



CONSULTATION PAPER

Consultation on Gas Industry Co FY2020 Work Programme and Levy

SUBMISSIONS CLOSE: MONDAY 11 FEBRUARY 2019

Executive Summary

In consultation with the industry, Gas Industry Co develops both an annual Work Programme and a cost estimate for that Work Programme. These costs are principally funded through a levy and market fees, the latter imposed under relevant governance rules and regulations.

Elements of the Work Programme for FY2020 and its overall cost estimate depend on whether the Gas Transmission Access Code (GTAC) is assessed as being materially better and a new code is in place from 1 October 2019. This results in two scenarios which will require their own programmes of work and budgets (referred to in this document as the "New Code" scenario and the "Status Quo" scenario).

Under both scenarios the proposed FY2020 Work Programme includes meeting statutory requirements, such as the administration of existing gas governance regulations, and seeks to address Government and industry priorities through the completion of key project deliverables. It continues existing multi-year workstreams and reflects significant progress already made in addressing the objectives and outcomes set for Gas Industry Co and the industry in the Act and the GPS.

This paper has been prepared after taking into consideration feedback received on the proposed Work Programme and costs at the Co-Regulatory Forum held at Gas Industry Co's offices on 30 November 2018. Forum feedback generally supported these proposals.

The proposed FY2020 levy funding requirement under the New Code scenario is \$3,774,336 (\$208,215 less than the corresponding budgeted costs for FY2019 of \$3,982,551). The corresponding proposed levy rates for FY2020 under the New Code scenario are: a retail levy of \$6.12 per ICP (based on 285,000 ICPs), and a wholesale levy of 1.1279 cents per GJ of gas (based on a volume of 180PJ).

The proposed FY2020 levy funding requirement under the Status Quo scenario is \$4,125,740 (\$143,189 more than the corresponding budgeted costs for FY2019). The corresponding proposed levy rates for FY2020 under the Status Quo scenario are: a retail levy of \$6.00 per ICP (based on 285,000 ICPs), and a wholesale levy of 1.3421 cents per GJ of gas (based on a volume of 180PJ).

Submissions

Written submissions on this Consultation Paper should be provided to Gas Industry Co by **5 pm on Monday 11 February 2019**. Submissions can be made by logging in to Gas Industry Co's website and uploading your submission, preferably in the form of the submissions template attached to this consultation document (Appendix A). Submissions may be amended at any time prior to the closing date. All submissions will be published automatically on the website after the closing date.

Details of the submissions process are as follows:

1. No email confirmation will be sent out acknowledging receipt of submissions. To check your submission has been successfully uploaded, log in and check your account. If this is unsuccessful, contact Alison O'Connor (Ph +64 4 472 1800) or email: alison.oconnor@gasindustry.co.nz for assistance.
2. The closing time for submissions is **5 pm**. Please note that submissions received after that time may not be able to be fully considered.
3. All submissions will be published on Gas Industry Co's website. Submitters should discuss any intended provision of confidential information with Gas Industry Co prior to submitting the information.

Gas Industry Co is happy to meet with any stakeholder who wishes to discuss the proposals in more detail.

Contents

1. LEGISLATIVE AND STRATEGIC CONTEXT	1
1.1 The Role of Gas Industry Co	1
1.2 Work Programme and Levy	1
1.3 Gas Industry Co's Vision, Mission, and Values	1
2. DEVELOPING THE PROPOSED WORK PROGRAMME	3
2.1 Co-Regulatory Forum	3
2.2 Prioritisation	3
3. PROPOSED FY2020 WORK PROGRAMME	5
3.1 Strategic objective: provide efficient, competitive and confident gas markets	5
3.2 Strategic objective: facilitate efficient use of, and investment in, gas infrastructure	9
3.3 Strategic objective: deliver effectively on Gas Industry Co's accountabilities as the gas industry body	11
3.4 Strategic objective: develop and communicate the role of gas in meeting NZ's energy needs	14
4. FUNDING OF OPERATIONS	16
4.1 Sources of Funding	16
4.2 Levy Funding Requirement	16
4.3 Proposed Levy Method and Rates	20
APPENDIX A: RECOMMENDED FORMAT FOR SUBMISSIONS	21
ABOUT GAS INDUSTRY CO	22

1. Legislative and Strategic Context

1.1 The Role of Gas Industry Co

The overall purpose of Part 4A of the Gas Act is to 'provide for the governance of the gas industry'. This is achieved principally through appointment of an 'industry body', Gas Industry Co, to develop gas governance arrangements that meet the objectives of the Act and of the GPS.

1.2 Work Programme and Levy

Gas Industry Co's annual Work Programme is designed to assist in meeting the policy objectives and outcomes set by the Act and GPS, address other matters identified by Gas Industry Co and stakeholders warranting priority attention, and respond to any work stream activity requested from time to time by the Minister.

The Work Programme is developed in a consultation process with industry participants and other stakeholders that commences with an annual Co-Regulatory Forum, followed by the publication of this Consultation Paper. Submissions on the Consultation Paper are considered in preparing:

1. the Statement of Intent (SOI) for the next financial year (with indicative activity for the subsequent two years in the three-year planning period covered by the SOI); and
2. a formal recommendation to the Minister for regulations authorising the levy on industry participants for the ensuing year.

Pursuant to section 43ZZD of the Act, the Minister may accept or reject Gas Industry Co's formal recommendation to make levy regulations, other than in circumstances where the Minister is satisfied that the levy is reasonable, Gas Industry Co has consulted on the levy, and the requirements of sections 43ZZB to 43ZZE of the Act have been met – in those circumstances the Minister must accept the recommendation. Following cabinet and vice-regal approvals, this process culminates in annual levy regulations being promulgated.

1.3 Gas Industry Co's Vision, Mission, and Values

The Board of Gas Industry Co has approved the Company's Vision, Mission, and Values, which assist in the delivery of its statutory role, including by framing the proposed FY2020 Work Programme.

VISION, MISSION & VALUES

OUR VALUES

- **Collaboration:** We work together with integrity, to achieve our goals.
- **Impartiality:** Our decisions are transparent, fair, and based on evidence.
- **Inclusiveness:** We treat others with respect, listening to all views, and engaging openly.
- **Excellence:** We strive for quality in everything we do.



OUR VISION

- Provide leadership in co-regulating the New Zealand gas industry.

OUR MISSION

- Promote safe, efficient, and reliable gas markets.
- Facilitate efficient use of, and investment in, gas infrastructure.
- Deliver effectively on our accountabilities as the industry body.
- Communicate the role of gas in meeting New Zealand's energy needs.

