

Market Administrator Determination	
Date	31 March 2022
Breach notice number	2021-054
Notice receipt date	21 July 2021
Reporting entity	Energy Market Services (EMS)
Participant alleged to have breached the Rules/Regulations	Gas Allocation Agent (GAA)
Participant/s joined as a party <sup>1</sup>	No parties joined
Rule/Regulation allegedly breached	Gas (Downstream Reconciliation) Rules 2008: Rule 46.4 The allocation agent must determine and publish: <ul style="list-style-type: none"> <li>• Rule 46.4.2 The annual UFG factor which will apply for each gas year by the 1st business day of July in the previous gas year.</li> </ul>
Material Issue	No material issue/s is raised.  The Market Administrator has, in determining the materiality of the alleged breach, taken into account the factors listed in regulation 19(1) of the Gas Governance (Compliance) Regulations 2008 to the extent the factors are practical or relevant.  The Market Administrator has also taken into account any information provided in accordance with regulation 14(1) of the Gas Governance (Compliance) Regulations 2008. <sup>2</sup>

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<sup>1</sup> This is a participant who has notified the Market Administrator that it considers that it is affected by the alleged breach and wished to become a party to the breach notice.

<sup>2</sup> The Market Administrator will keep confidential all information provided or disclosed to it except to the extent that disclosure is permitted under regulation 15(1) of the Gas Governance (Compliance) Regulations 2008.