

# Code amendment omnibus #4 – Submission form

Submissions due 5.00pm Tuesday **15 October 2024**, to [policyconsult@ea.govt.nz](mailto:policyconsult@ea.govt.nz) with “Code omnibus #4 consultation” in the subject line.

<b>Submitter / Organisation</b>	Meridian Energy
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## Feedback on the omnibus format

Questions	Comments
<p>Q1.1. Do you have any comments on the omnibus format or suggestions to improve the omnibus format?</p> <p>Please explain your answer</p>	<p>Meridian considers that the first amendment proposal (access to electricity information) would impose reasonably significant process changes and/or costs and, in principle, should not have been progressed through an omnibus Code amendment consultation. The omnibus format risks a lack of due consideration by the industry and Authority of the relevant issues. More detail is provided in the responses to Q2 below.</p>

## Improving consumer access to their electricity information

Questions	Comments
<p>Q2.1. Do you support the Authority’s proposal to amend clause 11.32B(1) of the Code to reduce the time a retailer must respond to most requests for consumer electricity information?</p> <p>Please explain your answer</p>	<p>Meridian supports the intent of the changes – namely improvement of consumer access to their electricity information. Meridian shares the Authority’s view of a future in which consumers can readily access their information, at no cost and minimal delay. A well-designed and well-considered regime for consumer data access is critical to achieving this.</p> <p><b>There are different forums for requesting data</b></p> <p>There are many ways consumers can currently seek to access their data, and not all are administratively equal. The Code currently allows consumers or their agents to submit requests for information through whatever channel they like (and the Authority’s <a href="#">1 March 2020 Requests for consumer consumption information: Procedures</a> document clarifies that requests may be made over the phone, by email, post, or (if the retailer provides such facility) by website or app).</p> <p>In addition to responding to active requests over phone and email Meridian currently supports consumers to directly access their consumption data via both the Meridian and Powershop websites and apps. If available, consumers can select half hourly, daily or a summary of their consumption data over a selected period.</p> <p>Meridian expects that providing consumers with the ability to access information for themselves (i.e. via website or</p>

app) is most convenient for the majority of consumers, as well as being most convenient for the retailer, once the systems are in place. We therefore see this pathway as the most natural way forward, and that information access in this manner will increasingly dominate the ways in which consumers access their data.

Requests by post, for example, are already uncommon, and will increasingly become so. It is difficult to respond very quickly to requests which the retailer is not in the habit of addressing.

A one-day turnaround is more readily applied to the more “standardised” request processes, such as via the website, app, or via the registry for agents (we note that agents are only “encouraged” to use the registry under cl 16 of the *Procedures* document linked above).

Applying a 1-day turnaround for all request formats is disproportionately difficult, as retailers may need to implement technology changes and/or significantly overhaul their processes for specifically identifying and prioritising requests for consumption data received via their various customer interaction channels. We expect that not all retailers will currently respond within a 1 business day average, and that actual response times may increase, for example, at times when customer interactions are higher, such as pricing changes or winters.

**Not yet clear to Meridian what final information access regime entails, whether different considerations for different forums for request**

The Authority makes reference to the interim nature of the proposed changes and notes that: “They also signal to retailers that consumers’ access to their own consumption data is a priority for the Authority, and that the industry at large should prepare for a further reduction in these timeframes by implementing technologies and processes that can facilitate automated transfer of consumption data in the future.” While Meridian agrees with this picture, we note that requests over phone or email cannot be readily “automated” and requests by post even less so. If these forms of request continue to exist under future regimes, we would expect this to be in a vestigial way, with more relaxed response times which acknowledge the “non-standardness” of such requests.

**Suggested improvements to proposal**

Meridian is therefore concerned about the workability of the changes. The current framework is, in Meridian’s view, not the appropriate starting point for the overhauled consumer access regime of the future, and we are concerned that pushing these relatively significant

	<p>changes to the current framework through via the omnibus consultation process risks setting retailers up to fail the revised response time standards.</p> <p>It would help significantly if the new changes were applied only to registry requests and “requests” over website or app, and that the previous response times remain for the non-standard forms of request such as phone, email, and post. An implementation period would help to avoid non-compliance.</p> <p><b>Procedures document</b></p> <p>The <i>Procedures</i> document may also need to be reviewed and updated following the changes so that it continues to reflect the intended operation of the Code. If there are to be percentage-based performance targets as the Authority is proposing, it would be useful for the <i>Procedures</i> to clarify what counts toward that percentage for the purposes of 11.32B(1A), i.e.:</p> <ul style="list-style-type: none"> <li>- Requests via websites or apps on a per customer basis; and</li> <li>- Requests on the registry on a per customer basis (i.e. so that one mass-request counts for each customer in the request).</li> </ul> <p>It is also not entirely clear when the time for responding to a request by post begins (the uncertainty also affects email, though the discrepancy is less). The Code refers to the time at which “the requests are made” and it is not clear whether this refers to the time of sending or receiving. The <i>Procedures</i> use both “days after receipt by the retailer” (cl 13) and “days after the date on which the request is made” (cl 24) to refer to the same obligation (11.32B). We assume – but it is not clear – that they are intended to be equivalent. The <i>Procedures</i> could clarify this.</p>
<p>Q2.2. Do you support the Authority’s proposal to amend clause 11.32B(3) of the Code to increase the number of responses a retailer must provide in the next 12-month period without charge, from 4 to 12, thereafter all responses are free of charge?</p> <p>Please explain your answer</p>	<p>Meridian agrees that the regime of the future should ensure that consumer access to specified information is without charge.</p> <p>We have no specific comments on this aspect of the proposal, but would query what is behind the 1 March 2026 date in the drafting for 11.32B(3). If a future regime is not in place by then, the Code will need a further amendment.</p> <p>Meridian is unclear on exactly which work programme (e.g. MBIE’s CDR work, or an Authority project) will usher in the overhauls which will make 11.32B(3) redundant, but would have thought it preferable to future-proof the proposed drafting so that the 12 free annual request</p>