2. Developing the Proposed Work Programme

Development of a given financial year's Work Programme starts early in the preceding year to ensure appropriate consultation with stakeholders. Gas Industry Co forecasts the expected or planned end-point of current year activity to determine what further work, if any, might be necessary for each workstream into the following year.

Consistent with our statutory role and our Company Strategy, we propose two scenarios for an FY2020 Work Programme, both like that for FY2019, focussing on our core market governance role under existing rules/regulations and continuing key multi-year programmes. Elements of the Work Programme for FY2020 and its overall cost estimate depend on whether the GTAC is assessed as being materially better and a new code is in place from 1 October 2019. This results in two scenarios which will require their own programmes of work and budgets (referred to in this document as the "New Code" scenario and the "Status Quo" scenario).

2.1 Co-Regulatory Forum

This Consultation Paper takes into consideration feedback received on the draft Work Programme at the Co-regulatory Forum held at Gas Industry Co's offices on 30 November 2018.

Co-Regulatory Forum presentation slides can be found [here](#).

2.2 Prioritisation

The following is the framework Gas Industry Co uses for assessing priorities and costs between, and within, project areas and between successive years' work programmes.

Statutory roles

Gas Industry Co has several statutory accountabilities that arise from:

1. obligations under the various rules and regulations that Gas Industry Co has recommended; and
2. specific outcomes defined by the Gas Act and GPS.

Given that these are, or stem from, statutory obligations, they must be given priority in the Work Programme. Funding for the first of these is from a combination of market fees and levy, and for the second, funding is from the levy. Examples of these accountabilities include:

1. monitoring the performance of industry participants that are subject to the rules/regulations and encouraging, or enforcing, compliance as necessary;
2. monitoring and reporting on metrics arising from these processes to increase transparency and foster a well-informed market. For example, automating analysis and monitoring of allocation results to catch and correct errors at an earlier stage; and
3. maintaining rule-change registers where potential improvements are identified.

Committed and/or ongoing projects

There are several projects that Gas Industry Co has previously committed to and which are regarded as important by stakeholders or have been requested by the Minister for Energy and Resources.

Examples include:

1. the D+1 Pilot and whatever work flows from that;
2. information disclosure; and
3. the biennial update of the *Long Term Gas Supply and Demand Scenarios*.

In order to ensure meaningful progress is made with such projects it is essential to programme them into the budget as a means of establishing or maintaining momentum.

Stakeholder-identified priority work

This category includes work that commands a high priority for stakeholders from the gas industry, end users, and Government. Moreover, in many of these areas, a number of those stakeholders are supporting that programme of work by committing their own resources.

Flexibility and cost efficiencies

It is always possible that unplanned, unbudgeted work might need to be undertaken in any one year. This is particularly a result of the changing nature of the industry and the period that elapses between development of each year's proposal and its implementation. The Company prefers not to budget general contingency amounts in order to keep the levy at a reasonable level. If unplanned or unbudgeted work becomes a priority, the Company will reassess its planned workstreams and/or milestones. The Company has been successful over recent years using this approach in progressing key industry priorities while maintaining appropriate cost discipline.

As with all public and levy-raising entities, Gas Industry Co aims to deliver value in both its operational workstreams and in the provision of support services to the Company as a whole. There is a specific focus on delivering efficiency and value for money.

As well, we have considered carefully how each line item in the Work Programme should be budgeted. Some areas are demand-driven (e.g. code changes and reviews of new interconnections) and it does not make sense to make full provision for each of these individually. Instead, we make a modest provision for these items and back ourselves to manage within the global amount¹.

Work Programme and Levy Setting Process

The diagram below outlines the process undertaken to develop the Work Programme and Levy:



Q1: *Do you have any comments on the process for developing Gas Industry Co's Work Programme and Levy?*

¹ Of course, there is always a risk that each line item may be fully active in a given year, leading to a budget deficit, but we expect to be able to manage this risk through re-prioritisation of other work.

3. Proposed FY2020 Work Programme

3.1 Strategic objective: provide efficient, competitive and confident gas markets

Retail contracts oversight scheme (Retail Scheme)

In 2010, Gas Industry Co established a Retail Gas Contracts Oversight Scheme that assesses retailers' posted contracts for residential and small commercial/industrial consumers against a series of benchmarks consistent with satisfactory customer expectations and outcomes. Reviews are undertaken by an Independent Assessor with the last full review in 2018 having shown 'substantial' compliance.

Contingent Activities FY2020

1. Review new-entrant retail contracts and/or amended existing contracts as required.
2. Augment/amend published compliance levels for individual retailers.
3. Provide additional information to assist new entrant retailers to understand their obligations and governance processes.

Resources

This work may require 0.05 FTE to liaise with retailers on possible amendments and future assessments and to oversee any required assessment work. A modest budget is additionally provided for the Independent Assessor. This funding can be redeployed if not needed.

Gas distribution contracts oversight scheme (Distribution Scheme)

In 2012, Gas Industry Co established the Distribution Scheme under which gas distributors' contracts with gas retailers are assessed against a common set of distribution principles. Over recent years, distributors have developed new agreements in consultation with their customers. The second assessment by an Independent Assessor in FY2014 found that the contracts offered by distributors exhibited 'substantial' alignment with the distribution principles. Checks with retailers and distributors in FY2015 and FY2016 identified that incremental changes continue to be made. In addition, the practice is to make those incremental changes available to retailers that have executed earlier versions of the distribution contracts.

Forecast Activities FY2020

1. Continue to assess progress with executing new distribution contracts consistent with the Distribution Scheme principles.
2. If required, review the Distribution Scheme, consider any changes or other actions needed, and report.

Resources

This work will require 0.2 FTE for considering whether the scheme requires any amendment because many retailers are operating with out of date, or expired, contracts.

Retailer insolvency

Following a request from the Minister in 2010, this workstream was formed to consider the market issues created when a gas retailer becomes insolvent. The Minister accepted the Company's advice that the best solution is an agile approach that would see a recommendation for urgent regulations, as and when required, and tailored to the specific situation. Gas Industry Co consulted on drafting instructions in FY2015 and issued a Final Decision Paper - Framework for Gas Retailer Insolvency Arrangements in the same year. With the framework set, it is not expected that any routine activity will be required in FY2020 beyond that already provided for within the audits under the Switching Rules (i.e. checking that registry participants are able to meet their obligations for reports under those rules). As discussed later, once the shape of any new transmission access arrangements becomes clear, it might be necessary to make amendments to affected aspects of the drafting instructions. Those changes are likely to be minor.

Contingent activities FY2019

1. Implement the retailer insolvency arrangements as necessary in the unlikely event of a retailer insolvency.
2. Make any necessary amendment to the drafting instructions if/when new transmission arrangements are known.

