

<b>MARKET ADMINISTRATOR DETERMINATION</b>		
<b>Date</b>	9 December 2019	
<b>Breach notice number</b>	2016-063 2016-073 2016-083 2016-091 2016-097 2016-135 2017-078 2017-059 2017-066 2017-096 2017-142 2017-164 2018-021	2018-058 2018-065 2018-098 2018-122 2018-135 2018-143 2018-152 2018-166 2019-006 2019-019 2019-026 2019-047
<b>Notice receipt date</b>	Various from July 2016 to June 2019	
<b>Reporting entity</b>	EMS (Allocation Agent)	
<b>Participant alleged to have breached the Rules/Regulations</b>	Mercury NZ Limited	
<b>Participant/s joined as a party<sup>1</sup></b>	No participants joined.	
<b>Rule/Regulation allegedly breached</b>	Gas (Downstream Reconciliation) Rules 2008 Rule 37.2	
<b>Material Issue</b>	No material issue/s is raised.	

<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.

	<p>The Market Administrator has, in determining the materiality of the alleged breaches, 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>
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<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.