

Electricity Industry (Exemption No. 133 (Pricing Manager)) Exemption Notice 2011

Pursuant to section 11 of the Electricity Industry Act 2010, the Electricity Authority (“Authority”) gives the following notice.

Notice

1. Title and commencement—(1) This notice is the Electricity Industry (Exemption No. 133 (Pricing Manager)) Exemption Notice 2011.

(2) This notice comes into force on the day after the date it is notified in the *New Zealand Gazette*.

2. Exemption—The pricing manager is exempted, in respect of all trading periods on 26 March 2011, from the time frame in clause 13.171 of the Electricity Industry Participation Code 2010 (“Code”) that requires publication of final prices and final reserve prices to be completed by 1600 hours on the 1st business day following the trading day on which the pricing manager published the interim prices and interim reserve prices.

3. Term—This exemption expires on **31 August 2011**.

4. Reasons for granting the exemption—The reasons for granting this exemption are:

- (a) the Authority’s decision to correct the Undesirable Trading Situation (“UTS”) on 26 March 2011 involves determining the final prices for trading periods 22 to 35 on 26 March. This requires the pricing manager to publish final prices by 1600 hours on the 1st business day following publication of interim prices;
- (b) the pricing manager has advised that it will not be able to comply with clause 13.171 due to interim prices having been published in March;
- (c) the provision in the Code from which this exemption is sought requires the pricing manager to take action within a specified time frame;
- (d) due to the delay to the pricing process caused by the UTS, it is impossible for the pricing manager to meet this time frame;
- (e) the pricing manager has sought the exemption so the Authority’s UTS decision can be implemented without the pricing manager breaching the Code;
- (f) it is not necessary for the pricing manager to meet the time frame for the Authority to achieve its statutory objective; and
- (g) granting the exemption will reduce overall administration and compliance costs as the pricing manager will not have to self report its breach and the Authority will not be required to investigate it.

Dated at Wellington this 12th day of July 2011.

For and on behalf of the Electricity Authority:

DR THOMAS BRENT LAYTON, Chairperson.

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