

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR	
Dated:	6 July 2009
Breach notice identifying number:	2009-73 S-AGCL-05003 and 05004, 05014 to 05016, 05018, 05021 to 05023 and 05026
Date of receipt:	1 June 2009
Name of reporting entity:	Registry Operator
Name of participant that is alleged to have breached the Rules:	Auckland Gas Company Limited (AGCL)
Name/s of other parties to breach notice:	
Rule/s allegedly breached:	Gas (Switching Arrangements) Rules 2008 Rule 69 Response to gas switching notice Rule 78 Retailer response to a gas switching withdrawal notice
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)(d) – remedial action was not taken sufficiently promptly • regulation 19(1)(f) – the alleged breaches may have resulted in cost and frustration to other participants • regulation 19(1)(h) – the alleged breaches may indicate a potential systemic problem with compliance with rule 69