

NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR

Dated:	9 July 2009
Breach notice identifying number:	2009-86
Date of receipt:	16 June 2009
Name of reporting entity:	Allocation Agent
Name of participant that is alleged to have breached the Rules:	Energy Direct NZ (EDNZ)
Name/s of other parties to breach notice:	Mighty River Power (MEEN)
Rule/s allegedly breached:	Gas (Downstream Reconciliation) Rules 2008 Rule 32.1
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 alleged breach is unlikely to have had a material impact on the operation of the market • regulation 19(1)(c) – the alleged breach was not deliberate • regulation 19(1)(d) – remedial action was taken and although there was some delay this was not caused by Energy Direct NZ