

DEFAULT PRICE QUALITY PATH COMPLIANCE STATEMENT FOR THE ASSESSMENT DATE 31 MARCH 2014

Pursuant to the Electricity Distribution Services Default Price-Quality Path Determination 2012

27 May 2014

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1) Compliance with the Price Path (Clause 11.2(a))

Top Energy Limited does comply with the price path in clause 8 at the assessment date 31 March 2014, as specified in the Electricity Distribution Default Price-Quality Path Determination 2012.

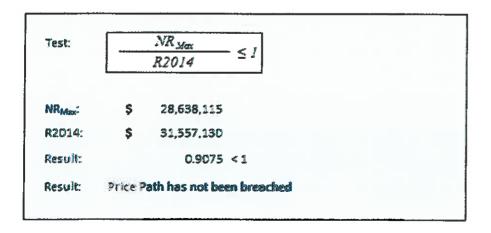
Clause 8.4 - The notional revenue (NR_t) of a Non-exempt EDB at any time during the Assessment Period must not exceed the allowable notional revenue (R_t) for the Assessment Period.

Compliance is demonstrated in the following tables. The first table demonstrates that notional revenue derived using posted prices at the end of the Assessment Period is less than allowable notional revenue. The second table demonstrates that the maximum notional revenue during the Assessment Period does not exceed allowable notional revenue thus illustrating that at no time during the Assessment Period is the price path breached.

Clause 8.4 The notional revenue (NRt) of a Non-exempt EDB at 31 March 2014 must not exceed the allowable notional revenue (Rt) for the Assessment Period such that:

| Test: | | NR2014 | - ≤1 |
|---------|---------|-----------------|-------------|
| | | R2014 | |
| NR2014: | \$ | 28,638,115 | |
| R2014: | \$ | 31,557,130 | |
| Result: | | 0.9075 | <1 |
| Result: | Price P | ath has not bee | en breached |

Clause 8.4 The notional revenue (MRt) of a Non-exempt EDB at any time during the Assessment Period must not exceed the allowable notional revenue (Rt) for the Assessment Period such that:



Supporting evidence is presented in Appendices A, B and C.

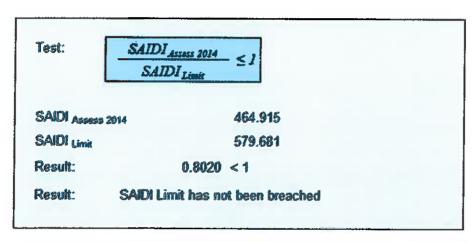
2) Compliance with the Quality Standards (Clause 11.2(a))

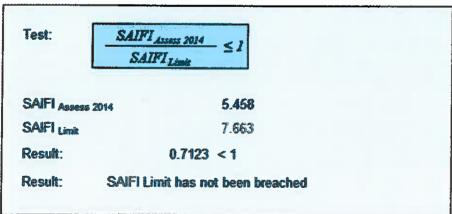
Top Energy Ltd does comply with all requirements of the quality standards in clause 9 at the assessment date, 31 March 2014, as specified in the Electricity Distribution Default Price-Quality Path Determination 2012.

Clause 9.2 - A Non-exempt EDB's Assessed Values for an Assessment Period must not exceed its Reliability Limits for that Assessment Period.

Compliance is demonstrated in the following tables. The first table demonstrates compliance with the SAIDI Limit and the second table compliance with the SAIFI Limit.

Clause 9.2 A Non-exempt EDB's Assessed Values for an Assessment Period must not exceed its Reliability Limits for that Assessment Period, such that





Supporting evidence is presented in Appendices D and E.

3) Director Certification (Clause 11.3)

We, Paul Anthony Byrnes and Gregory Mark Steed, being directors of Top Energy Limited certify that, having made all reasonable enquiry, to the best of our knowledge and belief, the attached Annual Compliance Statement of Top Energy Limited, and related information, prepared for the purposes of the Electricity Distribution Default Price-Quality Path Determination 2012 are true and accurate.

Gregory Mark Steed

Date: 27 May 2014

Deloitte.

