

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR

Dated:	30 October 2009
Breach notice identifying number:	2009-178
Date of receipt:	9 October 2009
Name of reporting entity:	Allocation Agent
Name of participant that is alleged to have breached the Rules:	OnGas (GNGC)
Name/s of other parties to breach notice:	Mighty River Power (MEEN)
Rule/s allegedly breached:	Gas (Downstream Reconciliation) Rules 2008 Rule 31.1
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)(b) - the alleged breaches are unlikely to have had a material impact on the operation of the market• regulation 19(1)(c) - the alleged breaches were not deliberate• regulation 19(1)(d) - remedial action was taken