

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	22 January 2010
<b>Breach notice identifying number:</b>	2009-235
<b>Date of receipt:</b>	17 December 2009
<b>Name of reporting entity:</b>	Allocation Agent
<b>Name of participant that is alleged to have breached the Rules:</b>	Nova Gas (GNVG)
<b>Name/s of other parties to breach notice:</b>	E-Gas Vector Powerco
<b>Rule/s allegedly breached:</b>	Gas (Downstream Reconciliation) Rules 2008 Rule 52.2.1
<b>Determination made by market administrator under regulation 18:</b>	<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"> <li>• regulation 19(1)(h) – the alleged breaches may demonstrate a systemic problem with compliance</li> <li>• regulation 19(1)(l) – Nova Gas has indicated its behaviour will continue given its interpretation of the legal requirements</li> <li>• regulation 19(1)(o) – Gas Industry Company and Nova Gas each have different interpretations of the requirements of the Gas (Downstream Reconciliation) Rules 2008 in relation to Nova Gas' bypass gas gates</li> </ul>