Resources

Insolvency-related activities would be addressed by re-prioritisation in the event of a retailer insolvency. Amending the drafting instructions is not specifically provided for, as this is expected to be a low-level activity.

Gas quality

This workstream originally developed in response to industry participant and large end-user concerns about the responsibility and liability for gas quality in New Zealand. Some participants believe responsibilities are unclear or not well aligned with liabilities. In FY2015, the Company published a [Gas Quality Requirements and Procedures](#) document aimed at clarifying current arrangements and making them accessible. An update was published in March 2017. The GTAC work has a bearing on this workstream, and Gas Industry Company will consider whether further action is required following either implementation of a single transmission code, or other transmission solution.

Forecast activities FY2020

1. If GTAC is found to be materially better than the terms and conditions under the Maui Pipeline Operating Code (MPOC) and Vector Transmission Code (VTC), then review adequacy of industry arrangements for notifying gas quality excursions and procedures for managing gas quality incidents; and
2. Update the Requirements and Procedures document as required.

Resources

For budgeting purposes, this workstream is assumed to require 0.1 FTE.

Regulation and rule changes

The objective of this workstream is to ensure efficient, effective regulatory arrangements.

The largest influence on this workstream is the question of whether or not the final assessment of the GTAC finds it to be materially better than existing terms and conditions for transmission access.

Details of all regulations and rules administered by Gas Industry Co can be found [here](#).

Forecast activities FY2020

Downstream Reconciliation

1. Keep the D+1 Pilot Scheme running and consider/implement any worthwhile refinements.
2. If the GTAC is found to be materially better:
 - a) revise Pilot Scheme to provide data at Zone and Dedicated Delivery Point levels; and
 - b) begin the process of amending the Downstream Reconciliation Rules (DRRs):
 - i. develop any required changes to the DRRs and consult;
 - ii. After considering submissions and making any further amendments, make a recommendation to the Minister to amend the Downstream Reconciliation Rules; and
 - iii. Subject to Ministerial approval, develop, test and implement the supporting systems.

Critical Contingency Management (CCM)

1. Review contingency pricing and imbalance arrangements.
2. Consult and work with stakeholders on any improvements to these arrangements.
3. If the GTAC is found to be materially better, consult and work with stakeholders to ensure alignment with the final GTAC.
4. Recommend amendments and implement as required

Resources

In respect of downstream reconciliation, this workstream will require a significant amount of internal resource of 1 to 1.5 FTE in FY2020 to keep the D+1 pilot running successfully and, once the direction of any new GTAC is known, commence working with industry working groups and the Allocation Agent to design the necessary rules changes, and address implementation and transition issues.

The CCM review will be comparatively less resource intensive, but it involves a reasonably contentious issue and—due to being regulations rather than rules—requires a longer process. We expect it will require 0.5 FTE in FY2020.

Gas measurement

A technical advisory group was established in FY2018 with the objective of developing a minimum voluntary standard for gas advanced metering. However, that work is pending further information on the capabilities of devices that are likely to be deployed by meter owners. Once the standard is developed and consulted upon, it is anticipated that it will be reviewed on an annual basis. Current indications are that there will be little, if any, work required of Gas Industry Co in FY2020 in this area.

Contingent activities FY2020

1. Review/update of advanced metering standards document if required.

Resources

A minor budget provision has been provided for this workstream in FY2020 along with 0.05 FTE. If not required, those resources will be redirected.

Supply/demand model

Gas Industry Co first published a study on long-term gas supply and demand scenarios in 2012. It is clear that the contribution of the report is significant, and it has been updated biennially since then. The next update will be published in FY2019.

Forecast activities FY2020

1. Review and update the *Report* every two years after first publication.

Resources

As the work for this is outsourced, there will only be a modest requirement of 0.1 FTE for contract administration, stakeholder liaison and communication. Typically, the work spans two financial years, so the update scheduled to be published in FY2021 will commence in FY2020.

Wholesale market

The emsTradepoint Wholesale Market (eTp) has now been in operation for over four years and has increased in both membership and volume over that time (although FY2019 saw reduced throughput due to supply-side issues). We note that the GPS seeks an outcome of "Efficient arrangements for the short-term trading of gas" and eTp makes a transparent contribution to that outcome.

As an industry initiative, Gas Industry Co is pleased with the progress to date.

Gas Industry Co intends to continue to monitor activity and developments in the Wholesale Market with a particular focus on the market's role as the source of volume and pricing for transmission balancing.

Forecast activities FY2020

1. Monitor Wholesale Market activity and developments; and
2. Ensure that market information is provided to Gas Industry Co in a timely fashion to support this monitoring.

Resources

This workstream is expected to require 0.1 FTE. However, that might increase if we identify transparency issues that cannot be resolved by agreement.

Information disclosure

Concerns have been expressed by some market participants regarding asymmetric access to information, particularly information regarding upstream outages (both planned and unplanned). This issue was given a great deal of consideration during the work on developing the GTAC, but no resolution has been reached among stakeholders.

In parallel, the Minister of Energy and Resources has written to Gas Industry Co expressing concern with the lack of transparency regarding upstream activities and asking whether the Gas Act provides the necessary tools to address this issue. We have responded that the Gas Act would need to be amended to support any enduring, stand-alone regulation. At the same time, we have commenced a work stream to consider options for addressing this issue as well as seeking information as to what the upstream sector, together with large end-users, may be willing to do to remove the information asymmetry. By the end of FY2019, we will have consulted on an options paper and analysed submissions, and we expect to be in a position to identify whether a non-regulated solution is feasible or if regulation is likely to be required.

Forecast activities FY2020

1. If the FY2019 work indicates a non-regulated solution is feasible, proceed to implement that solution; and
2. Alternatively, if a non-regulated solution is infeasible, prepare and consult on a statement of proposal for regulation.

Resources

This workstream is expected to require 0.6 FTE. However, that may be subject to adjustment as the work proceeds.

3.2 Strategic objective: facilitate efficient use of, and investment in, gas infrastructure

Gas transmission access

The objective of this workstream is to ensure that transmission pipeline access arrangements transparently provide for the efficient utilisation of physical capacity and effectively signal any need for efficient investment in additional capacity.

The past three years have seen an intense amount of activity dedicated to the development of a single transmission access code, from First Gas, industry stakeholders, and Gas Industry Co. This work is expected to continue in FY2020. At this stage, it is not possible to say whether that activity will focus on implementation of a new, single transmission code or whether the focus will remain on developing a single transmission code. If it is the latter, there is also the question of how the development process will unfold: whether it will continue to be led by First Gas, or whether Gas Industry Co will lead a workstream to determine whether a regulated solution is required. What is certain is that this topic will remain a high-intensity workstream requiring considerable resources.

