

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	30 October 2009
Breach notice identifying number:	2009-134 (2009-134A to 2009-134I)
Date of receipt:	18 August 2009
Name of reporting entity:	E-Gas 2000 Limited (EGAS) or E-Gas Limited (EGLT)
Name of participant that is alleged to have breached the Rules:	Nova Gas Limited (GNVG)
Name/s of other parties to breach notice:	
Rule/s allegedly breached:	Gas (Switching Arrangements) Rules 2008 Rule 66.1 Rule 78.2.2
Determination made by market administrator under regulation 18:	<p>In the market administrator's opinion, the alleged breaches do not raise material issues and the market administrator has decided to take no action on the alleged breaches.</p> <p>The market administrator placed particular weight on the following criteria in making its determination:</p> <p><u>In relation to 2009-134 A, B, D to I:</u></p> <ul style="list-style-type: none"> • regulation 19(1)(a) – the alleged breaches were not severe • regulation 19(1)(c) – Nova Gas did not deliberately breach its obligations, instead it had confirmation from its customers that the customers intended to honour contracts with Nova Gas • regulation 19(1)(d) – remedial action was taken • regulation 19(1)(e) – the alleged breaches did not have an anti-competitive effect • regulation 19(1)(g) – the alleged breaches are denied

	<ul style="list-style-type: none">• regulation 19(1)(o) – Nova Gas considers the rules do not allow second and subsequent GNWs to be issued ahead of a GTN being submitted <p><u>In relation to 2009-134 C:</u></p> <ul style="list-style-type: none">• regulation 19(1)(a) – the alleged breach was not severe• regulation 19(1)(c) – the alleged breach was not deliberate• regulation 19(1)(d) – remedial action was taken with increased staff resources, training and automation of switching process to prevent similar delays in future• regulation 19(1)(g) – breach is admitted• regulation 19(1)(l) – risk of recurrence is not high and business drivers also support timely submission of GNTs• regulation 19(1)(m) – Nova Gas did not benefit from the alleged breach
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