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12 January 2009

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(Attention Ian Dempster, Senior Advisor – Wholesale Markets)

Dear Ian

Maui Development Limited, draft proposed Critical Contingency Management Plan for industry consultation

Please find attached a draft proposed Critical Contingency Management Plan (CCMP) for industry consultation pursuant to r26 of the Gas Governance (Critical Contingency Management) Regulations 2008.

Yours truly,

A handwritten signature in purple ink, appearing to read 'Don Gray'. The signature is stylized and cursive.

Don Gray

**General Manager
Commercial Operator, Maui Pipeline
Maui Development Limited**



Maui Development Limited
Draft Proposed
Critical Contingency Management Plan

Prepared in accordance with the Gas Governance
(Critical Contingency Management) Regulations 2008

Compiled by: Signature: _____
 Name:
 Position:
 Date:

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1.0 Introduction

1.1 Purpose

This Critical Contingency Management Plan (CCMP) has been prepared by Maui Development Limited (*MDL*) in compliance with its obligations as a transmission system owner (TSO) under the Gas Governance (Critical Contingency Management) Regulations 2008 (The Regulations).

The purpose of The Regulations is to “achieve the effective management of critical gas outages and other security of supply contingencies without compromising long-term security of supply” [r3]¹.

1.2 Scope

Section 25 of The Regulations specifies the content to be included in a CCMP. The Regulations are included with this document as Attachment 1.

The scope of this CCMP reflects the distinction between the roles of the CCO and the role of *MDL* during a critical contingency. These roles are defined in The Regulations. In regards to *MDL*, its role as a TSO during a critical contingency is to “comply with the directions of the CCO”[r54 (a)]. Based on these directions *MDL* must “issue directions to retailers and large consumers” in accordance with The Regulations, and in a manner consistent with this CCMP and the communications plan contained within [r54 (b) (ii)].

1.3 Relationship with the MPOC

The Regulations define the relationship between a TSO’s CCMP and its operating code. To avoid doubt the provisions describing this relationship are provided here:

- “A proposed critical contingency management plan must be consistent with MPOC, VTC, or any other transmission system code except to the extent necessary to comply with these regulations” [r25 (2)]; and
- “MPOC, VTC, and any other transmission system code must be read subject to these regulations” [r13 (2)]

¹ Note that references contained in square brackets cite applicable provisions from The Regulations

1.4 Terminology

This CCMP uses terminology defined in both The Regulations and the MPOC. To avoid confusion, MPOC terminology is italicised in this CCMP. It should also be noted that some terminology as defined in The Regulations is un-capitalised.

1.5 Structure

The content described in Section 1.2 has been arranged in this CCMP in the following format:

- a. Pre-critical contingency scenarios
- b. Critical contingency communication plan
- c. Declaration of a critical contingency
- d. During a critical contingency
- e. Termination of critical contingency
- f. Post critical contingency processes

2.0 Pre-critical contingency

2.1 Event scenarios

This section presents a description of events that *MDL* considers may feasibly result in a breach of the critical contingency threshold for the Maui Pipeline² and a description of the actions that could be taken under the MPOC to remedy a breach.

Events

With respect to the Maui Pipeline, there are a number of events that could feasibly result in a breach of the critical contingency threshold, including:

- loss or reduction of supply from a gas producer(s)
- loss or reduction in compression at Mokau Compressor Station
- pipeline defect or damage causing temporary de-rating of pipeline – no loss of containment
- pipeline defect or damage causing loss of containment
- off-specification gas entering system from a gas producer *Welded Point* or *TP Welded Point*

Actions to remedy

Under the MPOC the events above would be managed through Section 15 of the MPOC. *Section 15* of the MPOC contains provisions that allow *MDL* under certain circumstances to curtail *Approved Nominations*, *Scheduled Quantities*, and gas flow at *Welded Points*. In addition, *MDL* will use its reasonable endeavours to maintain a *Contingency Volume* for use during a *Contingency Event*, *Maintenance* or *Force Majeure Event*³.

The processes for curtailment on the Maui Pipeline are documented in the standing operating procedures (SOPs) of the Maui Pipeline System Operator as provided by *MDL*. Both the MPOC and SOPs are publicly available on the Maui Pipeline website⁴ and OATIS⁵.

