



Recommendation to the
Associate Minister of
Energy and Resources on
Minor Amendments to the
Gas (Switching
Arrangements) Rules 2008

27 October 2010





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 and Resources 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 Jacki Eves, Jenny Howell, Andrew Walker, and Ian Dempster.

Executive summary

On the go-live date of 1 March 2009, the registry and switching regime under the Gas (Switching Arrangements) Rules 2008 (the Rules) came fully into effect. The rules governing the switching regime are technically complex and need to provide for a range of circumstances, not all of which were anticipated when the Rules were approved. As with many new rules, once there has been time to observe how they operate, refinements are often desirable. It was anticipated that changes would be required to reflect experience and to ensure that the Rules are as effective as possible in achieving their purpose.

Sections 43L, 43N, and 43Q of the Gas Act 1992 (the Act) set out the requirements for making recommendations on rule changes. Section 43N(3) provides that a simplified process will apply if the industry body (Gas Industry Co) is satisfied that 'the effect of the recommendation [for rule changes] is minor and will not adversely affect the interests of any person in a substantial way'. All of the proposals for changes to the rules are considered by Gas Industry Co to meet this requirement. They are minor and non-controversial, and as such have been dealt with in accordance with section 43N(3) of the Act.

The proposals have come primarily from feedback from industry participants, Gas Industry Co, the Investigator, and the result of lessons learned as to how the Rules operate in practice. The proposed amendments seek to:

- alter the scope of some of the Rules to align with intended best practice to ensure the effective operation of switching arrangements and enhance consumer outcomes;
- clarify the scope of some of the existing provisions in the Rules;
- promote ease of understanding and interpretation to facilitate efficient and effective switching; and
- resolve some minor drafting and wording issues or provide greater consistency within the Rules, and between the Rules and other gas governance regulations and rules.

A consultation document and draft of the proposed amendments was issued by Gas Industry Co to industry participants on 20 July 2010. Submissions closed on 30 August 2010. Seven submissions were received. Overall the submissions supported the amendments. However there were a few suggested drafting changes and questions regarding the operation of the Rules. Following discussions with relevant parties, some clarification, and further drafting refinements, submitters confirmed they agreed with the proposed changes. The further refinements do not alter the effect of the proposed amendments as set out in the consultation document.

This paper is Gas Industry Co's recommendation to make minor amendments to the Rules 2008 (the Rules). Gas Industry Co believes that these amendments will lead to improved outcomes for the industry and ultimately end consumers.

All of the proposed rule amendments are set out in tracked-change format in the existing Rules in Appendix C to this consultation document.

Contents

1	Introduction	1
1.1	Background	1
1.2	Discussion with the Ministry of Economic Development	2
<hr/>		
2	Legislative Requirements	3
2.1	Regulatory objective	3
2.2	Rule making powers	3
2.3	Gas Act requirements for recommending rule changes	3
<hr/>		
3	Recommended Rule Amendments	6
3.1	Amendments to definitions	6
3.2	Amend provisions for the payment of ongoing fees	7
3.3	Amend provisions relating to loss factors	9
3.4	Amend provisions for switching notices and processes	10
3.5	Amend provisions relating to withdrawal notice processes	12
3.6	Delete Part 4 of the Rules	15
3.7	Other proposed minor rule amendments	15
<hr/>		
4	Implementation	17
4.1	Publication of notice in Gazette upon recommendation	17
4.2	Method of making amendments	17
4.3	Revocation of exemptions	17
<hr/>		
5	Recommendation	18
Appendix A Notice for Gazette		19

Appendix B	Notice for website	20
Appendix C	Draft Amendments to the Gas (Switching Arrangements) Rules 2008	21

1

Introduction

1.1 Background

A recommendation was made to the Minister of Energy in mid-2007 for the establishment of a central gas registry and associated rules to support the efficient switching of gas customers between retailers. Relevant amendments to support this were made to the Gas Act 1992 (the Act) in 2007.

The Gas (Switching Arrangements) Rules 2008 (the Rules) provide for a gas registry, created in 2008 and implemented in early 2009. The Rules fully came into effect on 1 March 2009.

The purpose of the Rules as set out in rule 3 is to:

Establish a set of gas switching and registry arrangements that will enable consumers to choose, and alternate, efficiently and satisfactorily between competing retailers.

Industry participants have now had 18 months' experience of operating under the Rules. Their experience, together with determinations and decisions made under the compliance regime, has brought to light areas where some minor amendments to the Rules will better reflect the purpose of the Rules and industry best practice. This also creates an opportunity to make editorial improvements to the Rules.

Under the Act, a recommendation for rule changes is, in the first instance, subject to the same requirements and processes as apply to proposed new rules as set out in section 43N(1) of the Act. However, section 43N(3) provides that if the effect of a recommended rule change is minor and will not adversely affect the interests of any person in a substantial way, the recommendation is not required to comply with the full process requirements set out in section 43N(1) of the Act. Gas Industry Co considers that each proposed change falls within the ambit of section 43N(3), and as such undertook a streamlined process for the amendments. That process involved issuing a consultation document, inviting submissions, considering those submissions, and ultimately making proposals for change.

The proposed amendments to the Rules make minor changes to certain definitions; provisions in relation to the payment of fees; notices and notifications; loss factors; the gas switching notice process; and the gas switching withdrawal notice process. It is also proposed to delete the now redundant transitional provisions. Finally there are a number of very minor typographical and editorial changes. All of the changes are highlighted in the marked-up version of the Rules attached as Appendix C to this document.

The proposed amendments have been identified from the following sources.

- Since the Rules came into force a number of matters have come through the compliance process as alleged breaches of the Rules. It has become apparent that minor changes are desirable to enable the switching arrangements set out in the Rules to operate in a more effective manner and to better achieve the purpose of the Rules.
- Several proposed rule amendments have been based on industry best practice now in existence, where the experience with the Rules has indicated that the proposed amendments are appropriate and effective in meeting the original policy intent.
- Gas Industry Co has proposed rule changes where it considers that changes are required to give proper effect to the purpose of the Rules, to correct minor errors, to clarify the scope of some existing provisions in the Rules, to promote ease of understanding and interpretation and to provide greater consistency, both within the Rules and between the Rules and other gas governance arrangements.
- Certain changes have been suggested by industry participants directly to Gas Industry Co.

Submissions on the proposed amendments were sought. Seven submissions were received. Overall they supported the proposed amendments. Four submitters suggested some drafting changes or queried the effect of the proposals. Following discussion with submitters, all matters were resolved.

1.2 Discussion with the Ministry of Economic Development

Officials from the Ministry of Economic Development have been appraised of the proposed changes to the Rules and the processes that were followed.

2

Legislative Requirements

2.1 Regulatory objective

The Government Policy Statement (GPS) sets out the Government's objectives and outcomes for governance of the New Zealand gas industry, and its expectations for industry action. Under section 43ZO of the Act, Gas Industry Co must have regard to the objectives and outcomes set out in the GPS when making recommendations to the Minister for gas governance rules or regulations.

The Government's overall policy objective for the gas industry, as stated in the Act and the GPS, is:

To ensure that gas is delivered to existing and new customers in a safe, efficient, fair, reliable, and environmentally sustainable manner.

In regard to switching and registry the GPS states the following outcome:

Establish a set of gas switching and registry arrangements that will enable consumers to choose, and alternate, efficiently and satisfactorily between competing retailers.

This outcome is the regulatory objective underpinning all of the proposals (with the exception of the very minor editorial changes) for amendments to the Rules. The proposed amendments seek to improve the operation and efficiency of the processes for switching and registry.

2.2 Rule making powers

Section 43G(2)(c) of the Act provides that regulations (and rules in accordance with section 43Q) may be made '*providing for arrangements to enable consumers to switch gas retailers*'. The proposed amendments to the Rules are considered to come within these regulation or rule making powers.

2.3 Gas Act requirements for recommending rule changes

Sections 43L and 43N of the Act set out the requirements for making recommendations to the Minister on gas governance rules or rule changes.

Under section 43L(1), before making a recommendation, Gas Industry Co must:

- (a) undertake an assessment under section 43N; and
- (b) consult with persons that the recommending body (Gas Industry Co) thinks are representative of the interests of persons likely to be substantially affected by the proposed [rule changes]; and

- (c) give those persons the opportunity to make submissions; and
- (d) consider those submissions.

Section 43N(1) requires that, before making a recommendation to the Minister, Gas Industry Co must:

- (a) seek to identify all of the reasonably practicable options for achieving the objective of the [rule change]; and
- (b) assess those options by considering:
 - (i) the benefits and costs of each option; and
 - (ii) the extent which the objective would be promoted or achieved by each option; and
 - (iii) any other matters that Gas Industry Co considers to be relevant; and
- (c) ensure that the objective of the [rule change] is unlikely to be satisfactorily achieved by any reasonably practicable means other than the making of the [rule change]; and
- (d) prepare a statement of proposal for the purpose of consultation under section 43L(1).

However, under section 43N(3), a simplified process can apply in the following circumstances:

The industry body ... is not required to comply with subsection (1) if it is satisfied that the effect of the recommendation is minor and will not adversely affect the interests of any person in a substantial way.

Gas Industry Co considers that the proposed rule amendments are such that section 43N(3) applies. Submissions received support this view. The proposals involve minor technical matters rather than matters of general principle.

As such, Gas Industry Co followed a simplified process in respect of the proposed rule amendments. However it still undertook consultation so that the best possible outcomes would be achieved by these minor amendments. Gas Industry Co considered all submissions and remains satisfied that the proposed rule amendments are minor and will not adversely affect the interests of any person in a significant way.

Section 43Q(1) of the Gas Act allows the Minister to make a rule for all or any of the purposes for which a gas governance regulation may be made. When deciding whether to make a recommendation for a rule, section 43Q(2), outlines that the Minister must only have regard for the following:

- (a) the importance of the rule, including whether the rule has a material effect on the rights and interests of individuals;
- (b) the subject matter of the rule, including whether the rule contains detailed or technical matters rather than matters of general principle;
- (c) the application of the rule, including
 - i. whether the rule applies principally to a particular group (eg industry participants) rather than general public; and

- ii. whether the benefits of the publication in accordance with section 43R rather than the Acts and Regulations Publications Act 1989 outweigh the costs of publication by that method;
- (d) the expertise and rule-making procedures of the recommending body.

3

Recommended Rule Amendments

A summary of the proposed amendments, their likely effect, and an assessment in relation to section 43N(3) of the Act is set out below. As noted above, the detailed amendments to the Rules are contained in a tracked-change version (attached as Appendix C).

The amendments are minor and technical in nature, with some, such as minor drafting, wording and style issues, being extremely minor. This latter category is included in a single table at the end of this section. Further formatting amendments, such as putting defined terms in bold, are listed below that table.

As noted, Gas Industry Co considers that all the proposed amendments are minor and will not adversely affect any person in a substantial way.

3.1 Amendments to definitions

Amendment 1

Description of changes

The following amendments to **rule 5** definitions are proposed:

- Amend the definition of allocation agent to ensure better consistency with the use of the term across regulatory arrangements (for example, the Gas (Downstream Reconciliation) Rules 2008).
- Amend the definition of loss factor to make clear that this definition only refers to the distributor loss factor, and not the loss factors calculated by the allocation agent under the Gas (Downstream Reconciliation) Rules 2008.
- Insert a definition of payment year and cross reference to amended rule 24.1 in relation to the payment of ongoing fees.
- Amend the definition of rules to remove the reference to code of practice and technical code as there is no other reference to these terms in the Rules. Gas Industry Co does issue codes but refers to the documents as determinations.

Reasons for changes

The reason for the changes is to clarify terms, ensure consistency, and give effect to what happens in practice.

Amendment 2

Description of change

Clarify the definition of Load Shedding Category in Schedule Part A.

Reasons for change

The proposed amendment to the definition of Load Shedding Category clarifies that the categories and codes published by the industry body will be consistent with the curtailment bands under Schedule 2 of the Gas Governance (Critical Contingency Management) Regulations 2008. It is designed to achieve consistency and transparency across regulatory arrangements.

3.2 Amend provisions for the payment of ongoing fees

Amendment 3

Description of change

Gas Industry Co recommends aligning the timing of ongoing fees under all gas governance arrangements with the Gas Industry Co financial year (1 July to 30 June). As such it is proposed to amend **rule 24** to:

- introduce the concept of payment year;
- clarify that a payment year can be a calendar year or a financial year;
- insert an empowering provision enabling the industry body to change the payment year from a calendar year to a financial year on provision of written notice; and
- clarify that a payment year can be less than 12 calendar months (to reflect that any change from calendar year to financial year will invariably result in a shorter period for the calendar or financial year in question).

Reasons for change

Gas Industry Co proposes these amendments to allow it, in future, to change the period for which fees are payable to meet the registry ongoing costs in order to align with the Gas Industry Co financial year. This alignment will improve transparency and create administrative efficiencies, and does not impact on the overall fees recovered.

Amendment 4

Description of change

Amend **rules 25 and 26** to:

- insert references to 'payment year' in line with the proposed amendments to rule 24;
- clarify that the ongoing fees payable to the industry body are estimates;
- incorporate an 'as soon as practicable' provision to the rule regarding when an invoice is to be issued by;
- simplify some of the language used in the provision; and
- ensure consistency in the use of the term "payment year".

Reasons for change

The proposed amendments achieve consistency in terminology in the Rules. They also clarify that Gas Industry Co provides estimates only under the Rules, and reflect that Gas Industry Co has no ability to forecast the actual fees individual registry participants will pay.

They also provide a timeframe in which invoices are to be issued by the industry body. Gas Industry Co is not able to retrieve the required information from the registry until the second business day of each month. Therefore it cannot invoice until that day at the earliest. The proposed amendment to rule 25.5 provides for a time period sufficient for compliance with the Rule. It does not impact on the amount of fees recovered, and reflects what occurs in practice. The estimated costs are still published and retailers can estimate their share of those fees from the published ICP statistics.

Amendment 5

Description of change

Amend **rule 28.1** to clarify the rules relating to the form in which notices must be given and the means of transmission. It also provides for, and cross references to, the exception in rule 30 in respect of entering information into the registry.

Reasons for change

The change is one of simple clarification of the limitations on the form in which notices can be given and the mode by which they can be transmitted.

