

27 February 2019

By Email

Dear 

OIA request: advisory group members' disclosed conflicts of interests

I refer to your email of 24 January 2019 in which you requested information about advisory group members' conflicts of interests, and what action has been taken to address those conflicts. In your email exchange with Andrew Springett on 31 January, you clarified that you were only interested in the information relating to members of the Innovation and Participation Advisory Group (IPAG) and the Market Development Advisory Group (MDAG). You also clarified that:

- The first part of your request – for the details of all disclosed conflicts of interests – covered all current and past members of IPAG and MDAG
- The second part of your request – for the actions taken to address the conflicts – covered only the current members of IPAG and MDAG, not past members.

Your request has been assessed in accordance with the Official Information Act 1982 (OIA). Attached is a table that sets out the information you have requested. The Authority has decided to withhold some information under section 9 of the OIA, on the grounds of protecting the privacy of individuals.

In each case, I have also considered whether there is any public interest in releasing the information which would outweigh the potential harm that could be caused. I have decided that there is not.

You are entitled to ask an Ombudsman to investigate and review this decision. The address for contacting the Office of the Ombudsman is:

Office of the Ombudsman
PO Box 10152
Wellington 6143

Yours sincerely


James Stevenson-Wallace
Chief Executive

Market Development Advisory Group (MDAG) Interests Register – Section 64 of the Crown Entities Act 2004

Compilation of interests registers from all meetings

(Meeting #1 – 28 November 2017 to Meeting #10 – 5 December 2018)