² The threshold is provided in Appendix 8.4

³ MPOC *Section 15.5*.

⁴ <http://www.mauipipeline.co.nz/index.php?page=maui-pipeline-operating-code>

⁵ <https://www.oatis.co.nz/Ngc.Oatis.UI.Web.Internet/Common/Publications.aspx>

3.0 Communications Plan

3.1 Purpose and objective

The purpose of this communications plan is to describe the notices that *MDL* will issue to parties at the declaration of and during a critical contingency, and the reciprocal communications and timeframes under which those communications will take place.

Target audience

The target audience for these communications is defined in The Regulations [r25 (e) and (f)] and includes the following:

- *MDL* representative
- Critical contingency operator
- Other transmission system owners
- Gas distributors (note that Gas distributors are not a *Party* as defined in the MPOC)
- *Shippers*
- Retailers (note that retailers are not a *Party* as defined in the MPOC)
- Large consumers
- Maui Pipeline *Welded Parties*

Contact details

Contact details for the persons representing the groups described in r25 (i) of The Regulations and a delegated *MDL* representative are provided in Attachment 2.

Communications plan structure

This communications plan is divided into four sections. The first section highlights the types of notices that *MDL* will issue. The remaining sections describe the purpose of each notice that will be issued during a critical contingency. Information that *MDL* is required to make available to the CCO during a critical contingency is also described.

3.2 Types of notice

This section highlights the types of notices that *MDL* will issue during a critical contingency in accordance with The Regulations [r21, r22, r23].

Ordinary notices

An ordinary notice will be given in writing and sent via electronic transmission using email or SMS text. Recipients will be instructed to acknowledge that the

transmission has been received and understood by making a reciprocal electronic transmission.

Urgent Notices

An urgent notice may be given orally by telephone to the contact number provided by the receiving party. The urgent notice will be confirmed in writing by sending an electronic transmission using email or SMS text. Urgent Notices will be considered received based on the “time the computer system used to transmit the notice has received an acknowledgement or receipt to the electronic address of the person transmitting the notice” [r22 (1) (d) (i)]; or the “time the person who gave the notice proves the notice was transmitted by computer system to the electronic address provided by the addressee” [r22 (1) (d) (ii)].

Posting of notices

Details of all ordinary and urgent notices given in relation to a critical contingency event will also be posted on the OATIS information exchange (IX).

3.3 Communications at the declaration a critical contingency

Declaration of a critical contingency – MDL communication

On receipt of the CCO notice declaring a critical contingency, MDL will send Notification of Declaration of Critical Contingency - Urgent Notice to Affected Parties from MDL. The purpose of this notice is described in Table 1 below.

Table 1: Notification of Declaration of Critical Contingency - Urgent Notice to Affected Parties from MDL

| |
|--|
| <p>The purpose of this notification is to advise that the CCO has declared a critical contingency. The notice will give details of the areas of the transmission system that are affected, advice that CCO directions passed on by MDL to affected parties must be complied with as specified in The Regulations, and that communications described in the communications plan have commenced. This notice will also advise affected parties of the transition from business as usual under the MPOC in to a critical contingency. This transition is described in Appendix 8.2.</p> |
|--|

3.4 Communications and information during a critical contingency

This section is structured to describe the notices that may be issued by MDL during a critical contingency. In addition, there are various data of a technical nature that the CCO will need to use to make operational decisions over the critical contingency period. This section also lists the information that MDL must provide to the CCO, and describes the way that this information will be provided to the CCO.

Standard MDL notices sent during a critical contingency

MDL will use the notice arrangements described in Section 3.2 above to communicate with parties affected by the directives given by the CCO during a critical contingency.

The Urgent Notices described below in Table 2 to Table 5 will be used by MDL to issue the directions received by the CCO to the parties outlined in Section 3.1. The timing for delivery of these notices will be determined based on the time MDL receives directions from the CCO.

