

9 June 2025

Orion New Zealand Limited
565 Wairakei Road
Christchurch 8053
New Zealand

By e-mail only: [REDACTED]

Tēnā koe [REDACTED],

Request for time extension for disclosure of Asset Management Plan under the Electricity Distribution Information Disclosure Determination 2012

1. In response to your letter of 4 April 2025 on behalf of Orion New Zealand Limited (**Orion**), we grant Orion a conditional exemption from publicly disclosing its 2026 Asset Management Plan (**AMP**) before 1 April 2026, as required under the *Electricity Distribution Information Disclosure Determination 2012*, as amended, (the **ID Determination**).¹ The exemption conditions are detailed in paragraph A4.
2. Orion has stated that it intends to apply to us for a customised price-quality path (**CPP**) on or before 9 June 2026, and that it will prepare a revised 2026 AMP to be submitted alongside its CPP proposal.
3. To avoid having to submit two separate AMPs within 3 months, Orion has requested that it be granted an exemption from the disclosure of its 2026 AMP before 1 April 2026, on the condition that it submits an AMP as part of its CPP application on or before 9 June 2026.
4. A copy of this exemption response letter will be published on our website.
5. As part of the purpose of the AMP is to inform your stakeholders of your plans, we would expect Orion to keep them informed during the time between now and the extended publication date of the AMP.
6. If you have any questions regarding this matter, please contact Sam Chevin at infrastructure.regulation@comcom.govt.nz.

¹ Commerce Commission, Electricity Distribution Information Disclosure Determination 2012 NZCC 22. The latest amendment determination can be found [here](#) on our website.

Nāku iti noa, nā



Andy Burgess

General Manager, Infrastructure Regulation

Appendix: Legal Framework and Exemption Conditions

Legal framework

- A1. Under Part 4 of the Commerce Act 1986 (the **Act**), electricity distribution businesses (**EDBs**) are subject to information disclosure (**ID**) regulation.² EDBs must publicly disclose an AMP before the start of the disclosure year under clause 2.6.1 of the ID Determination.
- A2. Clause 2.11.1(1) of the ID Determination allows the Commission to, by written notice to an EDB, grant an exemption from any requirement of the ID Determination, for a period and on such terms and conditions as the Commission specifies in that notice. Furthermore, clause 2.11.1(2) gives the Commission the power to amend or revoke any such exemption.

Conditional exemption granted

- A3. Using the exemption powers under clause 2.11.1(1) of the ID Determination, the Commission grants Orion a conditional exemption from having to publicly disclose its 2026 AMP before 1 April 2026 under clause 2.6.1 of the ID Determination.
- A4. This exemption is granted on the following conditions:
 - a. on or before 9 June 2026, as part of its CPP proposal, Orion submits an AMP that meets the requirements of paragraphs (a) to (e) of clause 2.6.1(1) of the ID Determination;
 - b. if Orion fails to submit an AMP as part of its CPP proposal that meets the requirements of paragraphs (a) to (e) of clause 2.6.1(1) of the ID Determination by 9 June 2026, Orion must publicly disclose an AMP that meets the requirements of paragraphs (a) to (e) of clause 2.6.1(1) of the ID Determination by no later than 30 June 2026; and
 - c. in submitting its CPP proposal, Orion notes that it has been granted this exemption.
- A5. We consider it is reasonable to grant this exemption because:
 - a. the current disclosure rules and the timing of Orion's CPP proposal would increase the compliance burden on Orion by requiring it to provide multiple asset management disclosures; and

² Commerce Act 1986, Section 54F.

- b. consistent with the purpose of information disclosure under section 53A of the Act, Orion's intended timeline of AMP disclosure will provide sufficient information to interested persons regarding its asset management strategy.
- A6. We have considered the impact of the exemption on the purpose of information disclosure under section 53A of the Act and have concluded that, given the relatively short extension, the purpose will still be met if this exemption is granted.
- A7. This exemption may be revoked or amended by the Commission at any time in accordance with clause 2.11.1(2) of the ID Determination.