REGIONAL HYDROGEN TRANSITION

DRAFT technical design paper

August 2023

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INTRODUCTION

Aotearoa New Zealand is kickstarting the adoption of green hydrogen to power the transition to a high wage, low emissions economy. The Government's Regional Hydrogen Transition initiative, announced in Budget 2023, will provide a rebate to early hydrogen adopters which will close the price gap between green hydrogen and fossil fuels.

The rebate will be guaranteed through long-term contracts between the Crown and commercial hydrogen consumers. This $100m investment will support early adopters in hard-to-abate industries to reduce emissions and build industry knowledge, skills, and supply chains.

This initiative will empower firms and regions to realise the opportunities identified in the Government's interim Hydrogen Roadmap, while enabling the transition to a productive low-emission economy inclusive of iwi and communities.

Purpose of this document

This document sets out the goals of the Regional Hydrogen Transition and seeks feedback from industry and interested stakeholders to inform its final programme design. This document describes the proposed design of the programme, the expectations of participants, eligibility requirements and particular elements of the process. There are design questions at the end of each section highlighting issues on which we would like your input.

Following the engagement process officials will finalise the design of the Regional Hydrogen Transition and aim to run a competitive process in Q1 2024 to select rebate recipients.

How to provide feedback

Interested parties are invited to provide comments in the form of written submissions, with particular attention to the focus questions in this document. There is no prescribed format or length for submissions. To assist with review of submissions and ensure key issues are identified, submissions are encouraged to be succinct and no longer than is necessary to communicate key issue and themes.

Submissions should be emailed to: justtransitions@mbie.govt.nz by no later than 10 September 2023.

Interested parties are invited to register interest in the programme at the above email address to receive any updates in relation to the programme.

Confidentiality

We acknowledge that you may share commercially sensitive and confidential information with us as part of providing feedback or input on the design of the Regional Hydrogen Transition. We appreciate your trust, and we want to assure you that we will treat your information in confidence.

We may use some of the information that you share with us in the future, for example, during final policy design. If we do use information gathered to shape the final design of the Regional Hydrogen Transition, we will anonymise it so that it cannot be directly attributed to you.

If at any time during our discussions you believe that something is explicitly commercially confidential, please let us know so that we can ensure that we treat the information appropriately. We will not directly share your confidential information and will only release it if required by law.

In entering discussions with Ministry of Business, Innovation and Employment, you acknowledge that all information shared during these discussions should be treated as confidential unless that information is publicly available.

OVERVIEW AND PROGRAMME OBJECTIVES

The Regional Hydrogen Transition will provide rebate payments to eligible domestic consumers of green hydrogen. Rebate recipients will be selected through a competitive process based on a number of criteria, including price and contribution to regional just transitions. The program is aimed at early adopters of green hydrogen in commercial and industrial contexts.

The Regional Hydrogen Transition is intended to bridge the gap between green hydrogen and alternative fossil commodities. The rebate will therefore be indexed and will vary over time depending on market costs of the alternative fossil commodity relevant to the eligible hydrogen consumer. This paper outlines the mechanisms for achieving this indexation.

Payments will be made over ten years, underpinned by contracts between recipients and the Crown. Recipients will be entitled to a limited rebate sum as determined through the competitive process. The minimum scale of rebate contracts will be NZ$10m and the maximum will be NZ$60m. Recipients will have obligations to consume minimum annual volumes to remain eligible for repayments. Any rebate shortfalls resulting from unused green hydrogen can be reallocated to other participants.

Participants will need to deliver a range of social and economic benefits to iwi and just transition regions and contribute to the development of a green hydrogen industry in Aotearoa New Zealand. This will include, but is not limited, to the development of skills, knowledge, training, contribution to creation of supply chains, and the development of high value jobs. Rebate recipients will also be expected to demonstrate contribution to the development of renewable energy generation in support of green hydrogen generation. This paper outlines a few ways this can be achieved.

Eligible parties will need to demonstrate technical and commercial viability and ability to manage the complexity and delivery risks associated with the proposed green hydrogen project.

Recipients of the green hydrogen consumption rebate will be eligible to receive payments commencing 01 January 2025. It is proposed that final payments under the scheme will be paid not later than 31 December 2034.

Just Transitions

The Regional Hydrogen Transition arose from the just transition process in Southland. A just transition in New Zealand is a strategy to move a region toward a prosperous low carbon future. It is about a region leading their own transition to ensure that the impacts and opportunities that may arise from the transition are more evenly distributed. It is important projects funded through the programme deliver economic transition outcomes to the just transition regions.

The Just Transition Partnerships team from the Ministry of Business, Innovation and Employment (the Ministry) supports regional partners to understand, plan and navigate their transition in a way that is fair and equitable.