Table 2: MDL Urgent Notice - Implement curtailment

Immediately after MDL has received direction from the CCO to implement curtailment of demand, MDL will send **“Direction To Curtail Demand - Urgent Notice To Affected Parties From MDL.”**

The purpose of this notice is to give directions in accordance with the directive issued by the CCO to curtail load to stabilise the affected parts of the transmission system. The directive will be in accordance with the curtailment bands in Section 5.2. The notice may contain directions to curtail subsets of load within a curtailment band or subsets of geographically located load within a curtailment band.

Welded Parties (including large consumers) will be requested to give regular updates to MDL on their compliance with the direction.

Table 3: MDL Urgent Notice - Revise curtailment

Immediately after MDL has received Urgent Notice from the CCO directing it to revise curtailment of demand, MDL will send **“Direction To Revise Demand Curtailment - Urgent Notice To Affected Parties From MDL.”**

The purpose of this notice is to give directions in accordance with the directive issued by the CCO to revise load curtailment for the purpose of further stabilising the transmission system. The directive will be in accordance with the curtailment bands in Section 5.2. The notice may contain directions to curtail subsets of load within a curtailment band or subsets of geographically located load within a curtailment band. **This notice is not to be confused with the direction to terminate a critical contingency.**

Welded Parties (including large consumers) will be requested to give regular updates to MDL on their compliance with the direction.

Table 4: MDL Urgent Notice - Restore curtailed demand

Immediately after MDL has received direction from the CCO to restore curtailed demand, MDL will send **Direction to Restore Curtailed Demand - Urgent Notice To Affected Parties From MDL.**

The purpose of this Notice is to give directions to affected parties to restore curtailed gas demand in the order advised by the CCO. The notice may also contain directions to restore demand in accordance with the requirements of Civil Defence Emergency Management legislation. **This notice is not to be confused with the direction to terminate a critical contingency.**

Welded Parties (including large consumers) will be requested to give regular updates to MDL on their

compliance with the direction.

Table 5: MDL Urgent Notice - Non-compliance with curtailment directions

At any time during the critical contingency *MDL* may give notification to the CCO using **Notification Of Persons Who Did Not Curtail As Directed – Notice To CCO From MDL**

Communications received by MDL during a critical contingency

In addition to communications received by *MDL* from the CCO during a critical contingency, *MDL* will receive regular communications from other affected parties. These will most likely be in the form of regular updates from *Welded Parties*, including Large Consumers, which *MDL* may disclose to the CCO. The content of these notices is described below in Table 6.

Table 6: Updates from Welded Parties, and Large Consumers

Welded Parties, and large consumers must provide *MDL* with regular updates on their compliance with *MDL* directions during a critical contingency[r55], this includes any revisions to load curtailment directives and load restoration directives using the notice, **Large Consumers, and Welded Parties, Communications to MDL During A Critical Contingency**

Large consumers and *Welded Parties* to provide regular Urgent Notices to *MDL* giving updates on their compliance with *MDL*'s directions.

3.5 Communications at the termination of a critical contingency

MDL communications

Table 7: MDL Urgent Notice - Termination of critical contingency

Immediately after *MDL* has received notice from the CCO that the critical contingency has been terminated, *MDL* will send notification that **Critical Contingency Has Terminated - Urgent Notice To Affected Parties From MDL**

The purpose of this notification is to advise that the CCO has determined that the critical contingency has been terminated. The notice will contain details on the time and date that the critical contingency terminated. The notice will also provide notice of the transition back to MPOC business as usual. This transition is described in Appendix 8.3.

3.6 Information requirements

Information provision under The Regulations

The information that *MDL* is required to provide to the CCO during a critical contingency is described in r38 of The Regulations and provided below:

- (a) metering (or other equipment) data on the amount of gas received into or taken from, and the pressure at or near, an interconnection point; and
- (b) in respect of each day, the net quantity of gas agreed between the transmission system owner and an interconnected party, or otherwise expected or requested, to pass through each interconnection point; and
- (c) data concerning the composition and quality of gas in its parts of the transmission system; and
- (d) technical pipeline information referred to in clause 1 of Part 5 of Schedule 1 of the Gas (Information Disclosure) Regulations 1997; and
- (e) any notices issued pursuant to a transmission system code by a transmission system owner in respect of its part of the transmission system; and
- (f) any of the following data that the transmission system owner has access to and is reasonably requested (for the purpose of performing its obligations under these regulations) by the critical contingency operator:
 - (i) mismatch or operational imbalance data; and
 - (ii) historical flow information, linepack, or pressure data.

