

MARKET ADMINISTRATOR DETERMINATION	
Date	11 May 2012
Breach notice number	2011-358
Notice receipt date	29 November 2011
Reporting entity	Vector Gas Limited as Critical Contingency Operator (CCO)
Participant alleged to have breached the Regulations	Mighty River Power Limited
Participants joined as a party¹	Nova Gas Limited, The Auckland Gas Company Limited, Bay of Plenty Energy Limited, Maui Development Limited
Regulation allegedly breached	Gas Governance (Critical Contingency Management) Regulations 2008: Reg 55(2)
Material issue	<p>The alleged breach does not raise a material issue and has been resolved in accordance with regulations 18(2)(b) and 21 of the Compliance Regulations through the adoption by Mighty River Power Limited of improved processes to ensure compliance with regulation 55(2) of the Gas Governance (Critical Contingency Management) Regulations 2008.</p> <p>The Market Administrator has, in determining the materiality of the alleged breach, 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 2008.²</p>

¹ 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.

² 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.