

Terms of Reference of the Covid-19 Issues Working Group (CIWG)

Purpose

1. The Chief Executive of the Electricity Authority (Authority) has established the CIWG to provide a co-ordinated response to Covid-19 related issues experienced by industry participants (as defined in section 7 of the Electricity Industry Act 2010 (the Act)).
2. The key priorities for the group are promoting consumer interests, ensuring the market continues to operate efficiently, supporting the electricity industry as it responds to Covid-19 related issues , and considering how electricity industry participants can contribute to or facilitate the economic recovery of their consumers.
3. Its role is purely advisory in nature. The CIWG will help the Chief Executive operate their delegated functions and powers, and, where necessary, help them carry out their role to advise the Authority Board if and how it should exercise its regulated powers in relation to Covid-19 related matters. This group will operate alongside the Authority's business-as-usual activities.

Principal responsibilities

4. The principal responsibilities of the CIWG will be to:
 - a. act as a conduit for information exchange/clearing house with key stakeholder groups, including government, regulators, industry participants, and consumer organisations;
 - b. provide a forum for the early identification of any Covid-19 related issues being experienced by consumers and industry participants;
 - c. assess the nature, scope and potential ramifications of any Covid-19 issues raised by CIWG members;
 - d. prioritise those matters which require the most urgent attention;
 - e. inform arrangements to address the issues raised, whether by participants, the Authority and/or other parties or agencies;
 - f. discuss further information and data required to support these arrangements; and
 - g. leverage CIWG members' knowledge, expertise and personal networks to achieve the outcomes set out above; and
 - h. when requested, provide input into any public-facing communications from the Authority.
5. Critical infrastructure and system security are being addressed primarily through other channels, such as the National Crisis Management Centre, but that does not restrict conversation on these topics with the CIWG.

Membership

6. Membership is by invitation only. A small group is required and proposed. Members will sit on the CIWG as representatives of their organisations or stakeholder groups, in addition to bringing individual expertise.
7. At the time of drafting these terms of reference, invitations have been sent to:
 - a. The Chief Executives of the Major Electricity Users Group, Electricity Networks Association, Electricity Retailers Association of New Zealand.
 - i. These Chief Executives have been invited to nominate two members for the group (which might be themselves and one other).
 - ii. These groups will be able to rotate or substitute attendees, if necessary, to ensure the CIWG has the available expertise.
 - iii. It is expected that these organisations will take into account the need for continuity in an effective team.
 - b. Independent retailers (who are not members of ERANZ), who have also been invited to nominate two persons to join.
 - c. Transpower: Grid Owner and System Operator
 - d. Electricity generators
 - e. Metering Equipment Providers
 - f. BusinessNZ Energy Council
 - g. Consumer New Zealand
 - h. FinCap
 - i. Utilities Disputes Limited
 - j. NZX
 - k. Commerce Commission: Regulation and Competition
 - l. MBIE.

Observers

8. The Authority acknowledges that there is wide interest in the matters covered by CIWG and so it is proposed to allow each registered industry participant to nominate one member to attend meetings of the CIWG as an observer.
9. Observers will not have speaking rights so will need to communicate any questions and issues they wish to raise directly with either the Chair or CIWG member who best represents that participant's interests..
10. The CIWG may need to go "in committee" on some matters.

Secretariat

11. CIWG will be supported by Authority staff, supplemented by a secretariat comprising Christine Southey and Gillian Blythe (operating through Christine's company Law+Policy Limited).
12. The secretariat's responsibilities will include facilitating orderly meetings and preparing succinct summaries of the items to be discussed at each meeting.. The Authority will meet the costs of the secretariat.

Meeting mechanics (including Commerce Act compliance)

13. It is initially intended the CIWG will meet weekly by online videoconference, with the ability for observers to call in by phone. The secretariat will chair the meetings. Action points will be recorded but beyond that it is proposed to rely on each CIWG member to report back to their own organisations and stakeholder groups.
14. The meeting will be attended by a representative from the Commerce Commission Competition branch, who will stop the meeting if there is any discussion which might be contrary to the requirements of the Commerce Act.
15. Meetings will be recorded so there is a full and complete record of proceedings. At this stage it is not proposed to pro-actively release these recordings as industry participants can attend if they wish to and matters will quickly become out of date. Attendees should note that this does not mean that the recordings will not be released under the Official Information Act 1982.

Media and meeting restrictions

16. The Authority is solely responsible for media relations on its work.
17. Participants are free to use the general information received in the meeting when reporting back to their stakeholders but neither the identity nor the affiliation of the speaker may be revealed. The Chatham House Rule applies.
18. For the avoidance of doubt, CIWG members are free to speak to the media about their own affairs as they see fit.

Information

19. Meeting agendas and papers will be published on the Authority's website. A table of actions will also be captured and released, as opposed to detailed minutes.

Duration

20. The CIWG will continue until the Authority Chief Executive decides to disband it.