It is noted here that under r38 (2) (b) this information must only be used by the CCO for the purpose of performing its obligations under The Regulations.

Mode of delivery

In the interests of efficiency and practicality, the CCO will have read-only access to predefined areas within the OATIS system. This will allow the CCO to access information relevant to a critical contingency in a timely and efficient manner.

4.0 Critical contingency declaration

4.1 Safety

The Regulations [r47] state that: “No person is required to comply with a provision of the Part (Part 3) to the extent that compliance would unreasonably endanger the life or safety of that person or any other person.”

In accordance with r47 of The Regulations, *MDL* will respond to any information it receives that a persons life is in danger.

4.2 Pipeline thresholds

The critical contingency threshold for Maui Pipeline is measured at the Rotowaro Compressor Station and is currently set at 34.0 barg (see Appendix 8.4, and Schedule 1 in Attachment 1). The threshold is expressed both as a minimum pressure threshold (P_{min}) and in terms of the time remaining to reach P_{min} . The time threshold is based on the need to allow sufficient time for load curtailment directives to be issued and complied with by the affected consumers in the selected curtailment bands during a critical contingency.

To be clear, the minimum operating pressure is defined in The Regulations as “the minimum pressure that is required to maintain the supply of gas across the relevant part or parts of the transmission system and to avoid disruption of distribution systems connected to the transmission system.”

4.3 Declaration of a critical contingency

The process for declaring a critical contingency as described in The Regulations [r49] is provided below.

The CCO must make a determination that there is a critical contingency if:

- The CCO considers that a breach has occurred of 1 or more of the thresholds that are specified in a CCMP under r25 (1) (a); or

The CCO:

- Has a reasonable expectation that a breach of 1 or more of those thresholds is otherwise unavoidable; and
- Considers that the determination is necessary achieve the purpose of these regulations

5.0 During a critical contingency

5.1 Transition from MPOC into a critical contingency

When *MDL* receives Urgent Notice from the CCO that a critical contingency has been declared, it will issue an Urgent Notice to *Shippers*, large consumers⁶, and *Welded Parties* informing them that a critical contingency has been declared. The notice will also provide information about the transition from business as usual under the MPOC to critical contingency under The Regulations. This transition is described in more detail in Appendix 8.2.

During a critical contingency, provisions of the MPOC continue to apply, however they are read subject to The Regulations.

MPOC payment and liability obligations

It is important here to emphasize the role of the MPOC during a critical contingency period. As highlighted in Section 1.3 of this CCMP, the MPOC must be read subject to The Regulations [r13, r25]. In the context of critical contingency imbalances;

“A payment made under these regulations in relation to a contingency imbalance discharges in full any payment obligation or liability under the MPOC, VTC, or any other transmission system code in respect of the same critical contingency imbalance” [r81].

5.2 Curtailment arrangements

During a critical contingency *MDL* will receive and follow the directions given to it by the CCO as specified in The Regulations [r50, r54]. These communications may include directions given to *MDL* by the CCO to implement the curtailment arrangements specified in Schedule 2 of The Regulations (see Attachment 1). CCO curtailment directives issued to *MDL*, are described in the communications plan in Section 3.4.

CCO curtailment notices may contain directions to curtail subsets of load within a curtailment band or subsets of geographically located load within a curtailment band. *MDL* will assess these directives and suggest any alternatives it feels would better serve the purpose of The Regulations.

5.3 Restoration of curtailed load

MDL may consider it desirable for the CCO [r25 (1) (g)] to restore curtailed load in an order different from that set out in the curtailment arrangements set out in Schedule 2 of The Regulations (last curtailed and first restored).

⁶ Note that large consumer as defined in The Regulations is uncapitalised

Circumstances where this might occur, and the reasons why a given approach might better serve the purpose of The Regulations, and the objectives of the curtailment arrangements are provided in Table 8 below.

