

[DRAFT] Transpower Individual Price-Quality Path Amendment Determination 2016

[2016] NZCC [xxx]

Amendment to Decision [2014] NZCC 35 made under section 52Q of the Commerce Act 1986.

The Commission:

G Crombie

Dr S Gale

E Welson

Date of Decision: [xxxxxx] 2016

Transpower Individual Price-Quality Path Amendment Determination 2016

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

1. TITLE

This determination is the Transpower Individual Price-Quality Path Amendment Determination 2016.

2. DETERMINATION AMENDED

This determination amends the *Transpower Individual Price-Quality Path Determination 2015* [2014] NZCC 35 (RCP2 IPP Determination).

3. COMMENCEMENT

This determination comes into force on the date on which a summary of it is published in the *New Zealand Gazette*.

4. RCP2 IPP DETERMINATION AMENDMENTS

4.1 Amend the numbering in clause 28, by replacing:

4.1.1 "28.2" with "28.1.5", "28.2.1" with "(a)", and "28.2.2" with "(b)";

4.1.2 "28.3" with "28.2", "28.3.1" with "28.2.1", and "28.3.2" with "28.2.2";
and

4.1.3 "28.4" with "28.3", 28.4.1 with "28.3.1", "28.4.2" with "28.3.2", and
"28.4.3" with "28.3.3".

4.2 After clause 28, insert a new clause 29:

“Exemptions

29. The **Commission** may at any time, by way of written notice to **Transpower**:

29.1 exempt Transpower from any of the information disclosure requirements contained in clauses 17.3, 20.1.8, 20.1.17 and 28.1 of this determination, for a period and on such terms and conditions as the **Commission** specifies in the notice; and

29.2 amend or revoke any such exemption.”

Elisabeth Welson, Commissioner

Dated at Wellington this [xxxxx] 2016.

COMMERCE COMMISSION

Explanatory Note

This amendment empowers the Commerce Commission to grant Transpower exemptions from the information disclosure requirements related to Transpower's non-financial performance measures of asset health and development of asset health and initiative plans for RCP2, as referred to at points 5 and 6 of Schedule L of the RCP2 IPP Determination.

The amendment will enable Transpower to apply for exemptions from or modifications to these information disclosure requirements where it considers the alternative would better promote an understanding of whether the purpose of Part 4 is being met.

The amendment aligns the RCP2 IPP Determination with the existing Information Disclosure Determinations applying to suppliers regulated under Part 4, including the Transpower Information Disclosure Determination 2014, by incorporating a similar exemption power.

This amendment also corrects typographical errors in the numbering in clause 28.