



Transitional Exemptions under the Gas (Switching Arrangements) Rules 2008

Date issued: 4 December 2008
Submissions close: 18 December 2008





About Gas Industry Co.

Gas Industry Co was formed to be the co-regulator under the Gas Act.

As such, its role is to:

- recommend arrangements, including rules and regulations where appropriate, which improve:
 - the operation of gas markets;
 - access to infrastructure; and
 - consumer outcomes;
- administer, oversee compliance with, and review such arrangements; and
- report regularly to the Minister of Energy on the performance and present state of the New Zealand gas industry, and the achievement of Government's policy objectives for the gas sector.

Authorship

This paper was prepared by Malay Shah of Gas Industry Co.

Submissions close: 18 December 2008

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Introduction

1.1 Background

The Gas (Switching Arrangements) Rules 2008 (the “Switching Rules”) set out arrangements for the timely and efficient switching of gas customers from one retailer to another. A key element in the arrangements is the establishment of a central gas registry of ICP based information relevant to consumer switching. The registry is to be developed and operated by a Registry Operator.

The Switching Rules provide for transitional exemptions from the Switching Rules to be granted to any registry participant. Transitional exemptions provide a means for assisting the effective implementation and operation of the Switching Rules. They may cover situations such as transitional issues related to establishing or interacting with the gas registry, or temporary workarounds until potential changes to the Switching Rules can be considered and implemented.

1.2 Purpose of consultation

Gas Industry Co has received a number of applications from registry participants for transitional exemptions under the Switching Rules. While consultation is not formally required under the Switching Rules, given that granting transitional exemptions may have material impacts on other participants, Gas Industry Co wishes to provide an opportunity for registry participants and other persons to provide feedback on the transitional exemptions proposed in this consultation paper.

The purpose of this consultation paper is to ascertain stakeholder views and information on the exemptions sought. Participants who have applied for the exemptions concerned are also welcome to provide a submission on that exemption. Submissions received will help inform Gas Industry Co’s consideration of the exemptions sought and ensure that all relevant factors are appropriately taken into account. Following consideration of the submissions received, Gas Industry Co will determine whether or not to grant the exemptions sought in accordance with the Switching Rules.

Gas Industry Co notes that this consultation only addresses applications already received for exemptions related to the timeframes in which registry participants must enter information in the gas registry. Applications for exemptions received regarding broader issues under the Switching Rules will be consulted on separately by Gas Industry Co.

1.3 Submission requirements

Gas Industry Co invites submissions on the transitional exemptions addressed in this paper. Specific matters on which submissions are sought are set out in the body of the paper, and a suggested format for submissions is set out in the template in appendix A.

The closing time for submissions is 5:00pm on Thursday, 18 December 2008. Please note that submissions received after this date may not be able to be considered.

Gas Industry Co's preference is to receive submissions in electronic form (Microsoft Word format or PDF) with "Submission on Transitional Exemptions under the Gas (Switching Arrangements) Rules 2008" in the subject header to submissions@gasindustry.co.nz. Paper copies may also be posted to:

Malay Shah
Gas Industry Co
PO Box 10-646
Wellington

Gas Industry Co will acknowledge receipt of all submissions electronically. Please contact Malay Shah if you do not receive electronic acknowledgement of your submission within two business days.

Gas Industry Co values openness and transparency and, therefore, submissions will generally be made available to the public on Gas Industry Co's website. Submitters should discuss any intended provision of confidential information with Gas Industry Co prior to submitting the information.

