

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	15 December 2008
Breach notice identifying number:	2008-5
Date of receipt:	20 November 2008
Name of reporting entity:	Allocation Agent
Name of participant that is alleged to have breached the Rules:	Nova Gas
Rule/s allegedly breached:	Gas (Downstream Reconciliation) Rules 2008 Rule 19
Determination made by market administrator under regulation 18:	<p>In the market administrator's opinion the alleged breach does not raise material issues 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"> • regulation 19(1)(c) - the failure to provide the data in the form required was not deliberate • regulation 19(1)(h) - the breach was an isolated event • regulation 19(1)(l) - the breach is unlikely to occur again in the future • regulation 19(1)(m) – the participant allegedly in breach did not benefit from the breach