

| NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR | |
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| Dated: | 30 June 2009 |
| Breach notice identifying number: | 2009-75 |
| Date of receipt: | 29 May 2009 |
| Name of reporting entity: | Allocation Agent |
| Name of participant that is alleged to have breached the Rules: | Contact Energy (CTCT) |
| Name/s of other parties to breach notice: | Mighty River Power (MEEN) |
| Rule/s allegedly breached: | Gas (Downstream Reconciliation) Rules 2008 Rule 26.2.1 |
| Determination made by market administrator under regulation 18: | <p>In the market administrator's opinion the alleged breach does not raise a material issue 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)(b) - the impact of the breach on the market was lessened by the performance of a special allocation on 20 May 2009 • regulation 19(1)(c) - the alleged breach was not deliberate • regulation 19(1)(d) - remedial action was taken • regulation 19(1)(h) - there is no evidence of a systemic problem with compliance with the rules |