Current members

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|---------------------------------|---|---|---|------------|--------------|
| Tony Baldwin (Chair) | <ul style="list-style-type: none"> Together with his extended family, a beneficiary and/or trustee of family trusts whose portfolios include shares and bonds in electricity companies listed on NZX totaling approximately \$[withheld s 9(2)(a) of the OIA], of which he is a direct beneficiary of \$[withheld s 9(2)(a) of the OIA]. | Permission to act as chairperson granted because it is in the public interest, despite being interested in various matters (5 Dec 18) | As determined by the MDAG temporary deputy chairperson (letter of 26/11/2018) | 5 Dec 18 | |
| James Flannery | <ul style="list-style-type: none"> Contact Energy shares – estimated value = \$[withheld s 9(2)(a) of the OIA] ([withheld s 9(2)(a) of the OIA] shares x \$5.55/share [price on 17/11/2017]) | Chair gave permission to act (8 Feb 18) | | 28 Nov 17 | 7 Aug 18 |
| | <ul style="list-style-type: none"> Employee of Contact Energy | | | 8 Feb 18 | |
| | <ul style="list-style-type: none"> Small shareholding in Contact Energy (<\$[withheld s 9(2)(a) of the OIA]) | Acting Chair gave permission to act (5 Dec 18) | | 5 Dec 18 | |
| James | <ul style="list-style-type: none"> I am an employee of Mercury NZ Ltd | Chair gave permission | | 28 Nov 17 | |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|------------------|--|--|---------|------------|--------------|
| Flexman | <ul style="list-style-type: none"> My wife and I hold a small [withheld s 9(2)(a) of the OIA] share) holding in Mercury (NZ) Ltd (Value ~\$[withheld s 9(2)(a) of the OIA]) | to act (8 Feb 18) | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> In my role as Wholesale Markets Manager at Mercury I am involved in electricity trading so the review of the trading conduct provisions will directly relate to my area of responsibility within Mercury | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> Entrust beneficiary | Chair gave permission to act (15 Mar 18) | | 15 Mar 18 | |
| Darren Gilchrist | <ul style="list-style-type: none"> Employee of Oji Fibre Solutions (NZ) Ltd | Chair gave permission to act (8 Feb 18) | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> Director and shareholder of Wind Farm Group Ltd, Wind Farm Group W1 Ltd and Wind Farm Group W2 Ltd. Value of shareholdings is minimal (Wind Farm Group is a wind development company) | | | 28 Nov 17 | |
| Stu Innes | <ul style="list-style-type: none"> Director, major shareholder, CEO of emhTrade Ltd (emhTrade is a registered trader in electricity, and certified reconciliation participant) | Chair gave permission to act (8 Feb 18) | | 28 Nov 17 | 5 Sep 18 |
| | <ul style="list-style-type: none"> Minor shareholding in Mercury Energy | | | 8 Feb 18 | |
| | <ul style="list-style-type: none"> Minor shareholding in Vector | | | 8 Feb 18 | |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|--|---|--|---------|------------|--------------|
| | <ul style="list-style-type: none"> Director, shareholder, CEO of emhTrade Ltd (emhTrade is a registered trader in electricity, and certified reconciliation participant) | Chair gave permission to act (5 Sep 18) | | 5 Sep 18 | |
| | <ul style="list-style-type: none"> Director, emh Trade Markets Ltd | | | 5 Sep 18 | |
| | <ul style="list-style-type: none"> Director and major shareholder of emh Trade Holdings Ltd | | | 5 Sep 18 | |
| Rebecca Osborne | <ul style="list-style-type: none"> Employee of Transpower NZ Ltd (TPM Delivery Manager: April 2017-present) | Chair gave permission to act (8 Feb 18) | | 28 Nov 17 | 26 Jun 18 |
| | <ul style="list-style-type: none"> Employee of Transpower NZ Ltd | Chair gave permission to act (26 Jun 18) | | 26 Jun 18 | |
| | <ul style="list-style-type: none"> King Country Energy Power Trust beneficiary | Chair gave permission to act (6 Nov 18) | | 6 Nov 18 | |
| Bruce Rogers (Acting Chair between James Moulder and Tony Baldwin's terms) | <ul style="list-style-type: none"> Small (<\$[withheld s 9(2)(a) of the OIA]) shareholding in Contact Energy Limited (spouse has same) | Chair gave permission to act (8 Feb 18) | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> Small shareholding in Genesis Energy Limited | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> Small shareholding in Meridian Energy Limited (spouse has same) | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> Employee of Orion New Zealand Limited, a market participant | | | 28 Nov 17 | |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|----------------------|--|--|---|------------|--------------|
| Matt Rowe | <ul style="list-style-type: none"> Employee of EnerNOC New Zealand | Chair gave permission to act (8 Feb 18) | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> Entrust beneficiary | Chair gave permission to act (15 Mar 18) | | 15 Mar 18 | |
| James Tipping | <ul style="list-style-type: none"> Trustpower Ltd – Manager Strategy & Portfolio | Chair gave permission to act (8 Feb 18) | | 28 Nov 17 | 15 Mar 18 |
| | <ul style="list-style-type: none"> Employee of Trustpower Ltd | Chair gave permission to act (15 Mar 18) | | 15 Mar 18 | |
| | <ul style="list-style-type: none"> Tauranga Energy Consumer Trust (TECT) beneficiary | | | 15 Mar 18 | |
| | <ul style="list-style-type: none"> Holds [withheld s 9(2)(a) of the OIA] shares in Trustpower | Chair gave permission to act (5 Sep 18) | | 5 Sep 18 | 6 Nov 18 |
| | <ul style="list-style-type: none"> Holds [withheld s 9(2)(a) of the OIA] shares in Trustpower (value ~ \$[withheld s 9(2)(a) of the OIA]) | Acting Chair gave permission to act (6 Nov 18) | As determined by the Acting MDAG Chair (letter of 01/10/2018) | 6 Nov 18 | |

Past members

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|----------------|--------------------|--------------|---------|------------|--------------|
|----------------|--------------------|--------------|---------|------------|--------------|

