

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	23 December 2010
<b>Breach notice identifying number:</b>	2010-274
<b>Date of receipt:</b>	September 2010
<b>Name of reporting entity:</b>	Energywise Solutions Limited
<b>Name of participant that is alleged to have breached the Rules:</b>	E-Gas 2000 (EGAS) and E-Gas Limited (EGLT)
<b>Name/s of other parties to breach notice:</b>	Nova Gas(GNVG), Auckland Gas Company(AGCL), Bay of Plenty Energy(BOPE), Energy Direct NZ(EDNZ)
<b>Rule/s allegedly breached:</b>	Gas (Downstream Reconciliation) Rules 2008 Rule 35.1
<b>Determination made by market administrator under regulation 18:</b>	<p>In the market administrator's opinion the alleged breach does not raise a material issue and the market administrator has decided to take no action on the alleged breach.</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)(b) – the alleged breach was not likely to have had a material impact on the operation of the market</li> <li>• regulation 19(1)(d) – remedial action was taken promptly</li> <li>• regulation 19(1)(o) – As E-Gas read meters towards the end of each month the impact of the failure to use SADSVs is likely to be minimal. E-Gas implemented the use of SADSVs upon notification that they were required.</li> </ul>