INDEPENDENT AUDITOR'S REPORT

TO THE DIRECTORS OF TOP ENERGY LIMITED AND TO THE COMMERCE COMMISSION

The Auditor-General is the auditor of Top Energy Limited (the company). The Auditor-General has appointed me, Andrew Burgess, using the staff and resources of Deloitte, to provide an opinion, on her behalf, on whether the Annual Compliance Statement for the year ended on 31 March 2014 on pages 2 to 3 and 6 to 16 complies, in all material respects, with the Electricity Distribution Services Default Price-Quality Path Determination 2012 (the Determination).

Directors' responsibilities for the Annual Compliance Statement

The directors of the company are responsible for the preparation of the Annual Compliance Statement in accordance with the Determination, and for such internal control as the Directors determine is necessary to enable the preparation of an Annual Compliance Statement that is free from material misstatement.

Auditor's responsibility for the Annual Compliance Statement

Our responsibility is to express an opinion on whether the Annual Compliance Statement has been prepared, in all material respects, in accordance with the Determination.

Basis of opinion

We conducted our engagement in accordance with the International Standard on Assurance Engagements (New Zealand) 3000: Assurance Engagements Other Than Audits or Reviews of Historical Financial Information issued by the External Reporting Board and the Standard on Assurance Engagements 3100: Compliance Engagements issued by the External Reporting Board.

These standards require that we comply with ethical requirements and plan and perform our audit to provide reasonable assurance (which is also referred to as 'audit' assurance) about whether the Disclosure Information has been prepared in all material respects in accordance with the Determination.

An audit involves performing procedures to obtain evidence about the amounts and disclosures in the Annual Compliance Statement. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the Annual Compliance Statement, whether due to fraud or error or non-compliance with the Determination. In making those risk assessments, the auditor considers internal control relevant to the company's preparation of the Annual Compliance Statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the company's internal control.

In relation to the price path set out in clause 8 of the Determination, our audit included examination, on a test basis, of evidence relevant to the amounts and disclosures contained on pages 2 and 6 to 10 of the Annual Compliance Statement.

In relation to the SAIDI and SAIFI statistics for the Reference Period and the Assessment Period ended on 31 March 2014, including the calculation of the Reliability Limits and the Assessed Values, which are relevant to the quality standards set out in clause 9 of the Determination, our audit included examination, on a test basis, of evidence relevant to the amounts and disclosures contained on pages 3 and 11 to 16 of the Annual Compliance Statement.

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Our audit also included assessment of the significant estimates and judgements, if any, made by the company in the preparation of the Annual Compliance Statement.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Use of this report

This independent auditor's report has been prepared for the directors of the company and for the Commerce Commission for the purpose of providing those parties with independent audit assurance about whether the Disclosure Information has been prepared, in all material respects, in accordance with the Determination. We disclaim any assumption of responsibility for any reliance on this report to any person other than the directors of the company or the Commerce Commission, or for any other purpose than that for which it was prepared.

Scope and inherent limitations

Because of the inherent limitations of an audit engagement, and the test basis of the procedures performed, it is possible that fraud, error or non-compliance may occur and not be detected.

We did not examine every transaction, adjustment or event underlying the Disclosure Information nor do we guarantee complete accuracy of the Disclosure Information. Also we did not evaluate the security and controls over the electronic publication of the Disclosure Information.

The opinion expressed in this independent auditor's report has been formed on the above basis.

Independence

When carrying out the engagement we followed the independence requirements of the Auditor-General, which incorporate the independence requirements of the External Reporting Board. We also complied with the independent auditor requirements specified in clause 4.1 of the Determination.

The Auditor-General, and her employees, and Deloitte and its partners and employees may deal with the company on normal terms within the ordinary course of trading activities of the company. Other than any dealings on normal terms within the ordinary course of business, this engagement and the annual audit of the company's financial statements, we have no relationship with or interests in the company.

Opinion

In our opinion, the Annual Compliance Statement of Top Energy for the year ended on 31 March 2014, has been prepared, in all material respects, in accordance with the Determination.

Our audit was completed on 27 May 2014 and our opinion is expressed as at that date.

Andrew Burgess

Deloitte

On behalf of the Auditor-General

Auckland, New Zealand

Into anix report resistent the escentinic panicarolis of the somest compliance statement period caded 31 March 2014. We have not been engaged to report on the integrity of any website on which the annual compliance statement has been published. We accept no responsibility for any changes that may have occurred to the annual compliance statement has been published. We accept no responsibility for any changes that may have occurred to the annual compliance statement since it was initially approved and published. This and a report refers only to the annual compliance statement named above. If readers of this audit report are concerned with the inherent risks arising from electronic data communication they should refer to the original published hard copy of the annual compliance statement and related such report dated 27 May 2014 to confirm the information included in the annual compliance statement published on this website. Legislation in New Zealand governing the preparing and dissemination of financial information may differ from legislation in other jurisdictions.

