

Gas Control Inquiry

The Commerce Act 1986 envisages the possibility that control may be introduced over goods and services as part of the statutory framework to promote competition in markets within New Zealand. The relevant provisions are found in Part IV of the Act.

By letter dated 30 April 2003, the Minister of Energy ("Minister") requested the Commerce Commission ("Commission") to undertake a Gas Control Inquiry ("the inquiry") into whether or not control should be introduced in relation to the goods and services supplied by persons in markets directly related to either a natural gas transmission system or a natural gas distribution system or both (gas services).

The Minister's request specified that the Commission must deliver its findings by **1 November 2004**.

The Commission is carrying out a two-stage process.

The first stage, which has already been completed, involved interested parties giving their views on the Commission's proposed framework.

The second stage will involve interested parties giving their views on the application of that framework.

As part of the first stage of the inquiry process, the Commission released a draft framework paper on **16 July 2003** and invited interested parties and industry participants to make written submissions on the draft framework paper by **15 August 2003**.

Following the submission period, the Commission held a conference on the draft framework paper between **1 September 2003** and **4 September 2003**.

Further information on the inquiry can be obtained from the Commission's web site

www.comcom.govt.nz

The second stage of the process involves the Commission releasing a draft report setting out the findings of the inquiry.

The Commission released the draft report on **21 May 2004**.

There will be a submission period and conference on the draft report following this release. The Commission invites interested parties to give their views on the draft report.

The Commission in an earlier notice (*New Zealand Gazette*, 24 July 2003, page 2218) indicated that the due date for written submissions would be **30 April 2004** with the conference planned for the week commencing **31 May 2004**.

The Commission now extends the due date for written submissions to **2 July 2004** by 12.00 midday with the conference now being held between **22 July 2004** and **23 July 2004** and **26 July 2004** and **28 July 2004**.

Submissions or comments on the inquiry may be sent to Gas Pipelines Inquiry, Commerce Commission, P.O. Box 2351, Wellington, or by facsimile (04) 924 3700 or email to:

gaspipelinesinquiry@comcom.govt.nz

Submission requirements are:

- 25 hard copies should be supplied. Submitters need only staple in the top left corner, as spiral or spine bound copies will be unbound for ease of producing additional copies if required;
- in addition to hard copies, electronic copies of submissions should ideally be sent in .pdf format, although Word is equally acceptable. Written or non PC-generated submissions will be scanned by Commission staff and automatically converted to .pdf;
- all submissions will be published on the Commission's web site (the Commission recognises that there

will be instances where information may genuinely be confidential. The Commission requires parties where at all possible to provide a "public version" of confidential material, which at least conveys the thrust of the material (or argument) without disclosing sensitive information. This public version should be given to the Commission when an application for confidentiality of that information is sought); and

- submissions must show the organisation's name and address, date and be duly signed. In the case of personal submissions, a contact address and telephone number is required, and the submission is to be signed with the submitter's name printed beneath the signature. Personal submissions will have their contact address and telephone number removed for the purpose of publishing on the Commission's web site, as only their name will be disclosed.

Hard copies of submissions should be mailed to:

Gas Pipelines Inquiry
Commerce Commission
P.O. Box 2351
Wellington.

Electronic copies to:

gaspipelinesinquiry@comcom.govt.nz

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