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|------------------------------|--|---|---|------------|--|
| James Moulder (Chair) | <ul style="list-style-type: none"> • Cybele Capital Limited, Consulting and Investment Company, Owner and Director - New Zealand | <p>Not interested in any matters, because interests are so insignificant they cannot reasonably be regarded as likely to influence carrying out of responsibilities. (8 Feb 18)</p> | <p>As determined by the Authority (22/11/2017 and 09/01/2018)</p> | 28 Nov 17 | <p>Resigned from MDAG effective 13 Aug 18.</p> |
| | <ul style="list-style-type: none"> • Motupipi Holdings Limited, Investment Company, Director - New Zealand | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> • Tasman Environmental Markets, Operating Company, Part Owner and Director - Australia - Carbon Business | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> • Ramp Carbon Limited, Operating Company, Part Owner and Director - Australia - Carbon Business | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> • Motupipi Offshore Limited, Holding Company, Owner and Director - New Zealand - Carbon Business | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> • Callisto Quantitative, Holding Company, Owner and Director - Singapore - Carbon Business | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> • Sapere Research Group, Consultant - New Zealand - Previous Consultant | | | 28 Nov 17 | |
| | <ul style="list-style-type: none"> • Family trust owns ~\$[withheld s 9(2)(a) of the OIA] of energy industry shares <ul style="list-style-type: none"> ○ Mercury Energy – [withheld s 9(2)(a) of the OIA] shares @ \$3.40/share = \$[withheld s 9(2)(a) of the OIA] (price on 09/01/2018) ○ Entrust shares | | | 8 Feb 18 | |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|----------------|--|--|---|------------------|--------------|
| | <ul style="list-style-type: none"> • Entrust beneficiary | <p>Not interested in any matters, because interests are so insignificant they cannot reasonably be regarded as likely to influence carrying out of responsibilities. (15 Mar 18)</p> | <p>As determined by the Authority (22/11/2017 and 09/01/2018)</p> | <p>15 Mar 18</p> | |
| | <ul style="list-style-type: none"> • Has switched retail provider to Pulse on a tariff approximately \$[withheld s 9(2)(a) of the OIA]/week cheaper (received win-back offer from Mercury which was not taken up) | <p>Not interested in any matters, because interests are so insignificant they cannot reasonably be regarded as likely to influence carrying out of responsibilities. (7 Aug 18)</p> | <p>As determined by the Authority (22/11/2017 and 09/01/2018)</p> | <p>7 Aug 18</p> | |

Innovation and Participation Advisory Group (IPAG) Interests Register – Section 64 of the Crown Entities Act 2004

*Compilation of interests registers from all meetings
(Meeting #1 – 21 November 2017 to Meeting #10 – 6 December 2018)*

