

## Electricity Industry (Exemption No.340 (Bluecurrent Assets NZ Limited)) Exemption Notice 2024

The Electricity Authority gives this Notice in accordance with section 11 of the Electricity Industry Act 2010 (“Act”) to enable Bluecurrent Assets NZ Limited (“Bluecurrent”) to participate in a trial involving multiple trading relationships, facilitated by Kāinga Ora and Ara Ake, which is aimed at reducing energy hardship for a defined group of vulnerable New Zealanders (“trial”).

### Notice

#### 1. Title and commencement

(1) This Notice is the Electricity Industry (Exemption No. 340 (Bluecurrent Assets NZ Limited)) Exemption Notice 2024.

(2) This Notice comes into force on the day after the date it is notified in the *New Zealand Gazette*.

#### 2. Exemption

(1) In respect of the ICPs in the trial, Bluecurrent is exempted from complying with the clauses of the Electricity Industry Participation Code 2010 (“Code”) listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier); and

(2) For the purposes of the trial, Bluecurrent is exempted from complying with the Code clauses listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier) in respect of no more than 200 residential ICPs that are notified to the Electricity Authority; and

(3) Unless specified otherwise, Bluecurrent is exempted from complying with the Code clauses listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier), provided that it complies with those Code clauses subject to and in accordance with the terms and conditions contained in Part 3 of this Notice.

**Table 1: Code clauses which Bluecurrent is exempted from complying with in the manner in which those Code clauses ordinarily apply (where there is a single ICP identifier)**

No.	Code clauses
1.	Clause 10.13 of Part 10
2.	Clause 10.22 of Part 10
3.	Clause 10.23A of Part 10
4.	Clause 10.48 of Part 10
5.	Clause 1 of Schedule 10.6 of Part 10
6.	Clause 2 of Schedule 10.6 of Part 10
7.	Clause 41(2)(d) of Schedule 10.7 of Part 10
8.	Clause 45 of Schedule 10.7
9.	Clause 11.8A(1) of Part 11
10.	Clause 1 of Schedule 11.4 of Part 11
11.	Clause 7 of Schedule 11.4 of Part 11

#### 3. Terms and conditions

Bluecurrent is exempted from complying with the Code clauses listed in Table 1 in the manner in which those clauses ordinarily apply (where there is a single ICP identifier), provided that it complies with those Code clauses subject to and in accordance with the following terms and conditions:

**Table 2: Terms and conditions that apply to Exemption No. 330 Bluecurrent Limited**

No.	Code clause(s) to which the condition relates (if applicable)	Terms and conditions
<b>General terms and conditions</b>		

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1.		In this Notice: a. "Primary ICP identifier" refers to the consumption ICP identifier; and b. "Secondary ICP identifier" refers to the export ICP identifier.
2.		For the purposes of Bluecurrent's participation in the trial and as the context requires references to the singular may include the plural, and vice versa, including in clauses 10.22, 10.23A and 41 of Schedule 10.7 (as specified in this Table 2).
3.		Bluecurrent will deal only with Wellington Electricity Lines Limited as the distributor for the purposes of the trial.
4.		Bluecurrent will deal only with an export retailer that holds the required exemption(s) to participate in the trial.
5.		For all ICPs that are intended to be part of the trial, and in respect of which Bluecurrent is the metering equipment provider ("MEP"), Bluecurrent will: a. notify the Electricity Authority of the ICP number; and b. confirm that the ICP number complies with all applicable terms and conditions in this Notice.
6.		Only the following metering installations will be used in the trial: a. a meter that is a Category 1 meter; and b. a meter that is not bridged; and c. a meter that complies with the Code; and d. a meter that will not require recertification during the trial; and e. a metering installation that does not have unmetred load or shared unmetred load.
7.		If Bluecurrent discovers that a metering installation does not comply with Condition 6, Bluecurrent will: a. notify the Electricity Authority within 30 days and remove the metering installation from the trial. In its notification to the Electricity Authority, Bluecurrent will state why the metering installation was removed from the trial; and b. notify Wellington Electricity Lines Limited so Wellington Electricity Lines Limited can recombine the ICPs and decommission the secondary ICP identifier.
8.		If, for the purposes of the trial, Bluecurrent identifies that it requires an exemption from an additional Code clause or that an existing exemption under this Notice requires modification, it will notify the Electricity Authority of the proposed amendment to this Notice, and the Electricity Authority will consider such amendment in accordance with section 11(4).
9.		Bluecurrent will notify the Electricity Authority immediately of any issues arising from the trial that the Authority may need to address urgently.

