

24 February 2004

EXEMPTION NOTICE – Application #17

This Exemption Notice is issued by the Electricity Commission, formally constituted as the Electricity Governance Board (“the Commission”), pursuant to Regulation 194 of the Electricity Governance Regulations and Rules 2003 (“EGRs”) in favour of Jade Direct NZ Ltd (“Jade”). This exemption is being granted under urgency in reliance on Regulation 194(4).

Subject to any terms and conditions imposed upon Jade as noted below, the Commission hereby grants Jade an exemption from the requirement to comply with the following Electricity Governance Rules:

1. Rule 5.4.4 of schedule E3 of part E (notification of switch completion).

Exemption Notice to appear in the Gazette

Regulation 194(2) requires that an exemption, and the Commission’s reasons for granting it, must be notified in the *Gazette* as soon as practicable after being granted. Accordingly the exemptions, the subject of this Exemption Notice and the Commission’s reasons for granting them, shall be notified in the *Gazette* on 26 February 2004.

Terms and Conditions of Grant of Exemption

Pursuant to Regulation 194(1), the Commission may, in its discretion and upon the terms and conditions (if any) that it thinks fit, grant an exemption. The Commission is also required to state an expiry date pursuant to regulation 194(5)(b). In respect of the exemption contained within this Exemption Notice the Commission imposes the following terms and conditions:

1. The exemption shall expire on 1 May 2004.
2. Jade must continue to notify the new retailer, the old retailer and the relevant distributor in accordance with rule 5.4.4 of schedule E3 of part E.

Board’s Reasons for Granting the Exemption Contained in this Notice

The reasons for granting the exemption are as follows:

- (a) The EGRs include a new obligation on the registry to notify meter owners of changes in registry data from 1 March 2004. Jade advises that they have had insufficient time to make the software changes necessary to comply with the new obligation.

- (b) The issue faced by Jade is due to the transition from NZEM and MARIA to the EGRs and can be addressed through granting an exemption for a short period.
- (c) The Commission is unable to identify any participants who would be unduly affected by the grant of the exemption.
- (d) Granting the exemption will allow Jade sufficient time to implement facilities which comply with the rule.

Date upon which the Exemptions become Effective

Pursuant to Regulation 195, the date upon which the exemptions contained in this Exemption Notice take effect, being a date which is not earlier than the date of the *Gazette* notice in respect of the exemption, is 1 March 2004.

Pursuant to Regulation 194(5)(c) the Commission will publicise the exemption on the Commission's website.

For and on behalf of the
ELECTRICITY GOVERNANCE BOARD

Roy Hemmingway
Chairman