

Notice of the Authority's decision under regulation 29 of the Electricity Industry (Enforcement) Regulations 2010

Under regulation 29(1) of the Electricity Industry (Enforcement) Regulations 2010 (Regulations) the Electricity Authority (Authority) must publicise every decision made under regulation 23(3) of the Regulations, together with the reasons for the Authority's decision.

Investigation

On 3 March 2021, the Authority appointed an investigator under regulation 12 of the Regulations to investigate the alleged breach of clause 11.15AA of the Electricity Industry Participation Code 2010 by Trustpower Limited (Trustpower).

A non-participant alleged that Trustpower contacted a customer that was in the process of switching multiple ICPs to a gaining retailer in an attempt to retain the customer during the switch protected period.

The investigator considered that Trustpower did not breach clause 11.15AA because Trustpower only received a switch notification in respect of one of the customer's three ICPs. Trustpower made an offer in relation to the remaining two ICPs but did not attempt to initiate an offer to supply electricity to the ICP it had lost.

On 2 September 2021 the Authority received and considered a report and a recommendation from the investigator to discontinue the investigation.

The Authority's decision

On 2 September 2021, the Authority decided under regulation 23(3)(a) of the Regulations to discontinue the investigation.

Reason for the Authority's decision

The reason for the Authority's decision to discontinue the investigation was that:

- The investigation found that Trustpower did not breach clause 11.15AA because it did not attempt to persuade the customer to terminate the arrangement with the gaining retailer during the switch protected period.