Appendix A – Price Path Compliance Calculations (Clause 11.3)

Clause 8.4

| Termo | Description | Value \$ |
|-----------------|--|------------|
| SPi,2014Qi, t-2 | Prices at 31 March 2014 multiplied by 31 March 2012 Base Quantities | 43,304,074 |
| | Notional Posted discount YE 2014 | 5,121,424 |
| P2014*Q2012 | Prices at 31 March 2014 multiplied by 31 March 2012 Base Quantities | 38,182,650 |
| K2014 | Transmission Charges for year ending 31 March 2014 | 5,361,964 |
| | Ngawha Avoided Transmission Charges for year ending 31 March 2014 | 2,294,765 |
| | Transpower purchase Avoided Transmission Charges for year ending 31 March 2014 | 1,711,069 |
| V2014 | Rates for year ending 31 March 2014 | 25,879 |
| | Electricity Authority Levies for year ending 31 March 2014 | 59,525 |
| | Commerce Act Levies for year ending 31 March 2014 + 1/5 of Commerce Act Levies for year ending 31 March 2010 | 91,333 |
| Total K&V 2014 | Pass through and Recoverable Costs | 9,544,535 |
| NR2014 | Notional Revenue for the year ending 31 March 2014 | 25,638,115 |

Supported by P*Q schedules presented in Appendix 8

| Max | mum Notional Revenue for the year end March 2014 | ling | |
|----------------|--|------------|--|
| Term | Description | Value \$ | |
| PMax*Q2012 | Maximum Prices between 1 April 2013 and 31 March 2014 multiplied by 31 March 2012 Base Quantities | 98,182,650 | |
| K2014 | Transmission Charges for year ending 31 March 2014 | 5,361,964 | |
| | Ngawha Avoided Transmission Charges for year ending 31 March 2014 | 2,294,765 | |
| | Transpower purchase Avoided Transmission Charges for year ending 31 March 2014 | 1,711,069 | |
| VZ014 | Rates for year ending 31 March 2014 | 25,879 | |
| | Electricity Authority Levies for year ending 31 March 2014 | 59,525 | |
| | Commerce Act Levies for year ending 31 March 2014 + 1/5 of Commerce Act Levies for year ending 31 March 2010 | 91,833 | |
| Total K&V 2014 | Pass through and Recoverable Costs | 9,544,535 | |
| NR yea | Notional Revenue for the year ending 31 March 2014 | 28,638,115 | |

Supported by P*Q sthedules presented in Appendix 8

Clause 8.3

| Term | Description | Value \$ |
|---|---|------------|
| Revenue adjustment term NZ012-NR2012 | Last years under(over) recovery | 97,389 |
| P2013*Q2012 | Prices at 31 March 2013 multiplied by 31 March 2012 Base Quantities | 36,823,937 |
| K2013 | Transmission Charges for year ending 31 March 2013 | 4,544,524 |
| | Ngawha Avoided Transmission Charges for 2013 | 2,317,425 |
| | Transpower purchase Avoided Transmission Charges for 2013 | 1,571,756 |
| V2013 | Rates for year ending 31 March 2013 | 24,895 |
| V 2 4 2 3 | Electricity Commission Levies for year ending 31 March 2013 | 70,966 |
| | Commerce Act Levies for year ending 31 March 2013 + 1/5 of Commerce Act Levies for year ending 31 March 2010 | 66,603 |
| PQ2013-K2013-V2013 | Total | 28,325,157 |
| Х | X Factor | (0.10 |
| (1 + DCPI2014) | Average change in Consumer Price Index | 1.01282 |
| R2014 | Allowable Notional Revenue under the CPI-X Price Path for the year ending 31 March 2014 | 31,557,130 |