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Transitional Exemption Framework

2.1 Transitional exemptions under the Switching Rules

The Switching Rules provide for Gas Industry Co, as the industry body, to exempt a registry participant from complying with one or more of the Switching Rules subject to certain conditions. A transitional exemption application must apply for a specified period and must also set out alternative arrangements for complying with the rules concerned. If a transitional exemption is granted, notice must be given to the affected registry participant(s). Gas Industry Co will also publish all transitional exemptions granted under the Switching Rules on its website. Rule 90 provides the following:

- 90.1** A **registry participant** may apply in writing to the **industry body** for a transitional exemption from complying with one or more of these **rules**.
- 90.2** A transitional exemption applies for a period set out in the exemption and must set out alternative arrangements for complying with one or more **rules**.
- 90.3** In the application, the **registry participant** must set out the rule or rules from which it seeks an exemption, the detailed reasons for the exemption, the period for which the exemption is applied and the alternative arrangements proposed for compliance with the rules.
- 90.4** If, after considering the reasons, the **industry body** is satisfied that a transitional exemption should be granted, the **industry body** must by notice in writing grant the transitional exemption to the **registry participant** which, in addition to stating the alternative arrangements that will apply, may be subject to such other conditions as the **industry body** thinks fit.

2.2 Evaluation criteria

The Switching Rules do not provide any express criteria for consideration prior to the granting of a transitional exemption. Nevertheless, it is desirable for criteria to be established to enable transitional exemption applications to be considered in a consistent manner. The criteria Gas Industry Co has adopted for considering transitional exemption applications under the Switching Rules are based on

the criteria set out in the information paper 'Dealing with Exemptions under the Downstream Reconciliation and Switching Rules'¹ and applied as follows:

Criterion	Source	Evaluation
Consumer choice of retailer is enabled	Rule 3 (Purpose)	<ul style="list-style-type: none"> The extent to which the exercise of consumer choice is enabled, or barriers reduced
Efficient and satisfactory switching outcomes	Rule 3 (Purpose)	<ul style="list-style-type: none"> The extent to which the process of switching retailers is made more efficient and timely The extent to which a successful switch is achieved (ie, one which meets the reasonable expectations of a consumer)
Transitional nature of exemption	Rule 90 (Transitional Exemption)	<ul style="list-style-type: none"> A demonstrated inability to comply with a rule for reasons which are temporary (ie will be corrected or overcome by a defined time) and which will exist despite genuine attempts to comply (ie, are not the result of a wilful intent to avoid compliance or inadequate attempts to achieve compliance) An alternative arrangement is defined for meeting the intended objective of the rule for which the exemption is sought which is practicable (ie, fit for purpose), consistent with effectively achieving the purpose of the Switching Rules and which is considered to be fair to other registry participants

Other information may be considered when evaluating an exemption application, although such considerations should not over-ride the application of the criteria set out above. Information of this type may include the extent to which:

- there are relevant precedents from prior decisions;
- the underlying issue affects a number of participants rather than just the applicant;
- granting the exemption affects overall industry costs or the timing of establishment or ongoing operations of the gas registry;
- granting the exemption affects the compliance regime under the Gas Governance (Compliance) Regulations 2008;
- granting the exemption affects downstream reconciliation processes under the Gas (Downstream Reconciliation) Rules 2008; or
- granting the exemption affects the critical contingency management processes under the Gas (Critical Contingency Management) Regulations 2008.

¹ Available on the Gas Industry Co website at the following address:
http://gasindustry.co.nz/Downloads/Inform%20paper%20on%20exemptions_148798.2.pdf

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Transitional Exemptions Sought

3.1 Retailer switch notice response timeframes

In the process of implementing the Switching Rules, retailers have raised a number of issues regarding the arrangements set out for certain switch notice response timeframes. In particular, retailers must:

- respond to a gas switching withdrawal notice within two business days with a gas switching withdrawal response notice (as required by rule 78.1); and
- respond to a switch reading renegotiation notice within two business days with a switch reading renegotiation response notice (as required by rule 81.1).

The table below lists the transitional exemption applications received regarding this issue. Full copies of each application are presented in appendix B.

