

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	13 October 2009
<b>Breach notice identifying number:</b>	2009-144 S-EGAS-08004, 08006, 08012 to 08017 S-EGLT-08004, 08006 to 08008 and 08012 to 08014
<b>Date of receipt:</b>	1 September 2009
<b>Name of reporting entity:</b>	Registry Operator
<b>Name of participant that is alleged to have breached the Rules:</b>	E-Gas 2000 Limited and E-Gas Limited (EGAS and EGLT)
<b>Name/s of other parties to breach notice:</b>	Nova Gas (GNVG) joined as a party to S-EGAS-08012 to 08015 and S-EGLT-08004 and 08006 to 08008  The Auckland Gas Company Limited (AGCL) joined as a party to S-EGAS-08004 and 08006
<b>Rule/s allegedly breached:</b>	Gas (Switching Arrangements) Rules 2008  Rule 69.1  Rule 69.2
<b>Determination made by market administrator under regulation 18:</b>	In the market administrator's opinion, the alleged breaches do raise material issues. The alleged breaches will therefore be referred to investigation in accordance with regulation 18(3).  The market administrator placed particular weight on the following criteria in making its determination: <ul style="list-style-type: none"> <li>• regulation 19(1)(b) – the alleged breaches had an impact on the operation of the market</li> <li>• regulation 19(1)(f) – the alleged breaches have resulted in cost and frustration to other participants and possibly consumers</li> <li>• regulation 19(1)(h) – the alleged breaches may indicate a potential systemic problem with compliance with rule 69</li> </ul>