



COMMERCE COMMISSION

[Date]

«COMPANY»

«PO_BOX»

«CITY»

Dear [contact name]

**Notice to Supply Information to the Commerce Commission
Section 53ZD of the Commerce Act 1986**

The Commerce Commission (Commission) issued a notice (Notice) on 15 June 2011 to «COMPANY» («ZZ») under s 53ZD of the Commerce Act 1986 (the Act) requiring «ZZ» to provide the Commission with distribution revenue weights information specified in the Notice. The information is required for the purpose of informing decisions on resetting the default price-quality path for electricity distribution businesses under Part 4 of the Act.

The Commission would like to provide an opportunity to «ZZ» to redisclose the distribution revenue weights information to be consistent with the revised guidance included in Schedule A if «ZZ» has charged a residential customer a periodic fee based on the customer having a fuse capacity of 15 kVA or less in the years ending 31 March 2010 and 31 March 2011, and «ZZ» elects to allocate these charges to the 'Fixed or other charges' category as set in Schedule A.

This request is made in response to a submission on the Commission's draft decisions for resetting the default price-quality path which identified that the distribution revenue weights information requested through the Notices could be defined differently to more accurately meet the purpose of the information.¹

To minimise compliance costs for electricity distribution businesses, response to this request is voluntary.

¹ Nelson Electricity Limited, *Submission to Commerce Commission to the 2010-15 Default Price-Quality Path Reset – Draft Decisions Paper*, 24 August 2010, p. 5.

Information requirements

If «ZZ» elects to redisclose distribution revenue weights information, «ZZ» must provide the Commission with the information required under Schedule A by completing the templates provided in that Schedule in the format required by this request. If «ZZ» elects to provide a response, the response will be treated as if it is a response to a notice under s 53ZD.

Information format

The information required under Schedules A must be supplied in electronic form in the Microsoft Excel workbook provided by the Commission (the workbook contains a template of Schedules A). The workbook must be completed in accordance with the instructions contained in the workbook.

The workbook must be provided to the Commission in a form that is accessible (i.e. the workbook is 'unlocked' and data can be easily transferred by the Commission).

Confidentiality

The Commission discourages requests for non-disclosure of information, in whole or in part, on the basis that it is confidential. It is unlikely to agree to any requests that any information provided by «ZZ» in response to this notice remains confidential.

However, the Commission recognises there may be some aspects of «ZZ»'s disclosures that are confidential. If there is any such information, it should be clearly marked and provided as a separate copy of the disclosure. The responsibility for ensuring that confidential information is included in a separate, clearly marked, copy of the disclosure rests entirely with «ZZ».

«ZZ» can also request that the Commission makes orders under section 100 of the Act in respect of information that is confidential. Any request for a section 100 order must be made when the relevant information is supplied to the Commission and must identify the reasons why the relevant information is confidential. The Commission will provide further information on section 100 orders if requested by «ZZ», including the principles that are applied when considering requests for such orders. Any section 100 order will apply for a limited time only as specified in the order. Once an order expires, the Commission will follow its usual process in response to any request for information under the Official Information Act 1982.

Disclosure of Reports

For the purposes of transparency, the Commission intends to publish all information provided by «ZZ» in response to this request.

Date of Response

«ZZ» must supply the specified information to the Commission by email to the following address: regulation.branch@comcom.govt.nz by **no later than 5pm on 19 September 2011**. The information must be provided under cover of a letter on «ZZ»'s company letterhead, signed by a person with the appropriate authority.

Dated at Wellington: [XX] September 2011

Signed by:

Sue Begg
Deputy Chair

Schedule A

EDB Name	Electricity Distribution Business
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Distribution Revenue Weights (excluding transmission charges)		Year Ended 31 March 2010	Year Ended 31 March 2011
Estimated Proportion of Distribution Revenue Recovered via:			
Variable (throughput) unit charges (e.g. c/kwh)	%		
Capacity or demand charges (e.g. \$/kva/day or \$/MW)	%		
Fixed or other charges (e.g. \$/ICP, daily monthly or annual charges)	%		
(to add to 100%)		0.0%	0.0%

Note:

1. Where a residential customer is charged a periodic fee that is based on the customer having a fuse capacity of 15kVA or less these charges are to be included in 'Fixed or other charges'.
2. The quantities relating to each pricing year must relate to the quantities from the pricing year two years earlier. This means that for 2010 the quantities should cover the period 1 April 2008 to 31 March 2009. For 2011 the quantities should cover the period 1 April 2009 to 31 March 2010.
3. Where an EDB elects to disclose information that is different to information the EDB has previously disclosed pursuant to the s 53ZD Notice of 15 June 2011, the quantities relating to each year can either relate to the quantities from the pricing year two years earlier (as specified in 2. above) or the year the disclosure relates to.