

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	24 July 2009
<b>Breach notice identifying number:</b>	2009-94 S-EGAS-06001 to 06009 and 06011 S-EGLT-06007 to 06028 and 06030 to 06041
<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>	E-Gas 2000 Limited and E-Gas Limited (EGAS and EGLT)
<b>Name/s of other parties to breach notice:</b>	Auckland Gas Company (AGCL) joined as a party to S-EGLT-06012, 06026, 06028, 06030 to 06035, 06037 to 06039 and 06041 Nova Gas (GNVG) joined as a party to S-EGAS-06001 to 06004 and 06006 to 06009 and S-EGLT-06007 to 06011, 06013, 06015 to 06018 and 06020 to 06024
<b>Rule/s allegedly breached:</b>	Gas (Switching Arrangements) Rules 2008 Rule 69.2 Response to gas switching notice Rule 78 Retailer response to a gas switching withdrawal notice
<b>Determination made by market administrator under regulation 18:</b>	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). The market administrator placed particular weight on the following criteria in making its determination: <ul style="list-style-type: none"> <li>• regulation 19(1)(c) – the alleged breaches were not inadvertant</li> <li>• regulation 19(1)(f) – the alleged breaches have resulted in cost and frustration to other participants</li> <li>• regulation 19(1)(h) – the alleged breaches may indicate a potential systemic problem with compliance with rules 69 and 78</li> <li>• regulation 19(1)(l) – it appears likely similar alleged breaches may occur in future</li> </ul>