Supported by P*Q schedules presented in Appendix B

| | DCP/2014 | | |
|------------|----------|-------------------------|-------|
| Numerator | C | enominator | |
| CP/perzons | 1,158 | CPIDestono | 1,137 |
| CPIMar2012 | 1,164 | CPI _{Mar2} das | 1,146 |
| CPIJun2012 | 1,168 | CP Jungon | 1,157 |
| CPISep2012 | 1,171 | CP15ep2011 | 1,162 |
| Total | 4661 | Total | 4602 |
| DCP12014 | - | 1.28% | |

Appendix B – Price and Quantity Schedules (Clause 11.3(a))

NB: The maximum NR (2014) prices and quantities are the same as NR (2014)

| Wimber of Days: | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|-----------|-----------------|--|---------------|--|---|--------------------|--|
| 1867 547 647 647 | | Wander of | 15 | 3120 | Live Teriff 1.4.2013 to 31.3.2014 year | | Notional Dienthumon (5) | Revenue | Retignal Other Revenue (\$) | Total Revenue Sig | Section 1 | Kwh bscomied | Fixed Discount San. (See note 4) | 18 6 | Nevional Distribution Discernit (\$) | Netional Distribution Discount. (5) | Total Discount (5) | Total Revenue (\$) |
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| CAPMEDEC | Capacity | 1 | | | 7777 | 40 500 | 46.549 | 100 000 | | 1,45 Las | 121 | 13 293,662 | 0.550 | 20 ° n | 24,291 | 188,881 | 64,172 | 1,337,042 |
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| | | | | | | - | 5 | 1100001 | J81,419.3 | 43,304,074 | Z9,873 | 67,544,540 | | | 1,528,435 | 3,600,989 | 5,121,424 | 38,182,650 |

12,535,717 15,546,659 334,494 1,508,185 114,628 10.286 20,431 299,749 757,273 928,433 928,433 3,148 3,593 3,593 3,118 3,118 Total Revenue 1,324,702 254,654 EPLAN PIRM 36,823,937 Nest discount 1,126,165 67,472 64,172 12,447 13.914 155.634 5,121,424 6.957 Total Discount (5) Solonal Discribution Discourse (\$) 764,745 67,472 3,600,989 110,438 39.881 Variable offonal Distribution
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Prices at 31 March 2013 multiplied by 31 March 2012 Base Quantities

Appendix C - Pass Through and Recoverable Costs (Clause 11.3(b) (c))

| Pass Through and Re | coverable Costs | for year ending I | March 2014 | |
|---|-----------------|-------------------|---------------|--------------|
| K 2014 | Actual (\$) | Forecast (\$) | Variance (\$) | Variance (%) |
| Transmission | 5,361,964 | 5,583,489 | (221,525) | (4.13)% |
| V 2034 | Actual (\$) | Forecast (\$) | Variance (\$) | Variance (%) |
| Avoided Transmission Ngawha | 2,294,765 | 2,294,765 | | |
| Avoided Transmission Transpower | 1,711,070 | 1,711,070 | - | (.)× |
| Rates | 25,879 | 27,331 | (1,452) | (5.61)% |
| Electricity Authority Levies | 59,525 | 72,558 | (13,032) | (21.89)% |
| Commerce Act Levies | 91,333 | 68,814 | 22,519 | 24.66% |
| Total V2014 | 4,182,572 | 4,174,538 | 8,034 | 19% |
| Total Pass Through and Recoverable Costs | 9,544,536 | 9,758,027 | (213,490) | (2.24)% |

Note: Top Energy Limited had system fixed assets transferred from Transpower on 1 April 2012. The Avoided Transmission Transpower charge in the above table is consistent with clause 3.3.3(1)(b) of the IM Determination as required by clause 11.3(d).

Variance comments

Transmission: Decrease in NZX voltage support charges which also ceased

in December 2013.

Rates: The forecast included land which is part of the Transpower

asset transfer. This charge is assumed to be included in the

Avoided Transmission Transpower charge.

Electricity Authority Levies: Levies were lower than previous year.

Commerce Act Levies: Levies were higher than previous year.

