

# Appendix A Template for Submissions

To assist Gas Industry Co in the orderly and efficient consideration of submitters' responses, a suggested format for submissions has been prepared an electronic copy of which is available on our website. This is drawn from the questions posed throughout this Consultation Document. Submitters are also invited to include any other comments in their responses to this Consultation Document.

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Could you please provide comment as to whether you agree with the amendment proposals? If not, please indicate which specific proposal or proposals you disagree with and provide reasons why.

PROPOSAL	COMMENT
Q1: The proposal to amend regulation 10(2) to remove the words 'by other means'.	Agree
Q2: The proposal to amend regulation 11 so that the heading refers to 'certain service providers'.	Agree
Q3: The proposal to clarify that the notice requirements in regulation 12(1)(b) apply to the notice issued under regulation 13(1).	Agree
Q4: The proposal to amend regulations 13(2) and (3) so that a participant becomes a party to a breach and not a breach notice.	Agree
Q5: The proposal to include the industry body as a party from who information can be sought, and to who will be provided with all notices and documents that are circulated to industry participants, and parties joined.	Agree
Q6: The proposal to amend regulation 19(1)(k) to include reference to orders of the Rulings Panel.	Agree
Q7: The proposal to amend the mandatory requirement on the Allocation Agent and Gas Registry Operator to agree to a settlement under regulations 21 and 32.	It would seem more efficient that where the Allocation Agent or Gas Registry Operator alleges a breach, the <b>default</b> position should be that they are excluded from involvement in the settlement process unless, like any other participant, they choose to join the breach and be part of the settlement.
Q8: The proposal to amend regulation 46 to remove the requirement for the Investigator who investigated the alleged breach to speak to his or her report if requested by the Rulings Panel.	Agree

PROPOSAL	COMMENT
Q9: The proposal to delete wording in regulation 49 to ensure correct cross-referencing.	Agree
Q10: The proposal to remove the references to 'internet site' from regulations 81(4), 82(2) and (4) and 83(2).	Agree
Q11: In relation to the proposal to include a new power for the Market Administrator and Investigator to amend breach notices in very limited circumstances.	Agree
Q12: The proposal to include a new power for the Market Administrator and Investigator to be able to consolidate breach notices in very limited circumstances.	Agree
Q13: The proposal to modify the interrelationship between the definition of participant, the Gas Governance (Critical Contingency Management) Regulations 2008, and the notice requirements in regulation 13.	Agree
Q14. The proposal to include a new provision that would enable a participant to join a matter at a later stage than the Regulations currently provide for under regulation 13.	<p>While we agree that a participant should be able to apply to the investigator to join a breach after it is referred to the investigator, the second paragraph on page 12 of the consultation paper also includes the words "Rulings Panel" which we assume is a typographical error.</p> <p>We also agree that there should be 'valid grounds' in order to avoid any uncertainty for the participant in breach and the investigator while trying to reach a settlement.</p>
Q15 The proposal to include a new threshold regime for otherwise mandatory reporting of alleged breaches by the Allocation Agent and the Gas Registry Operator.	Contact supports a threshold regime to reduce the distraction of responding to minor technical breaches which are almost always determined as not material.
STATUTORY CLASSIFICATION	COMMENT
Gas Industry Co is seeking submissions on whether or not submitters see the proposal to introduce a threshold regime as a minor change that will not adversely affect the interests of any person in a substantial way, and thus is an amendment that properly falls under section 43N(3).	Contact considers the introduction of a threshold regime would be a minor change which would not adversely affect the interests of any person in a substantial way, and accordingly it would properly fall under section 43N(3).