We are currently supporting two regions to undertake significant just transition processes:

- Taranaki, to adapt to the ban on new permits to drill for oil or gas offshore in New Zealand.
- Southland, to adapt to the planned closure of the New Zealand Aluminium Smelter at Tiwai Point.

Partnership is at the core of the Government's approach to just transitions. We have worked with iwi, local government, unions, business and the education, agriculture, and community sectors throughout regional just transition processes. To reflect this approach, we expect Regional Hydrogen Transition participants to partner with communities to deliver on regional goals as set out in significant regional plans, such as the *Taranaki 2050 Roadmap* and Southland's *Beyond 2025* long-term plan. Regional Hydrogen Transition participants can fulfil this requirement by demonstrating how their project aligns with these regional plans. Partnering with communities and iwi by aligning your interests and vision will help build social licence and empower regions to capture the opportunities the transition presents.

Program objectives

The initiative will play an important role in:

- Building capability and supply chains to support the green hydrogen sector's growth
- Supporting regional and national energy transitions
- Decarbonising hard-to-abate sectors
- Delivering social and economic benefits to iwi and communities in just transition regions

This initiative will support the implementation of the Governments' Interim Hydrogen Roadmap by catalysing the transition to hydrogen consumption in hard to abate sectors. It will enable the commercially competitive production of green hydrogen in Aotearoa New Zealand, using renewable energy, for domestic consumption.

Benefit sharing

Participants in the Regional Hydrogen Transition initiative will be expected to contribute to industry development and socio-economic benefits. These co-benefits will contribute to the development of supply chain capabilities, opportunities for iwi and communities to participate in the hydrogen economy, and support for the development of renewable energy generation, among others. These benefits may be upstream or result from additional community partnerships formed by participants, rather than from the direct consumption of hydrogen.

The rebate applies at the point of consumption, while many of the benefit sharing requirements below interact with the wider hydrogen value-chain (i.e., electricity generation, hydrogen production). We expect some participants will be involved in both the production and consumption of hydrogen, and able to readily meet the benefit sharing requirements through their own operations. Where participants intend to contract with a third party for the supply of hydrogen, we anticipate the benefit sharing requirements will be delivered in partnership with producers.

These benefit sharing requirements will be evaluated as part of the competitive selection process. The Ministry does not intend to prescribe how participants must meet these requirements; applicants will instead be required to demonstrate how they intend to deliver outcomes or benefits. There are four elements to the Regional Hydrogen Transition benefit sharing model; we encourage parties to demonstrate how their project meets all four. The four elements are:

1. Just transitions regions
2. Iwi and the Community
3. Renewable energy generation
4. Contribution to the development of the hydrogen economy

Applicants will be required to commit to tangible results which can be contractually enforced. An expert advisory panel will determine whether applicants have committed to tangible results. Rebate recipients will be required to monitor and report against delivery of these over the life of the contracts.

We propose that there will be an opportunity halfway through the contractual period to re-examine the benefit sharing option being progressed by the counterparty. Where agreed benefit sharing commitments are not achieving the objectives of the programme, we will work with counterparties to adjust the existing programme or create a new programme.

Just transition regions

Applicants will be expected to focus the delivery of benefit sharing activities to the just transition regions – Taranaki and Southland. These benefit sharing activities will diversify economic activity, create high-wage and low emissions jobs, and strengthen regional resilience. Benefits should be delivered in partnership with iwi and communities in the regions and be guided by iwi and community priorities. These benefits may be across all of the benefit sharing domains discussed below. Noting that hydrogen

consumption may occur across New Zealand, applicants may partner with suppliers to ensure benefits are delivered to just transition regions. Examples may include contracting with new renewable energy generation in the region, sourcing plant manufactured in the regions, undertaking manufacturing activities in the regions, creating high skill and high wage work, partnering with regional skills and training providers to contribute to the development of hydrogen skills and related employment in the regions. Applicants are encouraged to explore and identify opportunities for partnerships before developing proposals and submitting applications.

Iwi and the community

The criteria for delivering social and economic benefits to iwi and the community have been developed in partnership with Māori. Mana whenua have identified the need to protect and derive a living from their rohe and ensure intergenerational benefits as priorities. The Regional Hydrogen Transition will support iwi to achieve these ambitions. The following themes have been identified and should be reflected in applications:

- **Cultural**
  - supporting Māori cultural rights over wahi tapu, to catch mahinga kai, over their marae, and support iwi activities/cultural practice.
- **Environmental**
  - Supporting biodiversity, funding native flora replanting, investment which encourages environmental stewardship, or is environmentally responsible.
- **Social**
  - Funding for housing, medical services, education and training, and support for rangatahi entering the workforce.
- **Economic**
  - Employment and businesses opportunities.

