

APPENDIX F

FORM OF APPLICATION FOR AUTHORISATION OF A RESTRICTIVE TRADE PRACTICE PURSUANT TO SECTION 58 OF THE COMMERCE ACT 1986

1. An application for authorisation of a restrictive trade practice is hereby made in terms of section 58 of the Commerce Act 1986 by:

Electricity Governance Board Limited

C/- The Marketplace Company Limited

PO Box 5422

Wellington

Telephone: (04) 473 5240

Facsimile: (04) 473 5247

Attention: David Caygill

All correspondence and notices in respect of this application should be directed in the first instance to:

Russell McVeagh

PO Box 10-214

Wellington

Telephone: (04) 499 9555

Facsimile: (04) 499 9556

Attention: Derek Johnston / James Palmer

2. This application relates to a practice of a kind detailed in section 58 of the Act. Full particulars are:

See sections 13 and 14.

3. The individuals/companies/organisations directly affected by the trade practice are set out in section 9:

4. Other parties likely to be affected by the practice would include:

See Appendix E.

5. Does the authorisation now sought relate to a contract or other arrangement which has already been entered into?

No.

MARKET AND COMPETITION CONSIDERATIONS

6. Please describe the market to which the practice for which authorisation is sought relates, by reference to product, geographic boundaries, or function, as appropriate. If more than one market is affected, please describe each market to the best of your

knowledge, and indicate your market share(s), and the shares of other market participants, at present operating in each market affected.

See section 16.

Please analyse the level of price and other competition in the market(s) affected, and give details of any barriers to entry in relation to the market(s) for your product(s) or service(s).

See section 16.

Generally, consider how the trade practice would influence effective competition in the specified market(s).

See sections 23 to 29.

COUNTERVAILING PUBLIC BENEFIT

7. The specific public benefits which will in all the circumstances result or be likely to result from the trade practice are as follows: Please refer to s 61(6) or 61(7) in formulating your reply to this question. The reply should be as complete as possible. Claimed benefits should be supported by any relevant information based on either opinion or fact, together with disclosure of all references and sources.

See sections 31 and 32.

CONFIDENTIALITY

8. Confidentiality is not claimed in respect of the information provided in, or in conjunction with this notice.