is but one. I note with considerable interest that in the recent meetings with the CC that this statement regarding relitigation was in the Powerpoint presentation, but interestingly NOT in the printed material provided at these meetings. I would like clarification citing the appropriate legislation that backs up the CC contention that they can't bring action for past failures of Aurora. I don't believe that the CC have ever made a clear public statement that the actions of Aurora, DCHL and the DCC in the dividends paid and the monies borrowed to pay those dividends – and indeed the continued subvention payments to the DCC – form the core of why we are all here in this invidious position today. It is not acceptable to dismiss the CAUSE of Aurora's failures by stating that "we can't (or won't) relitigate the past". The CC have reluctantly admitted at public meetings – particularly those ran by John Crawford -[redacted] and that the "basic model of a lines company owned by a Local Authority that didn't cover all of the network, is flawed and undesirable".

2 The CC seem very reluctant to prosecute those individuals responsible for this mess. Indeed, while it was admitted that the CC discussed such prosecutions, it was admitted by the CC that they decided NOT to proceed for reasons that are being withheld. This community – which I represent as the Dep Chair of the Vincent Community Board – are totally distrusting of Aurora, and angry of the lack of action or active oversight of Aurora by the CC over the last decade. I submit that while it may be decades before any form of trust surfaces around Aurora, that the CC has much to do to correct the perception or belief that the CC is not doing all it can to protect the consumer from the rampant and rapacious greed of Aurora and its owners.

3 It is most regrettable that it took concerted and repeated efforts of questioning by both James Dicey and Richard Healey at the Alexandra Stakeholders meeting for the CC to admit that they COULD have introduced a separate MAR for each of the arbitrarily chosen regions within the Aurora network. The CC have consistently adopted the position that only the EA can force Aurora to apply a single charge for the same services over the entire network. The data that shows the deep flaws in the current Aurora thinking on regional differentials is with people like Richard Healey. I submit that the CC should make efforts to use this institutional wisdom. In fact Aurora and the DCC are hopelessly conflicted and it seems that the CC either can't or won't raise that conflict with those that could force a change in the basic ownership model.

I think it is more than time that the CC look at what the average person facing these astronomic hikes in lines charges has to face if they wish to protest. Firstly, they would have had to endure the public "consultations" with Aurora which were described as local Mayor Tim Cadogan, as a "joke". The submission form from Aurora was designed to direct the

customer to a pre-determined outcome. The supplied background information was factually incorrect. Then the customer could make a submission to the Commerce Commission. Many would have given up at that stage. Perhaps they would have attended one of the local meetings organised by the Commerce Commission. They might have made verbal comments in the belief that their views were being taken seriously. Then they might have looked at the formal Aurora application of a CPP to the CC. By now, their eyes are starting to cross. More to come with a draft 500+ page draft response by the CC to Aurora. How many lay customers of Aurora would have even started reading that document? How many lay customers does the CC believe are able to understand the systemic intricacies of the Commerce Act and the other Acts governing the operations of lines companies? Then it took another effort to attend local meetings run by the CC with the request that anyone could and should make a submission. Is it any wonder that by now most busy people would have given up? Then they are advised that they should prepare a submission to the EA on those matters that the CC say they can't address. Lastly, and perhaps the piece de resistance, is the CC suggestion that their role is not to lobby on behalf of consumers but to make the changes to a flawed model of energy delivery the lay customer could write to the various Ministers or their local MP. We all know that this is a complete waste of time and energy.

Lastly, I submit that the CC should impose a nil allowable CPP increase until a properly constituted independent inquiry into all aspects of Aurora is held and the findings published.

Yours sincerely

Russell Garbutt