Appendix D – Quality Standard Compliance Calculations (Clause 11.3(h))

Reliability Data (Before Normalisation)

| Year | SAM | Of (Interruption Dural | tion) | SAIF | (Interruption Freque | псу) |
|------|-----------------|------------------------|----------|-----------------|----------------------|-------|
| Tear | Class B | Class C | Total | Class B | Class C | Total |
| 2005 | 39.42 | 342.60 | 382.02 | 0.26 | 4.30 | 4.56 |
| 2006 | 22.30 | 499.80 | 522.10 | 0.14 | 5.43 | 5.57 |
| 2007 | 18.23 | 398.79 | 417.02 | 0.12 | 5,42 | 5 54 |
| 2008 | 36.63 | 781.67 | 818,30 | 0.34 | 6.05 | 6.39 |
| 2009 | 73.90 | 841.26 | 915.16 | 0.60 | 10.28 | 10.88 |
| | Reference Peri | od Total SAIDI | 3,054.60 | Reference Per | od Total SAIFI | 32.94 |
| | Reference Perio | d Average SAIDI | 610.92 | Reference Perio | d Average SAIFI | 6.59 |
| 2014 | 21.81 | 478.32 | 500.13 | 0.14 | 5.32 | 5.46 |

Reliability Limit Calculations

| C SAID! | -0.8549 | The average of the natural logarithm (in) of each daily SAID Value in the non-zero data set |
|---------|---------|---|
| P SMICH | 1.9142 | The standard deviation of the natural logarithm (In) of each daily SAIDI Value in the non-zero data set |

| O'SAN'I | -5.5484 | The average of the natural logarithm (in) of each daily SAIP Value in the non-zero data set |
|---------|---------|--|
| PSART | | The standard deviation of the natural logarithm (in) of each daily SAFI Value in the non-zero data set |

Event Days exceeding SAIDI Boundary Value within the Reference Dataset

| Date | Pre-Normalised SAIDI | Pre-Normalised SAIFI | Normalised SAIDI | Normalised SAIF |
|-----------|-------------------------|-------------------------|------------------|-----------------|
| 18-Sep-05 | 92.9493 | 0.5012 | 50.9313 | 0.5012 |
| 10-Jul-07 | 356.6218 | 0.8237 | 50.9313 | 0.7831 |
| 15-Apr-08 | 76.0172 | 1.0207 | 50.9313 | 0.7831 |
| 26-Jul-08 | 223.6803 | 1.0487 | 50.9313 | 0.7831 |
| 30-Jul-08 | 102.1547 | 0.8342 | 50.9313 | 0.7831 |
| | | | | - |
| | | | | |

| HSAIDI | 491,5663 | The average annual SAIDI Value in the Normalised Reference Dataset |
|---------------|----------|--|
| OSAIDI | 88.1148 | |
| SAID1 | 579 6811 | SAIDI Limit Value |

| The standard deviation of da Normalised Reference Data: | |
|---|--|
| I INOFMANSED Reference Data: | ly SAIFI Values in the set multiplied by √365 |
| | |

Reliability Assessment Calculations

Event Days exceeding SAIDI Boundary Value within the Assessment Dataset

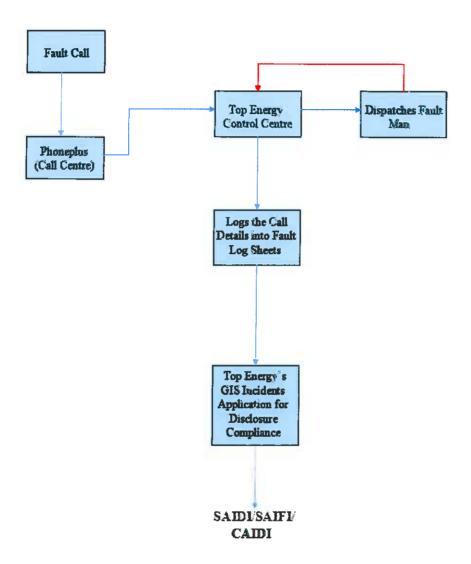
| Date | Pre-Normalised SAIDI | Pre-Normalised SAIFI | Normalised SAIDI | Normalised SAIF |
|-----------|-------------------------|-------------------------|------------------|-----------------|
| 28-May-13 | 78.9560 | | 50.9313 | |
| 15-Mar-14 | 58.1230 | | 50.9313 | |
| | | | | |
| | | | | |
| | | | | |
| | | | - | |
| | | | | |
| | | | | |

| Assessed SAIDI Value | |
|-----------------------|---|
| SAIDi ₂₀₁₄ | 464.915 The sum of daily SAIDI Values in the 1 April 2013 - 31 March 2014 Normalised Assessment Dataset |
| | |

| Assessed SAIFI Value | |
|-----------------------|---|
| SAIFI ₂₀₁₄ | 5.458 The sum of daily SAIFI Values in the 1 April 2013 - 31 March 2014 Normalised Assessment Dataset |

Appendix E – Policies and Procedures for Recording SAIDI and SAIFI (Clause 11.3(i))

Top Energy Limited records data for network performance at its network control centre. The following flow diagram outlines the business process that results in the recording and production of quality performance statistics.