Amendment 6

Description of change

Amend **rule 29** to clarify that a notice provided by electronic transmission (either under rule 28 or rule 30), is deemed to be given at the time it is transmitted. The time of transmission is as proven by the records of the person who sent the notice.

Reasons for change

The changes clarify the point in time at which transmission of an electronic notice is deemed to be given and ensure consistent standards are applied.

Amendment 7

Description of change

Rule 30, relating to entering information into the registry, is redrafted to enhance readability and clarify that the industry body can prescribe the method of electronic transmission. Consistent with the proposed amendment to rule 28, it also further clarifies the requirement to provide the information entered in the registry by the method specified by the industry body.

Reasons for change

The changes are simple drafting amendments to clarify the Rules relating to entering information in the registry.

Amendment 8

Description of change

Amend **rule 31** and insert **new rule 31.1.3** to clarify that any reference to the receipt of a notice from the registry means the point at which the notice is recorded in the registry and is able to be viewed by the recipient.

Reasons for change

Some participants choose not to download registry notices immediately. This amendment clarifies that any delay in downloading a notice does not affect the time the notice is considered to have been given. The point at which a notice is downloaded, read, and processed by a participant is a matter of choice. The proposed amendment ensures that all participants are treated equally in terms of the point at which a notice from the registry is deemed to have been received.

3.3 Amend provisions relating to loss factors

Amendment 9

Description of change

Amend **rules 43.2.2** and **47.1** to recognise that not all distributors set a loss factor. The amendments remove mandatory language and replace with the permissive language of 'may have' and 'if any'.

Reasons for change

The changes ensure that the provisions are permissive, reflect what occurs in practice, and will facilitate compliance with the Rules.

3.4 Amend provisions for switching notices and processes

Amendment 10

Description of change

Delete **rule 65.2.6** to remove the requirement on a new retailer, before initiating a switch, to be a party to an agreement with the allocation agent authorised to allocate gas at the gas gate from which gas is supplied to the ICP.

Reasons for change

The current rule reflects the situation prior to the Gas (Downstream Reconciliation) Rules 2008 coming into effect. The role of the allocation agent is now defined by the rules under the Act, and all retailers are covered by those rules, so the provision is redundant.

Amendment 11

Description of change

Amend **rule 67.1.2** to insert the words 'or a move switch' into the rule.

Reasons for change

The change clarifies that a gas switching notice for a standard and a move switch must state and use the appropriate code.

Amendment 12

Description of change

Amend **rule 67.3** to clarify the timing restraints on requested switch dates for standard switches, that is, a requested switch date must not pre-date the date the gas switching notice is given to the registry, and be no more than 23 business days after the date the gas switching notice is given to the registry.

Reasons for change

The change removes the current limitation for requested switch dates on standard switches that they be not less than seven business days from the date of the switch request. This allows for switches to be processed more efficiently in some circumstances.

Amendment 13

Description of change

Insert **new rule 67.3A** to clarify the timing constraints on move switches; that is, a move switch date must not be earlier than one business day after the responsible retailer became the responsible retailer, and no more than 23 business days after the date the gas switching notice is given to the registry.

Reasons for change

The change specifies the timing constraints on move switches and ensures that requested switch dates cannot occur that would be infeasible for the registry.

Amendment 14

Description of change

The phrase 'in accordance with' has been added to **rule 69.1** to ensure consistency and cross-reference to the precise requirements that are contained in other rules. The phrase replaces more general drafting.

Reasons for change

The change clarifies that the precise requirements in the Rules are contained elsewhere, and directs the reader to the location of those requirements in the Rules.

Amendment 15

Description of change

Amendments are proposed to **rules 69.2 and 69.3** to clarify the steps that must be taken, and the applicable timeframes for giving a gas transfer notice upon receipt of a gas switching notice. It states the general rule except where rule 78.3.2 (in relation to the withdrawal of uncompleted switches) applies.

Reasons for change

These proposed rule changes respond to some existing confusion over the application of the relevant rules.

Amendment 16

Description of change

As with rule 69, various drafting amendments are proposed for **rule 72 (in particular rules 72.2, 72.3, 72.4, and 72.5)**. The proposed amendments seek to clarify the status of requested switch dates and the requirements as to the switch date that must be used. The amendments make it clear that a switch must not occur later than 23 business days after a gas switching notice is received. Unless at the time of receiving a gas switching notice, the responsible retailer has already billed the customer to a date beyond the requested switch date, then the requested switch date is the switch date.

The proposed amendments further clarify the circumstances in which a switch date can be less than 7 business days, and that the decision to accept a switch date of less than 7 business days is at the option of the responsible retailer.

Reasons for change

The proposed amendments are designed to make clear the obligation to complete a switch on the requested switch date, unless the narrow exceptions, as specified, apply. With respect to the proposed amendment in **rule 72.4** there are some cases where a requested switch date is to switch a customer as soon as possible. An optional provision has been drafted to provide for those situations where both retailers agree to an earlier switch date (that is, a date less than 7 business days after the gas switching notice was received by the registry), but the ultimate decision rests with the responsible retailer. The purpose of this provision is to ensure that such action would not constitute a breach of the Rules (which is currently the case) and is included to enhance efficiency of switching.

3.5 Amend provisions relating to withdrawal notice processes

Amendment 17

Description of change

New **rule 69.1A** has been included to detail the process that applies when a gas switching withdrawal notice, which has been given in response to a gas switching notice, is rejected.

Reasons for change

The new rule is designed to clarify the requirements when responding to a gas switching withdrawal notice. It provides that where a gas switching withdrawal notice is given to the registry under rule 69.1 in response to a gas switching notice and that withdrawal notice is rejected by the new retailer, the responsible retailer must give, within 2 business days, either a gas acceptance notice or a gas transfer notice.

New rule 69.1A also clarifies the intent of previous rule 78.5, which it is proposed be deleted, in relation to the steps that must be taken when a gas switching withdrawal notice is rejected.

The changes simply clarify the requirements that apply when responding to a gas switching withdrawal notice. They reflect concern from various quarters that the Rules are unclear and somewhat confusing. The new drafting attempts to address this ambiguity, but does not alter fundamental requirements.

Amendment 18

Description of change

New **rule 69.4** is inserted to clarify that where a gas switching withdrawal notice is given (within the time constraints of rule 75.3), the registry will not accept a gas transfer notice until a gas switching withdrawal response notice is received.

Reasons for change

This new rule is also proposed to make clear the parameters around which switching can occur, and in particular what happens upon receipt of a gas switching withdrawal notice. New rule 69.4 is included to clarify that if a retailer submits a gas switching withdrawal notice close to the

23 business day requirement, their compliance with rule 69.2 is contingent on the other retailer replying to the gas switching withdrawal notice promptly, and as such, the first retailer is putting themselves at real risk of breaching rule 69.2. Gas Industry Co considers it good practice not to give a gas switching withdrawal notice later than 18 days after receipt of a gas switching notice.

Amendment 19

Description of change

New **rule 74A** is inserted to clarify that a retailer can request that a switch be withdrawn or reversed (provided at least one of the conditions of withdrawal in rule 75.1 is met) up to 23 business days following the receipt of a gas switching notice or any time following a gas transfer notice (provided the site has not switched again).

Reasons for change

The new rule provides a clear empowering provision for withdrawal notices. The lack of an explicit empowering provision was the subject of a concern expressed in one of the Rulings Panel's decisions.

Amendment 20

Description of change

Minor drafting amendments are made to **rule 75**, relating to how and when a gas switching withdrawal notice may be given. More substantively, **new rule 75.4** has been inserted to clarify that multiple gas switching withdrawal notices may be given, subject to certain constraints, including the 23 business day rule.

New rule 75.4 also includes a requirement that 'refresher instructions' are obtained (or some other information exists to support compliance with rule 75.1) before each gas switching withdrawal notice can be given (even in circumstances where a gas switching withdrawal notice has previously been given in relation to the same switch).

Reasons for change

The proposed amendment clarifies the operation of the Rules relating to multiple gas switching withdrawal notices. The changes reflect what Gas Industry Co has been told generally occurs in practice, in particular in relation to refresher instructions.

Amendment 21

Description of change

Rule 78.1 is amended to replace the two business day rule for giving a switching withdrawal response notice with a five business day rule.

Reasons for change

The proposed amendment inserts into the Rules what is, in effect, already a de-facto rule change by virtue of a transitional exemption under the rules – see *Gas (Switching Arrangements)*

Rules 2008 (Exemption: Retailer Switch Notice Response Timeframes) Notice 2010. At the time the exemption was granted, industry participants indicated that two business days was insufficient time to give a response to a gas switching withdrawal notice. In particular, it was insufficient time for the responsible retailer to contact its customer to confirm instructions. Gas Industry Co considers that the rule change will ensure fewer mistakes occur, and fewer customers are inconvenienced. The five day business day rule is also consistent with what happens in the electricity sector.

Amendment 22

Description of change

New rule 78.2A has been inserted and is similar to the requirement for 'refresher instructions' or other form of confirmation contained in new rule 75.4, except that new rule 78.2A relates to a retailer giving a gas switching withdrawal response notice.

Reasons for change

The proposed amendment clarifies the 'refresher instructions' requirements under the Rules when giving a gas switching withdrawal response notice.

Amendment 23

Description of change

Rule 78.3.2 is amended to clarify that where an uncompleted switch is withdrawn that the switching process is at an end and there is no change of responsible retailer.

Reasons for change

The proposed amendments have been inserted simply to clarify the rule.

Amendment 24

Description of change

Delete **Rule 78.5**, which prohibits issuing a further gas switching withdrawal notice for the same gas switching notice, if the original gas switching withdrawal notice is rejected.

Reasons for change

Rule 78.5 appears contradictory to operation of other parts of the Rules relating to gas switching withdrawal notices. Elsewhere, proposed amendments to the rules clarify that multiple gas switching withdrawal notices can be issued, provided they are given in compliance with rules 69.1A and 75.4. Deleting rule 78.5 removes this apparent contradiction. The proposed change provides clarity in the operation of the Rules and decreases the likelihood of switches being forced through against a customer's wishes.

Rule 81.1 is amended¹ so that the two business day rule for responding to a switch reading renegotiation request is replaced with a five business day rule.

Reasons for change

The proposed amendment inserts into the rules what is, in effect, already a de-facto rule change by virtue of a transitional exemption under the Rules - see *Gas (Switching Arrangements) Rules 2008 (Exemption: Retailer Switch Notice Response Timeframes) Notice 2010*. At the time the exemption was granted, industry participants indicated that two business days was insufficient time to respond to a switch reading renegotiation request.

3.6 Delete Part 4 of the Rules

Amendment 26

Description of change

Delete **Part 4** of the Rules (the transitional provisions).

Reasons for change

The transitional provisions no longer have any application. They relate to the management of switches not completed prior to the go-live date, and provide for transitional exemptions.

There are a series of transitional exemptions in place, exempting participants from the application of the two business day rule in rules 78.1 and 81.1 and replacing with a five business day rule. If enacted as proposed in this consultation document, the amendments to 78.1 and 81.1 will mean that these exemptions will no longer be required (as the amendments mirror the exemptions).

3.7 Other proposed minor rule amendments

There are also a series of very minor drafting amendments, listed below:

Description of change	Reasons for change	Coverage by section 43N(3) of the Act
Rule 28.1 – insert cross reference.	To achieve clarity in respect of interrelationship between rules.	Minor drafting change. Will have no discernable effect on industry participants.
Rule 29 – insert cross reference.	To achieve clarity in respect of interrelationship between rules.	Minor drafting change. Will have no discernable effect on industry participants.
Rules 31, 33 and 61 – amendment of reference from 'party' to 'person'.	To ensure consistency in use of terminology.	Minor drafting change. Will have no discernable effect on industry participants.
Rule 36.1 – replace the word 'sale' with 'supply'.	To achieve consistency with the definition of consumer in the Gas Act 1992.	Minor drafting change. Will have no discernable effect on industry participants.

¹ Please see mirror provision in rule 78.1 amendment.

Description of change	Reasons for change	Coverage by section 43N(3) of the Act
Rule 51 – amendment of use of term ‘advise’ to ‘notify’.	To achieve consistency in use of terminology.	Minor drafting change. Will have no discernable effect on industry participants.
Rules 75.2 and 75.3 – minor drafting changes to improve readability.	To ensure full meaning is explained.	Minor drafting change. Will have no discernable effect on industry participants.

In addition largely typographical drafting changes, formatting changes such as putting defined terms in bold type and consistency in punctuation; and general tidy ups across the Rules are proposed. References to these proposed changes are Rules: 5.1, 5.2, 5.3, 6, 11, 13.5, 18.2.1, 19.1, 19.2, 20.2.1., 21.2, 23.3, 23.5, 26.3, 27.4, 33, 40.4, 44, 45, 47, 48, 50, 51, 52, 53, 54, 59, 61, 62, 64, 65, 67, 68, 72, 73, 77, 78, 80, 82, 84, 90, and Schedule Part A, B and C. These are marked up in the attached copy of the proposed rule amendments.

All of these amendments are so minor as to not warrant commentary.

4 Implementation

4.1 Publication of notice in Gazette upon recommendation

Gas Industry Co must, no later than 10 working days after it gives a recommendation to the Minister for a gas governance rule or regulation, publicise that recommendation and the assessment completed under section 43N of the Act. This recommendation and assessment will be made available on Gas Industry Co's website and notified in the Gazette for that purpose. Copies of the Gazette and website notices are set out in Appendices A and B respectively.

4.2 Method of making amendments

Section 43R of the Act provides that a rule(s) may be made under section 43Q by the Minister publishing a notice in the *Gazette* that states:

- (a) The empowering provision for the gas governance regulation in relation to which the rule is made and a brief description of the nature of the rule(s); and
- (b) Where copies of the rule(s) are available for inspection and purchase.

The notice does not need to contain the rule(s).

A rule comes in to force 28 days after the date on which it is notified in the *Gazette* or on any later date stated in the notice. It is proposed that the amendments to the Rules come into force 28 days after they are notified.

4.3 Revocation of exemptions

As noted earlier in this document, if the proposed amendments to rules 78.1 and 81.1 are approved, current exemptions will no longer be necessary and will need to be revoked. Gas Industry Co will undertake the process of revoking the relevant exemptions following approval of the proposed rule amendments.

5

Recommendation

Gas Industry Co recommends to the Associate Minister of Energy and Resources, under section 43Q of the Gas Act 1992, a series of minor amendments to the Gas (Switching Arrangements) Rules 2008.