**Terms and conditions relating to exemptions in respect of clauses in Part 10 of the Code**

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10.	Clause 10.13, clause 10.48, clause 1 of Schedule 10.6	Bluecurrent will not modify any correct data from the register, in accordance with clauses 10.13, clause 10.48 and clause 1 of Schedule 10.6, so that such data can remain raw meter data within the definition of “raw meter data” in clause 1.1 of the Code.
11.	Clause 10.22	If, in accordance with clause 10.22, Bluecurrent ceases to be the MEP in respect of an ICP that is part of the trial, it will notify Wellington Electricity Lines Limited, the export retailer and the Electricity Authority, and that ICP will cease to be part of the trial unless another MEP that has been granted an exemption in respect of the trial assumes responsibility for the ICP.
12.	Clause 10.23A	If Bluecurrent is required to remove an ICP from the trial, Bluecurrent must ensure it removes the ICP from the trial before decommissioning a metering installation and, if applicable, before the primary identifier is decommissioned.
13.	Clause 10.48(3)	The references to “reconciliation participant” in clause 10.48(3) and (4), and clauses 34(5)(a) and 35(1)(a) of Schedule 10.7 will be read as “reconciliation participants at the ICP”.
14.	Clauses 1 and 2 of Schedule 10.6	Under clause 1 of Schedule 10.6, Bluecurrent will only provide information for the primary ICP to the consumption retailer and information for the secondary ICP to the export retailer.
15.	Clause 41(2)(d) of Schedule 10.7	Bluecurrent will note the existence of, and ICP identifier for, the secondary ICP on its records for the consumption metering installation and remove that note when the exemption expires.
16.	Clause 45 of Schedule 10.7	Bluecurrent will carry out its obligations under clause 45 of Schedule 10.7 in respect of the metering installation and, if any defects are found, will notify the secondary trader and will correct raw meter data relating to the secondary ICP identifier, if necessary.
<b>Terms and conditions relating to exemptions in respect of clauses in Part 11 of the Code</b>		
17.	Clause 11.8A(1)	For the purposes of the trial, the reference to “each metering installation” in clause 11.8A(1) will be read as “ICP identifier for each ICP involved in the trial”.
18.	Clause 1 of Schedule 11.4	If Bluecurrent seeks to change the meters involved in the trial, it will coordinate the meter change with the both the consumption retailer and the export retailer and update both ICPs in the registry.
19.	Clause 7 of Schedule 11.4	No. 2 of Table 1 of clause 7 of Schedule 11.4 will be read to require a sequential number that is unique to each ICP to identify the metering installation.
<b>Reporting to the Electricity Authority</b>		

20.		<p>To allow the Electricity Authority to assess the implications of the trial regarding policy development relating to multiple trading relationships and the Code, Bluecurrent will provide the Authority with a report every six months (“six-monthly report”) beginning on the date which is six months after the date on which this Notice takes effect. This will be one consolidated report produced in collaboration with Ara Ake, Kāinga Ora and any market participants granted exemptions in respect of the trial, and will include the information listed below:</p> <p>a. the number of ICPs in the trial at the date of the six-monthly report;</p> <p>b. aggregated volume information for the total number of ICPs involved in the trial at the date of the six-monthly report;</p> <p>c. any issues that have occurred or were raised since the last six-monthly report relating to trial participants (including consumers and market participants granted exemptions in respect of the trial), Ara Ake, Kāinga Ora, and any other market participants or observers not directly involved in the trial, and how these issues were managed;</p> <p>d. any information that may inform consideration of potential future Code changes, specific to the trial, or to multiple trading relationships more widely;</p> <p>e. a register which lists notifications from any other participant about the trial, including the substance of the notification and when the notification was received; and</p> <p>f. any other information that Bluecurrent considers relevant.</p>
<b>Termination</b>		
21.		<p>If Bluecurrent intends to terminate its involvement in the trial, it will give the Electricity Authority four months’ written notice of such intention to enable the Electricity Authority to revoke this and any other exemption relating to the trial in accordance with section 11(4) of the Act.</p>

**4. Term**

(1) This exemption expires on the earlier of the following:

- a. 30 June 2028; or
- b. the date on which the Authority determines that any breach of the terms and conditions of this exemption have not been rectified to the Authority’s satisfaction within a reasonable timeframe; or
- c. the date on which this Notice is revoked by the Electricity Authority in accordance with section 11(4) of the Act.

**5. Reasons for granting this exemption**

(1) The reasons for granting this exemption are:

- a. the trial requires a consumption retailer and an export retailer for each ICP involved in the trial;
- b. the trial requires two ICP identifiers for each ICP involved in the trial;
- c. the Code does not allow more than one trader at a single ICP or more than one ICP identifier at a single ICP;
- d. this exemption will provide a limited degree of regulatory relief to Bluecurrent so that it can participate in the trial;
- e. the Electricity Authority is satisfied that exempting Bluecurrent is not necessary for the purposes of achieving the Authority’s objectives under section 15 and/or better achieves the Authority’s objectives than requiring compliance because:

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- i. the exemption will have no effect on the Authority's ability to promote competition for the long-term benefit of consumers;
  - ii. the exemption will have no effect on the Authority's ability to promote reliability of supply;
  - iii. the exemption supports the Authority's ability to promote the efficient operation of the electricity industry by informing potential Code changes in an innovative area of policy design;
  - iv. the exemption enables the trial, which is aimed at reducing energy hardship for a group of vulnerable New Zealanders;
  - v. the trial involves an innovation that can be tested with a limited number of ICPs in a small geographic area of New Zealand;
  - vi. the trial invests government funding in renewable energy at properties owned by Kāinga Ora and represents an attempt to increase the uptake of renewable energy at residential properties; and
  - vii. the benefits of the trial could extend beyond public housing; and
- f. a five-year period will enable Kāinga Ora, Ara Ake and the Electricity Authority to obtain sufficient data to form a view as to the effectiveness of the trial and of multiple trading arrangements.

Dated at Wellington this 19th day of March 2024.

For and on behalf of the Electricity Authority:  
ANNA KOMINIK, Chair, Electricity Authority.

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