

# **Electricity Distribution Services Default Price-Quality Path (Innovation Project Allowance Approval Criteria) Amendment Determination 2023**

**[2023] NZCC 29**

**The Commission:**

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10 November 2023

Commerce Commission  
Wellington, New Zealand

<b>Determination history</b>		
<b>Determination date</b>	<b>Decision number</b>	<b>Determination name</b>
27 November 2019	[2019] NZCC 21	Electricity Distribution Services Default Price-Quality Path Determination 2020 [2019] NZCC 21
30 March 2020	[2020] NZCC 3	Electricity Distribution Services Default Price-Quality Path (Definition of discount) Amendments Determination 2020 [2020] NZCC 3
26 November 2020	[2020] NZCC 25	Electricity Distribution Services Default Price-Quality Path (Wellington Electricity transition) Amendments Determination 2020 [2020] NZCC 25
17 December 2020	[2020] NZCC 28	Electricity Distribution Services Default Price-Quality Path (Aurora quality standard variation) Amendments Determination 2020 [2020] NZCC 28
3 March 2022	[2021] NZCC 2	Electricity Distribution Services Default Price-Quality Path (Unison unforeseeable major capex project) Amendment Determination 2022 [2022] NZCC 2
1 March 2023	[2023] NZCC 3	Electricity Distribution Services Default Price-Quality Path (Compliance Statement Due Date) Amendment Determination 2023
10 November 2023	[2023] NZCC 29	Electricity Distribution Services Default Price-Quality Path (Innovation Project Allowance Approval Criteria) Amendment Determination 2023

[Drafting notes:

- This amendment determination amends the Electricity Distribution Services Default Price-Quality Path Determination 2020 [2019] NZCC 21 to amend the criteria for the Commerce Commission to approve a draw down of an innovation project allowance by removing the requirement that an engineer/specialist report be received prior to commencing an innovation project.
- The amendment is made under s 52Q of the Commerce Act 1986).]

## **Electricity Distribution Services Default Price-Quality Path (Innovation Project Allowance Approval Criteria) Amendment Determination 2023**

Under Part 4 of the Commerce Act 1986 (the **Act**), the Commerce Commission makes the following determination:

### **1. TITLE**

- 1.1. This determination is the Electricity Distribution Services Default Price-Quality Path (Innovation Project Allowance Approval Criteria) Amendment Determination 2023.

### **2. DETERMINATION AMENDED**

- 2.1. This determination amends the Electricity Distribution Services Default Price-Quality Path Determination 2020 [2019] NZCC 21 (**principal determination**).

### **3. COMMENCEMENT**

- 3.1. This determination comes into force on the date specified in the notice published in the New Zealand Gazette for this determination in accordance with s 52Q(3) of the Act and s 74(1) of the Legislation Act 2019.

### **4. INTERPRETATION**

- 4.1. Unless the context otherwise requires:
  - 4.1.1. terms used in this determination that are defined in the Act but not in this determination have the same meanings as in the Act; and
  - 4.1.2. terms used in this determination that are defined in the principal determination have the same meanings as in the principal determination.

## 5. AMENDMENTS

5.1. In clause (2)(c) of Schedule 5.3 of the principal determination, delete the words “prior to commencing the **innovation project**,” such that the clause reads:

- (c) the **non-exempt EDB** received a signed report from an **engineer** or **suitable specialist**, where the **engineer** or **suitable specialist** stated in their opinion that-
  - (i) the proposed **project** is an **innovation project**;
  - (ii) the purpose of the **innovation project** is either:
    - A. delivering **electricity lines services** at a lower cost to **consumers**; or
    - B. delivering **electricity line services** at a higher quality of supply to **consumers**; or
    - C. delivering **electricity lines services** at a lower cost to **consumers** and at a higher quality of supply to **consumers**; and
  - (iii) the benefits of the **innovation project** will be of general application to the activities of that **non-exempt EDB** or of other **EDBs**; and

Vhari McWha *Commissioner*

Dated at Wellington this 10<sup>th</sup> day of November 2023

COMMERCE COMMISSION