Appendix A Notice for Gazette

Notice of Making of a Recommendation and Assessment for Gas Governance Regulations

This notice of a recommendation and assessment for gas governance regulations is issued by Gas Industry Company Limited (Gas Industry Co) approved as the industry body by Order in Council under section 43ZL of the Gas Act 1992 ('the Act').

Section 43O of the Act provides that, no later than 10 working days after making a recommendation for a gas governance regulation to the Minister of Energy, Gas Industry Co must publicise the recommendation and the assessment completed under section 43N of the Act.

Recommendation

On 27 October 2010 Gas Industry Co made a recommendation to the Associate Minister of Energy and Resources, under sections 43G(2) and 43N(3), for approval of a series of minor amendments to the Gas (Switching Arrangements) Rules 2008.

The proposed amendments are minor in nature and will not adversely affect the interests of any person in a substantial way. They are designed to:

- alter the scope of some of the Rules to align with intended best practice to ensure the effective operation of switching arrangements and enhance consumer outcomes;
- clarify the scope of some of the existing provisions in the Rules;
- promote ease of understanding and interpretation to facilitate efficient and effective switching; and
- resolve some minor drafting and wording issues or provide greater consistency within the Rules, and between the Rules and other gas governance regulations and rules.

A copy of Gas Industry Co's recommendation, including the assessment, is available on Gas Industry Co's website: <http://www.gasindustry.co.nz>

Dated at Wellington this [] day of October 2010.

For and on behalf of Gas Industry Co

Rt. Hon. James Bolger, ONZ

Chair

Appendix B Notice for website

Under section 43O of the Gas Act 1992 Gas Industry Co must, no later than 10 working days after making a recommendation to the Minister of Energy on gas governance arrangements, publicise that recommendation and the assessment completed under section 43N of the Act.

On 27 October 2010, Gas Industry Co made a recommendation in respect of minor amendments to the Gas (Switching Arrangements) Rules 2008. The text of the recommendation, and the assessment under section 43N of the Act, are available through the website links below:

Recommendation to Associate Minister of Energy and Resources.

Assessment under section 43N of the Gas Act 1993 [links to be inserted on publication].

Appendix C Draft Amendments to the Gas (Switching Arrangements) Rules 2008

GAS (SWITCHING ARRANGEMENTS) RULES 2008

Pursuant to sections 43G, 43Q and 43S of the Gas Act 1992, the Minister of Energy, acting on the recommendation of Gas Industry Company Limited as the industry body appointed pursuant to s43ZL of that Act, makes the following rules.

Contents

1. Title
2. Commencement
3. Purpose
4. Outline
5. Interpretation
6. Limit on application of rules
7. Obligation to supply registration information
8. When registration information must be supplied
9. Registry operator must keep register
10. Changes to particulars
11. Effect of registration
12. Effect of ceasing to be registry participant
13. Appointment of registry operator
14. Other terms of registry operator service provider agreement
15. Publication of registry operator service provider agreement
16. Insurance cover
17. Performance standards to be agreed
18. Self-review must be carried out by registry operator
19. Registry operator must report to the industry body
20. Review of registry operator performance by the industry body
21. Audits of the registry and the registry operator
22. Development fee
23. How and when development fee must be paid
24. Ongoing fees
25. How and when estimated ongoing fees payable
26. How and when actual ongoing fees payable
27. General provisions regarding fees
28. Giving of notices
29. When notices taken to be given
30. Entering information in the registry
31. When notices to and entering information in the registry has occurred
32. Registry notice of changes to ICP parameter values
33. Registry access
34. Obligation of registry participants to act reasonably
35. Other obligations of registry participants
36. Use of ICP identifier on invoices
37. Consumer queries
38. Establishment of registry
39. Purpose of registry
40. Requirements of registry
41. Initial population of registry
42. Accuracy of initial information
43. Assignment of ICPs
44. The industry body to determine applicable ICP parameter codes
45. Distributors to give notices in relation to gas gates

46. Distributors to determine network price category codes
47. Distributors to determine loss factor codes
48. Distributors to give notices in relation to loss factor codes
49. Meter owners to determine metering price codes
50. Disclosure on application
51. Creation of new ICPs
52. Registry validation of ICP creation
53. Readying of NEW ICP and registry validation
54. Retailer for READY ICP
55. Registry validation of first retailer information
56. Meter owner information for new ICP
57. Registry validation of first meter owner information
58. ICP information to be maintained
59. Management of ICP status by distributors and retailers
60. Management of connection status codes by retailers and distributors
61. Correction of ICP information in registry and registry validation
62. Distributors, retailers, and meter owners to resolve discrepancies
63. Switching retailers
64. Codes relevant to switching
65. Initiation of switch
66. Gas switching notice
67. What gas switching notice must contain
68. Registry validation of gas switching notice
69. Response to a gas switching notice
70. What gas acceptance notice must contain
71. Registry validation of gas acceptance notice
72. What gas transfer notice must contain
73. Registry validation of gas transfer notice
74. Accuracy of switch readings
75. Withdrawal of switching
76. What gas switching withdrawal notice must contain
77. Registry validation of gas switching withdrawal notice
78. Retailer response to a gas switching withdrawal notice
79. Renegotiation of switch readings
80. Registry validation of switch reading renegotiation request
81. Retailer response to switch reading renegotiation request
82. Bypass
83. Reports from the registry
84. General reports
85. Retailer report
86. Distributor report
87. Meter owner report

1. Title

These rules are the Gas (Switching Arrangements) Rules 2008.

2. Commencement

2.1 Subject to rule 2.2 these rules come into force on the 28th day after their notification in the *Gazette*.

2.2 Rules 51 to 87 come into force on the **go-live date**.

Formatted: Font: Bold

3. Purpose

The purpose of these rules is to establish a set of gas switching and registry arrangements that will enable consumers to choose, and alternate, efficiently and satisfactorily between competing retailers.

4. Outline

These rules provide for –

- 4.1 The establishment of the registry; and
- 4.2 The management of information held by the registry; and
- 4.3 The appointment of a registry operator; and
- 4.4 A process for switching consumers between retailers.

Part 1

General provisions

5. Interpretation

5.1 In these rules, any term that is defined in the **Act** and used in these rules, but not defined in these rules, has the same meaning as in the **Act**.

Formatted: Font: Bold

Formatted: Font: Bold

5.2 In these rules, unless the context otherwise requires, –

Act means the Gas Act 1992;

actual reading means a register reading, which was recorded from a meter or corrector by means of physically viewing the register at the time or by retrieving the reading from a datalogger that recorded the reading at the time;

allocation agent means ~~the allocation agent appointed under the Gas (Downstream Reconciliation) Rules 2008 for each gas gate, the person who allocates the daily and monthly gas purchase volumes to the retailers taking supply of gas at that gas gate;~~

allocation group means an allocation group determined by the industry body under rule 44.1.8;

business day means any day of the week except –

- (a) Saturday and Sunday; and
- (b) Any day that Good Friday, Easter Monday, ANZAC Day, the Sovereign's Birthday, Labour Day, Christmas Day, Boxing Day, New Year's Day, the day after New Year's Day, and Waitangi Day are observed for statutory holiday purposes; and
- (c) Any other day which the industry body has determined not to be a business day as published by the industry body;

commencement date means the date referred to in rule 2.1;

Commission means the Energy Commission [\(if any\)](#) established under [section S43ZZH](#) of the Act;

connection status means the physical status of the connection between the distribution system or transmission system and the consumer installation, with respect to the ability of gas to flow to the consumer installation and the nature of any disconnection of the consumer installation;

consumer installation means one or more gas installations that have a single point of connection to a distribution system or transmission system and for which there is or has previously been a single consumer;

corrector means a device that dynamically replaces any one or more of the fixed factors otherwise required to convert gas volume measured at ambient conditions to gas volume measured at standard conditions;

distributor means a gas distributor as defined in the Act, which in accordance with rule 44.3 includes the owner of a transmission system to which a consumer installation is directly connected;

estimated reading means a register reading that has been quantified by an estimation process;

financial year means the 12 month period beginning on the date determined by the industry body and any anniversary of that date;

gas gate means the point of connection between –

- (a) [Aa](#) transmission system and a distribution system; or
- (b) [Aa](#) transmission system and a consumer installation; or
- (c) [Tt](#) two gas distribution systems;

go-live date means the date on which the industry body confirms that the registry is fully operational in accordance with the requirements of rules 39 and 40;

ICP means installation control point being the point at which a consumer installation is deemed to have gas supplied, and which represents the consumer installation on the registry;

ICP identifier means the unique 15-character identifier assigned to each ICP, having the format, yyyyyyyyxxccc, where [—](#):

yyyyyyyyyy is the gas connection number specified by the distributor and unique to that connection in the distributor's records;

xx is an alphabetic combination, determined by the industry body, for use by the distributor when creating the ICP identifier;

ccc is an alphanumeric checksum generated by an algorithm specified by the industry body;

ICP parameter means one of the defined set of components of an ICP as set out in the Schedule;

ICP parameter value means a numerical value or an alphanumeric code or some free text assigned, in accordance with these rules, to an ICP parameter;

industry body means the industry body approved by the Governor General by Order in Council under section 43ZL of the Act. In the event that the approval of the industry body is revoked under section 43ZM of the Act, all references to the industry body shall be treated as references to the Commission;

loss factor means the factor (if any) by which a measured or estimated volume of gas consumption for an ICP or aggregation of ICPs supplied through the same gas gate is multiplied by a distributor in order to offset expected losses for that gas gate, where losses represents the distributor's estimate of the difference between the sum of the gas consumption measured at consumer installations supplied through that gas gate and the gas injection measured at that gas gate;

~~losses means, for a gas gate, the difference between the sum of the gas consumption measured at consumer installations supplied through the gas gate and the gas injection measured at the gas gate;~~

~~loss factor means the factor by which a measured or estimated volume of gas consumption for an ICP or aggregation of ICPs supplied through the same gas gate is multiplied in order to offset expected losses for that gas gate;~~

meter means an instrument designed to measure the amount of gas passed through it;

meter owner means the person who owns or controls a meter used to measure gas consumption for a consumer installation;

metering equipment means any one or a combination of a meter, corrector, datalogger and the telemetry equipment used to measure or convey volume information related to an ICP;

move switch means a situation where a consumer moves to a consumer installation and elects to have gas supplied at that consumer installation by a retailer different from the retailer that supplied the previous consumer at that consumer installation;

new retailer means the retailer who, as a result of a switch, will be the supplier of gas to the consumer installation concerned and the responsible retailer for the ICP on and from the switch date;

parent gas gate means for an ICP or gas gate, the gas gate immediately upstream of the ICP or gas gate, where upstream means in the direction towards a transmission system;

[payment year has the meaning given by rule 24.1;](#)

publish means –

- (a) In respect of information to be published by the industry body or the registry operator, to make such information available through the registry [or on the industry body's website](#); and
- (b) For all other information, to make available in such manner as may be determined by the industry body from time to time;

register multiplier means the number to be used to convert the difference between two register readings to cubic metres of gas;

|

|

register reading means the number displayed by, or estimated for, a meter register or corrector register at a particular date and time, and that represents the volume of gas recorded by the register over a certain period;

registry means the database facility (including all relevant hardware and software) that meets the requirements set out in rule 40;

registry development costs has the meaning given by rule 22.2;

registry ongoing costs has the meaning given by rule 24.2;

registry operator means the service provider appointed by the industry body in accordance with rule 13 to be the registry operator;

registry operator service provider agreement means the agreement between the industry body and the registry operator that provides the terms of the appointment of the registry operator;

registry participant means a retailer, distributor or meter owner;

registry participant register means the register of registry participants kept by the registry operator under rule 9.1;

registry specification means the specification for the registry set out in the registry operator service provider agreement;

report access means a person is authorised to extract a report of ICP information by issuing an electronic request to the registry, which includes the criteria determining the content of the report;

responsible distributor means, for a particular ICP, the distributor whose distributor code is shown on the registry and who is thereby responsible for maintaining the values of the parameters for that ICP listed in Part A of the Schedule;

responsible retailer means, for a particular ICP, the retailer whose retailer code is shown on the registry and who is thereby responsible for maintaining the values of the parameters for that ICP listed in Part B of the Schedule;

responsible meter owner means, for a particular ICP, the meter owner whose meter owner code is shown on the registry and who is thereby responsible for maintaining the values of the parameters for that ICP listed in Part C of the Schedule;

retailer means a gas retailer as defined in the Act;

rules means these Gas (Switching Arrangements) Rules 2008 as may be amended from time to time and includes every schedule to the rules, ~~and any codes of practice and any technical code~~ made pursuant to the rules;

standard switch means a switch where a consumer, being supplied gas at a particular consumer installation elects to have gas supplied at that consumer installation by another retailer;

switch means the change of retailer supplying gas to a consumer installation, and the consequent change of responsible retailer for the ICP concerned;

switch date means the date on and from which a new retailer supplies gas to a consumer installation;

switch reading means the register reading that applies to the switch date;

view access means a person is authorised to view information in the registry, including the result of any ICP address search facility provided as part of registry functionality; and

write access means a person is authorised to view and maintain certain information in the registry.

5.3 Where the **rules** require the **registry** to comply with a rule, this is to be regarded as an obligation on the **registry operator**.

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

Limit on Application

6. **Limit on Application of rules**

These **rules** do not apply to **retailers, distributors or meter owners** which supply liquefied petroleum gas through pipelines or in containers.

Registry participants

7. **Obligation to supply registration information**

7.1 All **registry participants** must supply registration information to the **registry operator**.

7.2 Registration information consists of –

7.2.1 The name of the **registry participant**; and

7.2.2 The **registry participant's** telephone number, physical address, facsimile number, email address, and postal address; and

7.2.3 Identification as to which class, or classes, of **registry participant (retailer, distributor or meter owner)** that the **registry participant** belongs.

7.3 Registration information must be given in the form and manner required by the **registry operator** as approved by the **industry body**.

8. **When registration information must be supplied**

8.1 Every person who is a **registry participant** at the **commencement date** must supply the registration information within 20 **business days** of the **commencement date**.

8.2 Every person who becomes a **registry participant** after the **commencement date** must supply the registration information within 20 **business days** of becoming a **registry participant**.

