

## Notice of Exemption Issued to Mr James Miller

Pursuant to section 90(1)(b) of the Electricity Industry Act 2010 (Act), the Electricity Authority (Authority) gives the following notice.

### Notice

**1. Exemption**—James Bruce Miller (“Mr Miller”) is exempted from compliance with sections 75, 77 to 79 and 88 of the Act, in relation to the appointment of Mr Miller as a director of Mighty River Power Limited (MRPL) while Mr Miller is also a director of Auckland International Airport Limited (AIAL).

**2. Conditions**—This exemption is subject to the following conditions:

(1) While Mr Miller is a director of both AIAL and MRPL:

(a) Mr Miller must not participate in any discussions or decision-making by MRPL and/or AIAL regarding matters that relate to or could affect or favour the supply of electricity by MRPL (or disadvantage any other business selling electricity on AIAL’s network other than MRPL) on AIAL’s electricity distribution network or the provision of electricity lines services by AIAL to MRPL, including:

(i) the selection of, and any negotiation with, any electricity retailer for the supply, or intended supply, of electricity to AIAL; and

(ii) the supply, or intended supply, of electricity by MRPL to any new or existing consumer on AIAL’s electricity distribution network;

(b) Mr Miller must not disclose the outcome of any discussions or decision-making by AIAL to MRPL (and vice versa) on the matters referred to in paragraph (a).

(2) Mr Miller must confirm to the Authority, in writing, that the cross-directorship to which this exemption relates has ceased within one calendar month of the cross-directorship ceasing to exist.

(3) The exemption is specific to the cross-directorship created through Mr Miller’s involvement in AIAL and MRPL. It does not extend to any other interest or future cross-involvement of Mr Miller.

**3. Commencement**—This exemption comes into force on the day after the date it is notified in the *New Zealand Gazette*.

Dated at Wellington this 30th day of April 2012.

For and on behalf of the Electricity Authority:

DR THOMAS BRENT LAYTON, Chairperson, Electricity Authority.

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