

10 September 2024

Electricity Authority  
Level 7  
AON Centre  
1 Willis Street Wellington

Via email: [ccc@ea.govt.nz](mailto:ccc@ea.govt.nz)

## Manawa Energy's Submission: Proposed Consumer Care Obligations

### Introduction

Manawa Energy (**Manawa**) welcomes the opportunity to provide a submission to the Electricity Authority (**Authority**) on the *Proposed Consumer Care Obligations* consultation paper (**Consultation Paper**).

Manawa is an independent power producer with a proven track record of investing in local and grid scale renewable generation. Manawa operates a diverse portfolio of 44 power stations across 25 hydro-electric power schemes, supplying around 5% of New Zealand's electricity needs. In addition to this Manawa also supplies around 600 Commercial and Industrial customers with electricity.

### Submission

Manawa is supportive of the Authority looking to mandate the existing Consumer Care Guidelines and welcomes this opportunity to provide feedback on the Consultation Paper.

As stated above, Manawa supplies a small number of Commercial and Industrial customers with electricity. While Manawa does not have any Customers<sup>1</sup> as defined in the Consultation Paper, through some account managed group contracts Manawa does supply a small number of Residential Consumers<sup>2</sup>, including a handful of Medically Dependent Consumers (**MDC**)<sup>3</sup>. The focus of this submission is therefore largely on the aspects of the Consultation Paper where Manawa is impacted by the requirements of retailers in relation to Residential Consumers and MDCs. Table 1 below summarises the relevant requirements.

Table 1: Summary of clauses from the Consultation Paper that Manawa would be required to comply with

Clause	Comment
Part 2, Clause 3: Consumer care policy	This requirement is not relevant to Manawa as there is no relationship between Manawa and Residential Consumers. Manawa's relationship is

<sup>1</sup> A residential consumer who has entered into a contract with a retailer for the supply of electricity to the residential consumer's premises, where the electricity supplied is used fully or partly for residential purposes.

<sup>2</sup> A person who uses electricity in respect of a residential premises.

<sup>3</sup> A residential consumer who depends on mains electricity for critical medical support, such that loss of electricity supply may result in loss of life or serious harm, including a residential consumer who depends on medical or other electrical equipment to support a medical treatment regime (which may include use of a microwave to heat fluids for renal dialysis and similar use of electrical equipment).

	<p>with the business customer of the Residential Consumer e.g. the owner of an apartment building.</p> <p>Manawa does not currently have a policy and developing one would not benefit Residential Consumers. Manawa suggests that this requirement be reworded to target Customers, as they are the ones that have contractual relationships with the Retailers and so a policy is appropriate.</p>
<p>Part 2, Clause 6: Customer-facing website requirements</p>	<p>Posting a consumer care policy on Manawa’s website is not appropriate for our customer base and may cause confusion given Manawa does not supply directly to Residential Consumers. As mentioned above, Manawa’s preference is that the requirement for the policy be directed at Customers. This should make the obligation for Manawa to publish a policy online not required.</p>
<p>Part 3, Clause 11: Declining to enter into a contract</p>	<p>Manawa currently declines all requests from Residential Consumers as we do not retail in that market. As discussed above, our supply to Residential Consumers is indirect through account managed group contracts.</p> <p>Manawa does not have experience in assisting Residential Consumers with support agencies or general advice and would be uncomfortable providing them with any information beyond directing them to an electricity plan comparison platform.</p> <p>Manawa’s processes are currently not compliant with the proposed clause and it wouldn’t be appropriate for these to be updated to comply. The clause should read, for example, “If a retailer <i>who markets Customers</i> decides not to enter into....”.</p> <p>If it is considered appropriate that a Commercial and Industrial retailer, such as Manawa, should provide some information to a Residential Consumer relating to, for example, an electricity plan comparison platform, then this should be covered in a separate clause.</p>
<p>Part 7, Clause 43: Disconnection of uncontracted premises</p>	<p>Manawa already complies.</p>

Part 7, Clause 44: Visiting to uncontracted premises	Manawa already complies.
Part 8: Obligations in relation to medically dependent consumers	Given Manawa does supply a handful of MDCs it is appropriate that Part 8 apply. Manawa already largely complies and will have processes in place for all of Part 8 by 1 January 2025.

As discussed in Table 1 above, Manawa sees that Part 2, Clause 3 of the proposed obligations needs to be changed to target Customers, not Residential Consumers. A consumer care policy is not relevant to a consumer unless it has a contract with a Retailer. Whilst it would not be much work for Manawa to create a policy and publish it on its website, it wouldn't be appropriate. It would be confusing for Residential Consumers looking for a retailer as it would give the impression that Manawa might contract with them. Manawa also sees that Part 3, Clause 11 also needs to be reworded to target retailers with Customers as it is not appropriate for a Commercial and Industrial retailer to be providing advice to Residential Consumers in relation to matters that it has no experience with.

Finally, if the Authority is in disagreement with Manawa's interpretation and sees that Manawa does in fact hold Customers, as defined in the Consultation Paper, then it is requested that an exemption clause be included. Manawa does not comply currently with the proposed obligations beyond the clauses detailed in Table 1, and nor would it have the ability to comply. Discussions with the Authority have previously indicated that it would not be appropriate for a Commercial and Industrial retailer to comply, and Manawa therefore looks forward to receiving confirmation of this interpretation.

If you have any questions regarding the content of this submission, please contact Grace Burtin, Regulatory Manager.