Forecast Activities FY2020

1. Oversee implementation of new transmission access code; or
2. Prepare to evaluate another version of GTAC (under an industry-led process); or
3. If industry process has stalled, design and consult on options for implementation, including regulation; and
4. Move to recommend/implement.

Resources

At a minimum, this workstream will require 1.5 FTE across the year, but there will likely also be periods where additional resources are required. Accordingly, we are budgeting an internal requirement of 1.75 FTE.

Transmission pipeline balancing

Market-based balancing (MBB) was implemented in FY2016 and Gas Industry Co has published a review that points to a number of areas of improvement. Those improvements have required improved information availability – the D+1 Pilot Programme plus daily cash-out information delivered on business days – as well as making First Gas the buyer/seller of last resort. The GTAC, if approved, would reorient the approach to pipeline balancing.

Forecast activities FY2020

Work with stakeholders on balancing-related matters and monitor new arrangements if/when implemented.

Resources

This workstream has connections with a number of other workstreams. Accordingly, although no specific allocation of external resources has been made for the workstream, any requirement for external advice will need to come from a pool that has been set aside for balancing, interconnection, and code changes.

Transmission code changes

Under a Memorandum of Understanding with First Gas, Gas Industry Co has a role in processing MPOC change requests on an 'as required' basis. In addition, the Company is invited to submit on change requests under the VTC. As it was submitted, the GTAC envisages a similar role for Gas Industry Co with respect to processing and approving/declining code changes

Forecast activities FY2020

1. Perform agreed role(s) in relation to proposed code changes.

Resources

Although there has been significant activity in this area in previous years, given the focus on balancing through that period, it is likely that there will be little or no activity in that area in FY2020 under the existing Codes. However, if a new code is implemented, there may be issues identified and/or tidy-ups required that might require code changes. The resource requirement will be provided from the shared pool for balancing, interconnection, and code changes.

Transmission pipeline interconnection

Gas Industry Co has established *Interconnection Guidelines* that set out our expectations with regard to transmission system owners' policies and procedures for connecting to their pipelines. We have previously commissioned independent reviews of new interconnections and, in recent years, these have shown that the Guidelines have been adopted by the (then) transmission system owners.

Given this, we do not consider that formal reviews of each new interconnection are required. We will monitor interconnections at a high level and expect that any issues will be brought to our attention.

Forecast activities FY2020

1. Review interconnections as required;
2. Address any concerns regarding reasonable access;
3. Review new transmission system owner's interconnection policies; and
4. Amend the *Guidelines* as required.

Resources

There is no specific provision for this work as there is no forward information on the rate of new connections. However, given the sporadic nature of interconnections and the small amount of work required to undertake high-level monitoring it is considered that it is unnecessary to make a specific allowance. If required, external advice will be provisioned from a pool shared with balancing and code changes.

Gas transmission security and reliability

Gas Industry Co undertook a review of existing information and requirements associated with gas transmission security and reliability in FY2016/17. These requirements are found in several locations, span responsibilities of several regulators, and can be difficult to bring together and interpret.

Our findings were that existing information and arrangements give significant assurance about both standards and performance. With the change in ownership of the transmission systems, Gas Industry Co published an update paper in March 2017. That paper canvassed issues that had been raised by stakeholders and found that they had been substantially addressed. However, we expect that matters with a strong security and reliability component will emerge from time to time, and these matters will be dealt with then they arise. Gas Industry Company will continue to monitor successive asset management plans.

Activity FY2019

1. Continue to monitor asset management plans for gas transmission and report on any significant matters.

Resources

There is no specific provision for this work in FY2019, as the most likely scenario is that transmission disclosures are fit for purpose and informative for stakeholders. It is accordingly considered that this can be fitted within the available resources, or priorities adjusted.

3.3 Strategic objective: deliver effectively on Gas Industry Co's accountabilities as the gas industry body

There are various functions that the industry body is required to perform either under the Gas Act or under gas governance rules or regulations. The activities associated with these are described in this section.

Downstream reconciliation

The purpose of the Gas (Downstream Reconciliation) Rules 2008 (Reconciliation Rules) is to 'establish a set of uniform processes that will enable the fair, efficient, and reliable downstream allocation and reconciliation of downstream gas quantities'. Gas Industry Co has an ongoing obligation to oversee the operation of the Allocation Agent and fulfill its duties under the Reconciliation Rules. Gas Industry Co monitors allocation results so as to identify, at an early stage, any issues and ensure these are addressed in an appropriate and timely fashion. This work complements that of a number of industry participants who also undertake monitoring and, from time to time, bring issues to the attention of Gas Industry Co and the Allocation Agent.

The Reconciliation Rules have been instrumental in reducing the level of unaccounted for gas (UFG) at the final allocation stage. This is largely due to the efforts of industry participants, the increased transparency of the processes for reconciliation, the application of the global allocation methodology, incentives provided by the compliance and enforcement activities, and issues identified and resolved through the performance and event audits undertaken to date. Collectively, this reduction in UFG represents an ongoing stream of cost savings in excess of \$5 million per annum.

Forecast activities FY2020

1. Monitor Allocation Agent;
2. Assess ongoing performance of the Rules;
3. Monitor allocation results;
4. Commission performance and event audits as required; and
5. Make determinations under the Rules as required.

In addition to the tasks that are required under the Reconciliation Rules, Gas Industry Co expects to continue the pilot scheme for D+1 allocations until it is either overtaken by changes

to the Reconciliation Rules or a better solution identified. The D+1 project is discussed above under the 'Regulation and rule changes' section.

Resources

Because allocation is a complex, bottom-up process involving large amounts of data, significant resources are required for this workstream. Because of the need to run and monitor the D+1 Pilot Scheme, we estimate that this workstream will continue to require a full FTE. The Allocation Agent is funded from market fees.

Switching and registry

The Gas (Switching Arrangements) Rules 2008 (Switching Rules) have the purpose of enabling 'consumers to choose, and alternate, efficiently and satisfactorily between competing retailers'. The Switching Rules provide for a centralised database, the gas registry, which stores key technical parameters about every customer installation and facilitates and monitors each customer switch from initiation through to completion.

The introduction of the Switching Rules tripled the rate of switching. In recent years, switching has stabilised to between 3,500 and 4,000 per month (in comparison to the 1,000 or so switches prior to the Switching Rules). Over the past few years Gas Industry Co, in conjunction with the Electricity Authority, has provided modest support to Powerswitch to ensure the continued existence of an independent, credible source of information for consumers.

Amendments made to the Switching Rules in September 2015 introduced the requirement for the industry body to arrange performance audits of registry participants. Baseline audits of retailers and distributors have now been completed.