Current members

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|---------------------------------|--|--|---|------------|--------------|
| John Hancock (chair) | <ul style="list-style-type: none"> • Beneficiary of Hancock Family Trust, which has a diverse investment portfolio including approximately \$[withheld under s 9(2)(a) of the OIA] of bonds in Infratil | Permission to act as chairperson granted because it is in the public interest, despite being interested in various matters | As determined by the IPAG temporary deputy chairperson (letter of 16/04/2018) | 3 May 2018 | |
| | <ul style="list-style-type: none"> • Member of the Expert Advisory Group for the Ministerial Electricity Price Review | | | | |
| | <ul style="list-style-type: none"> • Consultant to various New Zealand electricity sector participants, regulators and government agencies | | | | |
| Rosalind Archer | No interests declared yet as was only recently appointed (30 Jan 19). | | | | |
| Luke Blincoe | <ul style="list-style-type: none"> • Chief Executive of Electric Kiwi | Chair gave permission to act (8 Feb 18) | | 21 Nov 17 | |
| Glenn Coates | <ul style="list-style-type: none"> • An employee of Orion NZ Limited | Chair gave permission to act (8 Feb 18) | | 21 Nov 17 | 3 May 18 |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|---------------------|--|---|---------|------------|--------------|
| | <ul style="list-style-type: none"> An employee of Aurora Energy | Chair gave permission to act (3 May 18) | | 3 May 18 | |
| Allan Miller | <ul style="list-style-type: none"> <i>Independent consulting advice to electricity distribution businesses:</i> I work as a consultant in the technology and electricity industries. I am currently undertaking work for several electricity distribution businesses, on projects that deal with the integration of new technology in their networks. These include providing independent advice on adoption and impact of new technologies, such as battery technology and photovoltaic solar power, and scoping of projects. I have also undertaken work for the ENA to provide independent advice on future scenarios for electricity in New Zealand, and may be involved in developing this work further. <i>Interest in technology developed for the electricity industry:</i> I also have an interest in technology I co-invented while at the University of Canterbury that is being offered as the DGHost™ service by the University of Canterbury to assess the capacity of distribution networks to host photovoltaic solar power. I also have an interest in the EECA energywise™ solar calculator, as a co-inventor. | Chair gave permission to act (8 Feb 18) | | 21 Nov 17 | |
| | | | | 21 Nov 17 | |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|------------------|---|--|---------|------------|--------------|
| | <ul style="list-style-type: none"> Shareholder of generator-retailer companies: I am a trustee of a trust that holds shares in Meridian Energy and Mercury. The combined value of the shares is below the limit given in 3.2.12 of the Guidance for members of IPAG, MDAG and SRC document. | | | 21 Nov 17 | 14 Jun 18 |
| | <ul style="list-style-type: none"> Shareholder of generator-retailer companies: I am a trustee of a trust that holds shares in Meridian Energy, Mercury and Rio Tinto. The combined value of the shares is below the limit given in 3.2.12 of the Guidance for members of IPAG, MDAG and SRC document. | Chair gave permission to act (14 Jun 18) | | 14 Jun 18 | 31 Jul 18 |
| | <ul style="list-style-type: none"> Shareholder of electricity industry companies: I am a trustee of a trust that holds shares in Meridian Energy, Mercury and Rio Tinto. | Chair gave permission to act (31 Jul 18) | | 31 Jul 18 | |
| Terry Paddy | <ul style="list-style-type: none"> Managing Director / Shareholder of Cortexo Ltd | Chair gave permission to act (8 Feb 18) | | 21 Nov 17 | |
| Stephen Peterson | <ul style="list-style-type: none"> Major shareholder in Simply Group. Simply Group has ownership in Simply Energy, Axos Systems, Tenco, Aonpli | Chair gave permission to act (8 Feb 18) | | 21 Nov 17 | |
| | <ul style="list-style-type: none"> Minor shareholding in NZ Windfarms and Lulworth Windfarm | | | 21 Nov 17 | |
| | <ul style="list-style-type: none"> Managing Director of Simply Group | | | 21 Nov 17 | |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|-----------------------|--|--|---------|------------|--------------|
| | <ul style="list-style-type: none"> Kiwisaver fund in NZ equities | | | 21 Nov 17 | |
| | <ul style="list-style-type: none"> Director of Axos Systems, Simply Group, Simply Energy, Tenco | | | 21 Nov 17 | 3 May 18 |
| | <ul style="list-style-type: none"> Director of Axos Systems, Simply Group, Simply Energy, Tenco, Ampli Ltd | Chair gave permission to act (3 May 18) | | 3 May 18 | |
| | <ul style="list-style-type: none"> Acting CEO of Axos Systems Ltd | | | 3 May 18 | |
| Tim Rudkin | <ul style="list-style-type: none"> Director and indirect shareholder (as trustee and beneficiary of a family trust) of: <ul style="list-style-type: none"> Save A Watt Limited Save A Watt Holdings Limited Save A Watt New Zealand Limited Saveawatt Switch Limited | Chair gave permission to act (31 Jul 18) | | 31 Jul 18 | |
| Roxanne Salton | No interests declared yet as was only recently appointed (29 Jan 19). | | | | |

Past members

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|----------------------------|---|---|---------|------------|---|
| Lindsay Cowley (chair) | Nil | - | | | Resigned from IPAG effective 08 Feb 18. |
| George Block | Nil | - | | | Resigned from IPAG effective 26 Feb 18. |
| Jennifer Cherrington-Mowat | Nil | - | | | Resigned from IPAG effective 29 Aug 18. |
| Melanie Lynn | <ul style="list-style-type: none"> Meridian Energy – shareholder (employee share programme) | Chair gave permission to act (8 Feb 18) | | 21 Nov 17 | Resigned from IPAG effective 15 Jun 18. |
| | <ul style="list-style-type: none"> Christchurch City Holdings Limited – Intern Director, Red Bus | | | | |

| Name of Member | Nature of Interest | Action taken | Comment | Date added | Date removed |
|----------------|--|---|---------|------------|--|
| Rod Snodgrass | <ul style="list-style-type: none"> Chief Customer Officer, Vector | Chair gave permission to act (8 Feb 18) | | 21 Nov 17 | Resigned from IPAG effective 6 Dec 18. |