Application ID	Participant	Date Received
SW08-01-T	Mighty River Power (MEEN)	02/09/2008
SW08-02-T	Energy Online (GEOL)	04/09/2008
SW08-04-T	Auckland Gas Company (AGCL)	05/09/2008
SW08-05-T	Bay of Plenty Energy (BOPE)	05/09/2008
SW08-06-T	Nova Gas (GNVG)	10/09/2008
SW08-07-T	Energy Direct NZ (EDNZ)	11/09/2008
SW08-08-T	Genesis Energy (GENG, GEND)	11/09/2008
SW08-09-T	OnGas (GNGC)	29/09/2008
SW08-10-T	Contact Energy (CTCT)	29/09/2008
SW08-12-T	Greymouth Gas (GMTH)	10/10/2008
SW08-13-T	E-Gas (EGAS, EGLT)	16/10/2008

Exemptions sought and summary of reasons

All eleven gas retailers have sought transitional exemptions from the obligations under rules 78.1 and 81.1 to respond to gas switching withdrawal or switch reading renegotiation notices within two

business days. Retailers have submitted nearly identical exemption applications (in terms of exemptions sought, rationale and suggested terms) proposing a response timeframe of five business days until such time that a formal proposal for changing the Switching Rules is made and considered.

Applications note that it generally takes longer than two business days to locate and communicate with affected customer(s) and respond appropriately to gas switching withdrawal and switch reading renegotiation notices. Furthermore, dual fuel (gas and electricity) retailers note that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days. Aligning the regulatory requirements for these retailers ensures consistency is maintained between consumer expectations as well as retailer business processes across energy products and services.

Additional information

In the longer term, Gas Industry Co proposes to address this issue via the consideration of potential amendments to the Switching Rules. However, in the interim, Gas Industry Co's preliminary view is that if a transitional exemption is granted, it should be subject to the following terms and conditions:

- retailers must comply with rules 78.1 and 81.1, except that they may respond within five business days instead of two as set out in the Switching Rules;
- the exemption granted applies from 1 March 2009 to 28 February 2011 (two calendar years); and
- the gas registry will continue to calculate and report 'breaches' of the rules as written (ie, two business days), but only breaches of the extended timeframes granted under the exemption (ie, five business days) are actual rule breaches for the purposes of the compliance regime.

Issues for consideration

In respect of the evaluation criteria for transitional exemptions set out in section 2.2, Gas Industry Co's preliminary view is that:

- granting the exemption is consistent with the purpose of the Switching Rules (enabling consumers to alternate efficiently and satisfactorily between competing retailers) by providing adequate timeframes for retailers to confirm customer requests to cancel switches or change switch readings;
- in this instance, alignment of the regulatory frameworks across gas and electricity retailing is a reasonable consumer expectation;
- granting the exemption is fair to other registry participants because both the exemption and the proposed future rule change are supported by applications from each gas retailer; and
- the alternative arrangement set out above is a "fit for purpose" arrangement until such time as a proper review of the Switching Rules can be undertaken.

Do submitters agree with this initial assessment of these matters?

Q1: Do submitters have any comments on the transitional exemption applications regarding retailer switch notice response timeframes from gas retailers?

3.2 ICP parameter entry timeframes

In the process of implementing the Switching Rules, distributors have raised some issues regarding the arrangements set out for entering ICP information for newly created ICPs. The table below lists the transitional exemption applications received regarding this issue. Full copies of each application are presented in appendix B.

Application ID	Participant	Date Received
SW08-03-T	Powerco (POCO)	04/09/2008

Exemption sought and summary of reasons

The distributor listed above has sought an exemption from the requirement in rule 51.3 that a distributor must enter certain information in the registry within **two** business days of receiving confirmation that a new consumer installation is first connected to its distribution system. The applicant suggests that a more appropriate timeframe for compliance with the obligations under rule 51.3 be **ten** business days until such time that a formal proposal for changing the timeframe under rule 51.3 is made and considered.

An exemption is sought from the two business day timeframe as it generally takes much longer than this for a distributor to receive all of the metering information in relation to a new consumer installation. The applicant believes that there will be no adverse effect on other participants and that a permanent change to the timeframe under rule 51.3 would be supported by other participants – both retailers and distributors.