9. **Registry operator must keep register**

9.1 The **registry operator** must keep a register of **registry participants**.

9.2 The **registry participant register** must state –

9.2.1 The registration information provided by the **registry participant** in accordance with rule 7; and

9.2.2 The date on which the **registry participant** was recorded on the **registry participant register**; and

9.2.3 The date on which the person ceases to be a **registry participant**.

10. **Changes to particulars**

10.1 Every **registry participant** must notify the **registry operator** as soon as practicable –

10.1.1 Of any change in the **registry participant's** registration information; and

10.1.2 If the person ceases to be a **registry participant**.

10.2 The **registry operator** must record the change, and the date of change, in the **registry participant register** on receipt of the notice.

10.3 The **registry operator** must **publish** the change as soon as possible after recording that change.

11. **Effect of registration**

[11.1](#) A **registry participant** is bound by these **rules** regardless of whether or not the **registry participant** is recorded on the **registry participant register**.

12. **Effect of ceasing to be registry participant**

A person continues to be liable for all acts and omissions in respect of these **rules** carried out while the person is a **registry participant**, despite the fact that the person ceases to be a **registry participant**, and the person will be deemed to be a **registry participant** for that purpose.

Registry operator

13. **Appointment of registry operator**

13.1 The **industry body** must, from time to time, by agreement with a person appoint that person to act as the **registry operator**.

13.2 The **registry operator** has the functions, rights, powers, and obligations set out in these **rules**.

13.3 The term of appointment of a person as the **registry operator**, and the date on which the term begins, will be as set out in the **registry operator service provider agreement**.

13.4 The **industry body** may at any time terminate, re-appoint, or change the appointment of any person as the **registry operator** subject to the terms of the **registry operator service provider agreement**.

13.5 The remuneration of the **registry operator** will be as agreed between the **industry body** and the **registry operator** in the **registry operator service provider agreement**.

13.6 The **industry body** and the **registry operator** may agree on any other terms and conditions, not inconsistent with the functions, rights, powers, and obligations of the **registry operator** under these **rules**.

14. Other terms of registry operator service provider agreement

14.1 In addition to any other terms and conditions required by these **rules**, the **registry operator service provider agreement** must provide for –

14.1.1 The availability levels of the **registry**; and

14.1.2 Service response times; and

14.1.3 **Registry** system upgrades; and

14.1.4 **Registry** system maintenance; and

14.1.5 Data integrity and recovery of data; and

14.1.6 The handling of faults.

14.2 The **registry operator service provider agreement** must specify that the **registry operator** must maintain close contact with **distributors**, **retailers**, and **meter owners**, and provide additional services and support to ensure that the **registry** remains responsive to and consistent with the needs of the **registry participants**.

15. Publication of registry operator service provider agreement

The **industry body** must **publish** the **registry operator service provider agreement**.

16. Insurance cover

The **registry operator** must at all times maintain any insurance cover that is required by the **registry operator service provider agreement**, on terms and in respect of risks prescribed by the **industry body**, with an insurer approved by the **industry body**.

17. Performance standards to be agreed

The **industry body** and the **registry operator** must, at the beginning of the term of the appointment and at the beginning of each **financial year**, seek to agree on a set of performance standards against which the **registry operator's** actual performance must be reported and measured at the end of the **financial year**.

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

18. Self-review must be carried out by registry operator

18.1 The **registry operator** must conduct, on a monthly basis, a self-review of its performance.

18.2 The review must concentrate on: –

18.2.1 The **registry operator's** compliance in the previous month with:

- (a) its obligations under these **rules**; and
- (b) the terms of the **registry operator service provider agreement**; and
- (c) any performance standards agreed between the **registry operator** and the **industry body**; and

18.2.2 The operation of these **rules**.

19. Registry operator must report to the industry body

19.1 Within 10 **business days** of the end of each month, the **registry operator** must provide a written report to the **industry body** on the results of the review carried out under rule 18.

19.2 The report must contain details of –

19.2.1 Any circumstances identified by the **registry operator** where it has failed, or may have failed, to comply with any of its obligations under these **rules**, the terms of the **registry operator service provider agreement**, or any performance standards agreed between the **registry operator** and the **industry body**; and

19.2.2 Any area that, in the opinion of the **registry operator**, an amendment to a rule may need to be considered; and

19.2.3 Any other matter that the **industry body** reasonably requests provided that the **industry body** makes its request within a reasonable time before the report is due.

19.3 As soon as practicable after receiving a report under rule 19.1, the **industry body** must **publish** that report, provided the **industry body** may exclude any information it considers to be confidential or commercially sensitive.

20. Review of registry operator performance by the industry body

20.1 At the end of each **financial year**, the **industry body** may review the manner in which the **registry operator** has performed its duties and obligations under these **rules**.

20.2 The review must concentrate on –

Formatted: Font: Bold

20.2.1 The **registry operator's** compliance in the previous **financial year** with –

Formatted: Font: Bold

- (a) **its** obligations under these **rules**; and
- (b) **T**he terms of the **registry operator service provider agreement**; and
- (c) **A**ny performance standards agreed between the **registry operator** and the **industry body**; and

20.2.2 The operation of these **rules**.

21. Audits of the registry and the registry operator

- 21.1 In addition to the review specified in rule 20, the **industry body** may carry out audits of the records and procedures of the **registry** and **registry operator** within normal working hours on reasonable notice.
- 21.2 In respect of any audit, the **registry operator** must provide any auditor appointed by the **industry body** with –
- 21.2.1 **R**easonable access to all relevant facilities, personnel, records, and manuals; and
 - 21.2.2 **A**ny additional information that the auditor reasonably considers necessary to enable an assessment of whether the **registry** continues to meet the requirements of these **rules**.
- 21.3 In accordance with any provisions in the **registry operator service provider agreement** between the **industry body** and the **registry operator**, the **registry operator** must implement any changes necessary to give effect to any reasonable recommendations made by the auditor, with the objective of constantly improving services.

Funding of the registry

22. Development fee

- 22.1 The development fee is a fee to meet the **registry development costs**.
- 22.2 The **registry development costs** will include –
- 22.2.1 The capital costs associated with the development of the **registry**; and
 - 22.2.2 The costs associated with the appointment of the **registry operator**; and
 - 22.2.3 The costs of the **industry body** in connection with the development and establishment of the **registry**.
- 22.3 Every person who is a **retailer** on the **commencement date** is liable to pay a development fee in accordance with these **rules**.
- 22.4 The development fee is payable in respect of all **ICPs** except those with a status of **NEW** or **DECOMMISSIONED**.

23. How and when development fee must be paid

- 23.1** The development fee is payable to the **industry body**.
- 23.2** As soon as practicable after the **commencement date**, the **industry body** must determine and **publish** on its website a breakdown of the estimated **registry development costs**.
- 23.3** No less than 10 **business days** after publication of the estimated **registry development costs**, the **industry body** must invoice every person to whom rule 22.3 applies for that person's share of those costs calculated in accordance with the following formula – ÷

$$A \times (B/C)$$

Where:

A = the estimated **registry development costs**; and

B = the number of **ICPs** to which rule 22.4 applies as at the **commencement date** for which that person is the **responsible retailer**; and

C = the total number of **ICPs** to which rule 22.4 applies as at the **commencement date**.

- 23.4** As soon as practicable after the **go-live date**, the **industry body** must determine and **publish** on its website a breakdown of the actual **registry development costs**.

Formatted: Font: Bold

- 23.5** No less than 10 **business days** after publication of the actual **registry development costs**, the **industry body** must invoice or issue a credit note to every person to whom rule 22.3 applies for the difference between – ÷

23.5.1 That person's share of the actual **registry development costs** calculated in accordance with the formula in rule 23.3; and

23.5.2 The amount of the estimated **registry development costs** invoiced to that person.

24. Ongoing fees

24.1 The ongoing fees are monthly fees to meet the **registry ongoing costs** and are calculated for each **payment year** being each –

24.1.1 Calendar year, until the date notified under rule 24.5; and

24.1.2 Financial year, from and including the date notified under rule 24.5.

24.1.2.2 The **registry ongoing costs** for a **payment year** will include –

24.1.2.2.1 The costs payable to the **registry operator** in respect of that **payment year**; and

~~24.1.2~~24.2.2 The costs of the **industry body** associated with the **registry** and its role under these **rules** during that **payment year**.

~~24.3~~24.3 Every person who is a **retailer** on the first **business day** of a month is liable to pay ongoing fees for that month in accordance with these **rules**.

~~24.3~~24.4 Ongoing fees are payable in respect of all **ICPs** except those with a status of NEW or DECOMMISSIONED.

24.5 The **industry body** may change the **payment year** from a calendar year to a **financial year** by giving every person to whom the **industry body** considers rule 24.3 will apply written notice of:

Field Code Changed

24.5.1 The date on which the current **payment year** (in calendar years) will end and the next **payment year** (in **financial years**) will start, which date must be:

(a) ~~On the first day of a calendar month; At the beginning of a calendar month; and~~

(b) ~~At least 2 months from the date of such notice; and~~

24.5.2 The number of months that will be contained in the then current **payment year** and in the next **payment year**; and

~~24.3.1~~24.5.3 A revised estimate of the breakdown of the estimated **registry ongoing costs** for the then current **payment year** provided under rule 25.4.1 and an estimate under rule 25.4.1 for the next **payment year**.

Field Code Changed

Field Code Changed

24.6 A **payment year** may contain less than 12 calendar months where:

24.6.1 It is the first or last **payment year** under these **rules**; or

24.6.2 The **payment year** changes from calendar year to **financial year** under rule 24.5.

Field Code Changed

25. How and when estimated ongoing fees payable

25.1 The estimated ongoing fees are payable to the **industry body**.

25.2 As soon as practicable after the **commencement date**, the **industry body** must determine and **publish** on its website a breakdown of the estimated **registry ongoing costs** for the first **payment year** ~~or part year of operation of the registry~~.

Formatted: Font: Bold

25.3 As soon as practicable after publication of the estimated **registry ongoing costs** for the first **payment year** ~~or part year of operation~~, the **industry body** must notify every person to whom the industry body considers rule 24.3 will apply of the ongoing fees payable by that person in that **payment year** ~~to be or part year~~ calculated for each calendar month of that year in accordance with the following formula:

$$A - x (B/C)$$

Where:

- A = the **registry ongoing costs** for that payment year estimated in accordance with rule 25.2 and divided by 42 the number of calendar months in that payment year; and
- B = the number of **ICPs** to which rule 24.4 applies as at the first **business day** of each month in that payment year for which that person is the **responsible retailer**; and
- C = the total number of **ICPs** to which rule 24.4 applies as at the first **business day** of that month.

25.4 For each payment year following the first payment year or part year of operation, the **industry body** must –

25.4.1 Estimate and **publish** on its website at least 2 months prior to the beginning of the payment year a breakdown of the estimated **registry ongoing costs** for that payment year; and

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

25.4.2 As soon as practicable after publication of the estimated **registry ongoing costs**, notify each person to whom the industry body considers rule 24.3 will apply that applies of the ongoing fees will be payable by that person in that payment year calculated in accordance with the formula in rule 25.3.

25.5 ~~On~~ As soon as practicable following the first **business day** of each month, the **industry body** or the **registry operator** must invoice every person to whom rule 24.3 applies with the ongoing fees that person is liable to pay ~~that person's share of the estimated registry ongoing costs~~, calculated in accordance with the formula in rule 25.3.

26. How and when actual ongoing fees payable

26.1 The actual ongoing fees are payable to the **industry body**.

26.2 As soon as practicable after the end of each payment year, the **industry body** must determine and **publish** on its website a breakdown of the actual **registry ongoing costs** for that payment year.

Formatted: Font: Bold

26.3 No less than 10 **business days** after publication of the actual **registry ongoing costs**, the **industry body** or the **registry operator** must invoice or issue a credit note to each person to whom rule 24.3 applies with the difference between – ÷

26.3.1 That person's share of the actual **registry ongoing costs** calculated in accordance with the formula in rule 25.3; and

26.3.2 The amount of the estimated **registry ongoing costs** invoiced to that person during the applicable payment year.

27. General provisions regarding fees

27.1 The due date for payment of any invoice or refund of any credit is the 10th **business day** after the date on the invoice or credit note.

- 27.2** Any person who is liable to pay any fee under rules 22 to 27 inclusive, and who fails to make payment of such fee on or before the date on which it falls due, is liable to pay an additional fee of 10% of the amount of the fee that is unpaid.
- 27.3** The additional fee becomes payable and due on the 10th **business day** after the date that the **industry body** notifies the person that an additional fee is payable.
- 27.4** The fees payable under rules 22 to 27 inclusive are exclusive of any goods and services tax payable under the Goods and Services Tax Act 1985 and goods and services tax on those fees will be added to the invoices issued under rules 22.3, 25.5 and 26.3.

Notices and receipt of information

28. Giving of notices

- 28.1** [Subject to rule 30](#), if these **rules** require any notice or notification to be given, the notice or notification must be in writing and be –
- 28.1.1** Delivered by hand to the nominated office of the addressee; or
 - 28.1.2** Sent by post to the nominated postal address of the addressee; or
 - 28.1.3** Sent by facsimile to the nominated facsimile number of the addressee; or
 - 28.1.4** Sent by electronic transmission or any other similar method of electronic communication to the appropriate nominated electronic address of the addressee.
- 28.2** In the case of an emergency, a person may give notice other than in accordance with rule 28.1, but the person must as soon as practicable, confirm the notice in writing and by a method set out in rule 28.1.

29. When notices taken to be given

In the absence of proof to the contrary, notices [provided in accordance with rule 28 and information provided to the registry in accordance with rule 30](#) are taken to be given –

- 29.1** In the case of notices delivered by hand to a person, when actually received at that person's address;
- 29.2** In the case of notices sent by post, at the time when the letter would in the ordinary course of post be delivered; and in proving the delivery, it is sufficient to prove that the letter was properly addressed and posted;
- 29.3** In the case of notices sent by fax, at the time indicated on a record of its transmission;
- 29.4** In the case of notices sent by electronic transmission or any other similar method of electronic communication, at the time –

29.4.1 The computer system used to transmit the notice has received an acknowledgment or receipt to the electronic mail address of the person transmitting the notice; or

29.4.2 ~~The person who gave the notice proves~~ The notice was transmitted by computer system to the electronic address provided by the addressee, as proven by the person who gave the notice;

30. Entering information in the registry

For the purposes of these **rules** any reference to entering information in the registry means an attempt –

30.1 ~~, any reference to entering information in the registry means an attempt~~ By the **responsible distributor**, **responsible retailer**, or **responsible meter owner** to enter information in the **registry**;

30.2 By electronic transmission, or ~~any~~ other similar method of electronic communication (for example and without limitation, using a web browser or file batch transfer) as required by the industry body as specified in the registry operator service provider agreement.