Table 8: Alternative restoration approach

| Objective of curtailment arrangement | Reason why different from Schedule 2 curtailment |
|--|---|
| Ensure gas is supplied in a safe, efficient, and reliable manner | <ul style="list-style-type: none"> • Long term outage physically affecting a discreet section of the pipeline, but gas can be delivered safely to users on other sections of the pipeline • Where plant could suffer physical damage due to curtailment. • Where restoring the gas supply is technically impractical. To be clear, as an example this could be where several large users have their supply restored (as per Schedule 2 of The Regulations) at the same time, and there is the potential for the subsequent increased load to negatively impact the gas transmission system as a whole. |
| Minimise net public cost | <ul style="list-style-type: none"> • Where job losses may occur if a large gas user is curtailed for too long. • Where fuel switching by electricity generators during a critical contingency influences the price of electricity in a manner that could impact the public negatively. • During a period of national electricity power shortages. |
| Prioritise the supply of gas to essential service providers | <ul style="list-style-type: none"> • Where essential service providers have reasonable access to other fuels. |
| Allow for minimal load consumer supply | <ul style="list-style-type: none"> • Where minimal load consumers are affected by a disruption to the gas supply that does not affect other types of user on the same pipeline. |
| Ensure efficient utilisation of gas in storage facilities | <ul style="list-style-type: none"> • Where use of storage gas during a critical contingency would draw down on cushion gas |

6.0 Termination of critical contingency

6.1 Transition from critical contingency back to MPOC

The process for termination of a critical contingency is described in Section 3.5. When *MDL* has received Urgent Notice from the CCO declaring the termination of a critical contingency, *MDL* will notify affected parties and advise those parties of a return to business as usual under the MPOC. The transition from a critical contingency back to business as usual under the MPOC is described in more detail in Appendix 8.3.

7.0 Post critical contingency processes

7.1 Determination of critical contingency imbalances

Purpose

The purpose of this section is to outline the manner in which pipeline imbalances generated during a critical contingency will be dealt with under The Regulations by MDL [r25 (h)].

Section structure and scope

The scope of this section is structured to address the following areas:

- Information used to determine critical contingency imbalances
- Allocation of critical contingency imbalances to affected parties
- Delivery of information to the industry body

A more detailed explanation of the process for determining and allocating daily critical contingency imbalances is provided in Appendix 8.5.

Critical contingency imbalance quantity information

The information used to determine the daily critical contingency imbalance will primarily include:

- OATIS derived, daily final Scheduled Quantities for all *Welded Points*;
and
- OATIS derived daily final flow quantities for all *Welded Points*

In the context of a daily critical imbalance calculation period, The Regulations define a “whole day” as commencing at 0000 hours on the day on which the critical contingency was declared [r75 (b) (ii) (a)]. The day will conclude at 2400 hours on the day in which the critical contingency was terminated [r75 (b) (ii) (b)].

Critical contingency price information

The critical contingency price will be determined by an independent industry expert under r67 to r72 of The Regulations. Under The Regulations, MDL and other parties can nominate a person for this role [r68] and based on the nominations the industry body will determine the industry expert.

When MDL receives the critical contingency price as notified by the industry expert [r72 (1)] it can then calculate the value of the critical contingency volumes. Under r77 (1) MDL is responsible for providing both the volume and value of each positive and negative critical contingency imbalance to the industry body. The industry body is then responsible for issuing invoices and credit notes [r78 (1); r79 (1)].

Determination and allocation of critical contingency imbalances

The Regulations specify that critical contingency imbalances should be determined based on either a daily (whole-day) basis or using a sub-daily period [r75 (a) and (b)]. The rationale for determining which period to use is dependant on the best information that is available to a TSO and/or whether this information can be obtained by the TSO without “unreasonable difficulty or expense” [r75 (a)].

In the case of *MDL*, a sub-daily (hourly) critical contingency imbalance calculation period is both achievable and the preferred approach. However The Regulations also specify that the selected period must be the same for all TSOs [r75 (b)]. For this reason *MDL* will calculate critical contingency imbalances using a daily period (whole-day) to be consistent with *TP Welded Parties* that are interconnected to the Maui Pipeline.

