

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	27 October 2009
Breach notice identifying number:	2009-137 (2009-137A and 2009-137B)
Date of receipt:	31 August 2009 and 1 September 2009
Name of reporting entity:	E-Gas Limited (EGLT)
Name of participant that is alleged to have breached the Rules:	The Auckland Gas Company Limited (AGCL)
Name/s of other parties to breach notice:	
Rule/s allegedly breached:	Gas (Switching Arrangements) Rules 2008 Rule 69.2 Rule 69.3
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 2009-137 A:</u></p> <ul style="list-style-type: none"> • regulation 19(1)(o) – the circumstances of the alleged breach were considered in notices of breach 2009-127 and 2009-140 (S-AGCL-08001) and there are no additional material issues to those referred to investigation under notice of breach 2009-140 (S-AGCL-08001) <p><u>In relation to 2009-137 B:</u></p> <ul style="list-style-type: none"> • regulation 19(1)(g) – the alleged breach is denied • regulation 19(1)(o) – move switches by their very nature mean retrospective switch dates are often unavoidable