

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	1 February 2011
Breach notice identifying number:	2010-009(08/11/GTT07701) 2010-204(09/5/GTT07701) 2010-009(08/11/ROT08101) 2010-204(09/5/ROT08101) 2010-172(09/4/ROT08101) 2010-306(09/8/ROT08101) 2010-204(09/5/GMM08001) 2011-002(09/11/ROT08101)
Date of receipt:	Various dates from December 2009 to January 2011
Name of reporting entity:	Allocation Agent
Name of participant that is alleged to have breached the Rules:	Bay of Plenty Energy
Rule/s allegedly breached:	Gas (Downstream Reconciliation) Rules 2008 Rule 37.2
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 were likely to have had a material impact on the operation of the market • regulation 19(1)(f) – the alleged breaches were likely to have resulted in costs being borne by other participants or persons • regulation 19(1)(h) – the alleged breaches indicate a systematic problem with compliance • regulation 19(1)(o) – the alleged breaches involve gas volume differences that are not within the threshold specified in "Market Administrator Guideline note rule 37 – materiality of rule 37.2 breaches (Downstream Reconciliation)"