

Notification of the Commission's Decision Pursuant to Regulation 91(1)

Under regulation 91(1) of the Electricity Governance Regulations 2003 (Regulations) the Electricity Commission (Commission) must publicise every decision made under regulation 90(2) together with the reasons for the Commission's decision.

Investigation

On 19 November 2008, the Commission appointed an investigator under regulation 69 of the Regulations to investigate the alleged breaches of rule 2 of part E and rule 4.5 of schedule E2 of part E of the Electricity Governance Rules 2003 (Rules) by Vector Limited (Vector).

The breaches were alleged of Vector Limited (Vector) by Meridian Energy Limited (Meridian) for failing to create an ICP in the Registry for a point of supply on its network from 1 March 2004, and for reversing the decommissioned status of an ICP in the Registry. Vector denied the alleged breaches.

Mighty River Power joined the Investigation as an affected party.

On 12 May 2010, the Commission received and considered a report and a recommendation from the Investigator not to lay a formal complaint.

The Commission's Decision

On 12 May 2010, in respect of these alleged breaches the Commission decided under regulation 90 (2) not to lay a formal complaint.

Reasons for the Commission's Decision

The reasons for the Commission's decision were that:

- Vector did not appear to have breached rule 2 of part E because an active ICP as defined at the time in the Rules existed for the particular customer.
- Vector did not appear to have breached rule 4.5 of schedule E2 of part E as the obligation on Vector under this rule is to manage the status of 'decommissioned'. This implies an ongoing duty including the ability to correct the status if it had been set incorrectly in the first place.