

From: [Andrew Millar](#)
To: [Luke Archer](#)
Cc: [Ritchie Hutton](#); [Jenna Bernstein](#); [Paul Sullivan](#)
Subject: RE: Catch-up on electricity retail market competition [CCNZ-IMANAGE.FID371436]
Date: Tuesday, 10 October 2023 2:16:00 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Kia ora Luke,

Thanks for the email, and nice to meet you and Jenna.

We're also keen to meet. Time is a little tight this week; do you happen to free between 2 pm and 3 pm on Thursday?

Ngā mihi

Andrew

From: Luke Archer [s9\(2\)\(a\)](#)
Sent: Monday, October 9, 2023 5:57 PM
To: Andrew Millar [s9\(2\)\(a\)](#)
Cc: Ritchie Hutton [s9\(2\)\(a\)](#); Jenna Bernstein [s9\(2\)\(a\)](#)
Subject: RE: Catch-up on electricity retail market competition [CCNZ-IMANAGE.FID371436]

Kia ora Andrew

Thanks for your email – as you know, Ritchie has been travelling and also has a little bit more leave this week so has asked me to come back to you. Our team – Competition Investigations – enforces various aspects of the Commerce Act, including section 36 (misuse of market power).

As you're probably aware, we've recently received complaints from independent retailers under section 36 of the Act, alleging various anticompetitive conduct by the gentailers (some of these have been [reported by the media](#)). We are in the process of undertaking enquiries into these complaints with a view towards deciding whether or not to open an investigation. We have already been in touch with various people at the EA about these complaints (and other, similar matters) – we've spoken to Doug Watt about the EA's retail margin/internal transfer pricing work, as well as Murray Nash and Jo Goudie about the OTC working group and independents' access to the ASX.

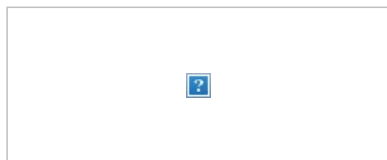
As we understand was discussed at the EA/Commission Board meeting, we're also really interested in the work that the EA is about to kick off in respect of competition in the wholesale market. We reviewed the briefing paper before the joint Board meeting and are keen to discuss what the EA has planned as well as what type of involvement we at the Commission can have going forwards.

As a starter, we're free for a Teams call:

- Wednesday 11th October 1-2pm;
- Thursday 12th October 11-12pm; or
- Friday 13th October 1:30-2:30pm.

Look forward to hearing from you soon.

Ngā mihi nui
Luke



Luke Archer ([he/him](#))

Principal Investigator

Commerce Commission | *Te Komihana Tauhokohoko*

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[s9\(2\)\(a\)](#)

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From: Andrew Millar [s9\(2\)\(a\)](#)
Sent: Friday, October 6, 2023 4:48 PM
To: Ritchie Hutton [s9\(2\)\(a\)](#)
Subject: Catch-up on electricity retail market competition

You don't often get email from s9(2)(a) . [Learn why this is important](#)

Kia ora Ritchie,

My name is Andrew Millar, and I'm the relatively new GM of Market Policy here at the Electricity Authority.

At our two-monthly catch-up between the EA and the Commission earlier this week, we outlined some early work that we are undertaking looking at competition in the electricity retail market, specifically the interface with the wholesale market.

We discussed how the Commission could be involved in this work, and there was agreement from both the Commission and the EA that close involvement would be beneficial.

Antonia and Andy both suggested that you would be a good point of contact for this work (the perils of going on leave!), so I wanted to get in touch to organise a time to catch up so that we could involve you in our early thinking.

I'm sure that you'll have a few emails to work through, but when you are ready, please let me know what time might work for you.

Ngā mihi

Andrew

Andrew Millar
General Manager Market Policy

s9(2)(a)



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