This initiative is an opportunity for participants to develop meaningful and valuable partnerships with iwi, Māori, and the community to the benefit of all partners. Progress toward delivering on these outcomes may be externally monitored and verified, including by iwi and communities.

Renewable energy generation

A key outcome for the Regional Hydrogen Transition is to support the delivery of national renewable energy targets. The initiative will do this directly, through the activities of participants and indirectly by creating a stronger investment environment for new generation.

Counterparties will be expected to demonstrate how their participation in the Regional Hydrogen Transition will contribute to a modern, 100% renewable electricity system.

Examples of actions participants could take to meet this requirement include (but are not limited to):

- Direct development of new renewable generation (including behind the meter generation)
- Participation in demand response markets
- Contracting for new third-party generation

The rebate will only apply to green hydrogen – that is hydrogen produced through electrolysis of water using renewable energy. Participants will need to demonstrate electricity consumed by their hydrogen supplier is derived from renewable sources. We would value your views on how participants can fulfil this requirement.

Where participants intend to contract with a third party for the supply of hydrogen, they will be expected to demonstrate adherence with the above requirements in collaboration with project partners.

Contribution to development of a hydrogen economy

Applications will be assessed on their commitment and ability to contribute to the development and scaling of a green hydrogen sector in Aotearoa New Zealand. Support for the development of a hydrogen

sector may take several forms. Examples may include: contribution to network effects and enabling other consumers to access hydrogen supplies; contributing to the development of skills that will benefit the hydrogen sector more broadly; contributing to industry knowledge through sharing lessons and case studies; development of standards; significantly contributing to the establishment of supply chains, markets, and infrastructure that will benefit other consumers and enable scaling. Ideally, applications will address several aspects which contribute to hydrogen sector development.

Eligibility

Eligible entities will be those engaged directly in the productive consumption of green hydrogen for either chemical synthesis or conversion into energy via a fuel-cell or direct combustion. These firms will be established commercial entities with a demonstrated track record and capabilities for delivering innovative green hydrogen projects as well as iwi and community benefits. Examples of consumers may include trucking companies, chemical producers, airlines or shipping companies. Green hydrogen will need to be consumed domestically in Aotearoa New Zealand. Rebates will not be paid for the export of hydrogen.

Where the green hydrogen is applied to the production of synthetic fuels using hydrogen as an input, the financial support will apply to the consumer of the end product (i.e. the rebate will bridge a portion of the gap between the fossil fuel and synthetic fuel). The eligible entity for the rebate in these instances would be the consumer of the synthetic fuel, rather than the producer of the synthetic fuel.

Participants will be required to demonstrate that the hydrogen consumed is green hydrogen, derived from the consumption of renewable energy as laid out in the ‘Renewable Energy’ section above.

DESIGN OF THE REBATE

Contracts for rebate

The mechanism underpinning the Regional Hydrogen Transition is an indexed Green Hydrogen Consumption Rebate. This rebate will be delivered through contracts between participants and the Crown of up to ten years in duration. Contracts for hydrogen rebates agreed through the Regional Hydrogen Transition will run for up to ten years from Q1 2025 to provide sufficient certainty to enable long-term investments.

Following a competitive selection process, offers for rebate contracts will be made to successful applicants. The contracted volumes offered may be smaller than the volumes nominated by participants in the competitive selection process. Parties will be asked to nominate a preferred and minimum volume as part of their application with final volumes to be determined during contract negotiation.

Payments and timing

Payments will be made to the participant at quarterly intervals. The participant will be required to provide to the Ministry receipts for the purchase of green hydrogen in the payment interval period.

We propose that rebate payments will be made quarterly upon provision of evidence of the purchase and consumption of hydrogen. Rebate payments to counterparties will be determined through the indexation methods discussed below.

Design considerations

Feedback is sought from Industry on the following aspects:

Is the proposed quarterly payment period consistent with industry expectations? What alternative payment periods should be considered?

Is the proposed process of basing payments on invoices administratively workable? Are there alternatives that should be considered?

Indexation

As part of the competitive process, applicants for the hydrogen rebates will nominate the consumer's cost for green hydrogen, and a reference price for an alternative fossil commodity that would normally be used in the commercial activity in place of hydrogen.

The indexed rebate represents the difference between the hydrogen price agreed between the Crown and the participant, and the price of the relevant fossil fuel. The changing value of the rebate can be seen in Figure 1. The terms of the indexed rebate will be agreed through contracts between participants and the Crown. The rebate payment will be calculated using either an open book or time weighted average approach. These approaches are detailed below.

Comparing hydrogen and fossil fuels

The energy content per unit of mass of hydrogen is significantly higher than fossil fuels. The Regional Hydrogen Transition's indexation calculations will reflect the fact hydrogen is not a direct one-to-one replacement for fossil alternatives. The specific conversion factor the initiative will use for diesel and fossil gas will be decided following industry engagement and expert advice, and will be included in final market offer documents.

For more complex applications, such as liquid fuels, participants would be required to nominate conversion factors, which would then be finalised through contract negotiations.

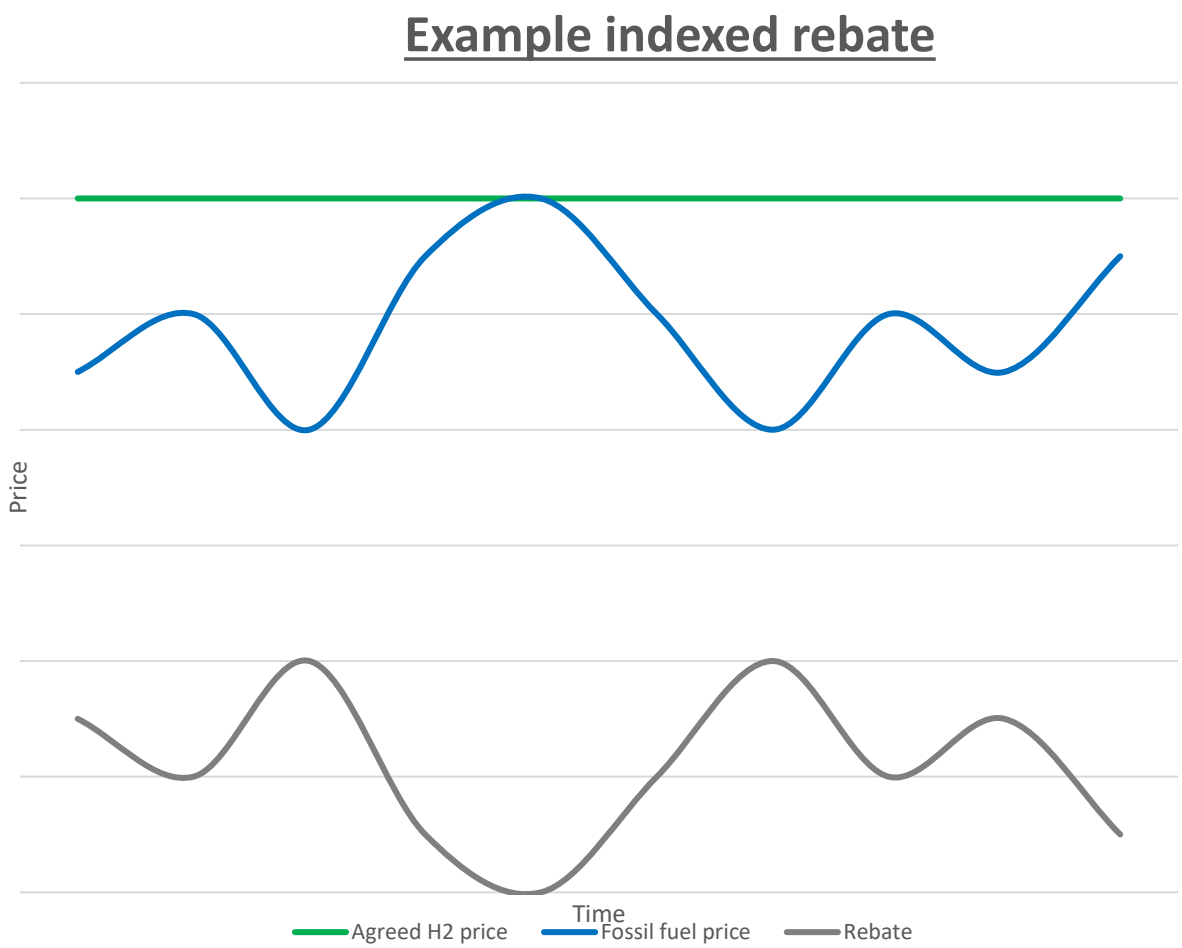


Figure 1 - Example indexed hydrogen consumption rebate

Open book:

- An approach which tracks a counterparty's existing fossil fuel supply contract or hedging product. Payments under this model would be calculated as the difference between the agreed hydrogen strike price and the fossil fuel price in the supply contract or hedge.
- Counterparties would nominate a fossil fuel price to be the basis for this mechanism and be expected to make information required to calculate payments available to the Ministry. This method may be relevant where the rebate recipient manages exposure to fossil fuels as part of their operations. For the purposes of evaluating bids using this method, applicants will need to share their current fossil fuel commodity costs based on their existing contracting or hedging arrangements.

Time weighted average price:

- *For hydrogen applications which displace diesel*: Using a time weighted average of the diesel discounted retail price (as described at: https://www.mbie.govt.nz/building-and-energy/energy-and-natural-resources/energy-statistics-and-modelling/energy-statistics/weekly-fuel-price-monitoring/). This method will break the year into 13 week blocks, and calculate the reference price for a given block on the preceding block's data. For example, if the average diesel discounted retail price for the first 13 weeks of a calendar year is 200c/l, this will be the reference price used to calculate the value of the rebate for this period. Participants will be required to maintain records demonstrating the period over which hydrogen was purchased.

- *For hydrogen applications which displace a non-diesel fossil fuel/derivative*: Using the time weighted average approach above with an alternative data source agreed by the Ministry.

In the event the effective fossil fuel price, calculated using any of the methods above, rises above the hydrogen strike price, counterparties will not be required to reimburse the Crown. There will be no rebate paid in this event.

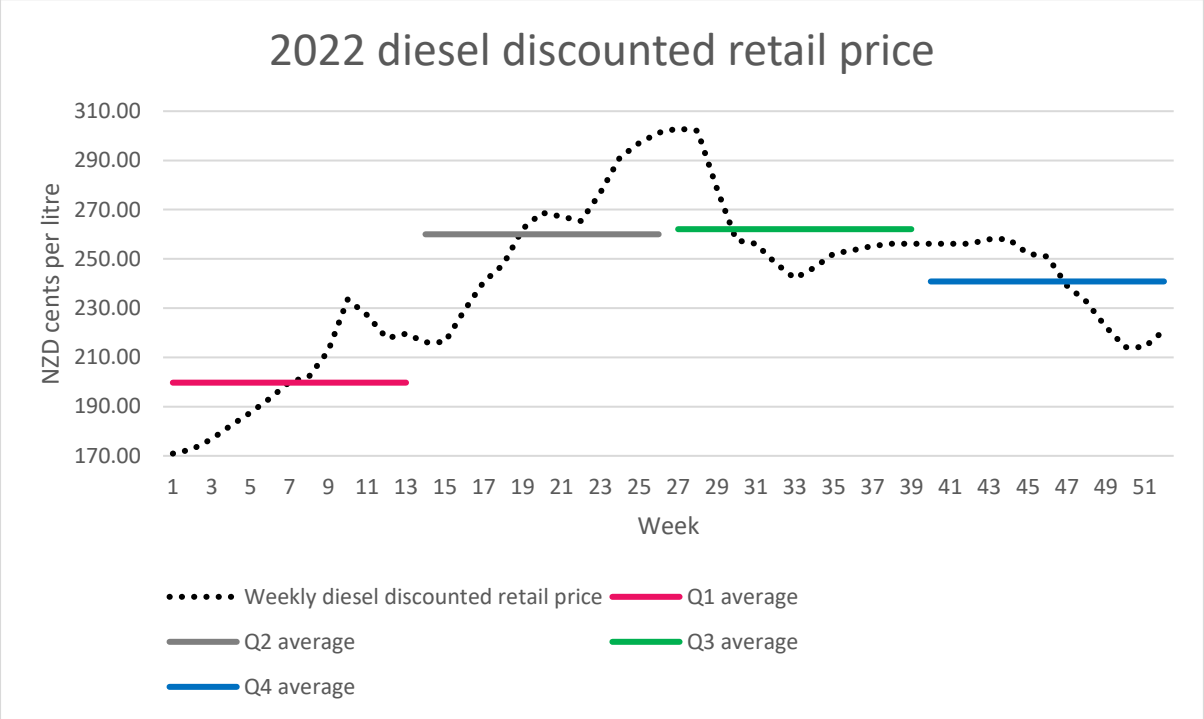


Figure 2 - Calculating reference prices using the time weighted average method

Design considerations

Feedback is sought from Industry on the following aspects:

Given differences in energy content, what conversion factors should the Ministry use to fairly compare hydrogen and fossil alternatives in indexing calculations?

Are the proposed methods for evaluating bids and calculating reference price acceptable? What alternative methods should be considered?

Minimum and maximum scale

We propose that there be a maximum rebate value for which applicants can become eligible. This limit is to ensure rebates can be made available to more than one counterparty to maximise the distribution of community and economic benefits. Similarly, we propose a minimum volume for which projects can be funded. This lower limit is to ensure that quantities funded under the programme are of a commercial scale to support the development of an industry and to achieve administrative efficiency to the Crown. It is proposed that the upper contract limit shall not exceed $6m annually, or $60m over ten years and the lower limit be $1m annually, or $10m over ten years. Once agreed, no adjustments will be made to the contract cap to account for external factors such as inflation.

Individual contracts under the annual maximum value will include a maximum annual payment to limit the cost of the initiative each year. The maximum annual payment will be determined through the application, evaluation and negotiation phases of the project. Provided counterparties have met their minimum payment requirements for a given year, unused allocation can be carried forward.

To ensure counterparties are delivering on the initiative's goal of increasing consumption of green hydrogen, contracts will include annual minimum payments. The total rebate to which the consumer is entitled under the programme will be reduced by any annual shortfalls against the minimum amount. The minimum payment for each year intended to be covered by the contract will be agreed between the parties at the outset of the contract period. Minimum payments may be lower in earlier years to support production "ramping up".

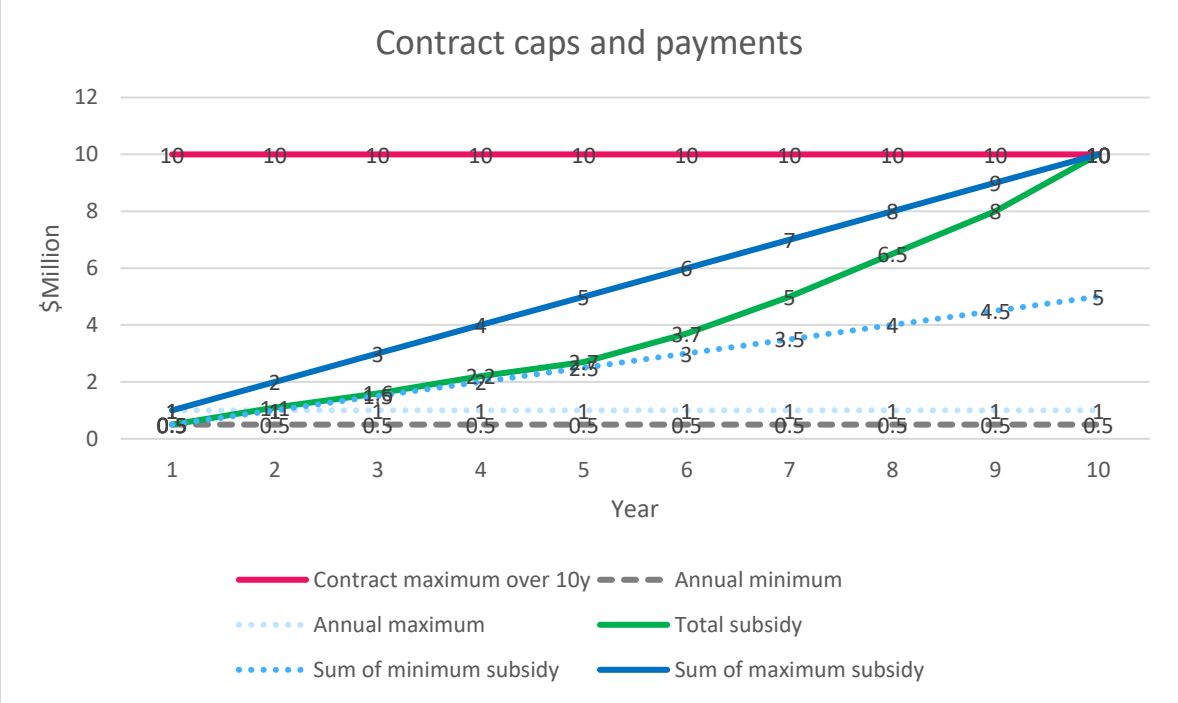


Figure 3 - Example contract structure

Design considerations

Feedback on the appropriateness of these volume settings is sought from industry.

Reporting; penalties for non-compliance

The participant will also be required to retain and maintain records verifying the use of renewable electricity supplied and consumed in the production of green hydrogen, and the delivery of co-benefits. These records may be audited as required throughout the course of the contract.

Where green hydrogen is produced directly by the consumer, alternative arrangements for documentation and verification will be agreed between the rebate recipient and the Crown. These alternative arrangements will align with the programme's overarching design intent of bridging the price gap between green hydrogen and fossil fuels.

We propose that any delays to hydrogen consumption resulting from delayed project delivery will be deducted from the contract term length, to ensure all contracts conclude by Q4 2034. Where delays result from acquiring relevant equipment or consents, counterparties will incur no penalty for falling short of the minimum payment provisions for the first year of the contract. It is proposed that contracts would lapse if consumption has not commenced by Q3 2028, and unused allocation will be distributed in line with the process described below.

For example, a counterparty agrees to a ten-year contract to support a project. If:

- Consumption begins in Q1 2025, the contract will run to the end of Q4 2034.
- Consumption begins in Q2 2026, the contract will run to the end of Q4 2034. No penalty will be incurred for shortfalls of the annual minimum payment.

- Consumption begins in Q2 2027, the contract will run to the end of Q4 2034. Any shortfall of the annual minimum payment provisions from Q3 2026 onward will incur the relevant penalties.
- Project is not finalised and consumption of green hydrogen does not commence by end of Q2 2028. Contract expires and subsidy allocation redistributed.

Design considerations

Feedback is sought from Industry on the following aspects:

Do you have existing reporting mechanisms in place that could be leveraged for the proposed reporting requirements?

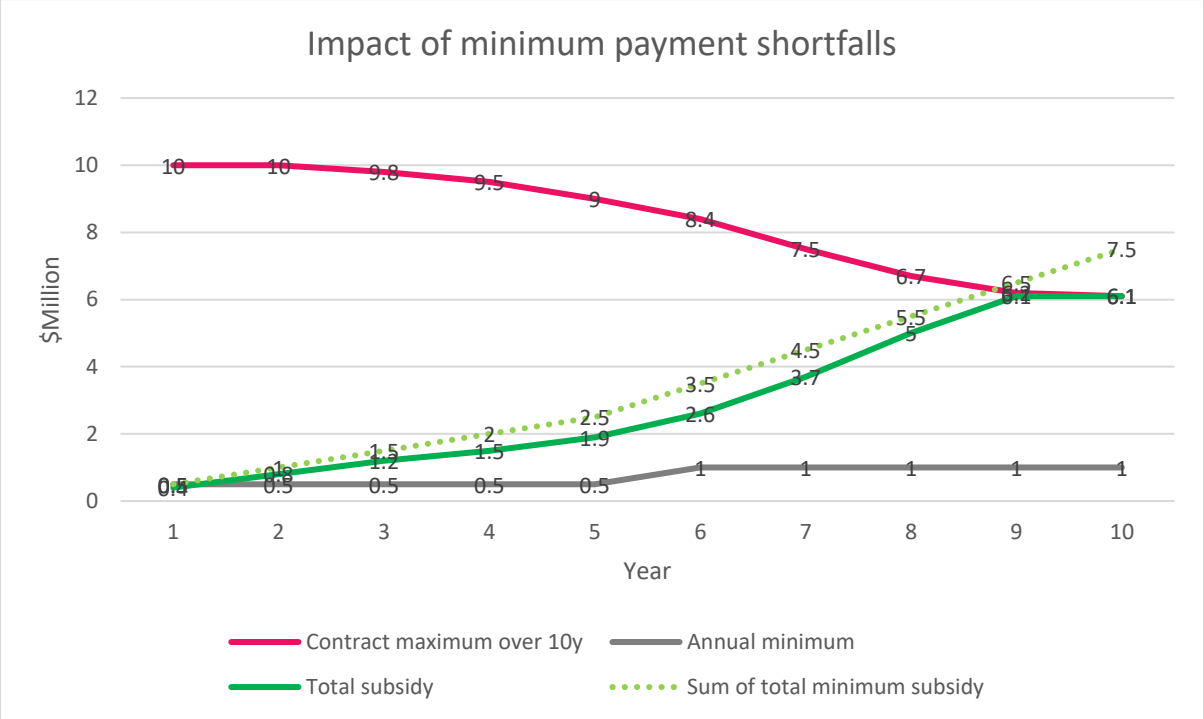
Are there any potential challenges or issues you foresee with the reporting and noncompliance components outlined in the policy?

Reallocation of unused Rebate payments

If counterparties do not meet the annual minimum payment (by failing to consume sufficient green hydrogen), the difference between actual consumption and the cumulative minimum for the relevant year (the sum of minimums from preceding years) will be subtracted from the total contract payment cap. Exceptions will be made for shortfalls in the first year of the contract to allow for unforeseen delays in project delivery.

Year two annual minimum payment ($0.5m) – Year two actual subsidy payment ($0.3m) = Year two minimum payment shortfall ($0.2m)

Total contract payment cap ($10m) – Year two minimum payment shortfall ($0.2m) = New total contract payment cap ($9.8m)



Exceptions to the minimum payment requirements will be made in the following circumstances:

- In the event the reference price rises above the strike price for more than 13 weeks in a contract year.
- If the Ministry exempts the counterparties from the minimum payment requirements – this may be in response to energy market factors, such as a dry year.

Any rebate payments which have not been claimed in the first five years of the programme will be re-allocated. Ahead of Year six of the programme, the sum of annual minimum payment shortfalls will be offered to any counterparties who have met their minimum annual payments in three of the preceding five years. Priority for reallocation will be based on the counterparty's consumption against the total Y1-5 minimum consumption commitment over the period. Consumers with the least proportionate shortfall against the minimum allocation will be prioritised. Reallocated payments for any given counterparty will be capped at their total Y1-5 minimum payment.

	Y1-5 minimum	Shortfall	Percent	Available	Request	Allocation
Counterparty One	$5.0m	$0.5m	10%	$3.7m	$2.0m	$2.0m
Counterparty Two	$1.0m	$0.2m	20%	$3.7m	$1.5m	$1.0m
Counterparty Three	$8.0m	$2.0m	25%	$3.7m	$1.0m	$0.7m
Counterparty Four	$2.5m	$1.0m	40%	$3.7m	$0.5m	$0.0m

Design considerations

Feedback is sought from Industry on the following:

Is the ten year term appropriate in order to support long-term investments in projects, including supporting infrastructure?

Are the proposed minimum contract threshold and maximum contract cap values viable to support the development of projects?

Are the eligible uses proposed under the programme appropriate? Are there any other commercial uses of hydrogen which should be considered that are not mentioned?

Are there any types of projects which would support the development of a green hydrogen sector but which would be ineligible under the proposed volume settings?

Does the proposed process for reallocation of unused subsidy present any unforeseen business risks? If so, please explain. Are there other methods that could achieve effective use of Crown resources while providing fairness to industry?

COMPETITIVE SELECTION PROCESS

Participants in the programme will be selected through a competitive selection process similar to an auction. We expect that the selection process will be conducted in Q1 2024.

Eligible applicants will be evaluated against a range of criteria including cost and non-cost criteria. The non-cost criteria will focus on delivering the benefit sharing programme objectives described above. Evaluation against cost criteria will deliver value for money to the Crown. The selection process will be designed to provide the minimum cost support required to achieve this outcome. Evaluation against cost criteria will be on the basis of the applicant's nomination of a cost of hydrogen and the nominated reference price for fossil fuel alternatives.

The competitive selection process will be undertaken consistent with public sector procurement principles to ensure fairness and probity.

Evaluation

Non-cost criteria relate to the criteria outlined under the Benefit Sharing section above. Applicants will be required to demonstrate delivery against the non-cost criteria.

Applications will also need to demonstrate project readiness and management of delivery risks and demonstrate partnerships with hydrogen suppliers.

Cost criteria will include evaluation against the participants' nominated strike price. Applicants will be required to nominate a per-unit contract strike price for green hydrogen. Applicants will also be required to nominate a volume of green hydrogen to be consumed over the program period (by annual periods) and a total lifetime contract cap sought.

The evaluation process will have input from technical experts, regional representatives, iwi and government. These parties will advise on social, community, and economic benefits and contributions to iwi, regions, and the development of a hydrogen economy.

We propose that the evaluation process consider any previous government investments in the entity in the evaluation of the application. Past funding would not exclude firms from accessing the rebate, but care will be taken to ensure that duplication of funding for the same purpose is minimised.

Exclusions

Applicants will need to demonstrate their project meets the Regional Hydrogen Transition eligibility criteria and is not excluded under the rules of the programme.

Grants are exclusively for the rebate of hydrogen consumed. The programme will not fund:

- Capital
- Existing operating costs
- The use of hydrogen other than green hydrogen

Timing

We anticipate that a competitive selection process will be conducted in Q1 2024. We propose that applications will remain open for a period of eight weeks.

Interested parties should commence preparing for the competitive selection process as early as possible to demonstrate delivery against the various programme objectives.

Design considerations

Feedback is sought on the proposed implementation of the competitive selection process.

Is the proposed eight week period sufficient for interested parties to prepare and lodge applications? Are the proposed timeframes of conducting the competitive selection process workable?

Are the proposed categories of evaluation criteria appropriate? Are there other aspects of the programme which should be considered in the evaluation criteria in order to achieve the programme objectives?

What lead times are involved in the development and delivery of hydrogen projects? How do the proposed programme timeframes align with these?

TIMEFRAME


Jul 23 - Sep 23
•Industry engagement on draft technical design document
Sep 23 - Jan 24
•Final programme design
Jan 24 - Apr 24
•Competitive process to select rebate recipients
Apr 24 - Jul 24
•Contract negotiations and signing
Jan 25
•Rebate payments begin
Dec 34
•Rebate payments end