Forecast activities FY2020

1. Monitor Gas Registry Operator;
2. Assess the ongoing performance of the Switching Rules;
3. Monitor and report on switching statistics;
4. Make determinations under the Switching Rules as required;
5. Commission performance and event audits as required;
6. Continue to provide support to Powerswitch pending new arrangements and/or emergence of sustainable retailer commissions; and
7. Follow up on any issues identified in the switching audits.

Resources

Although this was previously resource-intensive, particularly in the first year of operation, administering the Switching Rules is now more of a routine activity (outside of any activities related to changes to the Rules). Gas Industry Co has allowed for 0.25 FTE internally. The service provider is funded from market fees under the Rules.

Critical contingency management

The purpose of the Gas Governance (Critical Contingency Management) Regulations 2008 (CCM Regulations) is to 'achieve the effective management of critical gas outages and other security of supply contingencies without compromising long-term security of supply'. The nature of the gas system means that it is not possible to turn off customers remotely as is done in the electricity industry. Accordingly, to manage a reduction in gas supplies it is necessary to instruct consumers themselves to turn off their gas-using equipment and that, in turn, requires regulatory backing. These Regulations provide for the appointment of a Critical Contingency Operator (CCO) and

that role is responsible for determining, managing, and terminating critical contingencies, as well as associated activities such as stakeholder training and running exercises.

The CCM Regulations have been activated five times since they came into full effect in 2010: three have been caused by production station outages, one by a break in the Maui pipeline, and, in May 2017, a system imbalance event.

The CCM Regulations and further details about CCM can be found [here](#).

Forecast activities for FY2019

1. Monitor CCO;
2. Assess ongoing performance of the CCM Regulations;
3. Appoint/monitor experts as required;
4. Monitor exercises and events as required;
5. Administer contingency pool as required; and
6. Process applications and renewals for priority designations in the areas of critical care, essential services, critical processing and electricity supply as required.

As outlined above in the 'Regulation and rule changes' section, Gas Industry Co also intends to review aspects of the CCM Regulations and to consider what amendments are necessary to ensure consistency in the event of a new transmission code.

Resources

The CCO function is performed by a service provider funded through market fees, which also include funding for one annual contingency event. Gas Industry Co considers that its 'business as usual' arrangements will require approximately 0.2 FTE. However, that may be subject to increase depending on the rate and type of applications and renewals received for priority designations. Given that gas critical contingencies are relatively rare events, Gas Industry Co does not budget internal resources to cover those. Rather, should a critical contingency eventuate, we will re-prioritise resources to meet our obligations under the CCM Regulations for the period concerned.

Compliance and enforcement

The Gas Governance (Compliance) Regulations 2008 (Compliance Regulations) provide for monitoring and enforcement of the other gas governance rules and regulations. The compliance arrangements are designed as an efficient, low-cost means of determining or, where appropriate, settling rules/regulations breaches that raise material issues. Where parties are unable to settle breaches, the last resort is a hearing before a one-person Rulings Panel, a quasi-judicial body. The Rulings Panel can issue fines, make orders for compensation, and make orders directing compliance and/or suspending or terminating participants.

Introduction of gas governance rules and regulations has typically been associated with an increased level of compliance activity as participants adjust to the new arrangements. The breach statistics reported in Gas Industry Co's Quarterly Performance Reports demonstrate that 'teething troubles' with new rules and regulations have been short-lived and enforcement activity currently sits at a fairly low level. This reflects the facts that industry participants make great efforts to ensure their business processes are compliant and Gas Industry Co staff work hard with industry participants to ensure a good understanding of the various rules and regulations.

The Compliance Regulations and further details about compliance can be found [here](#).

Forecast activities FY2019

1. Perform Market Administrator role;
2. Assess ongoing performance of the Compliance Regulations;
3. Assist Investigator and Rulings Panel as required; and
4. Monitor compliance trends for indications of regulatory inefficiency.

Resources

Each of the Investigator and Rulings Panel is engaged and funded by market fees as provided for in the Compliance Regulations. The Market Administrator role is undertaken by Gas Industry Co and, based on recent experience, is approximately 0.2 FTE. However, that level could rise in the event of any significant or complex material breaches. Once matters are referred for investigation or referred to the Rulings Panel, the input from Gas Industry Co will increase, potentially substantially, in significant and complex cases. Accordingly, the overall resources required in this area are almost entirely demand-driven. Based on the low level of enforcement activity over the past several years, we do not budget for any increased level of activity.

Statement of intent and annual report

The Gas Act requires that the industry body to provide its Annual Report to the Minister of Energy within three months of the end of the financial year (the Minister then tables it in the House of Representatives). Similarly, annual SOIs are required to be submitted to the Minister for comment prior to being finalised and published.

[Annual Reports](#) and [Statements of Intent](#) can be found on our website.

Forecast activities FY2019

1. Prepare and publish SOI to meet statutory timeframes. Provide to Minister for comment prior to publication; and
2. Prepare and publish Annual Report; meet requirements for tabling in Parliament

Resources

This work is predominantly carried out internally utilising staff resources from across the Company. External printing costs and some design work is required, although the first of these is controlled by shorter print runs and increased use of email and website communication.

3.4 Strategic objective: develop and communicate the role of gas in meeting NZ's energy needs

New Zealand gas story

During FY2013, Gas Industry Co published the first *New Zealand Gas Story*. It is intended that this document is updated annually to ensure the information is current and topical. The most recent edition was published in December 2017. Apart from fulfilling the statutory reporting requirement, this work is intended to help stakeholders to understand the industry and to assist industry participants to make informed investment and energy use decisions. In addition to the document itself, Gas Industry Co communicates the *New Zealand Gas Story* through such channels as its website, the Company's annual and quarterly reports, and presentations to various stakeholder groups.

The *New Zealand Gas Story* can be found [here](#).

Other reporting

Gas Industry Co is required by the Gas Act to report on the present state and performance of the gas industry. It does this through a number of publications, including Quarterly Reports, Switching Statistics and Industry Performance Measures.

Gas Industry Co has also commissioned reports focussing on particular aspects of the industry, such as the *Consumer Energy Options Report* (Concept Consulting, 2012/2016), *Commercialisation issues, opportunities and challenges in the event of substantive gas-rich exploration success in New Zealand* (Woodward Partners, 2013) and *Possible Commercialisation Options for New Gas Discoveries* (Concept Consulting, 2015). Further occasional reports will be published, and existing reports updated, where they can be of value to the industry.

Forecast activities FY2019

1. Continue to prepare and publish Quarterly Reports, Switching Statistics and Industry Performance Measures;
2. Maintain the currency of the New Zealand Gas Story as new information comes to hand;
3. Continue seminars and other communications for interested stakeholders; and
4. Commission occasional reports and update existing reports as required.