	threshold continued to function in the event that further changes were not in place.
<p>Q2.3. Do you support the Authority's proposal to amend the Code to clarify that a retailer must provide information under clause 11.32A about the injection of electricity into a network and raw meter data?</p> <p>Please explain your answer</p>	<p>Yes. Meridian agrees that it is important that consumers have ready access to this information.</p>
<p>Q2.4. Do you agree the proposals preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objective in section 15 of the Electricity Industry Act 2010</p>	<p>While we have to agree they are preferable to the other alternative option illustrated at paragraph 2.33, they are not preferable to other options which could have been envisaged, such as the shorter timeframes applying only to website, app, and registry requests as outlined in the answer to Q2.1.</p> <p>It would be preferable if the "transition" to an updated data access framework involved a broader discussion about the cost-benefit of different forms of access (e.g post vs website) so that retailer expectations about what is being transitioned to are clear.</p>
<p>Q2.5. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?</p>	<p>Broadly, but we disagree with the Authority's treatment of the costs and ease of implementation. While responding in five business days has been "business-as-usual", it does not mean that responding in one business day in 70% of cases is easily made the new norm.</p> <p>More generally, the characterisation of this proposal as an interim one and one which can be carried out through the omnibus Code amendment consultation risks downplaying the significance of the change for retailers, and presupposes details of the target framework which these proposals are interim to.</p>
<p>Q2.6. Do you have any comments on the drafting of the proposed amendment?</p>	<p>Yes, we query the 1 March 2026 reference in 11.32B(3) as referred to in Q2.2 above.</p> <p>Otherwise, we make the more fundamental suggestions contained elsewhere in this response that:</p> <ul style="list-style-type: none"> <li>- The new timeframes apply only to "standardised" forms of request: website, app, and registry; and</li> <li>- It be made clear that access to data by website or app counts as a "request" being fulfilled.</li> </ul>

## Removal of time error management obligations

Questions	Comments
<p>Q3.1. Do you support the Authority's proposal to remove time error management requirements for the system operator?</p> <p>Please explain your answer.</p>	<p>Yes, Meridian supports the Authority's proposal.</p>
<p>Q3.2. In particular, do you, or anyone in New Zealand you are aware of, still use synchronous clocks for business-critical applications? If so, do you consider the cost of replacement with non-synchronous clocks to be material?</p> <p>Please explain your answer.</p>	<p>No. We are not aware of any continued use of synchronous clocks.</p>
<p>Q3.3. Do you agree the proposed amendment is preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objective in section 15 of the Electricity Industry Act 2010</p>	<p>Yes, Meridian agrees that the proposed amendment is preferable to alternative approaches.</p>
<p>Q3.4. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?</p>	<p>Yes, Meridian agrees with the Authority's analysis.</p>
<p>Q3.5. Do you have any comments on the drafting of the proposed amendment?</p>	<p>No.</p>

## Clearing manager to settle FPVV hedges

Questions	Comments
<p>Q4.1. Do you support the Authority's proposal to include a new hedge settlement agreement form for fixed price variable volume (FPVV) hedges to be settled by the clearing manager?</p> <p>Please explain your answer</p>	Meridian supports the Authority's proposal.
<p>Q4.2 Do you agree the proposed amendment is preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objective in section 15 of the Electricity Industry Act 2010.</p>	Yes, Meridian agrees that the proposal is preferable to other approaches.
<p>Q4.3. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?</p>	Meridian agrees with the Authority's analysis.
<p>Q4.4. Do you have any comments on the drafting of the proposed amendment?</p>	No.

## Under frequency events – remove obligation on Authority to consult

Questions	Comments
<p>Q5.1. Do you support the Authority's proposal to amend clause 8.61(2) of the Code so that the Authority must only consult on under frequency events where the causer cannot be identified, or an alleged causer denies culpability?</p> <p>Please explain your answer</p>	Meridian supports the Authority's proposal.

<p>Q5.2 Do you agree the proposed amendment is preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objective in section 15 of the Electricity Industry Act 2010</p>	<p>Yes, Meridian agrees that the proposal is preferable to alternative option.</p>
<p>Q5.3. Do you agree with the analysis presented in this Regulatory Statement? If not, why not?</p>	<p>Meridian agrees with the Authority's analysis.</p>
<p>Q5.4. Do you have any comments on the drafting of the proposed amendment?</p>	<p>No.</p>