

**IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

CIV-2011-485-1371

UNDER Electricity Industry Act 2010

IN THE MATTER OF an appeal of the decision of the Electricity
Authority

IN RE BAY OF PLENTY ENERGY LIMITED

First Appellant

AND TODD ENERGY LIMITED

Second Appellant

**NOTICE BY VODAFONE NEW ZEALAND LIMITED OF INTENTION TO APPEAR
AND BE HEARD
5 AUGUST 2011**

Next Event: Interlocutory hearing 16 August 2011

W I L S O N ■ H A R L E

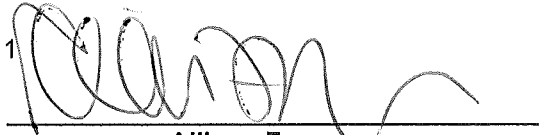
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PO Box 4539
Shortland Street
DX CP20507
Auckland
allison.ferguson@wilsonharle.com
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TO: The Registrar of the High Court at Wellington
AND TO: The Appellants
AND TO: Contact Energy Limited
AND TO: Genesis Power Limited
AND TO: The Electricity Authority
AND TO: Mighty River Power Limited
AND TO: Meridian Energy Limited
AND TO: Pulse Utilities Limited

THIS DOCUMENT NOTIFIES YOU THAT:

1. Vodafone New Zealand Limited ("**Vodafone**"), a duly incorporated company having its registered office at Level 1, 20 Viaduct Harbour Avenue, Auckland, intends to appear and be heard on the appeal in order to present to the Court the perspective of a user of wholesale electricity.
2. Vodafone seeks to become a respondent to the appeal so that it can present appropriate submissions to the Court directed to providing the Court with a user's perspective. It does not otherwise intend to address the Court on the merits of the appeal.
3. The grounds on which Vodafone relies are as follows:
 - (a) Vodafone was one of the parties who made claims to the Electricity Authority regarding the events of 26 March 2011;
 - (b) Vodafone participates in the wholesale electricity market by purchasing its electricity from retailers at spot market rates;
 - (c) Vodafone was invited to, and did, make submissions to the Authority on the Authority's investigation into the events of 26 March 2011;
 - (d) Vodafone was directly affected by the events of 26 March 2011 and by the Electricity Authority's decision and it will be directly affected by the result of the appeal;
 - (e) All of the parties currently before the Court are electricity industry participants. None of the parties presently before the Court are users of electricity;
 - (f) No other party appears able to present a user's perspective to the Court. Vodafone's presence before the Court is necessary to allow the Court to adjudicate on all questions involved in the proceeding, particularly the effect of the events of 26 March 2011 on users, rather than industry participants, which will be relevant to whether an undesirable trading situation occurred on 26 March 2011;
 - (g) Vodafone can present its perspective to the Court, in focused submissions or memoranda and it joinder as a respondent will have minimal impact on the cost of, or time taken by, the proceedings.
4. Vodafone relies on rule 4.56 and part 20 of the High Court Rules.

Dated 5 August 2011

A handwritten signature in black ink, appearing to read 'Allison Ferguson', written over a horizontal line.

Allison Ferguson
Solicitor for Vodafone

This document is filed by **Allison Elizabeth Ferguson**, solicitor for Vodafone, of Wilson Harle. The address for service on Vodafone is 64 Fort Street, Auckland.

Documents for service on Vodafone may be left at that address for service or may be:

- (a) posted to the solicitor at PO Box 4539, Auckland; or
- (b) left for the solicitor at a document exchange for direction to DX CP20507.

**IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

CIV-2011-485-1372

UNDER Electricity Industry Act 2010
IN THE MATTER OF an appeal of the decision of the Electricity
Authority
IN RE CONTACT ENERGY LIMITED
Appellant

**NOTICE BY VODAFONE NEW ZEALAND LIMITED OF INTENTION TO APPEAR
AND BE HEARD
5 AUGUST 2011**

Next Event: Interlocutory hearing 16 August 2011

W I L S O N ■ H A R L E

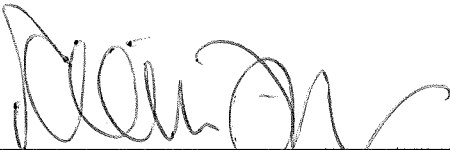
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TO: The Registrar of the High Court at Wellington
AND TO: The Appellant
AND TO: Bay of Plenty Energy Limited
AND TO: Todd Energy Limited
AND TO: Genesis Power Limited
AND TO: The Electricity Authority
AND TO: Mighty River Power Limited
AND TO: Meridian Energy Limited
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2. Vodafone seeks to become a respondent to the appeal so that it can present appropriate submissions to the Court directed to providing the Court with a user's perspective. It does not otherwise intend to address the Court on the merits of the appeal.
3. The grounds on which Vodafone relies are as follows:
 - (a) Vodafone was one of the parties who made claims to the Electricity Authority regarding the events of 26 March 2011;
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 - (g) Vodafone can present its perspective to the Court, in focused submissions or memoranda and it joinder as a respondent will have minimal impact on the cost of, or time taken by, the proceedings.
4. Vodafone relies on rule 4.56 and part 20 of the High Court Rules.

Dated 5 August 2011



Allison Ferguson
Solicitor for Vodafone

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**IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

CIV-2011-485-1373

UNDER Electricity Industry Act 2010
IN THE MATTER OF an appeal of the decision of the Electricity
Authority
IN RE GENESIS POWER LIMITED
Appellant

**NOTICE BY VODAFONE NEW ZEALAND LIMITED OF INTENTION TO APPEAR
AND BE HEARD
5 AUGUST 2011**

Next Event: Interlocutory hearing 16 August 2011

W I L S O N ■ H A R L E

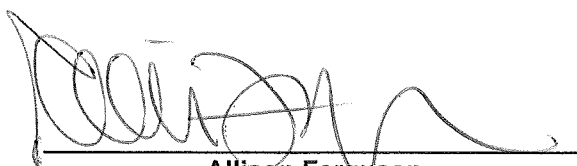
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