

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	14 October 2009
<b>Breach notice identifying number:</b>	2009-127 (2009-127 D, K and L)
<b>Date of receipt:</b>	13 and 17 August 2009
<b>Name of reporting entity:</b>	E-Gas Limited (EGLT) in respect of 2009-127 D E-Gas 2000 Limited (EGAS) in respect of 2009-127 K and L
<b>Name of participant that is alleged to have breached the Rules:</b>	The Auckland Gas Company Limited (AGCL)
<b>Name/s of other parties to breach notice:</b>	Genesis Energy (GENG)
<b>Rule/s allegedly breached:</b>	Gas (Switching Arrangements) Rules 2008 Rule 65.2.1 Rule 65.2.2(a) Rule 78.5
<b>Determination made by market administrator under regulation 18:</b>	<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 2009-127 D:</u></p> <ul style="list-style-type: none"> <li>• regulation 19(1)(o) – there does not appear to have been a breach of the rules</li> </ul> <p><u>In relation to 2009-127 K and L:</u></p> <ul style="list-style-type: none"> <li>• regulation 19(1)(b) – the alleged breaches have not had a material impact on the operation of the market</li> <li>• regulation 19(1)(c) – the alleged breaches were not deliberate and resulted from a data entry processing error by Auckland based staff</li> </ul>

	<p>that process Auckland Gas Company and Nova Gas switches</p> <ul style="list-style-type: none"><li>• regulation 19(1)(d) – remedial action was taken</li><li>• regulation 19(1)(g) – the alleged breaches are admitted</li></ul>
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