31. When notices to and entering information in the registry has occurred

31.1 For the purposes of these **rules** –

31.1.1 Any reference to the acceptance of information in the **registry** or the giving of notices to the **registry** means that the attempt to enter information in the **registry** or to give a notice to the **registry** has been successful and the information or the notice is recorded in the **registry**; and

31.1.2 Any reference to the rejection of information by the **registry** or the rejection of a notice by the **registry** means that the attempt to enter information in the **registry** or to give the notice to the **registry** has been unsuccessful and that the information or the notice is not recorded in the **registry**; ~~and-~~

31.1.3 Any reference to the receipt of a notice from the registry means that the notice from the registry is recorded in the registry and is capable of being viewed by the recipient.

31.2 If these **rules** require the **registry** to give a notice to a **distributor**, **retailer**, or **meter owner** stating that any information or notice provided by the ~~party~~ person concerned has been rejected by the **registry**, the notice must include the time and date that the notice was rejected by the **registry** and the reason for the rejection.

32. Registry notice of changes to ICP parameter values

32.1 For the purposes of these **rules**, if the **registry** is required to give a notice to a **distributor**, **retailer** or **meter owner** because a change to an **ICP parameter value** has been accepted in the **registry**, the notice must identify the **ICP** and **ICP parameter** concerned, and include the new

Formatted: Indent: Left: 1.44 cm

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

value of the **ICP parameter**, the date in respect of which the change was made, and the time and date that the change was made in the **registry**.

- 32.2** Where the **registry** is required to give notice of the change to an **ICP parameter value**, one notice shall be provided for each day in respect of which a change was made to that **ICP parameter value**, meaning that if more than one change was made the notice will provide the net result of the changes to the **ICP parameter value** for that day.

Access to the registry

33. Registry access

- 33.1** The **industry body**, in consultation with **registry participants**, must determine [—](#) ÷
- 33.1.1** **Report access** restrictions in respect of each **distributor, retailer, and meter owner**; and
- 33.1.2** The times within which **registry participants** require reports requested by them to be provided by the **registry**; and
- 33.1.3** The bounds of the information viewed by any [party person](#) as a result of an address search conducted on **ICPs** in the **registry**.
- 33.2** Subject to rule 33.1.1, every **registry participant** shall have **report access** to current and historical values of all **ICP parameters** for all **ICPs** in the **registry**.
- 33.3** Subject to rule 33.1.2, **registry participants** may request the **registry operator** to provide customised reports on any or multiple **ICPs**.
- 33.4** Subject to rule 33.1.3, the following persons shall have **view access** to any of the information accepted in the **registry** in relation to any individual **ICP** [—](#) ÷
- 33.4.1** Every **registry participant**; and
- 33.4.2** Any other person authorised by the **industry body** to have **view access** to the **registry**.
- 33.5** The following persons shall have **write access** to **ICP parameter values** in the **registry** in relation to any individual **ICP** [—](#) ÷
- 33.5.1** Every **distributor, retailer, and meter owner** in relation to the initial population of the **registry** as set out in rules 41 and 42;
- 33.5.2** Every **distributor, retailer, and meter owner** in relation to the creation and readying of new **ICPs** as set out in rules 51 to 56;
- 33.5.3** Every **distributor, retailer, and meter owner** in relation to maintaining the values of the **ICP parameter** each **ICP** for which they are responsible as set out in rules 58 to 62; and

33.5.4 The **registry operator** as may from time to time be approved by the **industry body**, in consultation with affected **registry participants**.

Other provisions relating to the registry and registry participants

34. Obligation of registry participants to act reasonably

34.1 In light of the purpose of the **registry** as set out in rule 39, every **registry participant** must act reasonably in relation to its dealings with the **registry** and, in doing so, must use its reasonable endeavours to co-operate with other **registry participants**.

34.2 Rule 34.1 does not limit any other obligations a **registry participant** may have under these **rules**.

35. Other obligations of registry participants

35.1 Each **registry participant** must ensure that any software for the **registry** is used in a proper manner by competent employees or by persons under the supervision of those employees.

35.2 No **registry participant** may request, permit, or authorise anyone other than the **registry operator** to provide support services in respect of any software for the **registry**.

35.3 Each **registry participant** must appoint a nominated manager to be responsible for all of that **registry participant's** communications with the **registry**.

36. Use of ICP identifier on invoices

36.1 Every **retailer** must ensure that the relevant **ICP identifier** is printed on any invoice or associated documentation relating to the [salesupply](#) of gas by the **retailer** to a consumer.

36.2 The **ICP identifier** must be clearly labelled "ICP" on the invoice.

37. Consumer queries

Every **retailer** and **distributor** must advise any consumer (or any person authorised by the consumer) of the consumer's **ICP identifier** within 3 **business days** of receiving a request for that information.

Part 2

Gas Registry

Establishing the registry

38. Establishment of registry

The **registry operator** must establish, operate and maintain the **registry** so as to meet the requirements of these **rules**.

39. Purpose of registry

The purpose of the **registry** is –

- 39.1 To facilitate efficient and accurate switching of **retailers** by consumers; and
- 39.2 To provide an authoritative database of current and historical information on all **ICP parameters**, to facilitate accurate billing of consumers and allocation of charges to **retailers**; and
- 39.3 To provide a mechanism by which the accuracy and timeliness of information provided in relation to an **ICP** is controlled and recorded.

40. Requirements of registry

The **registry** must –

- 40.1 Comply with, and perform in accordance with, the **registry specification**; and
- 40.2 Fulfil the purpose of the **registry** as set out in rule 39; and
- 40.3 Subject to the validation requirements set out in these **rules**, accept the information and notices referred to in these **rules**; and
- 40.4 Maintain a complete audit trail for all information and notices accepted in accordance with these **rules**; and
- 40.5 Maintain records that enable allocation and reconciliation of energy charges, line charges and metering charges between **retailers**; and
- 40.6 Facilitate **switches** in accordance with these **rules**; and
- 40.7 Otherwise perform in accordance with the requirements of these **rules**.

41. Initial population of registry

41.1 Prior to the **go-live date** –

- 41.1.1 Each **distributor** must enter in the **registry**, values for the **ICP parameters** listed in Part A of the Schedule, for each **ICP** on its distribution system; and
- 41.1.2 Each **retailer** must enter in the **registry**, values for the **ICP parameters** listed in Part B of the Schedule, for each **ICP** for which it supplies gas; and
- 41.1.3 Each **meter owner** must enter in the **registry**, values for the **ICP parameters** listed in Part C of the Schedule in relation to each **ICP** for which it owns the **meter**.

41.2 When entering information in the **registry** under rule 41.1, each **distributor**, **retailer**, and **meter owner** may only assign a value to an **ICP parameter** in accordance with the **rules** set out in the second column of parts A, B and C of the Schedule respectively.

42. Accuracy of initial information

- 42.1 Prior to the **go-live date**, each **responsible distributor**, **responsible retailer**, and **responsible meter owner** must check the accuracy of any information entered in the **registry** in relation to the **ICPs** for which they are responsible.
- 42.2 If, a **distributor**, **retailer**, or **meter owner** becomes aware that any information in the **registry** is incorrect, the **responsible distributor**, **responsible retailer**, or **responsible meter owner** must, prior to the **go-live date**, enter the correct information in the **registry**.
- 42.3 Each **distributor**, **retailer**, and **meter owner** must use its reasonable endeavours to co-operate with each other to enter information in the **registry** under rule 41.1, having regard to the fact that for each **ICP** there will be a **distributor**, **retailer**, and a **meter owner** required to enter information in the **registry** prior to the **go-live date**.

Assignment of ICPs to consumer installations

43. **Assignment of ICPs**

- 43.1 Each **distributor** must assign an **ICP identifier** for each **consumer installation** that is connected to its distribution system or transmission system.
- 43.2 An **ICP** must represent a single **consumer installation** that –
- 43.2.1 May be isolated from the distribution system or transmission system without affecting any other **consumer installation**; and
 - 43.2.2 ~~May have Has~~ a single **loss factor** and a single network price category; and
 - 43.2.3 Has its gas volume measured directly by a single set of **metering equipment** complying with NZS 5259:2004 (or any subsequent replacement standard), or measured indirectly by a method approved by the **industry body** which produces the equivalent of the measurement from a single set of **metering equipment**.

Determination of certain ICP parameter codes

44. **The industry body to determine applicable ICP parameter codes**

- 44.1 The **industry body** must determine and **publish** the following information ~~—~~:
- 44.1.1 The codes for every **distributor**, **retailer**, **meter owner**, **corrector** owner, datalogger owner and telemetry owner that is, or **is** likely to be, required as a value for any relevant **ICP parameter** on the **registry**; and
 - 44.1.2 The **gas gate** codes for the **gas gates** created by **distributors**; and
 - 44.1.3 The **ICP** types and the code for each **ICP** type; and
 - 44.1.4 The **ICP** status codes; and

44.1.5 The **connection statuses** and the code for each **connection status**; and

44.1.6 The valid combinations of **ICP** status and **connection status** codes for any **ICP**; and

44.1.7 The load shedding categories and the code for each load shedding category; and

44.1.8 The **allocation groups** and the code used for each **allocation group**; and

44.1.9 The profiles that may be assigned to **ICPs** and the code for each profile.

44.2 The **industry body** may from time to time amend or revoke any code determined under rule 44.1 and the **industry body** must **publish** any amendment or revocation of a code.

44.3 In the case of a **consumer installation** directly connected to a transmission system –

44.3.1 The **industry body** must assign a unique **gas gate** code to the point of connection between the transmission system and the **consumer installation**; and

44.3.2 The **distributor** must assign an **ICP identifier** to the point of connection between the transmission system and the **consumer installation**.

45. Distributors to give notices in relation to gas gates

45.1 If a **distributor** intends to create or decommission a **gas gate**, the **distributor** must, at least 20 **business days** before the creation or decommissioning takes effect, give notice of that **gas gate** creation or decommissioning to –

45.1.1 The **industry body**; and

45.1.2 The **registry operator**, and

45.1.3 ~~All~~The **allocation agents** and **all** **retailers** that will be affected by the **gas gate** creation or decommissioning.

45.2 When a **distributor** gives notice of the creation of a new **gas gate** or decommissioning of a **gas gate**, the notice must include –

45.2.1 The **gas gate** code assigned by the **industry body** to the relevant **gas gate**; and

45.2.2 The date of creation or decommissioning of the **gas gate**; and

45.2.3 If applicable, the **gas gate** code of the **gas gate's** parent **gas gate**; and

Formatted: Font: Bold

Formatted: Font: Not Bold

45.2.4 The **ICP identifier** of all **ICPs** created or decommissioned or transferred between **gas gates** in association with the creation of the new **gas gate**.

46. Distributors to determine network price category codes

Each **distributor** must determine, **publish** and maintain a schedule of its network price categories and the respective network price category codes and, except where the **distributor** requires disclosure on application in accordance with rule 50, the charges associated with each of those codes.

47. Distributors to determine loss factor codes

Each **distributor** must ~~—~~:

47.1 **Publish** and maintain a schedule of all the **loss factors** (if any) which apply to **gas gates** on the **distributor's** distribution system; and

47.2 Determine, **publish** and maintain the respective codes for those **loss factors**.

48. Distributors to give notices in relation to loss factor codes

If a **distributor** intends to add or delete any **loss factor** codes, the **distributor** must, at least 20 **business days** before any such change takes effect, give notice of the impending change to –

48.1 ~~The~~ **registry operator**; and

48.2 ~~All~~ **The allocation agents** and **all retailers** that will be affected by the change in **loss factor** codes.

49. Meter owners to determine metering price codes

49.1 Each **meter owner** must determine, **publish** and maintain a schedule of its metering price codes applicable to all **ICPs** where it is the **responsible meter owner**.

49.2 Each **meter owner** shall provide all **registry participants** with whom it contracts to provide metering services a schedule of its metering price codes and, except where the **meter owner** requires disclosure on application in accordance with rule 50, the charges associated with each of those codes.

50. Disclosure on application

50.1 Where these rules give a **registry participant** the right to require disclosure on application for certain **ICP** information, that right shall only be used ~~—~~:

50.1.1 Where the **registry participant** does not have a reasonably practicable alternative method of protecting its commercial interest in that information; and

50.1.2 To the extent necessary to reasonably protect that interest.

Formatted: Font: Bold

50.2 Where a **registry participant** requires disclosure on application for certain **ICP** information [—](#):

50.2.1 Requests for disclosure of that information must be made directly to the **registry participant** concerned.

50.2.2 Upon receiving such a request, the **registry participant** must [advise-notify](#) the requester within 1 **business day** of receiving the request whether or not it agrees to disclose the information requested, such disclosure not being unreasonably withheld.

50.2.3 Where the **registry participant** agrees to disclose the requested information, it must be provided within a further **business day**.

Creation of new ICPs

51. Creation of new ICPs

51.1 A **retailer** may request a **distributor** to assign an **ICP** for a new **consumer installation** on the distribution system.

51.2 If the **distributor** receives a request under rule 51.1, the **distributor** must, within 3 **business days** of receiving that request, assign an **ICP** to the new **consumer installation** or [advise-notify](#) the **retailer** of the reason why it is unable to assign an **ICP**.

51.3 Once a **distributor** receives confirmation that a new **consumer installation** is first connected to its distribution system, the **distributor** must, within 2 **business days** of receiving that confirmation, enter in the **registry** the following information from Part A of the Schedule [—](#):

51.3.1 The **ICP identifier**; and

51.3.2 The **ICP** creation date; and

51.3.3 The **responsible distributor** code; and

51.3.4 The physical address of the **consumer installation**.

52. Registry validation of ICP creation

52.1 As soon as possible after the **ICP** and the information required by rule 51.3 has been entered in the **registry**, the **registry** must –

52.1.1 Validate the information entered by confirming that the –

(a) **ICP identifier** is a valid code and does not otherwise exist in the **registry**; and

(b) [R](#)**esponsible distributor** code is an available and valid code for the entering **distributor**; and

(c) **ICP** creation date is not a future date; and

52.1.2 Based on the validation result, accept or reject the **ICP** and the information entered and notify the **distributor** accordingly.

