

Appendix D Recommended Format for Submissions

To assist Gas Industry Co in the orderly and efficient consideration of stakeholders' responses, a suggested format for submissions has been prepared. This is drawn from the questions posed in the body of this Consultation Paper. Submitters are also free to include other material on the exemption application in their responses.

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Question	Comment
<p><i>Q1: Do participants agree with the proposed approach (currently adopted by Jade and Gas Industry Co) to disregard NEW, DST and RET breaches on the maintenance breach report)? Should alternative arrangements be put in place for assessing compliance with these rules or is it sufficient for breaches to be alleged on an ad hoc basis as they arise?</i></p>	<p>Mighty River Power agree that the proposed approach to disregard NEW, DST and RET breaches on the maintenance breach report. Mighty River Power believes that where participants feel there have been some adverse effects and non compliance they are able to submit a breach allegation. We believe this sufficient and do not feel any alternative arrangements to assess these breaches is required.</p>
<p><i>Q2: Do participants believe that further automating the production of breach reports and notices, and the inclusion of extra information, would be beneficial in the longer term?</i></p>	<p>Mighty River Power believes that automating the breach reports and notices would be beneficial in the long term. This would require less action and investigation by retailers as well as less action from the Gas Industry Corporation as it eliminates breaches with little or no affect on the market or other participants.</p>
<p><i>Q3: Do participants have any further suggestions for the enhancement of the compliance process or to reduce the compliance burden (assuming that changes to the Compliance Regulations will not be progressed in the near future)?</i></p>	<p>Mighty River Power has no further suggestions as to how to enhance the current compliance process.</p>

Question	Comment
<p><i>Q4: Do participants support the proposed amendment to the registry which would remove the option to re-submit a GNW if the first GNW request were rejected? Do participants agree that following receipt of a GAN or GTN the option to request a switch withdrawal should be re-opened and unlimited withdrawal requests should be allowed?</i></p>	<p>Mighty River Power supports the proposed amendment to allow one GNW to be sent at the initial stage of a switch. If this is rejected by a retailer a GAN is required before subsequent GNW files are sent. We believe it is important that there is no limit to the amount of GNW files that can be sent as long as the switch is completed within the 23 day timeframe. Mighty River Power believes that responsibility should lie on retailers to interact with each other to resolve any GNW disputes. However in cases where GNW's are not being accepted we think the GIC needs to work with retailers to create guidelines for participants to ensure the process is working as intended. If these guidelines do not work then participants should breach each other to stop switch delays from occurring.</p>
<p><i>Q5: If the registry is amended as per the proposal do participants consider that this gives effect to the purpose of rule 78.5? In conjunction with this change, would it be appropriate for Gas Industry Co to issue a blanket exemption or a guideline note to amend or clarify the purpose of the rule?</i></p>	<p>Mighty River Power believes if the changes are made to the registry as per the proposal it does give effect to the purpose of rule 78.5. If the registry is amended Mighty River Power believes that the Gas Industry Corporation is clarifying rule 78.5 to mean "one GNW can be sent once prior to a GAN and unlimited GNW files can be sent post a GAN file". We do not believe further clarification or guideline notes are required to clarify the purpose of this rule.</p>
<p><i>Q6: In the longer term do participants feel that it is necessary for a rule change to clarify rule 78.5?</i></p>	<p>As per above Mighty River Power do not believe a rule change is required to rule 78.5 if clarification of the rule is "one GNW can be sent once prior to a GAN and unlimited GNW files can be sent post a GAN file".</p>
<p><i>Q7: Do participants agree that a change is necessary to the method used by the registry for calculating days overdue where non-business days are involved? Would participants prefer that breaches which are 'zero' business days overdue not be reported or that the count of days overdue for such breaches be the number of calendar days?</i></p>	<p>Mighty River Power does prefer that breaches with an overdue date of zero are not reported. We feel that no other changes to the calculation of days are required.</p>
<p><i>Q8: Do participants agree that it is sufficient to rely on manual reporting of potential breaches of rule 72.2 or is there a preference for the registry to be amended to automatically flag where an actual switch date falls after a requested switch date?</i></p>	<p>Mighty River Power agrees that the registry should not be reporting on breaches of rule 72.2. Manual breach allegations should be lodged by participants where they feel there is significant impact. Doing this will reduce administration work currently involved with responding numerous breach requests by the registry that are found to be non material and have no effect on other participants. GIC need to be aware that this could <u>possibly</u> conflict with regulation 11.1 of the Gas Governance Regulations.</p>