

<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 breach of rule 31.1 in relation to estimated TOU consumption data provided at gas gate Dannevirke (DAN05001) does raise a material issue. The alleged breach 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"> <li>• regulation 19(1)(b) - the alleged breach may have had a material impact on the operation of the market</li> <li>• regulation 19(1)(d) - remedial action was slow to occur</li> <li>• regulation 19(1)(f) - the alleged breach may have resulted in cost and frustration to a consumer</li> </ul>