Additional information

The rules regarding entering ICP information for newly created ICPs divide the information to be entered in the gas registry into two separate categories. In particular, distributors must:

- enter into the gas registry the ICP parameters required for a status of NEW for an ICP within two business days of receiving confirmation that a new consumer installation is first connected to its distribution system (as required by rule 51.3); and
- enter into the gas registry the ICP parameters required for a status of READY within two business days of having identified them (as required by rule 53.1).

The ICP parameters required for NEW and READY status are presented in the table below. It is noted that the information required for NEW status under rule 51.3 does not include any network, pricing or metering information as suggested in the application.

ICP Parameters Required for NEW Status	ICP Parameters Required for READY Status
ICP Identifier ICP Creation Date Responsible Distributor Code Physical Address	Gas Gate Code ICP Type Code Network Pressure ICP Altitude Load Shedding Category Code Expected Retailer Code Network Price Category Code Loss Factor Code

It is also noted that registry reporting of distributor compliance with the provisions of rules 51.3 and 53.1 has been developed to account for the fact that neither the dates a distributor receives confirmation of a customer connection nor the dates a distributor identifies the additional information required for READY status are captured in the registry. Instead, breaches are determined based on the difference between the dates the information was actually entered into the registry and the effective dates for such information.

Issues for consideration

In respect of the matters to be considered in granting a transitional exemption as set out in section 2.2, Gas Industry Co seeks submitters' views on:

- whether granting the exemption sought would be consistent with the purpose of the Switching Rules (enabling consumers to alternate efficiently and satisfactorily between competing retailers);
- whether granting the exemption sought would have any adverse impacts on consumers seeking to establish a new connection to a distribution network, and if so, what impacts;
- whether granting the exemption sought would have any adverse impacts on other registry participants (particularly retailers), and if so, what impacts; and
- whether the alternative arrangement set out above is a "fit for purpose" arrangement and would meet the intended objectives of the Switching Rules until such time as a proper review can be undertaken.

Q2: *Do submitters have any comments on the transitional exemption application regarding distributor ICP parameter entry timeframes from Powerco?*

Appendix A Recommended Format for Submissions

To assist Gas Industry Co in the orderly and efficient consideration of 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 exemptions in their responses.

Submission from:..... (company name and contact)

Question	Comment
<p><i>Q1: Do submitters have any comments on the transitional exemption applications regarding retailer switch notice response timeframes from gas retailers?</i></p>	
<p><i>Q2: Do submitters have any comments on the transitional exemption application regarding distributor ICP parameter entry timeframes from Powerco?</i></p>	

Appendix B Transitional Exemption Applications Received

SW08-01-T	Mighty River Power (MEEN)	Received 02/09/2008
<p>Gas Industry Company Limited</p> <p>Application for an Exemption from the Gas (Switching Arrangements) Rules 2008</p>		
<p>Please complete a separate form for each type of exemption sought.</p> <p>Complete sections 1 to 4 of the form for all exemption types. Complete section 5 only in addition for urgent exemptions, and section 6 only in addition for transitional exemptions.</p> <p>Please provide all relevant information. Expand the sections of the form as necessary to provide reasonably full information, but detailed supporting information should be set out in attachments to the form.</p> <p>Gas Industry Co may request additional information after receiving and reviewing the application.</p>		
<p>1. Name and contact details for the participant(s) seeking exemption:</p> <p>Company name: Mighty River Power Phone (09) 580 3658</p> <p>Contact Name: Chrissy Burrows Fax: (09) 580 3515</p> <p>Email: Chrissy.burrows@mightriver.co.nz Mailing Address: Private Bag 92008, Auckland 1142</p>		
<p>2. Type of exemption sought:</p> <p>(extract taken from the Gas (Switching) Rules 2008).</p> <p>90. Transitional exemption</p> <p>90.1 A registry participant may apply in writing to the industry body for a transitional exemption from complying with one or more of these rules.</p> <p>90.2 A transitional exemption applies for a period set out in the exemption and must set out</p>		

alternative arrangements for complying with one or more **rules**.

90.3 In the application, the **registry participant** must set out the rule or rules from which it seeks an exemption, the detailed reasons for the exemption, the period for which the exemption is applied and the alternative arrangements proposed for compliance with the rules.

