

<b>NOTICE OF DETERMINATION OF MARKET ADMINISTRATOR</b>	
<b>Dated:</b>	24 July 2009
<b>Breach notice identifying number:</b>	2009-95 S-GENG-06001 to 06014
<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>	Genesis Energy (GENG)
<b>Name/s of other parties to breach notice:</b>	Energy Direct NZ (EDNZ) joined as a party to S-GENG-06003 to 06010
<b>Rule/s allegedly breached:</b>	Gas (Switching Arrangements) Rules 2008 Rule 69.1 Response to a gas switching notice Rule 69.2 Response to a gas switching notice Rule 72.2 What gas transfer notice must contain
<b>Determination made by market administrator under regulation 18:</b>	In the market administrator's opinion, the alleged breaches do not raise material issues.  The market administrator placed particular weight on the following criteria in making its determination: <ul style="list-style-type: none"> <li>• regulation 19(1)(a) – the alleged breaches were not severe</li> <li>• regulation 19(1)(d) – remedial action was taken</li> <li>• regulation 19(1)(o) – in relation to alleged breach S-GENG-06013 it appears the alleged breach was caused by another participant's conduct</li> </ul>