

Electricity Distribution Services Default Price-Quality Path (Compliance Statement Due Date and Auditor’s Report) Amendments Determination 2020

[2020] NZCC 7

Amendment made pursuant to section 52Q of the Commerce Act 1986 to the *Electricity Distribution Services Default Price-Quality Path Determination 2015* [2014] NZCC 33

The Commission: Sue Begg
Dr Stephen Gale
John Crawford
Elisabeth Welson

Date of Decision: 9 April 2020

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1. Pursuant to Part 4 of the Commerce Act 1986 (the **Act**) the Commerce Commission makes the following determination:

SHORT TITLE

2. This determination is the Electricity Distribution Services Default Price-Quality Path (Compliance Statement Due Date and Auditor's Report) Amendments Determination 2020.

APPLICATION

3. This determination amends the Electricity Distribution Services Default Price-Quality Path Determination 2015 [2014] NZCC 33 (**principal determination**).

COMMENCEMENT

4. This determination comes into force on the date on which notice of the determination is given in the New Zealand Gazette in accordance with section 52Q(4) of the Act.

INTERPRETATION

5. Unless the context otherwise requires:
 - 5.1 terms used in this determination that are defined in the **Act** but not in this determination have the same meanings as in the **Act**;
 - 5.2 terms used in this determination that are defined in the **principal determination** have the same meanings as in the **principal determination**.

AMENDMENTS

6. In clause 11 of the **principal determination**, replace clause 11.1(a) so that it reads:

11.1 (a) provide to the Commission a written statement for each Assessment Period within 50 Working Days following the end of the Assessment Period (the Annual Compliance Statement), except in the case of the Assessment Period ending on 31 March 2020, non-exempt EDBs must provide the Annual Compliance Statement by 17 August 2020;
7. In Schedule 7 of the **principal determination**, replace Schedule 7(c) so that it reads:

(c) states whether (and, if not, the respects in which it has not), in the Independent Auditor's opinion, the Non-exempt EDB has complied, in all material respects, with the *Electricity Distribution Services Default Price-Quality Path Determination 2015* in preparing the Annual Compliance

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Statement. However, the Independent Auditor is not required to provide an opinion on issues arising from the Non-exempt EDB's recording of SAIDI and SAIFI due to successive interruptions, where successive interruptions refers to an interruption that follows an initial interruption that either:

(a) relates directly to that initial interruption; or

(b) occurs as part of the process of restoring supply of electricity lines services following that initial interruption.

A handwritten signature in blue ink, appearing to read 'Sue Begg'.

Sue Begg *Deputy Chair*

Dated at Wellington this 9th day of April 2020.

COMMERCE COMMISSION

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EXPLANATORY NOTE

Mindful of the priority of Part 4 regulated industries to focus on providing essential goods and services to New Zealanders during the COVID-19 pandemic, the Commission has published this non-material amendments determination to give non-exempt electricity distribution businesses more time to provide the Commission with their annual compliance statements for the default price-quality path assessment period ending 31 March 2020.

This amendments determination extends the due date for providing to the Commission the Annual Compliance Statement (for the assessment period ending 31 March 2020) to 17 August 2020.

In addition, this amendments determination changes the auditor report requirements relating to the treatment of successive interruptions for reporting SAIDI, SAIFI, and interruptions, because of potential inconsistencies in treatment approaches.