

Notice Under Regulation 16 of the Electricity Industry (Enforcement) Regulations 2010

Date	13 March 2025
Addressee	Genesis Energy Limited
Subject	Genesis Energy Limited self-reported a breach that it had breached Part 13 clause 13.82(2) and Part 13 clause 13.82(3) of the Code on 26 January 2024, when it failed to comply with dispatch instructions relating to Huntly Unit 5 generation station and also failed to immediately advise the system operator of the circumstances for not complying with the dispatch instruction.
Investigator	Investigator appointed under Regulation 12 of the Electricity Industry (Enforcement) Regulations 2010 (Regulations)
Notifying industry participant	Genesis Energy Limited
Clauses allegedly breached	Part 13 clause 13.82(2) and Part 13 clause 13.82(3) of the Electricity Industry Participation Code 2010 (Code).
Circumstances of alleged breaches	<p>Genesis is alleged to have breached clause 13.82(2) when it failed to comply with a dispatch instruction issued at 6:05 am, 7:00am, 7:05am and 7:10am on 26 January 2024.</p> <p>Genesis is also alleged to have breached clause 13.82(3) when it failed to immediately advise the system operator that it could not comply with the dispatch instruction issued at 6:00am and at 7:00am where the reason for not complying with a dispatch instruction is due to a risk to personnel or plant safety.</p> <p>Both alleged breaches relate to plant safety that meant that the Huntly power station Unit 5 could not be ramped up from the current operating generation capacity to meet its submitted generation offer and the issued dispatch instructions. Additionally, the issues that Genesis were facing around the plant safety were not communicated to the system operator or reflected in revised offers within the gate closure window.</p>

Date and time of alleged breaches

from 26/01/2024 06:05 am - 26/01/2024 07:18 am

Please note, under Regulation 16 of the Regulations, you are obliged to respond to this allegation, in writing, to the investigator within 10 working days of receipt of this notice (unless the investigator allows, in writing, a longer period).

Please provide your response to this allegation, or request a longer period to respond, via the Authority's Compliance portal by clicking [here](#) ↗ .

Include the following in your response:

- Whether you believe you have breached the Code
- Whether there is another provision you consider more accurately describes the nature of the event
- A full explanation of the circumstances surrounding the alleged breaches
- Identification of any information provided in your response that you consider confidential and that should not be included in the investigator's report under Regulation 19 of the Regulations (Regulation 15(2) of the Regulations). If your response includes confidential information, please provide a second copy where the confidential information has been redacted in case your response needs to be shared with any other parties.

Notice Under Regulation 17 of the Electricity Industry (Enforcement) Regulations 2010

Investigation of alleged breach of the Electricity Industry Participation Code 2010 by Genesis Energy Limited

On 7 March 2024, Genesis Energy Limited reported to the Authority that it had breached Part 13 clause 13.82(2) and Part 13 clause 13.82(3) of the Electricity Industry Participation Code 2010 (Code).

On 5 March 2025, the Authority appointed an investigator to investigate the alleged breaches under Regulation 12 of the Electricity Industry (Enforcement) Regulations 2010 (Regulations).

Under Regulation 16, the investigator must promptly notify the industry participant alleged to have breached the Code of the allegations that are being investigated. On 13 March 2025, the investigator gave Genesis Energy Limited such notice.

Under Regulation 17, at the same time as the investigator sends a notice under Regulation 16, the investigator must publicise the information about the matter under investigation, including the content of the notice given under that regulation. This notice publicises the information about the matter under investigation, and a copy of the notice given under Regulation 16 is attached.

Any participant that considers it is affected by the matter being investigated and that wishes to become a party to this investigation, should notify the investigator within 10 working days after the date on which this notice is published (by 5pm, 27 March 2025).

The investigator can be contacted, citing the reference **2403GENE1** in the subject line, by email at compliance@ea.govt.nz, or at:

Compliance Investigator
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