

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	9 July 2009
<b>Breach notice identifying number:</b>	2009-82
<b>Date of receipt:</b>	10 June 2009
<b>Name of reporting entity:</b>	Allocation Agent
<b>Name of participant that is alleged to have breached the Rules:</b>	OnGas (GNGC)
<b>Name/s of other parties to breach notice:</b>	Mighty River Power (MEEN)
<b>Rule/s allegedly breached:</b>	Gas (Downstream Reconciliation) Rules 2008 Rule 31.1
<b>Determination made by market administrator under regulation 18:</b>	<p>In the market administrator's opinion the alleged breaches of rule 31.1 in relation to estimated TOU consumption data provided at gas gates Harrisville (HAR11801) and Greater Auckland ((GTA03610) do not raise material issues and the market administrator has decided to take no action on the alleged breaches.</p> <p>The market administrator placed particular weight on the following criteria in making its determination:</p> <ul style="list-style-type: none"> <li>• regulation 19(1)(b) - the alleged breaches are unlikely to have had a material impact on the operation of the market</li> <li>• regulation 19(1)(c) - the alleged breaches were not deliberate</li> <li>• regulation 19(1)(d) - remedial action has been taken</li> </ul>