

## NOTICE OF BREACH

### Contact details of party reporting alleged breach:

Name of reporting entity: M-co/NZX Limited

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### Name of participant that is alleged to have breached the rules:

OnGas (GNGC)

### Rule/s allegedly breached:

Gas (Downstream Reconciliation) Rules 2008:

Rule 31.1: Actual daily energy quantities are to be provided to the allocation agent for allocation groups 1 and 2.

### Circumstances relating to the alleged breach:

Under rule 31.1, consumption information provided to the allocation agent on business day 4 should be the actual daily energy quantities for each consumer installation in allocation groups 1 and 2.

Under rule 30.3.1, if a retailer is unable to provide actual daily consumption, they must estimate the data, and advise the allocation agent.

Under rule 30.3.2, compliance with rule 30.3.1 does not mean the retailer has complied with the requirement to provide actual daily energy quantities.

OnGas (GNGC) submitted estimated TOU consumption data at gas gates Greater Auckland GTA03610, and Longburn LNB24301 for the initial October 2009 consumption month.

The (confidential) file attached shows the estimated data.

Because the October 2009 initial allocation was published with estimated data from OnGas at these gas gates, the allocation agent believes this is an alleged breach of rule 31.1.

### Date and time on which the alleged breach occurred:

Date: 5 November 2009

Time: 1200

**Gas Industry Co Use**

Date of receipt:

9 November 2009

Breach notice identifying  
number:

2009-200