Resources

This work is predominantly carried out internally by communications staff, with a small budget retained for external experts assisting with specialist areas.

Q2: Do you consider there to be any other items that should be included in the Company's intended Work Programme for FY2020? If so, please describe the work required and how that work achieves the outcomes sought under the Gas Act and GPS.

Q3: Do you consider there to be any items that should be excluded from the Company's intended Work Programme for FY2020? Please provide reasons for your response.

4. Funding of Operations

4.1 Sources of Funding

The Company has two main sources of funding to meet the total costs of delivering on the Work Programme and other aspects of its role as the industry body – the Levy and market fees.

Levy

The levy funds the industry body's costs that are not covered by market fees, including the direct costs of workstreams and non-operational expenditure for the business.

Market Fees

Established gas governance rules and regulations include provision to recover costs directly required to meet Gas Industry Co's obligations under those arrangements (referred to as 'market fees'). These cover the contractually-agreed costs of any service providers (particularly the Allocation Agent, the Registry Operator and the Critical Contingency Operator) and any other expected direct costs related to the monitoring of those arrangements.

A formal estimate of market fees for each set of rules or regulations is published two months before they apply with each new financial year commencing on 1 July. Market fees collected are applied to actual expenses incurred for each set of rules or regulations. Any shortfall or excess fees are invoiced/credited to the market fee payers in a year-end 'wash-up'.

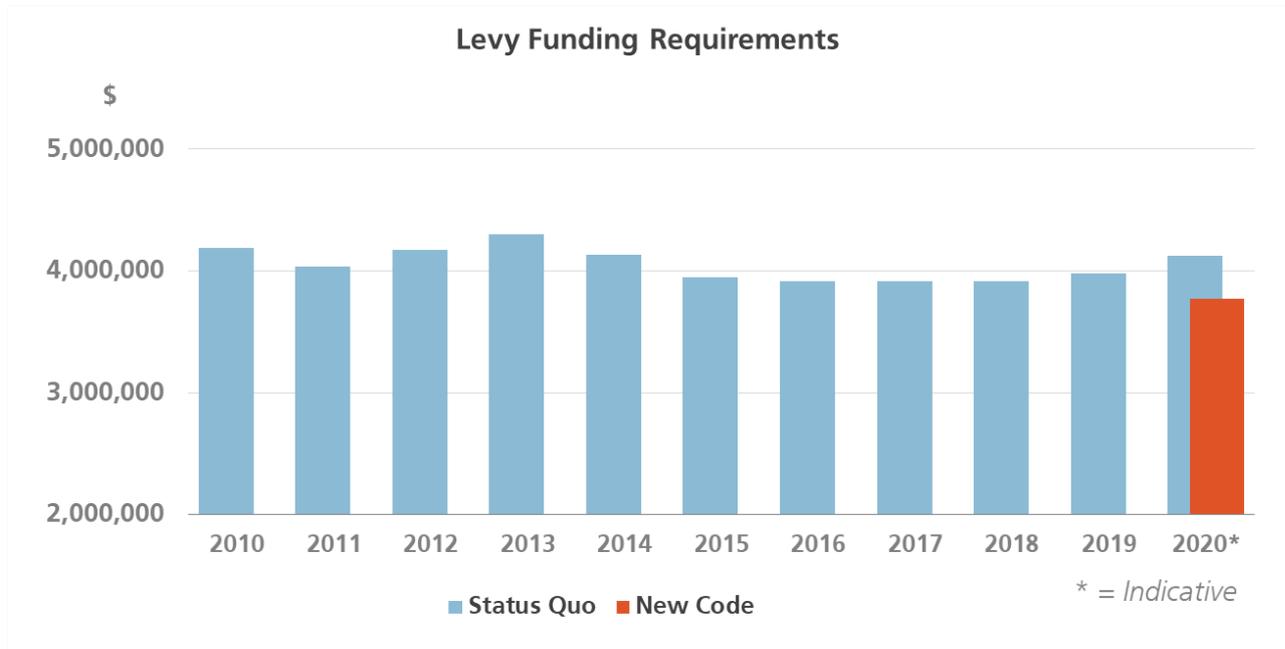
4.2 Levy Funding Requirement

The Levy Funding Requirement (LFR) will differ depending on whether the GTAC is assessed as being materially better and a new code is in place from 1 October 2019 (or the October 2018 GTAC is not found to be materially better but First Gas continues to develop the GTAC until it is materially better), or the GTAC is not found to be materially better and First Gas walks away from the process which results in the MPOC and VTC continuing for the time being. This results in two scenarios which will require their own budgets (referred to in this document as the "New Code" scenario and the "Status Quo" scenario, respectively).

We expect the LFR under the New Code scenario to be \$3,774,336, and for it to be \$4,125,740 under the Status Quo scenario (compared to FY2019 - \$3,982,551). The method for deriving these figures is set out below.

The following chart shows the actual LFR for FY2015-19 and proposed LFR for FY2020 under both the New Code and Status Quo scenarios.

Chart 1: Levy Funding Requirement



Our approximate market fees for FY2020 are \$1,458,000 (the same as the published market fee estimate for FY2019). Chart 2 shows published market fees to FY2019 and the approximation for FY2020.