90.4 If, after considering the reasons, the **industry body** is satisfied that a transitional exemption should be granted, the **industry body** must by notice in writing grant the transitional exemption to the **registry participant** which, in addition to stating the alternative arrangements that will apply, may be subject to such other conditions as the **industry body** thinks fit.

3. Provisions of the Rules from which the exemption is sought:

Mighty River Power is seeking exemption from the time frames provided in the following rules:

Retailer response to a gas switching withdrawal notice

78.1 Within 2 **business days** after receiving a gas switching withdrawal notice under rule 76.2, the recipient **retailer** must give the **registry** a gas switching withdrawal response notice.

And;

Retailer response to switch reading renegotiation request

81.1 Within 2 **business days** after receiving the **switch reading** renegotiation request notice, the recipient **retailer** must give to the **registry** a **switch reading** renegotiation response notice stating whether or not the **switch reading** renegotiation request is accepted or rejected.

4. State the reasons on why you are seeking the exemption and why the exemption sought should be granted:

This exemption is sought in agreement with other retailers as the time frame of two days is not practical in all cases to allow consideration to be given to a switch withdrawal notice. Participants have agreed that the time frame, of 5 days, as stipulated in the Electricity Governance Rules – 1 May 2008, Part E Schedule E2 rule 4.3, is a functioning time frame and would like the time frame of 5 days applied as the alternative for this exemption.

Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:

This issue has been discussed at a recent Registry Implementation Forum with all participants agreeing that the time frame stipulated in this rule was not achievable. This exemption is in support of the Energy Online directive to supply the Gas Industry Company with an industry proposal.

We recommend that this exemption be made an industry exemption.

Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:

This exemption is requested to apply from go live of the Gas Registry with an end date effective when the rules are altered to cater for this requirement.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

This exemption is only for the timeframe (2 business days) provided in the two rules quoted and not other aspect of those rules. We will apply an alternative time frame of 5 business days to the processes and applications for the purpose of this rule.

5. Additional information for an urgent exemption:

If your application is urgent, specify the date(s) by when a decision is needed:

N/A

State the reasons for seeking an urgent exemption rather than a standard exemption:

N/A

6. Additional information for a transitional exemption

State the reasons for seeking a transitional exemption rather than a standard exemption:

With reference to the recent "Gas Industry Co approach to Rule Changes for the Gas (Switching Arrangements) Rules 2008 and the Gas (Downstream Reconciliation) Rules 2008" , the Gas Industry Co will not consider or process any requests for rule changes prior to go live, we recommend that participants apply for exemptions and use an agreed time frame of 5 days.

Our recommendation will be that the following new rule suggestion be considered post go-live.

78.1 Within 5 business days after receiving a gas switching withdrawal notice under rule 76.2, the recipient **retailer** must give the **registry** a gas switching withdrawal response notice.

And;

Retailer response to switch reading renegotiation request

81.1 Within 5 business days after receiving the **switch reading** renegotiation request notice, the

recipient **retailer** must give to the **registry** a **switch reading** renegotiation response notice stating whether or not the **switch reading** renegotiation request is accepted or rejected.

Please email this form to bas.walker@gasindustry.co.nz

SW08-02-T	Energy Online (GEOL)	Received 04/09/2008
Gas Industry Company Limited		
Application for an Exemption from the Gas (Switching Arrangements) Rules 2008		
1. Name and contact details for the participant(s) seeking exemption:		
Company name: Energy Online Limited	Phone: +64 9 539 4678	
Contact Name: Shainaz Rafiq	Fax: +64 9 539 4633	
Email: shainaz.rafiq@energyonline.co.nz	Mailing Address: PO Box 8288, Symonds Street, Auckland 1150	
2. Type of exemption sought: Transitional (under rule 90).		
3. Provisions of the Switching Rules from which the exemption is sought:		
<p>The companies listed above seek an exemption from the requirement in Rules 78.1 and 81.1 requiring retailer responses within two business days to gas switching withdrawal notices (rule 78.1) and switch reading renegotiation requests (rule 81.1).</p>		
4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:		
<i>(see notes attached which set out the requirements for transitional exemptions):</i>		
<p>An exemption is sought from the two business day timeframe as it generally takes much longer than this for the retailer to communicate with the affected customer(s) and respond accordingly. Furthermore, it is noted that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days.</p> <p><i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i></p> <p>The companies listed above believe that there will be no adverse effect on other participants and that a permanent change to the timeframe under rules 78.1 and 81.1 would be supported by other retailers.</p> <p><i>Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:</i></p>		

