

17 September 2021

Phil Gibson
General Manager Portfolio
Mercury
Email: phil.gibson@mercury.co.nz

Dear Phil

Review of competition in the wholesale market

The Authority has been conducting a review into competition in the wholesale market for the period from the Pohokura outage in 2018 until mid-2021 (the Review).

The Authority is intending to publish a Review Paper, which contains the Authority's observations of competition in the wholesale market and draws on multiple sources of information, including information supplied by Mercury. The Review Paper will be accompanied by an Issues Paper which explores some possible policy options to address certain observations. Both papers are being released for public consultation and feedback to inform possible further action.

Prior to publication I wish to test certain facts supplied by you for accuracy and comment. This fact checking exercise is limited to selected extracts from the papers; it is not an opportunity for pre-consultation nor advance engagement of the review's observations or preliminary policy option set.

As such, the Authority is undertaking fact checking by supplying you with limited extracts from both of the papers which contains key information provided by you. As a first step, please check each extract for factual accuracy and let us know of any comments you have.

Secondly, and notwithstanding the basis on which the information was provided, the Authority now considers that it is necessary to publish the information contained in the extracts in a paper for public consultation. The Authority considers that the information is not confidential and/or that publication of that information is required to enable the Authority to fulfil its statutory functions (and as outlined in the Authority's Information Gathering Guidelines). Please let me know if you have any objections to publication, and your reasons for that, in respect of each extract. The Authority will consider any objections and inform you of its final views prior to publication. This could include the Authority electing to proceed with publication of the material with or without redactions.

Please respond with all comments and objections back to me no later than 5pm on 24 September.

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Finally, after the fact checking process has been completed, I intend to share copies of both reports with interested agencies including the Treasury, the Ministry of Business Innovation and Employment and the Commerce Commission, for departmental feedback and comment, prior to public release.

A copy of this letter will be published on the Electricity Authority website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'AD', written in a cursive style.

Andrew Doube
General Manager Market Policy