

Gas (Switching Arrangements) Rules 2008 (Exemption: Retailer Switch Notice Response Timeframes) Notice 2010

Pursuant to rule 90 of the Gas (Switching Arrangements) Rules 2008, Gas Industry Company Limited ('Gas Industry Co'), as the industry body appointed pursuant to s43ZL of the Gas Act 1992, gives the following notice.

Notice

1. Title and commencement

- (a) This notice is the Gas (Switching Arrangements) Rules 2008 (Exemption: Retailer Switch Notice Response Timeframes) Notice 2010.
- (b) This notice comes into force on 1 March 2010.

2. Interpretation

- (a) In this notice, Rules means the Gas (Switching Arrangements) Rules 2008 made by the Minister of Energy under sections 43F, 43Q and 43S of the Gas Act 1992 by notice published in the New Zealand Gazette, as may be amended from time to time.
- (b) Any term that is defined in the Rules and used, but not defined, in this notice has the same meaning as in the Rules.

3. Transitional exemption

Retailers are exempted from the requirements under rules 78.1 and 81.1 to respond to gas switching withdrawal notices or switch reading renegotiation notices within two business days, subject to the following terms and conditions:

- (a) under rule 78.1, the recipient retailer must give the registry a gas switching withdrawal response notice within five business days after receiving a gas switching withdrawal notice;
- (b) under rule 81.1, the recipient retailer must give the registry a switch reading renegotiation response notice within five business days after receiving a switch reading renegotiation request notice; and
- (c) the exemption expires on 28 February 2012.

4. Reasons for granting the transitional exemption

The reasons for granting the transitional exemption are as follows:

- (a) During the implementation of the Rules, it became apparent that registry participants were unlikely to be in a position to comply with the response timeframes specified in rules 78.1 and 81.1.
- (b) A transitional exemption extending the response timeframes from two business days to five business days in rules 78.1 and 81.1 was granted prior to go-live to enable the information for responses to gas switching withdrawal notices or switch reading renegotiation notices to be obtained and be of a better quality.
- (c) The extended response timeframes have not materially affected the timeliness of switches or the switching process under the Rules and have provided benefits to both consumers and registry participants.
- (d) The original exemption has expired and it is appropriate to grant a replacement exemption to ensure that registry participants are able to continue to respond meaningfully to gas switching withdrawal notices and switch reading renegotiation notices.
- (e) The terms of this exemption will align the response timeframes in rules 78.1 and 81.1 with the equivalent provisions in the Electricity Governance Rules., providing consistency across consumer fuel choices.

DATED at Wellington this day of February 2010.

For and on behalf of Gas Industry Company Limited:

CHRISTINE SOUTHEY, Chief Executive.