

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	3 August 2009
<b>Breach notice identifying number:</b>	2009-91 (S-BOPE-06001 to 06003)
<b>Date of receipt:</b>	1 July 2009
<b>Name of reporting entity:</b>	Registry Operator
<b>Name of participant that is alleged to have breached the Rules:</b>	Bay of Plenty Energy (BOPE)
<b>Rule/s allegedly breached:</b>	Rule 70.2 What gas acceptance notice must contain
<b>Determination made by market administrator under regulation 18:</b>	<p>In the market administrator's opinion the alleged breaches 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 have not a material impact on the operation of the market</li> <li>• regulation 19(1)(c) - the alleged breaches were caused by an inappropriate automation process</li> <li>• regulation 19(1)(d) - remedial action was taken in relation to each switch and further remedial action on the automation process is planned</li> </ul>