

## Electricity Industry (Exemption No. 282 (NextGen Energy Limited)) Exemption Notice 2019

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

### Notice

#### 1. Title and commencement

(1) This notice is the Electricity Industry (Exemption No. 282 NextGen Energy Limited)) Exemption Notice 2019.

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

**2. Exemption**—NextGen Energy Limited (“NextGen”) is exempt from complying with the obligations in clauses 15.37A and 15.38(1) of the Electricity Industry Participation Code 2010 (“Code”) to arrange for regular audits and hold certification in accordance with Schedule 15.1 of the Code.

**3. Term**—This exemption expires on the earlier of:

- a. the close of 31 October 2021; and
- b. the date on which, after this exemption comes into force, NextGen is recorded in the registry as having responsibility for an installation control point.

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

- a. NextGen is exiting the market and it is financially unviable for it to be audited, or gain certification, for the small number of functions for which it remains responsible;
- b. it is beneficial to the industry for NextGen to continue to provide submission information to avoid the reconciliation manager needing to use estimations;
- c. should the Authority have concerns about the functions that NextGen is performing, clause 15.37C of the Code provides that the Authority may carry out an audit at any time;
- d. granting the exemption will have no significant effect on other participants;
- e. the Authority approved a similar exemption for Payless Energy Limited when it exited the market after defaulting; and
- f. granting the requested exemption meets the requirements in section 11(2) of the Act.

Dated at Wellington this 7th day of October 2019.

For and on behalf of the Electricity Authority:  
ALLAN DAWSON, Member, Electricity Authority.