

6 September 2024

Distribution Feedback
Electricity Authority
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Dear Electricity Authority,

Consultation – Proposed Consumer Care Obligations

Wellington Electricity Lines Limited (WELL) appreciates the opportunity to provide a submission in response to the above consultation. As an electricity distributor, we have chosen to respond only to question 14 (“Do you have any feedback on the proposed Code obligations for distributors?”) as a basis for this submission.

WELL supports improving protections for electricity consumers and accepts that medically dependent consumers may be more vulnerable than others in the event of a power outage. However, it is our view that clauses 69 and 70 of the proposed Code obligations (which distributors must comply with)¹ require further consideration in their current form. We have set out our concerns about these clauses below.

Clause 69: Distributor’s obligations in event of emergency situation

Amongst other obligations, clause 69 requires distributors to visit residential premises to inform person(s) present of an emergency electrical disconnection prior to undertaking it, but only if practicable and if there is sufficient time. While this may be achievable in limited circumstances (for example, for critical fault remedial work affecting only a small number of premises), we consider the clause to be unworkable in most situations; particularly where delaying disconnection could pose a public safety risk.

The fact that this clause cannot be consistently met gives rise to the concern that its inclusion in the obligations may result in an unrealistic view of the advance notice that distributors can reasonably provide in these situations, thus creating a potentially unsafe expectation for medically dependent consumers. As is the case for other distributors, we treat emergency disconnections as unplanned outages which, like retailers and health practitioners, we advise medically dependent consumers to have an emergency response plan in place for.

For WELL, the most effective method for making consumers aware of any type of unplanned outage is by sending unplanned outage email notifications to retailers, which we believe aligns with clause 70(1) in respect of electrical disconnections, regardless of medically dependent status. This puts retailers in the best position to inform their customers.

Clause 70: Coordinating planned service interruption or electrical disconnection

Subpart (1) of this clause requires retailers and distributors to agree processes to coordinate with each other on planned service interruptions and electrical disconnections that will affect medically dependent

¹ As set out in clause 11A.3 of the proposed Code amendment.

consumers. WELL has no concerns around this, as these processes are already in place (namely, through the use of EIEP5A for planned service interruptions) and we agree that this should be required.

However, subpart (2) requires distributors to not vary the time or date of a planned service interruption or electrical disconnection that will affect medically dependent consumers, without first consulting retailers. While we agree that distributors should not vary the times or dates of planned service interruptions without *advising* traders, WELL is of the view that this subpart is not required.

This is because we would not vary the time or date of a planned service interruption outside of the agreed mechanism (EIEP5A) and as agreed with traders under the DDA and per our DPP3 determination (in the case of 'notified interruptions'²). In our view, these would be the "agree[d] processes" set out in subpart (1), which do not require "consultation" with retailers.

There may be occasional instances where a planned service interruption 'overruns' its advertised end time, however these situations are unforeseen and we would endeavour to advise retailers via email if the extended duration becomes significant; ultimately treating the extension as an unplanned outage.

Clause 58: Retailer's obligations to share information about medically dependent consumers

Finally, although clause 58 does not apply directly to distributors, WELL notes that any future obligation to store or actively utilise any information received via the currently non-regulated EIEP4 may require significant additional cost. We also note that the DDA does not currently set out permitted uses of EIEP4 information. WELL would therefore expect further consultation if this was to be the case.

In summary, WELL believes that the proposed Consumer Care Obligations are unlikely to be workable and could have unintended negative effects for consumers in their current form. To address this, we wish to put forward the following suggested changes:

- 1) Delete clause 69 to remove the potentially unsafe expectation that distributors can provide advance notice of an electrical disconnection in an emergency. While WELL cannot comment on behalf of other distributors, we would be open to a replacement clause requiring distributors to make other endeavours such as:
 - a. providing clear and prominent information, through its website or other appropriate channel(s), about the requirement for medically dependent consumers to have an emergency response plan in place³
 - b. informing consumers (via retailers or otherwise) of unplanned service interruptions as soon as reasonably practicable, as agreed between the trader and distributor.
- 2) Remove subpart (2) of clause 70, possibly re-wording (1) to correspond with the fact that the "agree[d] processes" apply to all consumers, regardless of medically dependent status.

We are grateful for the time and consideration that the Authority has already taken in discussing some of these points with us. If you wish to discuss our submission in more detail, please email Ben Tuifao-Jenkinson, Economic Regulation & Pricing Specialist at ben.tuifaojenkinson@welectricity.co.nz.

Yours sincerely,



Greg Skelton
Chief Executive Officer

² See Schedule 3.1(4) of the [Electricity Distribution Services Default Price-Quality Path \(Wellington Electricity transition\) Amendments Determination 2020](#).

³ Similar to the 'Consumer awareness of Utilities Disputes and Powerswitch services' requirements.