

10 December 2024

s9(2)(a)

Tēnā koe s9(2)(a)

Your request

Thank you for your request, received on 1 October 2024, under the Official Information Act 1982 (the OIA) for the following information:

1. “A list of external consultants and/or contractors engaged by the Authority on the Risk Management Review (including consultants engaged on other work who are also working on the risk management review), the purpose for which they were engaged, and fees, for the period from 1 January 2024 to 1 October 2024.
2. Correspondence between the Authority and the Commerce Commission relating to the current risk management review including emails, letters, summary documents briefings and presentations in relation to:
 - a. substantive matters in the conduct of the review such as (but not limited to) terms of reference, scope of the review, assumptions, as well as updates on progress.
 - b. the complaint which the Commerce Commission referred to the Electricity Authority alleging abuses of market power, which is referred to in this NBR article from December last year <https://www.nbr.co.nz/business/comcom-passes-competition-complaint-to-electricity-authority/>
3. A list of all meetings between the Authority and industry participants where the risk management review was the subject, and any summaries of those meetings from the start of the risk management review to 1 October 2024.
4. All correspondence between the Authority and the Minister of Energy between 1 January 2024 and now, including but not limited to emails, briefings, aide memoires, minutes, regular/weekly updates, talking points, etc. in relation to the risk management review, competition issues and market power issues.”

On 30 October 2024, the Authority responded to parts 1,3 and 4 of your request and extended the time frame for request 2 until 11 December 2024. The Authority also directed you to some correspondence within scope of part 2 of your request which is published on our website. This letter refers to the outstanding information within scope of part 2 of your request.

Part 2 of your request

Public information

The Authority has published updates on the progress of the review that relates to your request on its project page: [Risk management review](#)

One of the documents published is the [Programme initiation document](#) which contains information related to part 2 (a) of your request.

Consultation on our preliminary findings closes on 18 December and we will be publishing submissions on our project page.

Other documents

The Authority has identified 50 documents in scope of your request:

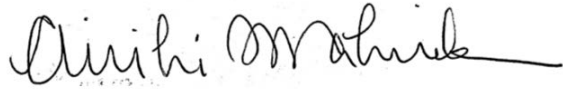
- 32 documents are attached. Some information in these documents is redacted as it is out of scope or under:
 - Section 9(2)(a) of the Act to protect the privacy of natural persons
 - Section 9(2)(b)(ii) of the Act to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
 - Section 9(2)(ba)(i) of the Act protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
 - Section 9(2)(g)(i) of the Act to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
- 18 documents are being withheld in their entirety under section 9(2)(g)(i) of the Act to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

I am satisfied, in terms of section 9(1) of the OIA, that the need to withhold the information referred to above is not outweighed by other considerations that render it desirable, in the public interest, to make the information available.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact us by emailing oiia@ea.govt.nz.

Nāku noa, nā,

A handwritten signature in black ink, appearing to read "Airihi Mahuika". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Airihi Mahuika

GM Legal, Monitoring and Compliance