

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	11 December 2009
Breach notice identifying number:	2009-196
Date of receipt:	2 November 2009
Name of reporting entity:	E-Gas Limited (EGLT) and E-Gas 2000 Limited (EGAS)
Name of participant that is alleged to have breached the Rules:	Nova Gas Limited (GNVG) and The Auckland Gas Company Limited (AGCL)
Name/s of other parties to breach notice:	
Rule/s allegedly breached:	Gas (Switching Arrangements) Rules 2008 Rule 72.2.1
Determination made by market administrator under regulation 18:	<p>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).</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 may have had an impact on the operation of the market • regulation 19(1)(c) – the alleged breaches were based on GNVG's and AGCL's understanding of the requirements of the rules at the time • regulation 19(1)(f) – the alleged breaches may have resulted in cost and frustration to consumers, EGLT and EGAS • regulation 19(1)(i) – it appears likely that similar breaches may occur in the future • regulation 19(1)(o) - the Rulings Panel has recently interpreted the requirements of rule 72.2.1