

**From:** Julia Hall  
**Sent:** Thursday, 20 June 2024 4:44 pm  
**To:** Jenna Bernstein; Rob Bernau  
**Cc:** Nicole Copeland; Marette Morrissey; Luke Archer  
**Subject:** RE: Information sharing Comcom/EA - OIA requests [CCNZ-IMANAGE.FID404569]

Thank you! I can confirm I have set up Box.com and can see the documents

From: Jenna Bernstein <§9(2)(a)>  
Sent: Wednesday, June 19, 2024 4:47 PM  
To: Julia Hall <§9(2)(a)> Rob Bernau <§9(2)(a)>  
Cc: Nicole Copeland <§9(2)(a)> Marette Morrissey  
<§9(2)(a)> Luke Archer <§9(2)(a)>  
Subject: Information sharing Comcom/EA - OIA requests [CCNZ-IMANAGE.FID404569]

Kia ora Julia and Rob

As you know, we recently received an OIA request §9(2)(ba)(i) for “a set of materials that summarises the recent work undertaken by Competition Branch staff relating to competition in the electricity sector (since approximately the beginning of 2022), including staff papers and Commerce Act Division papers.”

We think it would be useful to share the documents released under this OIA with the EA (with confidential information relating to the gentailers redacted). You already have access to documents 11 and 12, but we have provided them for completeness. We are providing these documents using the information sharing powers under section 99AA of the Commerce Act 1986, which allows the Commission to share information with other public sector agencies and statutory entities. We consider this information may assist the EA in the performance or exercise of its functions, powers or duties under the Electricity Industry Act 2010.

Regarding section 99AA(2)(b)

<<https://www.legislation.govt.nz/act/public/1986/0005/latest/LMS691687.html>> of the Commerce Act and the Commission being satisfied that appropriate protections are in place for the purpose of maintaining the confidentiality of anything provided, we impose the following conditions under section 99AB to protect confidentiality: adherence to the confidentiality conditions as outlined in the April 2024 MOU <[https://comcom.govt.nz/\\_\\_data/assets/pdf\\_file/0029/60788/Electricity-Authority-memorandum-of-understanding-16-April-2024.pdf](https://comcom.govt.nz/__data/assets/pdf_file/0029/60788/Electricity-Authority-memorandum-of-understanding-16-April-2024.pdf)> between the Commission and the EA, and a condition that, if the

EA receives an OIA request where any of these documents are in scope, you will consult us or transfer the OIA request to us to respond to.

You will shortly receive an invitation email directly from Box.com that you will have to accept before you can gain access to the documents provided to you. If you do not receive the invitation in your inbox, please check your junk folder. The only people who can access the documents from the Box.com link are to two of you (Julia and Rob). If other people require access, please let us know their email address and we can arrange access.

Ngā mihi nui

Jenna/Luke

Jenna Bernstein

Investigator - Competition

Commerce Commission | Te Komihana Tauhokohoko

55 Shortland Street | PO Box 105-222 | Auckland 1143 | New Zealand

s9(2)(a) <mailto:s9(2)(a)>

www.comcom.govt.nz <<http://www.comcom.govt.nz/>>

This email may contain information that is confidential or legally privileged. If you have received this email in error please immediately notify the sender and delete the email, without using it in any way. The views presented in this email may not be those of the Commission.