Chart 2: Market Fees

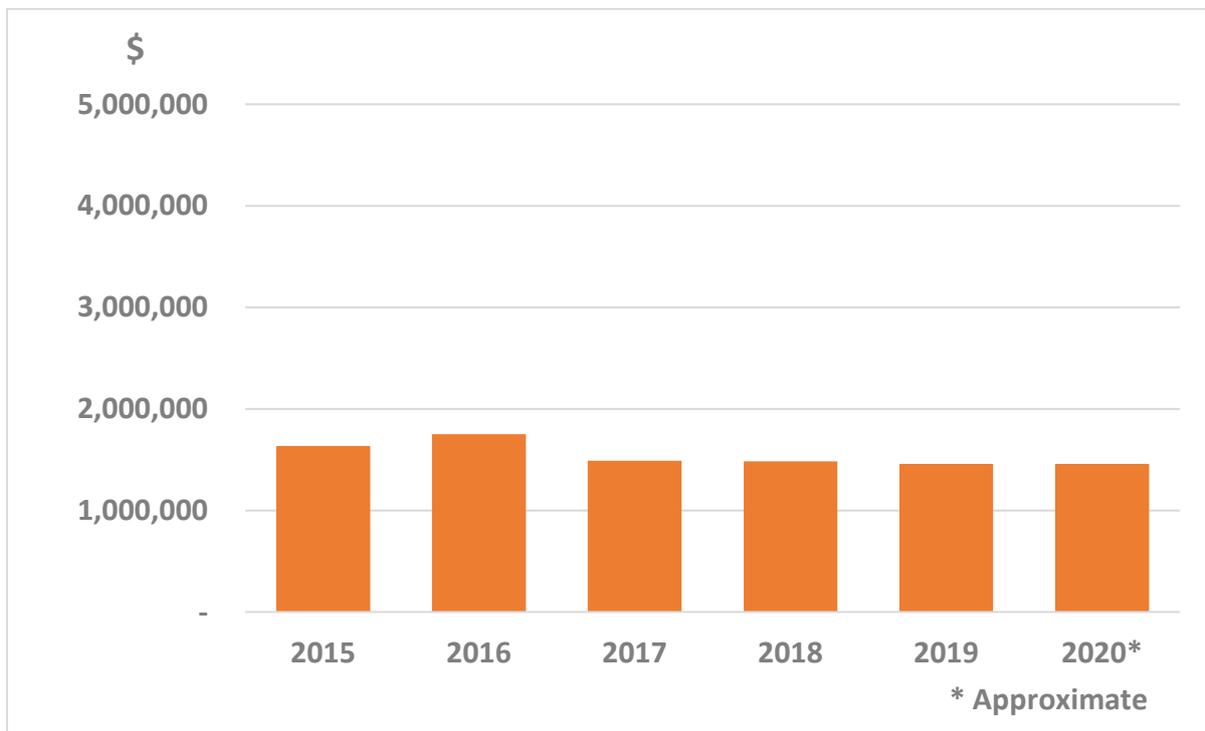
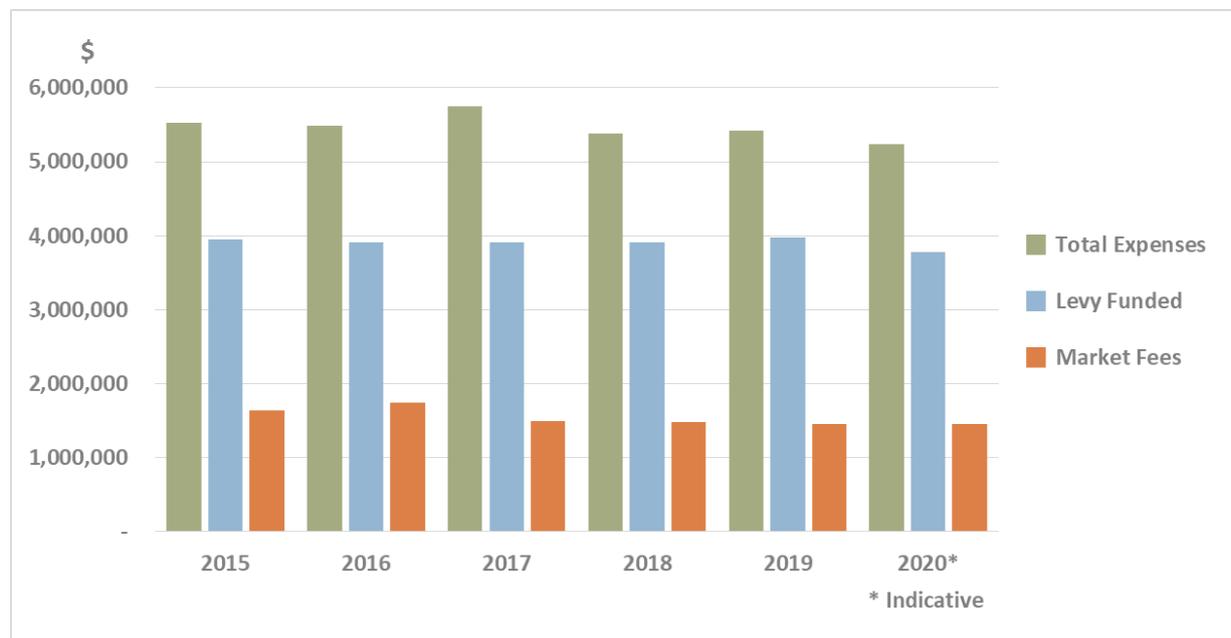


Chart 3 shows Total Work Programme Costs (TWPC) under the New Code scenario - which are based on a combination of the proposed LFR and indicative market fees above. They are expected to be \$191,384 (or 3.5%) lower in FY2020 (\$5,232,336) than in FY2019 (\$5,423,720).

Chart 3: Total Work Programme Costs – New Code Scenario

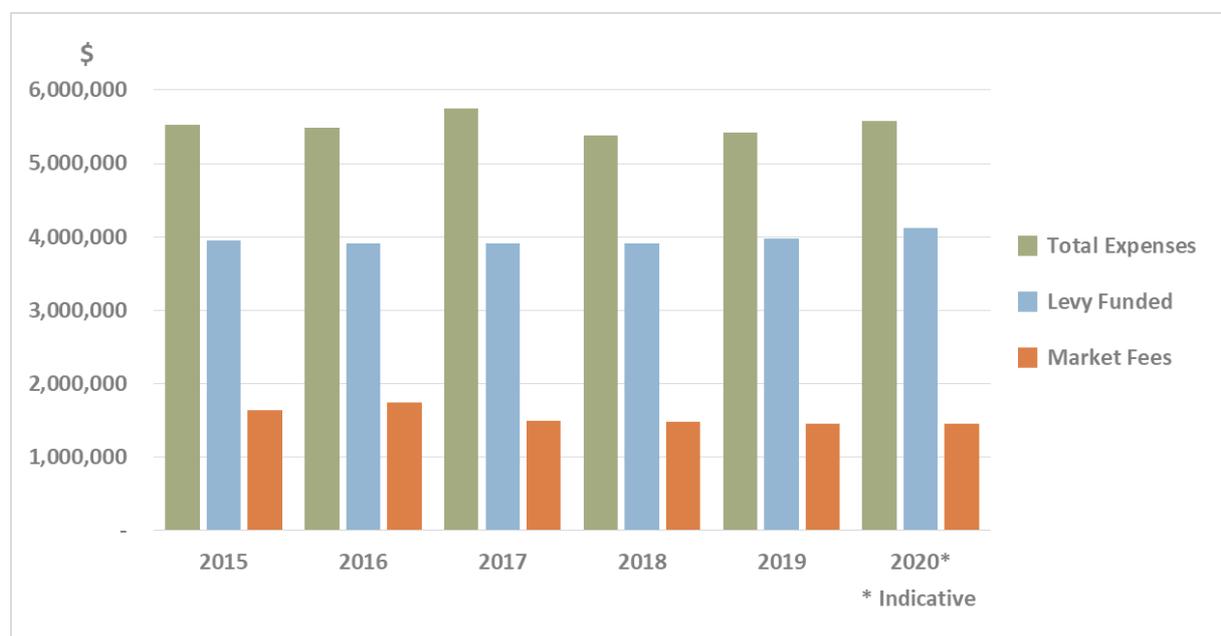


Combining all of the above, the LFR for the New Code scenario can be calculated as follows:

