

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	15 March 2010
Breach notice identifying number:	2009-197
Date of receipt:	6 November 2009
Name of reporting entity:	Energy Direct NZ
Name of participant that is alleged to have breached the Rules:	Energy Direct NZ (EDNZ)
Name/s of other parties to breach notice:	Contact Energy Limited Genesis Energy Limited E-Gas Limited Mighty River Power Limited Nova Gas Limited
Rule/s allegedly breached:	Gas (Downstream Reconciliation) Rules 2008 Rule 26.3
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)(b) – the metering error did have an impact on the market • regulation 19(1)(c) – the metering error was not deliberate • regulation 19(1)(d) – remedial action was taken upon discovery of the metering error • regulation 19(1)(f) – it is possible the metering error may have resulted in costs being borne by other participants. However, these do not appear to be a direct result of any breach of rule 26.3

	<ul style="list-style-type: none">• regulation 19(1)(l) – the likelihood of a similar breach occurring in the future appears low• regulation 19(1)(o) – the handling of the metering error by EDNZ does not appear to demonstrate an alleged breach of rule 26.3
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