

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	1 September 2009
<b>Breach notice identifying number:</b>	2009-114 S-EGAS-07010, 07012, 07019 to 07022 and 07024 S-EGLT-07001, 07003, 07007, 07009, 07013 to 07018, 07022 to 07030, 07033 and 07037
<b>Date of receipt:</b>	1 August 2009
<b>Name of reporting entity:</b>	Registry Operator
<b>Name of participant that is alleged to have breached the Rules:</b>	E-Gas 2000 Limited and E-Gas Limited (EGAS and EGLT)
<b>Name/s of other parties to breach notice:</b>	The Auckland Gas Company Limited (AGCL) joined as a party to S-EGLT-07033 and 07037 Nova Gas (GNVG) joined as a party to S-EGAS-07010, 07012, 07020 and 07024 and S-EGLT-07001, 07003, 07007, 07009, 07014 to 07018, and 07023 to 07028
<b>Rule/s allegedly breached:</b>	Gas (Switching Arrangements) Rules 2008 Rule 69.1 Rule 69.2 Rule 78.1
<b>Determination made by market administrator under regulation 18:</b>	In the market administrator's opinion, the alleged breaches do raise material issues. The alleged breaches will therefore be referred to investigation in accordance with regulation 18(3). The market administrator placed particular weight on the following criteria in making its determination: <ul style="list-style-type: none"> <li>• regulation 19(1)(b) – the alleged breaches had an impact on the operation of the market</li> <li>• regulation 19(1)(f) – the alleged breaches have resulted in cost and frustration to other participants and possibly consumers</li> <li>• regulation 19(1)(h) – the alleged breaches may indicate a potential systemic problem with compliance with rules 69 and 78 during July</li> </ul>