

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	25 June 2009
Breach notice identifying number:	2009-61 (GENG)
Date of receipt:	28 May 2009
Name of reporting entity:	A consumer (name withheld for privacy reasons)
Name of participant that is alleged to have breached the Rules:	Genesis Energy (GENG)
Name/s of other parties to breach notice:	Nova Gas (GNVG) Powerco Limited (POCO)
Rule/s allegedly breached:	Gas (Switching Arrangements) Rules 2008 Rule 75 Withdrawal of switching
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) - although there was some impact on the market and a direct impact on the consumer, the completion of the switch ensured the impact on the market was not material • regulation 19(1)(c) - the alleged breach was inadvertent • regulation 19(1)(d) - remedial action was taken