

Electricity Distribution Services Default Price-Quality Path Determination Amendment No. 4

NZCC 36

The Commission: S Begg
Dr M Berry
P Duignan
Dr S Gale

Date of determination: 30 November 2012

Regulation Branch, Commerce Commission

Wellington, NEW ZEALAND

30 November 2012

Note: This determination amends the application of the default price-quality path set in *Decision 685: Electricity Distribution Services Default Price-Quality Path Determination 2010* (as amended) for all non-exempt electricity distribution businesses.

Pursuant to Part 4 of the Commerce Act 1986, the Commerce Commission makes the following “amendment determination”:

1. Title

1.1 This amendment determination is the Electricity Distribution Services Default Price-Quality Path Amendment Determination 2012.

1.2 In this amendment determination, the Electricity Distribution Default Price-Quality Path Determination 2010 is called the “principal determination”.

2. Commencement Date

2.1 This amendment determination comes into force on 1 April 2013.

3. Amendment to clause 3

3.1 The principal determination is amended by omitting clause 3.2, and substituting the following:

“3.2 This determination applies to Orion New Zealand Limited for the Regulatory Period.”

3.2 The principal determination is amended by inserting the following in clause 3:

“3.3 This determination applies to all Non-Exempt EDBs except Orion New Zealand Limited for the First, Second and Third Assessment Periods.”

Dated at Wellington this 30th day of November 2012

COMMERCE COMMISSION

Explanatory Note

The Electricity Distribution Default Price-Quality Path Determination 2010 ('the 2010 Determination') sets out the default price-quality path that applies from 1 April 2010 to 31 March 2015 to all electricity distribution businesses except those that are "consumer-owned" as defined in section 54D of the Commerce Act 1986 ('Act'). Electricity distribution businesses meeting the requirements of section 54D are exempt from default/customised price-quality regulation under section 54G(2) of the Act.

On 30 November 2012, the Commission reset the default price-quality path for all non-exempt electricity distribution businesses except Orion New Zealand Limited. The reset is contained in *Electricity Distribution Services Default Price-Quality Path Determination 2012 NZCC 35* and was made pursuant to section 54K(3) of the Act.

Orion New Zealand Limited remains subject to the default price-quality path contained in the 2010 Determination. All electricity distribution businesses, except those that are "consumer-owned", must comply with the 2010 Determination for the assessment period ending 31 March 2013 and for the earlier assessment periods.