52.2 If the **ICP** is accepted in the **registry**, the **registry** must —;

52.2.1 On acceptance, denote the **ICP** status as **NEW**; and

52.2.2 Within 1 **business day** of acceptance, give a notice to the **distributor** stating the **ICP parameters** accepted in the **registry** for that **ICP**.

53. **Readying of NEW ICP and registry validation**

53.1 Within 2 **business days** of having identified for a new **ICP** the values of the remaining **ICP parameters** listed in Part A of the Schedule apart from **ICP** status and **connection status**, the **distributor** must enter them in the **registry**.

53.2 As soon as possible after any of the remaining **ICP parameters** have been entered in the **registry**, the **registry** must –

53.2.1 Validate the **ICP parameter values** entered by confirming that they are available and valid values for the **distributor**; and

53.2.2 Based on the validation result, accept or reject any or all of the **ICP parameter values** and notify the **distributor** accordingly.

53.3 Within 1 **business day** of having accepted the full set of values for the **ICP parameters** listed in Part A of the Schedule apart from **ICP** status, the **registry** must –

53.3.1 Change the **ICP** status to **READY**; and

53.3.2 Notify the **distributor** and the expected **retailer** of the values of all the **ICP parameters** for the **ICP**.

53.4 At any time prior to the **retailer** changing the **ICP** status in accordance with rule 54.1.1, the **distributor** may change the **ICP** status to **NEW** by removing an **ICP parameter** value from the **registry** while the **distributor** identifies the value of that **ICP parameter value**.

Formatted: Font: Bold

Formatted: Font: Bold

54. **Retailer for READY ICP**

54.1 Subject to rule 54.2, within 2 **business days** of a **retailer** entering into a contract to supply gas to a consumer at a **consumer installation** for which its **ICP** has an **ICP** status of **READY**, the **retailer** must enter in the **registry** values for all of the **ICP parameters** listed in Part B of the Schedule, including —;

54.1.1 A change to the value of the **ICP** status according to rule 59.9; and

54.1.2 The applicable valid value of the **connection status**.

54.2 A **retailer** must not record any information in the **registry** for an **ICP** before the **ICP** status is **READY**.

54.3 To avoid any doubt, the **retailer** that enters information under rule 54.1 may or may not be the expected **retailer** referred to in rule 53.3.2.

55. Registry validation of first retailer information

55.1 As soon as possible after all the **ICP parameter values** referred to in rule 54.1 have been entered in the **registry**, the **registry** must –

55.1.1 Validate the information entered by confirming that they are available and valid values for the entering **retailer**; and

55.1.2 Based on the validation result, accept or reject any or all of the **ICP parameter values** and notify the entering **retailer** accordingly.

55.2 Within 1 **business day** of having accepted the information in the **registry**, the **registry** must notify the **responsible distributor**, **responsible retailer**, and **responsible meter owner** that the **ICP parameter values** are accepted in the **registry** for that **ICP**.

56. Meter owner information for new ICP

56.1 Within the timeframe specified in rule 56.2, the **responsible meter owner** for an **ICP** must enter in the **registry** values for all of the **ICP parameters** listed in Part C of the Schedule.

56.2 The timeframe is within 2 **business days** after the **responsible meter owner** –

56.2.1 Has confirmed that the **metering equipment** has been installed at the new **consumer installation**; and

56.2.2 Has been notified of the information under rule 55.2 in relation to the **ICP**.

57. Registry validation of first meter owner information

57.1 As soon as possible after the **ICP parameters** referred to in rule 56.1 have been entered in the **registry**, the **registry** must –

57.1.1 Validate the information entered by confirming that they are available and valid values for the entering **meter owner**; and

57.1.2 Based on the validation result, accept or reject any or all of the **ICP parameter values** and notify the entering **meter owner** accordingly.

57.2 Within 1 **business day** of having accepted the **ICP parameters** in the **registry**, the **registry** must give notice to the **responsible distributor**, **responsible retailer** and **responsible meter owner** for that **ICP** stating the **ICP parameters** that have been accepted in the **registry** for that **ICP**.

Maintenance of ICP information

58. ICP information to be maintained

- 58.1** Each **distributor, retailer, and meter owner** must use its reasonable endeavours to maintain current and accurate information in the **registry** in relation to the **ICPs** and the **ICP parameters** for which it has responsibility as set out in the Schedule.
- 58.2** When entering information in the **registry** under rule 58.1, each **distributor, retailer, and meter owner**, may only assign a value to an **ICP parameter** in accordance with the **rules** set out in the second column of each part of the Schedule.

59. Management of ICP status by distributors and retailers

The **ICP** status recorded on the **registry** is to be managed by **distributors, retailers** and the **registry** in accordance with the following rules –

- 59.1** The **ICP** status of NEW may only be assigned by the **registry** in accordance with rule 52.2 and denotes that the **responsible distributor** has not populated all of the **ICP parameters** for which it is **responsible** and the **ICP** is not ready for uplift by a **retailer**.
- 59.2** The **ICP** status of READY may only be assigned by the **registry** in accordance with rule 53.3 and denotes the **ICP** is ready for uplift by a **retailer**.
- 59.3** Subject to the **responsible distributor** changing the **ICP** status from READY to NEW in accordance with rule 53.4, only the **responsible retailer** may change the **ICP** status from READY.
- 59.4** The **ICP** status of ACTIVE-CONTRACTED may only be assigned by the **responsible retailer** and denotes that the **responsible retailer** has entered into a contract to supply gas to a consumer at the **consumer installation** and that either —:
- 59.4.1** Gas is able to flow to the installation; or
- 59.4.2** The gas supply is temporarily disconnected.
- 59.5** The **ICP** status of ACTIVE-VACANT may only be assigned by the **responsible retailer** and denotes that gas is able to flow to the **consumer installation** but the **responsible retailer** does not have a current contract to supply gas to a consumer at the **consumer installation**.
- 59.6** Only the **responsible retailer** may change the **ICP** status from ACTIVE-CONTRACTED or ACTIVE-VACANT.
- 59.7** The **ICP** status of INACTIVE-TRANSITIONAL may only be assigned by the **responsible retailer** and denotes that gas is not able to flow to the **consumer installation** due to a transitional (non-permanent) disconnection of supply.
- 59.8** Subject to rule 59.12, the **ICP** status of INACTIVE-PERMANENT may only be assigned by the **responsible retailer** and denotes that gas is not able to flow to the **consumer installation** due to a permanent disconnection of supply.

- 59.9** As soon as a **retailer** uplifts an **ICP** in the READY status and assumes the role of **responsible retailer** that **retailer** must change the **ICP** status to one of ACTIVE-CONTRACTED, ACTIVE-VACANT or INACTIVE-TRANSITIONAL as applicable.
- 59.10** Subject to rule 59.12, only the **responsible retailer** may change the **ICP** status from INACTIVE-TRANSITIONAL or INACTIVE-PERMANENT.
- 59.11** The **ICP** status of DECOMMISSIONED may only be assigned by the **responsible distributor** and denotes that ~~—~~:
- 59.11.1** The **ICP** is removed from future switching and reconciliation processes; and
- 59.11.2** Any associated **consumer installation** is no longer connected to the **responsible distributor's** distribution system.
- 59.12** The **ICP** status of DECOMMISSIONED may only be changed by the **responsible distributor** and may only be changed to INACTIVE-PERMANENT.

60. Management of connection status codes by retailers and distributors

- 60.1** The **connection status** parameter recorded on the **registry** is managed by **distributors** and **retailers**.
- 60.2** In the event that a **distributor** or **retailer** changes the **ICP** status of an **ICP** that **distributor** or **retailer** must ensure that the **ICP's connection status** for the date of the change is recorded in the **registry** in accordance with the status codes and usage requirements **published** by the **industry body** from time to time.

61. Correction of ICP information in registry and registry validation

- 61.1** If, in relation to any information in the **registry**, a **responsible distributor**, **responsible retailer**, or **responsible meter owner** becomes aware that such information is incorrect or requires updating, the relevant **responsible distributor**, **responsible retailer**, or **responsible meter owner** must, as soon as practicable, enter the correct or updated information in the **registry**.
- 61.2** As soon as possible after any information referred to in rule 61.1 has been entered in the **registry**, the **registry** must –
- 61.2.1** Validate the information entered by confirming that they are available and valid values for the ~~party-person~~ entering the information; and
- 61.2.2** Based on the validation result, accept or reject the information in the **registry** and notify the ~~party-person~~ entering the information accordingly.
- 61.3** Within 1 **business day** of having accepted the information in the **registry**, the **registry** must give notice to the **responsible distributor**, **responsible retailer**, and **responsible meter owner** in accordance with rule 32.

61.4 If the **registry** is required to give a notice under rule 61.3 and a gas switching notice has been given in respect of the **ICP** but the **switch** is not yet complete, the **registry** must give notice to both the **responsible retailer** and the **new retailer**.

62. Distributors, retailers, and meter owners to resolve discrepancies

62.1 In relation to any information for an **ICP** in the **registry**, the **responsible distributor**, **responsible retailer**, and **responsible meter owner** must use their best endeavours to resolve any discrepancies between the information in the **registry** and the information held elsewhere by them.

62.2 In order to identify and resolve any discrepancies in the information held for an **ICP**, each **distributor**, **retailer**, and **meter owner** must, by 1600 hours on the 15th **business day** of each month, review the following relevant reports and enter any- corrections in the **registry** —:

62.2.1 The **retailer** report under rule 85; and

62.2.2 The **distributor** report under rule 86; and

62.2.3 The **meter owner** report under rule 87.

62.3 Each **distributor**, **retailer**, and **meter owner** must retain for such time as may be determined by the **industry body** records of the reviews and any corrections made under rule 62.2 for the purpose of any audit that may be conducted by, or on behalf of, the **industry body**.

Part 3

Switching

63. Switching retailers

Rules 64 to 81 apply to **standard switches** and **move switches**.

64. Codes relevant to switching

64.1 The **industry body** must determine and **publish** codes for the following —:

64.1.1 The codes used in a **switch** notice to denote whether the **switch** is a **standard switch** or a **move switch**; and

64.1.2 Register content codes associated with **switch readings** in transfer notices; and

64.1.3 Acceptance codes for gas acceptance notices; and

64.1.4 Reason codes for gas switching withdrawal notices.

64.2 The **industry body** may amend or revoke any code determined under rule 64.1 and the **industry body** must **publish** any amendment or revocation of a code.

65. Initiation of switch

65.1 A **switch** is initiated by the **new retailer** under the authority of the consumer electing to change **retailers**.

65.2 Before the **new retailer** may initiate a **switch**, the **new retailer** must –

65.2.1 Have entered into a contract with the consumer for the supply of gas to the relevant **consumer installation**; and

65.2.2 Have obtained the consumer's agreement to –

(a) ~~E~~ffect the **switch**; and

(b) ~~E~~stablish the date for commencement of supply through communication with the **responsible retailer**; and

(c) ~~U~~se an **estimated reading** from the **responsible retailer** to define the split of variable charges between the **responsible retailer** and the **new retailer** at the **switch date**; and

(d) ~~C~~ollect information relating to the consumer and the **consumer installation** from the **responsible retailer** and elsewhere in order to complete the **switch** and commence gas supply; and

65.2.3 Be a party to a valid and subsisting agreement with the owner of the distribution system or transmission system to which the relevant **consumer installation** is connected, allowing the **new retailer** to transport and/or sell gas across that distribution system or transmission system; and

65.2.4 Be a party to a valid and subsisting gas sale and purchase agreement providing access to a supply of wholesale gas for distribution; and

65.2.5 Be a party to a valid and subsisting agreement with the owner or owners of the **metering equipment** at the relevant **consumer installation**, for use of that equipment to measure gas consumption for the **ICP**; ~~and~~

~~Be a party to a valid and subsisting agreement with an **allocation agent** authorised to allocate gas at the **gas gate** from which gas is supplied to the **ICP**.~~

66. Gas switching notice

66.1 Within 2 **business days** after entering into a contract to supply gas to a consumer at the relevant **consumer installation**, the **new retailer** must initiate the **switch** by giving a gas switching notice to the **registry**.

66.2 The effect of giving the gas switching notice to the **registry** is that the **new retailer** –

66.2.1 Warrants that it has complied with rule 65; and

66.2.2 Is deemed to be the agent of the consumer with the authority to obtain from the **responsible retailer** the information required by these **rules** to be contained in the gas acceptance notice and the gas transfer notice.

67. **What gas switching notice must contain**

67.1 The gas switching notice must state –

67.1.1 The **ICP identifier**; and

67.1.2 Whether ~~or not~~ it is a **standard switch** or a **move switch** using the codes defined by the **industry body**; and

67.1.3 In the case of a **move switch** –

(a) Subject to rule 67.3A, ~~t~~the requested **switch date**; and

(b) The physical address of the **ICP**.

67.2 The gas switching notice may state –

67.2.1 The name of the consumer requesting the **switch**; and

67.2.2 Subject to rule 67.4, a request for the last 12 months of **register readings** from the **metering equipment** at the **consumer installation**; and

67.2.3 In the case of a **standard switch**, –

(a) Subject to rule 67.3, the requested **switch date**; and

(b) The physical address of the **ICP**.

67.3 If the **new retailer** includes a requested **switch date** for a **standard switch**, that date must not pre-date the date the gas switching notice is given to the registry, be less than 7 **business days** and must not be more than 23 **business days** after the date the gas switching notice is given to the **registry**.

Formatted: Font: Bold

67.3A If the **new retailer** requests a **move switch**, the requested **switch date** must not be earlier than 1 **business day** after the date the **responsible retailer** became the **responsible retailer** for supply according to the **registry** and must not be more than 23 **business days** after the date the gas switching notice is given to the **registry**.

Formatted: Font: Bold

Formatted: Font: Bold

67.4 If the **new retailer** requests the last 12 months of **register readings** from the **meter** at the **consumer installation** –

Formatted: Font: Bold

Formatted: Font: Bold

67.4.1 The **new retailer** and the **responsible retailer** must agree as to how the **register readings** shall be provided; and

Formatted: Font: Bold

Formatted: Font: Bold

67.4.2 The **registry** is not obliged to provide any facility to communicate the **register readings** from the **responsible retailer** to the **new retailer**.