Daily critical contingency imbalances will be calculated as the difference between the OATIS final *Scheduled Quantity* for a day and the OATIS final actual metered quantity flowed on a day at a given *Welded Point*. Each *Welded Point* critical contingency imbalance will then be extracted from OATIS.

The critical contingency imbalance quantities will be made available to each affected Maui Pipeline *Welded Party* as soon as practicable after *MDL* has confirmed those quantities. This is so that *Welded Parties* can continue to manage their positions, and so that *TP Welded Parties* can begin their own process to allocate critical contingency imbalance quantities.

Provision of critical contingency imbalance information to the industry body

When the critical contingency imbalances have been determined by *MDL*, *MDL* will then provide to the industry body, the calculated critical contingency imbalance volumes and values for each critical contingency imbalance calculated [r74 and 75] for each individual *Welded Point*.

Information used to calculate the critical contingency imbalances will be provided to the industry body in a digital format to be decided at the time by *MDL* and the industry body, and submitted to the industry body via email.

8.0 Appendices

8.1 Glossary of terms

| Term | Meaning |
|----------------------------------|---|
| CCMP | Critical contingency management plan |
| CCO | Critical contingency operator |
| CDEM | Civil Defense Emergency Management |
| Commercial Operator | <i>Commercial Operator</i> as defined in the MPOC |
| Contingency Event | <i>Contingency Event</i> as defined in the MPOC |
| Contingency Volume | <i>Contingency Volume</i> as defined in the MPOC |
| Critical contingency | Means a critical contingency as determined by the critical contingency operator in accordance with regulation 48 of the Gas Governance (Critical Contingency Management) Regulations 2008 |
| Curtailment | <i>Curtailment</i> as defined in the MPOC |
| Curtailment band | Means a curtailment band as specified in the curtailment arrangements in Schedule 2 of The Regulations |
| Force Majeure Event | <i>Force Majeure Event</i> as defined in the MPOC |
| Industry Contingency Plan | <i>Industry Contingency Plan</i> as defined in the MPOC |
| Interconnected party | Means any person who has an interconnection agreement with a transmission system owner to take gas from, or inject gas into, an interconnection point on the transmission system |
| Large consumer | Means a consumer that is supplied gas at a consumer installation that is connected directly to the transmission system and has the potential to consume gas at rates that in aggregate exceed 15 terajoules a day |
| MDL | Maui Development Limited |
| MPOC | Maui Pipeline Operating Code |
| Retailer | a) Means any person who supplies gas to another person or other persons through the transmission system, or through a distribution system where that gas has been transported through the transmission system, for any purpose other than for re-supply by the other person or persons; but b) does not include a gas producer in respect of the supply of gas to a large consumer |
| RPO | <i>Reasonable and Prudent Operator</i> as defined in the MPOC |
| Scheduled Quantity | <i>Scheduled Quantity</i> as defined in the MPOC |
| Shipper | <i>Shipper</i> as defined in the MPOC |
| SOP | Standing Operating Procedure |
| The Regulations | The Gas Governance (Critical Contingency Management) Regulations 2008 |
| TP Welded Party | <i>TP Welded Party</i> as defined in the MPOC |
| TSO | Transmission System Owner |
| VTC | Vector Transmission Code |
| Welded Party | <i>Welded Party</i> as defined in the MPOC |
| Welded Point | <i>Welded Point</i> as defined in the MPOC |

8.2 Transition from MPOC business as usual in to a critical contingency

To be completed

8.3 Transition from critical contingency back to MPOC business as usual

To be completed

8.4 Critical contingency threshold for Maui Pipeline

| Pipeline Name | Point Of Measurement | Pmin (barg) | Threshold Time (Hours to reach Pmin) |
|----------------------|-----------------------------|--------------------|---|
| Maui Pipeline | Rotowaro | 34.0 | 4 |

8.5 Critical contingency imbalance calculation methodology

To be completed

9.0 Attachments

9.1 Attachment 1: Gas Governance (Critical Contingency Management) Regulations 2008

9.2 Attachment 2: Contact details

DRAFT