

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	11 December 2009
Breach notice identifying number:	2009-175
Date of receipt:	1 October 2009
Name of reporting entity:	Nova Gas Limited (GNVG) and Auckland Gas Company Limited (AGCL)
Name of participant that is alleged to have breached the Rules:	E-Gas Limited (EGLT) and E-Gas 2000 Limited (EGAS)
Name/s of other parties to breach notice:	
Rule/s allegedly breached:	Gas (Switching Arrangements) Rules 2008 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> <ul style="list-style-type: none"> • regulation 19(1)(o) – given the delays, it was not possible for EGAS or EGLT to have given a gas transfer notice within two business days of the switch date that should have been included in the GTN • regulation 19(1)(o) – the claims of impact made by AGCL and GNVG should appropriately be considered as part of the impact of the alleged breaches of rule 69.2 (see 2009-114)