

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	30 September 2009
Breach notice identifying number:	2009-140 S-AGCL-08001
Date of receipt:	1 September 2009
Name of reporting entity:	Registry Operator
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:	E-Gas Limited (EGLT)
Rule/s allegedly breached:	Gas (Switching Arrangements) Rules 2008 Rule 69.2
Determination made by market administrator under regulation 18:	<p>In the market administrator's opinion, the alleged breach does raise a material issue. The alleged breach will therefore be referred to investigation in accordance with regulation 18(3).</p> <p>The market administrator placed particular weight on the following criteria in making its determination:</p> <ul style="list-style-type: none"> • regulation 19(1)(b) – the alleged breach may have had an impact on the market • regulation 19(1)(c) – the participant has not advised whether the alleged breach was inadvertent or otherwise • regulation 19(1)(d) – remedial action was not taken sufficiently promptly • regulation 19(1)(f) – the alleged breach may have resulted in cost and frustration to another participant and the consumer