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

SW08-04-T	Auckland Gas Company (AGCL)	Received 05/09/2008
<p>Gas Industry Company Limited</p> <p>Application for an Exemption from the Gas (Switching Arrangements) Rules 2008</p>		
<p>1. Name and contact details for the participant(s) seeking exemption:</p> <p>Company name: Auckland Gas Company Phone: +64 9 308 43793</p> <p>Contact Name: Colin Leslie Fax: +64 9 308 3772</p> <p>Email: cleslie@toddenenergy.co.nz Mailing Address: PO Box 8044, Symonds Street, Auckland 1150</p>		
<p>2. Type of exemption sought: Transitional (under rule 90)</p>		
<p>3. Provisions of the Switching Rules from which the exemption is sought:</p> <p>The companies listed above seek an exemption from the requirement in Rules 78.1 and 81.1 requiring retailer responses within two business days to gas switching withdrawal notices (rule 78.1) and switch reading renegotiation requests (rule 81.1).</p>		
<p>4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:</p> <p><i>(see notes attached which set out the requirements for transitional exemptions):</i></p> <p>An exemption is sought from the two business day timeframe as it generally takes much longer than this for the retailer to communicate with the affected customer(s) and respond accordingly. Furthermore, it is noted that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days.</p> <p><i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i></p> <p>The companies listed above believe that there will be no adverse effect on other participants and that a permanent change to the timeframe under rules 78.1 and 81.1 would be supported by other retailers.</p> <p><i>Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:</i></p>		

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

SW08-05-T	Bay of Plenty Energy (BOPE)	Received 05/09/2008
Gas Industry Company Limited		
Application for an Exemption from the Gas (Switching Arrangements) Rules 2008		
1. Name and contact details for the participant(s) seeking exemption:		
Company name: Bay of Plenty Energy	Phone: +64 7 306 2732	
Contact Name: Heather Holland	Fax: +64 9 307 0922	
Email: Hholland@bope.co.nz	Mailing Address: PO Box 404, Whakatane	
2. Type of exemption sought: Transitional (under rule 90)		
3. Provisions of the Switching Rules from which the exemption is sought:		
<p>The companies listed above seek an exemption from the requirement in Rules 78.1 and 81.1 requiring retailer responses within two business days to gas switching withdrawal notices (rule 78.1) and switch reading renegotiation requests (rule 81.1).</p>		
4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:		
<p><i>(see notes attached which set out the requirements for transitional exemptions):</i></p> <p>An exemption is sought from the two business day timeframe as it generally takes much longer than this for the retailer to communicate with the affected customer(s) and respond accordingly. Furthermore, it is noted that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days.</p> <p><i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i></p> <p>The companies listed above believe that there will be no adverse effect on other participants and that a permanent change to the timeframe under rules 78.1 and 81.1 would be supported by other retailers.</p> <p><i>Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:</i></p>		

