

<b>MARKET ADMINISTRATOR DETERMINATION</b>	
<b>Date</b>	29 March 2021
<b>Breach notice number</b>	2020-017
<b>Notice receipt date</b>	16 September 2020
<b>Reporting entity</b>	EMS – Allocation Agent
<b>Participant alleged to have breached the Rules/Regulations</b>	Transpower New Zealand Limited - Allocation Agent
<b>Participant/s joined as a party<sup>1</sup></b>	No parties joined
<b>Rule/Regulation allegedly breached</b>	<p>Gas (Downstream Reconciliation) Rules 2008:</p> <p>43.1 For the purpose of performing allocations under these rules, the allocation agent must estimate:</p> <p style="padding-left: 20px;">43.1.1 The consumption information if a retailer has failed to provide the consumption information for the relevant allocation by the times and on the days specified in rules 31 to 33.</p> <p>48.2 By 1200 hours on the 5th business day of each month, the allocation agent must:</p> <p style="padding-left: 20px;">48.2.1 Perform the initial allocation with respect to each allocated gas gate;</p> <p style="padding-left: 20px;">48.2.3 Provide a report meeting the requirements of rule 48.2.2(a) to the transmission system owner which provided the daily metered energy quantities injected at that allocated gas gate to the allocation agent under rule 41.</p>
<b>Material Issue</b>	<p>No material issue/s is raised.</p> <p>The Market Administrator has, in determining the materiality of the alleged breach/es, taken into account the factors listed in regulation 19(1) of the Gas Governance (Compliance) Regulations 2008 to the extent the factors are practical or relevant.</p> <p>The Market Administrator has also taken into account any information provided in accordance with regulation 14(1) of the Gas Governance (Compliance) Regulations 2008.<sup>2</sup></p>

<sup>1</sup> This is a participant who has notified the Market Administrator that it considers that it is affected by the alleged breach and wished to become a party to the breach notice.

<sup>2</sup> The Market Administrator will keep confidential all information provided or disclosed to it except to the extent that disclosure is permitted under regulation 15(1) of the Gas Governance (Compliance) Regulations 2008.