

| NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR | |
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| Dated: | 3 April 2009 |
| Breach notice identifying number: | 2009-22 |
| Date of receipt: | 26 March 2009 |
| Name of reporting entity: | Gas Industry Co |
| Name of participant that is alleged to have breached the Rules: | Advanced Metering Systems |
| Rule/s allegedly breached: | Gas (Switching Arrangements) Rules 2008 Rules 34.1 and 58.1 |
| Determination made by market administrator under regulation 18: | <p>In the market administrator's opinion the alleged breaches do raise material issues. The alleged breaches will therefore be referred to investigation in accordance with regulation 18(3).</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)(f) – the alleged breaches have potentially resulted in costs being borne by other participants or persons • regulation 19(1)(g) – the alleged breaches are not admitted • regulation 19(1)(n) – the complexity of the facts warrant investigation. <p>The market administrator notes that these alleged breaches arise from the same circumstances as Breach Notices 2009-21, 23 and 24.</p> |