

IN THE WAITANGI TRIBUNAL

**In the matter of** The Treaty of Waitangi Act 1975

**And** The National Fresh Water and Geothermal Resources Inquiry

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**MEMORANDUM OF COUNSEL FOR CONTACT ENERGY LIMITED  
IN RESPONSE TO MEMORANDUM-DIRECTIONS OF THE PRESIDING  
OFFICER DATED 13 MARCH 2013**

**Date: 5 April 2013**

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**RECEIVED**

Waitangi Tribunal

**5 Apr 2013**

Ministry of Justice  
WELLINGTON

**BUDDLEFINDLAY**  
Barristers and Solicitors  
Wellington

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**May it please the Tribunal**

1. This memorandum of counsel is filed on behalf of Contact Energy Limited ("**Contact**"), in response to the Memorandum-Directions of the Presiding Officer dated 13 March 2013.

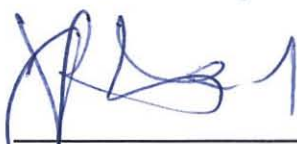
**Evidence for stage two of the Tribunal's inquiry**

2. The Presiding Officer has directed the parties to submit a summary of the evidence proposed to be filed in support of their case for stage two issues.
3. Contact is an interested party to these proceedings, for the reasons set out in counsel's memorandum dated 8 June 2012 (Wai 2358, #3.1.122), and maintained a watching brief during stage one of the Tribunal's inquiry.
4. As foreshadowed in that earlier memorandum, Contact wishes to present evidence in stage two of the inquiry. That evidence will address the following matters:
  - (a) the nature and history of Contact's rights to use the Wairakei-Tauhara and Ohaaki geothermal resources;
  - (b) the relationships and agreements that Contact has entered into with various hapū and Māori landowners in the Waikato and Bay of Plenty regions; and
  - (c) any other factual material that may assist the inquiry, upon request by the Tribunal.
5. It follows that, in due course, Contact may wish to present legal submissions to assist the Tribunal with its consideration of the stage two issues.

**Other matters raised in the Memorandum-Directions of the Presiding Officer**

6. The Memorandum-Directions dated 13 March 2013 sought submissions from parties on various other matters, on which Contact expresses no view.

**DATED** at Wellington this 5<sup>th</sup> day of April 2013



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**D G Randal**

**Counsel for Contact Energy Ltd**