



## COMMERCE COMMISSION

### **Decision No. 722**

Amendment to Decision 685 – Commerce Act (Electricity Distribution Default Price-Quality Path) Determination 2010 pursuant to Part 4 of the Commerce Act 1986 (the Act).

**The Commission:**  
**S Begg**  
**P Duignan**  
**S Gale**

**Summary of the Amendment Determination:** The attached amendment determination amends clause 11.1 of Commerce Act (Electricity Distribution Default Price-Quality Path) Determination 2010 under section 53O of the Act to set out the annual date by which compliance must be demonstrated in accordance with section 53N. The amendment determination comes into force on 31 March 2011 and applies for the period 31 March 2011 to 31 March 2015.

Date of Decision: 30 March 2011

## **COMMERCE ACT (ELECTRICITY DISTRIBUTION DEFAULT PRICE-QUALITY PATH) AMENDMENT DETERMINATION 2011**

Pursuant to Part 4 of the Commerce Act 1986, the Commerce Commission makes the following “amendment determination”:

### **1 Title**

1.1 This amendment determination is the Commerce Act (Electricity Distribution Default Price-Quality Path) Amendment Determination 2011.

1.2 In this amendment determination, the Commerce Act (Electricity Distribution Default Price-Quality Path) Determination 2010 is called the “principal determination”.

### **2 Commencement date**

This amendment determination comes into force on 31 March 2011.

### **3 Amendment to price path compliance assessment formulae**

The principal determination is amended by omitting the first two lines of clause 11.1, and substituting the following:

11.1 Every Non-exempt EDB must provide to the Commission within 70 working days following the first Assessment Date (being 31 March 2011), and within 50 working days following each subsequent Assessment Date, an Annual Compliance Statement consisting of:

Dated at Wellington this 30<sup>th</sup> day of March 2011.

COMMERCE COMMISSION.

## **EXPLANATORY NOTE**

On 30 November 2009, the Commission reset the default price-quality path for electricity distribution businesses as required by section 54K(1) of the Commerce Act 1986 (the “Act”) by publishing Decision 685 – Commerce Act (Electricity Distribution Default Price-Quality Path) Determination 2010 (the “Initial Reset Determination”).

The Initial Reset Determination sets out the default price-quality path that applies from 1 April 2010 to 31 March 2015 to all electricity distribution businesses except those that are “consumer-owned” as defined in section 54D of the Act. Electricity distribution businesses meeting the requirements of section 54D are exempt from default/customised price-quality regulation under section 54G(2) of the Act.

The Commerce Act (Electricity Distribution Default Price-Quality Path) Amendment Determination 2011 amends clause 11.1 of the Initial Reset Determination to permit regulated suppliers to submit an annual compliance statement to the Commission within 70 working days following 31 March 2011. Further, information, including a consolidated version of the Initial Reset Determination, can be found on the Commission’s website at: [www.comcom.govt.nz](http://www.comcom.govt.nz)