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

SW08-09-T	OnGas (GNGC)	Received 29/09/2008
Gas Industry Company Limited		
Application for an Exemption from the Gas (Switching Arrangements) Rules 2008		
1. Name and contact details for the participant(s) seeking exemption:		
Company name: On Gas Limited		Phone: +64 4 462 8620
Contact Name: Anna Carrick		Fax: +64 4 462 8625
Email: a.carrick@vector.co.nz		Mailing Address:
Vector Limited,		
Level 7, 44 The Terrace,		
Private Bag 39980		
Wellington		
2. Type of exemption sought: Transitional (under rule 90)		
3. Provisions of the Switching Rules from which the exemption is sought:		
The company listed above seek an exemption from the requirement in Rules 78.1 and 81.1 requiring retailer responses within two business days to gas switching withdrawal notices (rule 78.1) and switch reading renegotiation requests (rule 81.1).		
4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:		
<i>(see notes attached which set out the requirements for transitional exemptions):</i>		
An exemption is sought from the two business day timeframe as it generally takes much longer than this for the retailer to communicate with the affected customer(s) and respond accordingly. Furthermore, it is noted that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days.		
<i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i>		
The company listed above believe that there will be no adverse effect on other participants and that a		

permanent change to the timeframe under rules 78.1 and 81.1 would be supported by other retailers.

Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The company listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

SW08-10-T	Contact Energy (CTCT)	Received 29/09/2008
Gas Industry Company Limited		
Application for an Exemption from the Gas (Switching Arrangements) Rules 2008		
1. Name and contact details for the participant(s) seeking exemption:		
Company name: Contact Energy	Phone: +64 4 462 1111	
Contact Name: Danny McManamon	Fax: +64 4 499 4003	
Email: Danny.McManamon@contact-energy.co.nz	Mailing Address: PO Box 10742 Wellington	
2. Type of exemption sought: Transitional (under rule 90)		
3. Provisions of the Switching Rules from which the exemption is sought:		
<p>The companies listed above seek an exemption from the requirement in Rules 78.1 and 81.1 requiring retailer responses within two business days to gas switching withdrawal notices (rule 78.1) and switch reading renegotiation requests (rule 81.1).</p>		
4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:		
<i>(see notes attached which set out the requirements for transitional exemptions):</i>		
<p>An exemption is sought from the two business day timeframe as it generally takes much longer than this for the retailer to communicate with the affected customer(s) and respond accordingly. Furthermore, it is noted that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days.</p> <p><i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i></p> <p>The companies listed above believe that there will be no adverse effect on other participants and that a permanent change to the timeframe under rules 78.1 and 81.1 would be supported by other retailers.</p> <p><i>Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:</i></p>		

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

SW08-12-T	Greymouth Gas (GMTH)	Received 10/10/2008						
<p>Gas Industry Company Limited</p> <p>Application for an Exemption from the Gas (Switching Arrangements) Rules 2008</p>								
<p>1. Name and contact details for the participant(s) seeking exemption:</p> <table border="0" style="width:100%"> <tr> <td style="width:50%">Company name: Greymouth Gas New Zealand Limited</td> <td style="width:50%">Phone: +64 9 373 4222</td> </tr> <tr> <td>Contact Name: Lara Walker</td> <td>Fax: +64 9 373 4228</td> </tr> <tr> <td>Email: lara@greymouthpetroleum.co.nz</td> <td>Mailing Address: PO Box 1394 Shortland St, Auckland.</td> </tr> </table>			Company name: Greymouth Gas New Zealand Limited	Phone: +64 9 373 4222	Contact Name: Lara Walker	Fax: +64 9 373 4228	Email: lara@greymouthpetroleum.co.nz	Mailing Address: PO Box 1394 Shortland St, Auckland.
Company name: Greymouth Gas New Zealand Limited	Phone: +64 9 373 4222							
Contact Name: Lara Walker	Fax: +64 9 373 4228							
Email: lara@greymouthpetroleum.co.nz	Mailing Address: PO Box 1394 Shortland St, Auckland.							
<p>2. Type of exemption sought: Transitional (under rule 90)</p>								
<p>3. Provisions of the Switching Rules from which the exemption is sought:</p> <p>The companies listed above seek an exemption from the requirement in Rules 78.1 and 81.1 requiring retailer responses within two business days to gas switching withdrawal notices (rule 78.1) and switch reading renegotiation requests (rule 81.1).</p>								
<p>4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:</p> <p><i>(see notes attached which set out the requirements for transitional exemptions):</i></p> <p>An exemption is sought from the two business day timeframe as it generally takes much longer than this for the retailer to communicate with the affected customer(s) and respond accordingly. Furthermore, it is noted that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days.</p> <p><i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i></p> <p>The companies listed above believe that there will be no adverse effect on other participants and that a permanent change to the timeframe under rules 78.1 and 81.1 would be supported by other retailers.</p> <p><i>Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:</i></p>								