Top Energy Faults Management Process

Recording Interruptions:

All interruptions in electricity supply on the network are recorded by the control centre operators:

- Planned outages are managed by the control centre operators who:
 - (1) schedule the work with field staff and;
 - (2) conduct and coordinate the related switching on the network.
 - These details are recorded by action, date and time on a 'Switching Procedure Sheet'.
- Unplanned outage records are initiated either by a telephone call of a fault being received by our in-house call centre (PHONEplus), or by receiving a protection equipment alarm generated directly from the SCADA (Supervisory Control & Data Acquisition) system. A detailed record of each telephone call about a fault, known as a 'CMS' *, is completed by the call centre operator, who identifies key information about the interruption such as: time, fault description, name and contact details of the caller. Subsequently the control centre operator will despatch the fault response team, log the fault, and conduct any switching that is required. All extra-high voltage and high-voltage faults are recorded electronically via the SCADA system, which provides an accurate record of the extent, time of occurrence and duration of the outages.

*CMS - Call Management Service. These are electronic records that the call centre staff use to record customer-reported fault information that are then forwarded to the control centre operators.

For either type of outage, the control centre operator records the following information:

- Substation reference number
- Feeders affected
- Interruption class type A,B,C or D
- Cause code where this is known

As a part of managing the restoration of supply, the control centre operator records the devices that are operated and the times at which they are operated. When this information is loaded into the GIS (Geographic Information System) incidents application software, the

time the customers are without power (customer outage minutes) is calculated by the application. The customer outage minutes are then inputted into the SAIDI calculation formula within our report manager application to calculate the SAIDI.

The control centre operates continuously on a roster basis, with four operators being present from 7 am to 9pm, Monday to Friday. Outside these hours, a standby roster is used to provide continuous coverage.

Please note, the Top Energy Control Centre has recently implemented a 24 hour, 7 day roster that means the Control Centre is continuously manned. It is likely that this roster option will be maintained in future, subject to staff agreement.

Consumer Numbers:

To determine the total number of consumers on its network, Top Energy maintains an ICP database. This is based on the electricity industry's registry. The ICP database has been consistently kept in compliance with relevant rules and regulations. The numbers of ICPs is used for internal reporting and performance management purposes throughout the year.

Using a fully integrated GIS & ICP (Installation Control Point) database for its entire network, Top Energy is able to use its information systems to calculate the number of customers beyond every isolation device on the network, at any time. The required customer counts can be extracted from the GIS system, which is linked to the ICP database. The average of the network ICP counts at the beginning and the end of the year was calculated as follows:

- ICP count at 31 March 2013 was 31,436
- ICP count at 31 March 2014 was 31,672
- Average ICP count for 2014 was therefore 31,554 ((31,436+31,672)/2)

GIS Incident Application

Top Energy Limited has used its GIS incident application since 1 April 2009. This software is used to record network interruptions and to generate network performance indices, such as SAIDI and SAIFI. The results are reported to and reviewed for reasonableness by the Control Centre Manager on a daily basis with a final check at month end. After the data have been

reviewed, network quality performance graphs, together with a summary report of reliability statistics, form part of the Network General Manager's report to the Board of Directors. On a six monthly basis, the related statistics are summarised and reported as part of the company's financial reporting procedure. This provides comparisons with targets set out in the company's Statement of Corporate Intent.

The GIS incidents system automatically calculates customer outage minutes from the network outage data input. This is accomplished by recording the time stamped operation of each switchable device, and combining it with the GIS calculated number of ICPs connected beyond the device concerned. A report on the SAIDI and SAIFI effects is then generated. For disclosure purposes, the average network total ICP count, calculated as previously described, is used.

The equation used by the GIS incidents application to calculate customer outage minutes is:

 Σ (Outage Duration₁ x ICP Count₁) + (Outage Duration₂ x ICP Count₂) +.... (and so on for each outage duration)