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Authorities and Other Agencies of State Notices

Commerce Commission

Electricity Industry Reform Act 1998

Notice of Exemption—Marko Bogoevski

The Commerce Commission (“Commission”), pursuant to section 81 of the Electricity Industry Reform Act 1998 (“the EIR Act”), exempts Marko Bogoevski from compliance with section 17(2)(b) of the EIR Act in respect of his involvements (as that term is defined in the EIR Act) with TrustPower Limited and Auckland International Airport Limited as outlined in the Commission’s Decision 683 on his application for exemption.

The exemption is subject to the following conditions:

- (a) Whilst Marko Bogoevski is involved with both TrustPower Limited and Auckland International Airport Limited, he shall not participate in any discussions or decision making by TrustPower Limited and/or Auckland International Airport Limited regarding matters that relate to or could affect or favour the supply of electricity by TrustPower Limited (or disadvantage any other business selling electricity on Auckland International Airport Limited’s network other than TrustPower Limited) on Auckland International Airport Limited’s electricity distribution network or the provision of electricity lines services by Auckland International Airport Limited to TrustPower, including:
 - (i) the selection of, and any negotiation with, any electricity retailer for the supply, or intended

supply, of electricity to Auckland International Airport Limited; and

- (ii) the supply, or intended supply, of electricity by TrustPower Limited to any new, or existing, consumers on Auckland International Airport Limited’s electricity distribution network.

In addition, he shall not disclose the outcomes of any discussions or decision making by Auckland International Airport Limited to TrustPower Limited (and vice versa) on those matters.

- (b) Marko Bogoevski will confirm to the Commission, in writing, that the prohibited involvements to which this exemption applies have ceased within one calendar month of the prohibited involvements ceasing to exist;
- (c) This exemption expires when the Commission publishes on its website Marko Bogoevski’s written confirmation that his prohibited involvements have ceased, unless any variation or earlier revocation in terms of section 81(5) occurs before that event; and
- (d) This exemption is specific to the prohibited involvements created through Marko Bogoevski’s involvements in TrustPower Limited and Auckland International Airport Limited. It does not extend to any other interest or existing or future prohibited involvements of Marko Bogoevski.

The exemption takes effect from the date of publication of this notice in the *New Zealand Gazette*.

The Commission may vary or revoke the exemption in accordance with section 81(5) of the EIR Act.

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