68. Registry validation of gas switching notice

68.1 As soon as possible after having received the gas switching notice, the **registry** must –

68.1.1 Validate the information contained in the gas switching notice by confirming –

- (a) That the **ICP** status for the **ICP** is;–
 - (i) ACTIVE-CONTRACTED; or
 - (ii) ACTIVE-VACANT; or
 - (iii) INACTIVE-TRANSITIONAL; or
 - (iv) INACTIVE-PERMANENT; and
- (b) That any codes used in the notice are available codes; and
- (c) That, in the case of a **move switch**, there is a requested **switch date**; and

68.1.2 Based on the validation result, accept or reject the gas switching notice and notify the **new retailer** accordingly.

68.2 Within 1 **business day** of having accepted the gas switching notice, the **registry** must give the gas switching notice to the **responsible retailer**.

69. Response to a gas switching notice

69.1 Within 2 **business days** after receiving a gas switching notice from the **registry**, the **responsible retailer** must give to the **registry** –

69.1.1 A gas acceptance notice in accordance with rule 70 that states that the **responsible retailer** intends the **switch** to take place on an expected **switch date**; or

69.1.2 A gas transfer notice in accordance with rule 72 that includes all the information required to complete the **switch**; or

69.1.3 A gas switching withdrawal notice in accordance with rule 75 that states that the **responsible retailer** believes that the gas switching notice should be withdrawn.

69.1A If a gas switching withdrawal notice provided under rule 69.1.3 is rejected by the **new retailer** (namely by the **new retailer** providing a gas switching withdrawal response notice in accordance with rule 78.1 that rejects the notice provided to comply with rule 69.1.3), the **responsible retailer** must give to the **registry** within 2 **business days** after receiving notice of that rejection from the **registry** –

69.1A.1 A gas acceptance notice in accordance with rule 70; or

69.1A.2 A gas transfer notice in accordance with rule 72.

69.2

~~69.2 If the **responsible retailer** gives a gas acceptance notice, it must, subject to rule 69.3, give a gas transfer notice to the **registry** within 23 **business days** after receiving the gas switching notice from the **registry**.~~

Formatted: Bullets and Numbering

69.2 The **responsible retailer** must ensure that within 23 **business days** after receiving a gas switching notice from the **registry** it completes the **switch** by the giving of a gas transfer notice, unless the **switch** is withdrawn during that period in accordance with rule 78.3.2.

Field Code Changed

~~69.3 Except where a gas switching withdrawal request has been given, Except in the case of a **move standard switch**, if the **responsible retailer** gives a gas transfer notice it must give that a gas transfer notice within 2 **business days** of the **switch date** included in the gas transfer notice.~~

69.4 Where a gas switching withdrawal notice is given under in accordance with rule 75.3, the **registry** will not accept a gas transfer notice until a gas switching withdrawal response notice is given.

Field Code Changed

70. What gas acceptance notice must contain

A gas acceptance notice must state –

70.1 The **ICP identifier**; and

70.2 An expected **switch date** which –

70.2.1 Except as required under rule 72.2, is not limited to any requested **switch date** in the gas switching notice; but

70.2.2 Must be no later than 23 **business days** after the date the **responsible retailer** received the gas switching notice from the **registry**; and

70.3 An acceptance code, as defined by the **industry body**, to communicate certain information that might be useful to the **new retailer** in deciding whether to proceed with or withdraw the **switch**.

71. Registry validation of gas acceptance notice

71.1 As soon as possible after having received the gas acceptance notice, the **registry** must –

71.1.1 Validate the gas acceptance notice by confirming that any codes used in the notice are available codes; and

71.1.2 Based on the result of that validation, accept or reject the gas acceptance notice and notify the **responsible retailer** accordingly.

71.2 Within 1 **business day** of having accepted the gas acceptance notice, the **registry** must give the gas acceptance notice to the **new retailer**.

71.3 For the avoidance of doubt, if a gas acceptance notice is rejected by the **registry**, the **responsible retailer** must still comply with rule 69.

72. What gas transfer notice must contain

- 72.1** A gas transfer notice must state –
- 72.1.1** The **ICP identifier**; and
 - 72.1.2** the **switch date**; and
 - 72.1.3** An annualised consumption (in gigajoules) estimate for the **ICP**; and
 - 72.1.4** The **meter** location code; and
 - 72.1.5** The date of the last **actual reading** recorded for the **ICP**; and
 - 72.1.6** The **meter** identifier; and
 - 72.1.7** The **meter** pressure; and
 - 72.1.8** For each register for which information is being conveyed –
 - (a) **the register multiplier**; and
 - (b) the number of dials on the register; and
 - (c) **the switch reading** for the register, which must contain the same number of digits as the number of dials on the register; and
 - (d) **whether the register reading is an actual reading or an estimated reading**; and
 - (e) the register content code; and
 - 72.1.9** Any additional information that can reasonably be expected to affect the accuracy of the **switch** and subsequent consumer billing and allocation processes.
- 72.2** Subject to rules 72.3 and 72.4, if the gas switching notice included a requested **switch date** that complied with rule 67.3 or 67.3A, the **responsible retailer** must use the requested **switch date** as the **switch date** and provide **switch readings** applicable to that date, ~~unless~~; or
- 72.3** If ~~t~~the **responsible retailer** has, at the time the gas switching notice was given to the **responsible retailer** by the **registry**, billed a consumer for the **ICP** up to a date after the requested **switch date** ~~in which case the **responsible retailer** must use~~,
- ~~–~~
- 72.3.1** ~~in which case the **responsible retailer** must use~~ the day after the billed-to-date as the **switch date** and the billed readings as the **switch readings** if the billed-to-date is less than 23 **business days** after the gas switching notice was received ~~except where the billed-to-date is 23 business days in which case the **switch date** must be a date no later than 23 **business days**; or~~
- ~~–.Or~~

Formatted: Font: Bold

Formatted: Indent: Left: 3 cm

Formatted: Bullets and Numbering

Formatted: Font: Bold

Formatted: Heading 4, Indent: Left: 4.5 cm, Tab stops: 6.04 cm, Left

~~72.3.2~~ ~~A~~ **switch date** no later than 23 **business days** after the gas switching notice was received if the billed-to-date is 23 or more **business days** after the gas switching notice was received; ~~or~~.

~~72.4~~ For a **standard switch**, and whereif rule 72.3 does not apply, and ~~T~~the requested **switch date** in the gas switching notice is less than 7 **business days** from the date the gas switching notice was received by the **registry**, in which case ~~new retailer~~ would prefer an earlier **switch date**, in which case the **responsible retailer** may, at its discretion, may use --

~~72.4.1~~ ~~a~~ **switch date** earlier than the requested **switch date** and provide **switch readings** applicable to the **switch date** used~~T~~the requested **switch date**; or

~~72.4.2~~ ~~A~~ **switch date** the ~~7~~ **business days** from the date the gas switching notice was received by the **registry**.

~~72.5~~ If a gas transfer notice relates to a gas switching notice that did not include a requested **switch date** the **switch date** must be no later than 23 **business days** after the gas switching notice was received by the **responsible retailer**.

~~73.~~ If, pursuant to a transitional exemption provided by the **industry body** in accordance with rule 90, an **ICP** has more than 1 **meter**, the **meter** identifiers of the **meters** not identified in accordance with rule 72.1.6 must be included in the gas transfer notice as additional information under rule 72.1.9.

~~73.~~
73.

Registry validation of gas transfer notice

73.1 As soon as possible after having received the gas transfer notice, the **registry** must –

73.1.1 Validate the information in the gas transfer notice by confirming –

- (a) ~~T~~that any codes used in the notice are available codes; and
- (b) ~~T~~that the number of digits provided for each **register reading** is equal to the number of dials specified for the relevant register; and

73.1.2 Based on the validation result, accept or reject the gas transfer notice and notify the **responsible retailer** accordingly.

73.2 Within 1 **business day** of having accepted the gas transfer notice, the **registry** must –

73.2.1 Show the **new retailer** as the **responsible retailer** for the **ICP**, effective on and from the **switch date**; and

73.2.2 Give the gas transfer notice to the **responsible retailer**; and

73.2.3 Give a notice to the former **responsible retailer**, the **responsible retailer**, the **distributor**, and the **meter owner**,

- Formatted: Font: Bold
- Formatted: Bullets and Numbering
- Formatted: Font: Bold
- Formatted: Font: Bold
- Formatted: Heading 2
- Formatted: Bullets and Numbering
- Formatted: Font: Bold
- Formatted: Font: Bold
- Formatted: Font: Bold
- Formatted: Font: Bold
- Formatted: Indent: Left: 3 cm, No bullets or numbering
- Formatted: Bullets and Numbering
- Formatted: Font: Bold
- Formatted: NoNum
- Formatted: Font: Bold
- Formatted: Font: Bold
- Formatted: Bullets and Numbering
- Formatted: Font: Bold
- Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44 cm + Tab after: 2.94 cm + Indent at: 2.94 cm
- Formatted: Bullets and Numbering
- Formatted: Font: Bold
- Formatted: Font: Bold
- Formatted: Font: Bold
- Formatted: Bullets and Numbering

confirming the identity of the **responsible retailer** and the **switch date**.

74. Accuracy of switch readings

- 74.1 In the gas transfer notice, the **responsible retailer** must provide **switch readings** (whether **actual readings** or **estimated readings**) that are as accurate as feasible for the particular method used to collect or derive the readings.
- 74.2 In order to facilitate the accuracy of **switch readings** for **move switches** –
- 74.2.1 The **responsible retailer** must continue to take **actual readings** from the **metering equipment** for all **ICPs** where the **ICP** status is ACTIVE-CONTRACTED or ACTIVE-VACANT; and
- 74.2.2 All relevant **actual readings** must be included in the **responsible retailer's** processes to determine the (actual or estimated) **switch readings** for the gas transfer notice.
- 74.3 If an **ICP** is switched with an **ICP** status of INACTIVE-TRANSITIONAL and the **responsible retailer** uses **estimated readings** for the **switch readings**, the **responsible retailer** will comply with rule 74.1 if the **responsible retailer** –
- 74.3.1 Continued to collect **actual readings** from the **metering equipment** (in accordance with the **responsible retailer's** normal reading schedule) until the physical disconnection of the **ICP's consumer installation**; and
- 74.3.2 Used those **actual readings** in the derivation of the **estimated readings** for the **ICP**.
- 74.4 If the **metering equipment** for any **ICP** resets to zero after each **actual reading**, the gas transfer notice may specify that the **switch reading** is zero.
- 74.5 If the **consumer installation** has its volume of gas consumption determined by the difference between **register readings** at other **consumer installations** or **gas gates**, the gas transfer notice must specify that the **switch reading** is zero.

74A Ability to withdraw

Subject to rule 34 and provided a condition of withdrawal in rule 75.1 is met, a retailer is able to request that a **switch** is withdrawn by the giving of a gas switching notice or reversal of a **switch** by giving a gas switching withdrawal notice at any time as permitted by rule 75.3.

75. Withdrawal of switching

- 75.1 A **switch** may ~~only~~ be withdrawn if –

- 75.1.1 There has been an error in the **switch** process such that the **switch** is not giving effect to, or has not given effect to, the agreement with the consumer; or
- 75.1.2 The consumer, exercising a contractual or statutory right, has requested the **switch** to be withdrawn.
- 75.2 A switching withdrawal ~~must may only~~ be initiated by the giving of a gas switching withdrawal notice to the registry by –
- 75.2.1 In the case of a **switch** that is incomplete (where a **new retailer** has given a gas switching notice to the **registry** but has not received a gas transfer notice), either the **responsible retailer** or the **new retailer**; or
- 75.2.2 In the case where a **switch** has been completed, ~~by~~ the **responsible retailer** or the former **responsible retailer**.
- 75.3 A gas switching withdrawal notice must be initiated by giving a gas switching withdrawal notice to the registry and may only be given issued in the period between –
- 75.3.1 The date that the gas switching notice is sent to the **registry** by the **new retailer**; and
- 75.3.2 The date that a new gas switching notice is received by the same **retailer** who is now the **responsible retailer** for that **ICP**.
- 75.4 Subject to rule 34, there is no limit on the number of gas switching withdrawal notices a retailer may give to the registry under rule 74A for a gas switching notice provided:
- 75.4.1 Each gas switching withdrawal notice complies with the other requirements of this rule 75; and
- 75.4.2 The retailer confirms prior to the giving of each gas switching withdrawal notice that a condition in rule 75.1 is satisfied; and
- 75.4.3 The responsible retailer complies with rules 69.2 and 72.2 for each gas switching notice.

76. What gas switching withdrawal notice must contain

The gas switching withdrawal notice must state –

- 76.1 The **ICP identifier**; and
- 76.2 The reason code for the switching withdrawal.

77. Registry validation of gas switching withdrawal notice

- 77.1 As soon as possible after having received the gas switching withdrawal notice, the **registry** must –
- 77.1.1 Validate the information in the gas switching withdrawal notice by confirming- –

- (a) That any codes used in the notice are available codes; and
- (b) That the notice has been given by a **retailer** authorised to give the notice under rule 75.2; and

77.1.2 Based on the validation result, accept or reject the gas switching withdrawal notice by giving notice to the **retailer** that gave the gas switching withdrawal notice that it has been accepted or rejected.

77.2 Within 1 **business day** of having accepted the gas switching withdrawal notice, the **registry** must give the gas switching withdrawal notice to the other **retailer** involved in the **switch** as set out in rule 75.2.

78. Retailer response to a gas switching withdrawal notice

78.1 Within 52 **business days** after receiving a gas switching withdrawal notice under rule 76.2-77.2, the recipient **retailer** must give the **registry** a gas switching withdrawal response notice.

78.2 ~~The Each~~ gas switching withdrawal response notice must state whether or not the gas switching withdrawal notice is accepted or rejected. A **retailer** must accept a gas switching withdrawal notice if –

78.2.1 There has been an error in the **switch** process such that the **switch** is not giving effect to, or has not given effect to, the agreement with the consumer; or

78.2.2 The consumer has exercised a contractual or statutory right to have the **switch** withdrawn.

78.2A The retailer giving a gas switching withdrawal response notice must confirm prior to the giving of each gas switching withdrawal response notice whether a condition in rule 78.2 is satisfied.

