

18 October 2021

Neal Barclay
Chief Executive
Meridian Energy Limited
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email: Neal.Barclay@MeridianEnergy.co.nz

Dear Neal

Wholesale market competition review

Thank you for your letter of 13 October 2021, which followed on from our meeting, together with Mark and Nicki on Tuesday. The Authority has also since received (via an email from Jason Woolley to Andrew Doube) the legal advice which you refer to in your letter.

Consultation process

In the first instance, I wanted to correct the apparent misapprehension that your letter and the legal advice you provided appear to be premised on. As we have previously made clear, the Authority is not making any findings about competitiveness in the spot market at this stage. The papers which are to be published at the end of the month are consultation papers and the Authority is seeking feedback from the industry on the preliminary observations it has drawn from the information that has been available to it. The consultation papers anticipate that there will be differing views about elements of their subject matter and the Authority welcomes submissions in response to its preliminary observations. To the extent that Meridian (or any other participant) considers that, when read in their full context, any of the Authority's observations or analysis would benefit from more information or an alternative perspective, the Authority anticipates that Meridian will explain this in its submissions in response to the consultation papers. All industry participants (and indeed any other stakeholders) will have the same opportunity.

Consequently, while the Authority is, of course, mindful of the requirements of natural justice referred to in the legal advice you have received, it does not agree that natural justice requires any further engagement with only certain industry participants prior to the publication of the papers for consultation.

s 9(2)(b)(ii) and s9(2)(ba)(i)

[Redacted]

[Redacted]

s 9(2)(b)(ii) and s9(2)(ba)(i)

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Yours sincerely



James Stevenson-Wallace
Chief Executive