

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	3 March 2009
Breach notice identifying number:	2009-13
Date of receipt:	19 February 2009
Name of reporting entity:	Mercury Energy
Name of participant that is alleged to have breached the Rules:	Mercury Energy
Rule/s allegedly breached:	Gas (Downstream Reconciliation) Rules 2008 Rule 39
Determination made by market administrator under regulation 18:	<p>In the market administrator's opinion the alleged breach does not raise a material issue.</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)(b) - the alleged breach has had no material impact on the market • regulation 19(1)(c) - the failure to provide the trading notice on time was not deliberate • regulation 19(1)(d) - remedial action was taken as soon as practicable.