78.3 If the gas switching withdrawal response notice accepts the gas switching withdrawal notice, then –

78.3.1 Within 1 **business day** of having received the gas switching withdrawal response notice, the **registry** must –

- (a) Give the gas switching withdrawal response notice to the other **retailer** involved in the **switch** as set out in rule 75.2; and
- (b) If there has been a change in **responsible retailer** as a result of the acceptance of the gas switching withdrawal, give notice to both **retailers** involved in the switching withdrawal, the **distributor**, and the **meter owner** of the change in **responsible retailer**; and

78.3.2 In the case where rule 75.2.1 applies, the uncompleted **switch** is withdrawn, meaning the switch is terminated prior to completion and does not result in a change of **responsible retailer** for the **ICP**; and

Formatted: Font: Bold

Field Code Changed

Field Code Changed

78.3.3 In the case where rule 75.2.2 applies, the completed **switch** is reversed and there is a change in **responsible retailer** for the **ICP**, to the **retailer** who was the former **responsible retailer**.

Field Code Changed

78.4 If the gas switching withdrawal response notice rejects the gas switching withdrawal notice, then –

78.4.1 Within 1 **business day** of having received the gas **switching** withdrawal response notice, the **registry** must give the gas switching withdrawal response notice to the other **retailer** involved in the **switch** as set out in rule 75.2; and

Formatted: Font: Not Bold

78.4.2 That particular gas switching withdrawal process is at an end.

Field Code Changed

~~**78.5** For the avoidance of doubt, if the gas switching withdrawal notice is rejected the **responsible retailer** must comply with rule 69 except that the **responsible retailer** may not give another gas switching withdrawal notice for the same gas switching notice.~~

79. Renegotiation of switch readings

79.1 This rule applies if a **responsible retailer** disputes the accuracy of a **switch reading** provided by the former **responsible retailer** in a gas transfer notice.

79.2 The **responsible retailer** may request an adjustment to a **switch reading** by giving a **switch reading** renegotiation request notice to the **registry**.

79.3 For a particular **ICP**, a **switch reading** renegotiation request notice may only be given in relation to –

79.3.1 The most recent **switch**; and

79.3.2 One **switch reading**.

79.4 The **switch reading** renegotiation request notice must state –

79.4.1 The **ICP identifier**; and

79.4.2 The **switch date**; and

79.4.3 The **meter** identifier; and

79.4.4 The content code for the **switch reading** concerned; and

79.4.5 The proposed replacement **switch reading**; and

79.4.6 The basis on which the proposed replacement **switch reading** has been determined.

80. Registry validation of switch reading renegotiation request

80.1 As soon as possible after having received the **switch reading** renegotiation request notice, the **registry** must –

- 80.1.1** Validate the information in the **switch reading** renegotiation request notice by confirming that the request has been given by the **responsible retailer** as authorised by rule 79.1; and
 - 80.1.2** On the basis of that validation, accept or reject the request and notify the **responsible retailer** accordingly.
- 80.2** Within 1 **business day** of having accepted the **switch reading** renegotiation request notice, the **registry** must give the **switch reading** renegotiation request notice to the former **responsible retailer** as referred to in rule 79.1.

81. Retailer response to switch reading renegotiation request

- 81.1** Within **25 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.
- 81.2** Within 1 **business day** after receiving the **switch reading** renegotiation response notice, the **registry** must give the **switch reading** renegotiation response notice to the **responsible retailer**.
- 81.3** If the **switch reading** renegotiation request notice is rejected by the recipient **retailer**, the two **retailers** concerned must endeavour to resolve the matter by other negotiation.

82. Bypass

- 82.1** A bypass occurs when the **distributor** providing the connection service to a **consumer installation** is replaced.
- 82.2** The **registry participants** directly involved in effecting any bypass must process the bypass as either the creation of a new **ICP** or the re-commissioning of an **ICP**, in accordance with these **rules**.
- 82.3** Not less than 10 **business days** before a **retailer** intends giving effect to a bypass, the **retailer** must give notice to the **responsible retailer** and the **responsible distributor** that there is going to be a bypass in relation to the **consumer installation** concerned.

Reports from the registry

83. Reports from the registry

The **registry operator** must provide or **publish**, the following reports –

- 83.1** The general reports under rule 84; and
- 83.2** The **retailer** report under rule 85; and
- 83.3** The **distributor** report under rule 86; and
- 83.4** The **meter owner** report under rule 87; and
- 83.5** Any other report as may be agreed from time to time between the **registry operator** and the **industry body**.

84. General reports

84.1 By 0900 hours on the 6th **business day** of each month, the **registry operator** must **publish** a report which states –

84.1.1 The number of **ICPs** (categorised by each **ICP** status and **distributor**) contained on the **registry** as at the last day of the previous month; and

84.1.2 The number of valid gas switching notices received by the **registry operator** during the previous month.

84.2 By 1600 hours on the 15th **business day** of each month, the **registry operator** must **publish** a report on each **registry participant's** compliance with the timeframes specified in these **rules** during the previous month.

84.3 The content and format of the report referred to in rule 84.2 must be specified by the **industry body** after consultation with **registry participants** and the **registry operator**.

85. Retailer report

85.1 By 0900 hours on the first **business day** of each month, the **registry operator** must give each **retailer** a report that shows –

85.1.1 All the **ICPs** for which that **retailer** was identified in the **registry** as **responsible retailer** during the previous month; and

85.1.2 For each of those **ICPs**, and for each period that the **retailer** was the **responsible retailer** during that month, the values and effective dates of all **ICP parameters** in Part B of the Schedule.

86. Distributor report

86.1 By 0900 hours on the 1st **business day** of each month, the **registry operator** must give each **distributor** a report that shows –

86.1.1 All the **ICPs** for which that **distributor** was identified in the **registry** as **responsible distributor** during the previous month; and

86.1.2 For each of those **ICPs**, the values and effective dates of all **ICP parameters** in Part A of the Schedule.

87. Meter owner report

87.1 By 0900 hours on the 1st **business day** of each month, the **registry operator** must give each **meter owner** a report that shows –

87.1.1 All the **ICPs** for which that **meter owner** was identified in the **registry** as **responsible meter owner** during the previous month; and

87.1.2 For each of those **ICPs**, the values and effective dates of all **ICP parameters** listed in Part C of the Schedule.

Formatted: Font: Not Bold

Part 4

Transitional provisions

88. Treatment of switches initiated before go-live date

Formatted: Bullets and Numbering

~~88.1 Except if the **switch** is not completed before the expiry date of the transitional functionality provided for in rule 89, where a **switch** between **retailers** has been initiated but not completed before the **go-live date**, the **switch** must be completed in accordance with the arrangements that existed on the date the **switch** was initiated.~~

Formatted: Bullets and Numbering

~~88.2 In the event that a **switch** initiated before the **go-live date** is not completed before the expiry date of the transitional functionality provided for in rule 89, the initiating **retailer** shall cancel the **switch** and, if still required by the consumer, initiate a **switch** in accordance with rules 63 to 82.~~

Formatted: Bullets and Numbering

89. Period of transitional functionality

Formatted: Bullets and Numbering

~~89.1 In order to facilitate the initial population of the **registry**, and to facilitate completion of switches initiated prior to establishment of the **registry**, the **registry operator** shall provide transitional functionality to the **registry** to enable a change of **responsible retailer** other than in accordance with these **rules**.~~

Formatted: Bullets and Numbering

~~89.2 The transitional functionality shall have an expiry date which shall be agreed with the **industry body**.~~

Formatted: Bullets and Numbering

90. Transitional exemption

Formatted: Bullets and Numbering

~~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**.~~

Formatted: Bullets and Numbering

~~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**.~~

Formatted: Bullets and Numbering

~~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**.~~

Formatted: Bullets and Numbering

~~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.~~

Formatted: Bullets and Numbering

91. Transitional provision for reports

Formatted: Bullets and Numbering

~~When applying rules 83 to 87 for the first time, references to month in those rules include a part-month commencing on the first day's operation of the **registry** if the **registry** commenced operation after the first **business day** of the month.~~

Schedule

Part A

ICP parameters maintained by Distributors

ICP Parameter	Rules governing values assigned
ICP Identifier	The unique 15-character identifier assigned to the ICP by the distributor .
ICP creation date	The date that the distributor deems the ICP to be created, which must be not later than the date that the gas service pipe to the ICP's consumer installation is first livened. It is the earliest date for any event relating to the ICP in the registry .
Responsible Distributor	The code of the responsible distributor and creator of the ICP . Distributor codes are determined and published by the industry body from time to time.
Network Pressure	The value of the nominal operating pressure, expressed numerically in kilopascals, of the distribution system or transmission system to which the ICP's consumer installation is connected.
ICP Altitude	The altitude, expressed in metres above mean sea level, of the meter measuring gas consumption for the ICP's consumer installation , and for use in any required (non-dynamic) correction of the metered gas volume to standard volume.
Gas gate	The code of the gas gate from which the distributor deems gas is delivered to the ICP's consumer installation . Gas gate codes are determined and published by the industry body from time to time.
ICP Type	The code representing the ICP type. ICP types and ICP type codes are determined and published by the industry body from time to time.
ICP Status	The code representing the ICP status. ICP status is maintained by the responsible distributor under rule 59. At ICP creation and ICP readying, the value is assigned by the registry under rule 53.3.
Connection status	The code representing the connection status . Connection status is maintained by the responsible distributor under rule 60 and in accordance with the requirements published by the industry body under rule 60.2.
Load Shedding Category	The code representing the load shedding category that identifies the position of the ICP's consumer installation in the hierarchy for emergency <u>curtailment shedding</u> of gas load . Load shedding categories and codes are determined and published by the industry body from time to time <u>and are consistent with the curtailment bands under Schedule 2 of the Gas Governance (Critical Contingency Management) Regulations 2008</u> .
Maximum	The maximum quantity of gas, in cubic metres, that the gas-

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Not Highlight

Hourly Quantity (MHQ)	consuming equipment at the consumer installation is capable of drawing per hour. The value is distinct from the capacity of the gas service pipe or metering equipment serving the consumer installation . Mandatory only where MHQ is used to determine the distributor's network charges. May be conveyed by means of a 'disclosure on application' code in accordance with rule 50.
Expected Retailer	The code of the retailer that the distributor expects to be the first responsible retailer for the ICP .
Network Price Category	The code of the network price category to which the ICP belongs, as determined and published by the distributor . The charges associated with the code may be conveyed by means of a 'disclosure on application' code in accordance with rule 50.
<u>Distributor</u> Loss factor Code	The code that identifies the loss factor applicable to the ICP's consumer installation .
Network Price Details	A free-text parameter to allow the distributor to provide other information relevant to the network pricing of the ICP's consumer installation .
Physical Address	The physical address assigned by the distributor to the ICP's consumer installation , so that the ICP can be unambiguously identified with the consumer installation , in the registry .

Formatted: Font: Bold

With the exception of the **ICP identifier** and **ICP** creation date parameters, each of the parameters in Part A of the Schedule has an associated effective date, being the date from which the current value of the **ICP parameter** became applicable.

Part B

ICP parameters maintained by Retailers

ICP Parameter	Rules governing values assigned	
Responsible Retailer	The code of the retailer with current responsibility for the ICP . Retailer codes are determined and published by the industry body from time to time.	Formatted: Font: Bold
ICP status	The code representing the ICP status. ICP status is maintained by the responsible retailer under in -rule 59.	
Connection status	The code representing the connection status . Connection status is maintained by the responsible retailer in accordance with the requirements published by the industry body under rule 60.2.	Formatted: Font: Bold
Allocation Group	The code represents the allocation group to which the ICP belongs, as published by the industry body from time to time.	Formatted: Font: Bold Formatted: Font: Bold
Profile	The code that identifies the profile assigned to the ICP . Profile codes are determined and published by the industry body from time to time.	Formatted: Font: Bold
Responsible Meter owner	The code, of the responsible meter owner . Responsible meter owner is assigned according to the authority of a service agreement between the responsible retailer and the meter owner providing the meter measuring consumption for the ICP . Meter owner codes are determined and published by the industry body from time to time.	Formatted: Font: Bold

Each of the parameters in Part B of the Schedule has an associated effective date, being the date from which the current value of the **ICP parameter** became applicable.

Part C

ICP parameters maintained by Meter Owners

ICP Parameter	Rules governing values assigned
Meter Identifier	The serial number or other unique identifier of the meter that measures volume consumption for the ICP's consumer installation , as assigned by the meter owner . However, if the consumption information is being measured by difference, the meter identifier value must be "DIFFERENCE".
Meter Location Code	The code, as defined in a published schedule of meter location codes by the meter owner , that advises the location of the meter used to record consumption at the consumer installation .
Standard Meter	A 'Y'es or 'N'o value to indicate the use or not of a standard meter (being one that is not a prepaid meter) for measurement of consumption volume for the ICP's consumer installation .
Prepay Meter	A 'Y'es or 'N'o value to indicate the use or not of a prepaid meter for measurement of consumption volume for the ICP's consumer installation .
Logger Owner	The code of the owner of any datalogger included in the metering equipment measuring consumption volume for the ICP's consumer installation metering - whether or not the datalogger is in use at the time. Logger owner codes are determined and published by the industry body from time to time.
Corrector Owner	The code of the owner of any corrector included in the metering equipment measuring consumption volume for the ICP's consumer installation metering - whether or not the corrector is in use at the time. Corrector owner codes are determined and published by the industry body from time to time.
Telemetry Owner	The code of the owner of any telemetry included in the metering equipment measuring consumption volume for the ICP's consumer installation metering - whether or not the telemetry is in use at the time. Telemetry owner codes are determined and published by the industry body from time to time.
Metering Price Category	The code of the metering price category that identifies the charges applicable to the full set of metering equipment currently used to measure and convey the consumption volume information for the ICP's consumer installation . The codes are as defined and made available by the meter owner . May be conveyed by means of a 'disclosure on application' code in accordance with Rule 50.

In the case of the 'Y'es and 'N'o values for the 'standard **meter**' and 'prepaid **meter**' parameters, there may not be more than one 'Y' value between the two parameters, but there may be two 'N' values to signify that the **consumer installation** is unmetred.

Each of the parameters in Part C of the Schedule has an associated effective date, being the date from which the current value of the **ICP parameter** became applicable.

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold