

Under: Section 64 of the Electricity Industry Act 2010

in the matter of: an appeal of a decision of the Electricity Authority

in re: **Bay of Plenty Energy Limited**
First appellant

and: **Todd Energy Limited**
Second appellant

Notice of intention by New Zealand Sugar Company Limited (**NZ Sugar**) (1) to appear and be heard as a respondent, and (2) to support the decision of the Electricity Authority appealed against, including on other grounds

Dated: Monday 8 August 2011

Next Event Date: Monday 8 August 2011 (notices of intention to appear due)

Before: tba

REFERENCE: J E Hodder SC (jack.hodder@chapmantripp.com)
T D Smith (tim.smith@chapmantripp.com)

To: the Registrar of the High Court at Wellington

And to: Bay of Plenty Energy Ltd and Todd Energy Ltd

And to: every other party to be served

This document notifies you that—

- 1 New Zealand Sugar Company Limited (***NZ Sugar***) intends to appear and be heard as a respondent in this appeal.
- 2 To the extent that NZ Sugar is not already properly a respondent to the appeal and instead requires leave of the Court to be joined as a respondent in (or, alternatively, an interested party to) this appeal, it applies for that leave.
- 3 NZ Sugar's intended stance in this appeal is as follows:
 - 3.1 It intends to oppose the appeal.
 - 3.2 It intends to support the decision of the Electricity Authority appealed against insofar as that decision is challenged on appeal by the appellants, including on other grounds.
 - 3.3 The grounds on which NZ Sugar intends to oppose each of the appeals, and support the decision appealed against (including on other grounds), are as appear in the notice of intention filed by Meridian Energy Limited on 20 July 2011 in this appeal.
- 4 The notice is given pursuant to rr 1.2 and 1.6 and Part 20 of the High Court Rules, as well as pursuant to the direction at [4] of the minute of Dobson J dated 25 July 2011.

Dated: Monday 8 August 2011



J E Hodder SC
Counsel for New Zealand Sugar
Company Limited

This document is filed by Jack Edward Hodder, solicitor for New Zealand Sugar Company Limited, of the firm Chapman Tripp. The address for service of New Zealand Sugar Company Limited is at the offices of Chapman Tripp, Level 14, 10 Customhouse Quay, Wellington.

Documents for service on New Zealand Sugar Company Limited may be delivered to that address or may be:

- (a) posted to the solicitor at PO Box 993, Wellington 6140; or
- (b) left for the solicitor at a document exchange for direction to DX SP 20204, Wellington; or
- (c) transmitted to the solicitor by facsimile to facsimile number (04) 472 7111.