Description	\$
Strategic Goal 1: Provide efficient, competitive, and confident gas markets	
<i>Comprising: Retail Contracts Oversight Scheme, Gas Distribution Contracts Oversight Scheme; Regulation and Rule Changes; Retailer Insolvency: Gas Quality; Gas Measurement; Supply/Demand Model; Wholesale Market; Information disclosure.</i>	758,361
Strategic Goal 2: Facilitate efficient use of, and investment in, gas infrastructure	
<i>Comprising: Transmission Access and Pricing; Transmission Pipeline Balancing; Transmission Code Changes and Appeals; Transmission Pipeline Interconnection; Gas Transmission Security and Reliability.</i>	1,222,002
Strategic Goal 3: Deliver effectively on Gas Industry Co's accountabilities as the gas industry body	
<i>Comprising: Downstream Reconciliation; Switching and Registry; Critical Contingency Management; Compliance and Enforcement; Statement of Intent and Annual Report.</i>	3,092,010
Strategic Goal 4: Develop and communicate the role of gas in meeting New Zealand's energy needs	
<i>Comprising: New Zealand Gas Story; Other Reporting.</i>	159,963
Total Work Programme Costs	5,232,336
Less: Approximate Market Fees	1,458,000
Levy Funding Requirement	3,774,336

Chart 4 shows Total Work Programme Costs (TWPC) under the Status Quo scenario - which are based on a combination of the proposed LFR and indicative market fees above. They are expected to be \$160,020 (or 3.0%) higher in FY2020 (\$5,583,740) than in FY2019 (\$5,423,720).

Chart 4: Total Work Programme Costs – Status Quo Scenario



Combining all the above, the LFR for the Status Quo scenario can be calculated as follows:

Description	\$
Strategic Goal 1: Provide efficient, competitive, and confident gas markets	
<i>Comprising: Retail Contracts Oversight Scheme, Gas Distribution Contracts Oversight Scheme; Regulation and Rule Changes; Retailer Insolvency: Gas Quality; Gas Measurement; Supply/Demand Model; Wholesale Market; Information disclosure.</i>	739,273
Strategic Goal 2: Facilitate efficient use of, and investment in, gas infrastructure	
<i>Comprising: Transmission Access and Pricing; Transmission Pipeline Balancing; Transmission Code Changes and Appeals; Transmission Pipeline Interconnection; Gas Transmission Security and Reliability.</i>	1,460,232
Strategic Goal 3: Deliver effectively on Gas Industry Co's accountabilities as the gas industry body	
<i>Comprising: Downstream Reconciliation; Switching and Registry; Critical Contingency Management; Compliance and Enforcement; Statement of Intent and Annual Report.</i>	3,210,124
Strategic Goal 4: Develop and communicate the role of gas in meeting New Zealand's energy needs	
<i>Comprising: New Zealand Gas Story; Other Reporting.</i>	174,111
Total Work Programme Costs	5,583,740
Less: Approximate Market Fees	1,458,000
Levy Funding Requirement	4,125,740

4.3 Proposed Levy Method and Rates

Gas Industry Co's existing levy method:

1. Is based on a set of [Levy Principles](#). In summary, those Principles are economic efficiency, beneficiary pays, rationality, simplicity, equity, and revenue sufficiency; and
2. Has two components: a wholesale component and a retail component. These components are apportioned according to the cost allocated to each part of the annual Work Programme, and apportioned among levy payers pro rata with either their wholesale levy volumes or ICP market shares. In years when the Work Programme focusses on retail issues, for instance, the retail levy rate will increase while the wholesale levy rate will decrease.

These arrangements have remained unchanged since 2007.

Based on the TWPC above, the levy rates for FY2020 would be:

New Code Scenario

1. Wholesale levy: 1.1279c /GJ (down from 1.2374c/GJ in FY2019, an 8.85% decrease); and
2. Retail levy: \$6.12/ICP² (down from \$6.18/ICP in FY2019, a difference of \$0.06/ICP per annum).

Status Quo Scenario

1. Wholesale levy: 1.3421c /GJ (up from 1.2374c/GJ in FY2019, an 8.46% increase); and
2. Retail levy: \$6.00/ICP³ (down from \$6.18/ICP in FY2019, a difference of \$0.18/ICP per annum).

Assumptions:

1. The draft gas volume assumption for FY2020 is 180PJ.
2. The ICP assumption of approximately 285,000 is based on the current number of ACTIVE-CONTRACTED entries in the gas registry.

Q4: We are particularly interested in industry comment on the forecast gas volumes - do stakeholders consider the projection reasonable? If not, what would they consider an appropriate gas volume estimate to be?

Q5: Do you have any comment on the proposed levy rates under the New Code and Status Quo scenarios for FY2020?

² This figure equates to a sum of \$0.51 per month

³ This figure equates to a sum of \$0.50 per month

Appendix A: Recommended format for submissions

To assist Gas Industry Co in the orderly and efficient consideration of stakeholders' responses, a suggested format for submissions has been prepared. Respondents are also free to include other material in their responses.

Question	Comment
Q1: Do you have any comments on the process for developing Gas Industry Co's Work Programme and Levy?	
Q2: Do you consider there to be any other items that should be included in the Company's intended Work Programme for FY2020? If so, please describe the work required and how that work achieves the outcomes sought under the Gas Act and GPS.	
Q3: Do you consider there to be any items that should be excluded from the Company's intended Work Programme for FY2020? Please provide reasons for your response.	
Q4: We are particularly interested in industry comment on the forecast gas volumes - do stakeholders consider the projection reasonable? If not, what would they consider an appropriate gas volume estimate to be?	
Q5: Do you have any comment on the proposed levy rates under the New Code and Status Quo scenarios for FY2020?	

ABOUT GAS INDUSTRY CO

Gas Industry Co is the gas industry body and co-regulator under the Gas Act. Its role is to:

- develop arrangements, including regulations where appropriate, which improve:
 - the operation of gas markets;
 - access to infrastructure; and
 - consumer outcomes;
- develop these arrangements with the principal objective to ensure that gas is delivered to existing and new customers in a safe, efficient, reliable, fair and environmentally sustainable manner; and
- oversee compliance with, and review such arrangements.

Gas Industry Co is required to have regard to the Government's policy objectives for the gas sector, and to report on the achievement of those objectives and on the state of the New Zealand gas industry.

SUBMISSIONS CLOSE:

5 pm on Monday, 11 February 2019

SUBMIT TO:

www.gasindustry.co.nz

ENQUIRIES:

Susan Dunne