

3 August 2026

Ministry of Business, Innovation and Employment

By email: energyuse@mbie.govt.nz

Consultation on draft open electricity regulations

Meridian appreciates the opportunity to provide feedback in response to the Government's targeted consultation on draft regulations for open electricity under the Customer and Product Data Act 2025.

Meridian supports the objective of the Open Electricity proposal. However, we have some concerns regarding the costs, timeframes, and operational matters.

The draft regulations reveal that alignment with the Electricity Authority's work programme is limited, despite retailers repeatedly emphasising the costs that will result from misalignment. The Electricity Authority has advanced a programme of work based on Electricity Information Exchange Protocols (EIEP) that provide for file-based exchanges through a prescribed process. Further consultation appears imminent on EIEP14C, which would establish the authorisation and verification mechanisms. Given Open Electricity will be an entirely separate regime based on an accredited requestor API model, it seems likely that retailers and ultimately consumers will face costs to implement the EIEP changes from 30 October 2026 only to have them quickly made redundant as new process are built for Open Electricity. This could lead to implementation costs far in excess of any benefits associated with the EIEP changes since they should only exist for a brief interim period. Worse still would be the existence of two separate frameworks covering the same consumer and authorising the sharing of the same or very similar data.

Meridian urges MBIE and the Electricity Authority to develop a unified work programme to avoid unnecessary costs to retailers and consumers. With Cabinet agreement to Open Electricity, the simplest pathway may be for the Electricity Authority to halt and unwind

implementation of the EIEP changes to limit wasted compliance expenditure on a regime that may only operate for a short period.

Implementation timeframes for Open Electricity must also be realistic considering the parallel regulatory changes that are under way and the level of uncertainty that remains. The regulations have not been finalised, and technical standards are yet to be developed. Retailers cannot prepare to implement a regime with unknown technical standards and specifications. In Meridian's opinion, to minimise implementation costs and the risk of a poorly executed rollout the regime should take effect at least 18 months after the publication of final standards.

Meridian's responses to the consultation questions are appended. Meridian has also read and is broadly aligned with the submission provided by the Electricity Retailers' and Generators' Association of New Zealand (ERGANZ). We do not repeat the points made in that submission.

Nothing in this submission is confidential.

Please contact me if you have any queries regarding this submission.

Nāku noa, nā

Sam Fleming
Head of Regulatory Affairs

Appendix: Responses to discussion questions

Questions	Comments
A) Do you prefer an approach based upon the customer's consumption (40 MWh per year); or based on their connection capacity (either 69 kVA or 45 kVA per year)? Why?	On balance the existing threshold of 40 MWh per annum is preferable given alignment with other regulatory processes. However, further guidance would be necessary, for example to address treatment of: - consumers that are close to the threshold and may fall above or below the threshold in any given year (e.g. irrigators); - distributed generation and whether the threshold should apply to gross consumption or net of generation at the ICP (in Meridian's opinion any net measure would capture very large businesses with generation on site, therefore gross consumption should be specified). There is a broader issue with the plethora of different definitions of mass market and small business consumer now used in electricity market regulation. MBIE, the Electricity Authority and StatisticsNZ should agree a common definition and fully resolve the treatment of associated uncertainties and edge cases. Different approaches increase complexity, retailer costs, likelihood of errors, and make various data sets incompatible and difficult to compare.
B) If the Government took an approach based on connection capacity, would you prefer the threshold to be set at 69 kVA or 45 kVA? Why?	45 kVA. A higher capacity threshold would include many large businesses.
C) How would each approach affect costs, savings and efficiency?	A capacity-based threshold would be a novel approach for retail data with higher cost to implement.
D) Should non-smart meters (including legacy and non-communicating smart meters) be included within scope of the open electricity regime? Why or why not?	No. Inclusion will significantly increase costs and complexity with limited benefit to a small cohort of consumers with legacy meters that is shrinking over time. Inclusion of legacy meters would increase the cost of the regime for all consumers (not just those that have chosen not to move to a smart meter).
E) How would the proposal affect costs, benefits and efficiency?	See above.

F) Should intermediaries be allowed to participate in the open electricity system? If so, what additional accreditation criteria would be appropriate for open electricity?	No. Intermediaries would give rise to risks of unauthorized onward disclosure by fourth party data recipients that are subject to far lesser controls and oversight. In Meridian's opinion the risk of unauthorized sharing of sensitive personal information is too great.
G) Are the insurance requirements appropriate to the level of risk in the electricity context? Why or why not?	Yes. The sensitivity of electricity information should not be underestimated. Like banking information, it can reveal financial hardship. Electricity information can also reveal more than banking information about a household, for example the expected occupancy or use of a property, times of day that residents are likely to be at home, and the types of appliances likely to be used.
H) Are appropriate insurance products available to potential accredited requestors?	We expect so, and if not, they will be negotiated or developed to meet the new demand.
I) Should joint customers be allowed to authorise the sharing of personal information (such as the phone number and email address) relating to the other customer? Why or why not?	No. Joint electricity accounts will not necessarily reflect changing household circumstances and the consent of other people on the account should not be assumed. The approach should be no different to open banking, where each customer in a joint customer arrangement can only authorise the sharing of their own personal information.
J) (For electricity retailers only) Once final regulations and standards have been published, how long do you expect it to take to build the required data-sharing technology, and why?	Approximately 18 months. However, it is difficult to say in the absence of final regulations and standards.
K) What would be the impact on electricity retailers, accredited requestors and customers of delaying the commencement date?	Meridian would expect lower implantation costs for retailers and therefore reduced costs for electricity consumers because of a longer lead time. The consumer experience would also be superior if the timeframes mitigate the risk of poor execution. Any inadvertent privacy breaches or other teething issues could significantly deter consumer uptake and limit any benefits. Meridian considers it important to implement this change well, rather than at pace.
L) If commencement were to be phased to allow effective implementation, what do	Meridian considers it best to implement the regime as a cohesive whole but that a scaled rollout could be used at the outset, for example a trial region/s to test systems

you consider would be the best way to do this? (for example, designating product data prior to customer data, or designating larger electricity retailers prior to smaller electricity retailers).	and ensure traffic volumes can be managed as the rollout expands.
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