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

SW08-13-T	E-Gas (EGAS, EGLT)	Received 16/10/2008
<p>Gas Industry Company Limited</p> <p>Application for an Exemption from the Gas (Switching Arrangements) Rules 2008</p>		
<p>1. Name and contact details for the participant(s) seeking exemption:</p> <p>Company name: E-Gas Ltd and Phone: 04 499 4964 E-Gas 2000 Fax: 04 499 4965 Contact Name: Gavin Chambers Mailing Address: PO Box 2577 Wellington Email: gavinc@e-gas.co.nz</p>		
<p>2. Type of exemption sought: Transitional (under rule 90)</p>		
<p>3. Provisions of the Switching Rules from which the exemption is sought:</p> <p>The companies listed above seek an exemption from the requirement in Rules 78.1 and 81.1 requiring retailer responses within two business days to gas switching withdrawal notices (rule 78.1) and switch reading renegotiation requests (rule 81.1).</p>		
<p>4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:</p> <p><i>(see notes attached which set out the requirements for transitional exemptions):</i></p> <p>An exemption is sought from the two business day timeframe as it generally takes much longer than this for the retailer to communicate with the affected customer(s) and respond accordingly. Furthermore, it is noted that the equivalent timeframes set out in the Electricity Governance Rules (Part E, Schedule E2) are five business days.</p> <p><i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i></p> <p>The companies listed above believe that there will be no adverse effect on other participants and that a permanent change to the timeframe under rules 78.1 and 81.1 would be supported by other retailers.</p> <p><i>Specify how long the exemption sought is to be in effect for. Give reasons for the period that you</i></p>		

specify:

We seek the exemption until such time that a formal proposal for changing the timeframe under rules 78.1 and 81.1 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under rules 78.1 and 81.1 be **five** business days.

Please email this form to exemptions@gasindustry.co.nz

SW08-03-T	Powerco (POCO)	Received 04/09/2008
Gas Industry Company Limited		
Application for an Exemption from the Gas (Switching Arrangement) Rules 2008		
1. Name and contact details for the participant(s) seeking exemption:		
Company name: Powerco Limited	Phone: +64 6 759 6213	
Contact Name: Sue Simons	Fax: +64 6 759 6287	
Email: Sue.Simons@powerco.co.nz	Mailing Address: Private Bag 2061	
	New Plymouth	
2. Type of exemption sought: Transitional (under rule 90)		
3. Provisions of the Rules from which the exemption is sought:		
The companies listed above seek an exemption from the requirement in Rule 51.3 that a Distributor must enter certain information in the registry within two business days of receiving confirmation that a new consumer installation is first connected to its distribution system.		
4. State the reasons why you are seeking the exemption and why the exemption sought should be granted:		
(see notes attached which set out the requirements for different types of exemptions):		
An exemption is sought from the two business day timeframe as it generally takes much longer than this for the Distributor to receive all of the metering information in relation to a new consumer installation.		
<i>Describe how the exemption sought may affect other participants (including service providers) and any costs and benefits to them:</i>		
The companies listed above believe that there will be no adverse effect on other participants and that a permanent change to the timeframe under Rule 51.3 would be supported by other participants – both Retailers and Distributors.		
<i>Specify how long the exemption sought is to be in effect for. Give reasons for the period that you specify:</i>		
We seek the exemption until such time that a formal proposal for changing the timeframe under		

Rule 51.3 is made and considered.

Specify what conditions and/or alternative arrangements relating to the exemption sought are appropriate:

The companies listed above suggest that a more appropriate timeframe for compliance with the obligations under Rule 51.3 be **ten** business days.

Please email this form to exemptions@gasindustry.co.nz