

Elengy and its subsidiary Fosmax LNG are committed to promoting the access to the European natural gas markets through LNG infrastructures.

Fos Cavaou, at the crossroads of maritime routes and major gas infrastructures, offers privileged access to all European gas markets and the small-scale potential in a key Mediterranean location.

Fosmax LNG provides additional access capacity by technical debottlenecking of the Fos Cavaou LNG terminal for the years 2022 to 2024 ("*OSP Fos Cavaou 2022*"):

- +11 300 GWh from September till December 2022, and
- +13 200 GWh in 2023, and
- +30 000 GWh in 2024 ¹.

These new capacities are proposed as per current regulated tariff, in accordance with Public Decision from CRE dated 07 January 2021 (ATM6 tariff):

- ✓ Number of Berthing Rate (TNA): 100 000 €
- ✓ Unloaded Quantity Rate (TQD): 1,290 €/MWh
- ✓ Gas Taken Off: 0,20 % of unloaded quantities

A mid-term review of this tariff will be applied from 1 April 2023 (ATM6bis tariff), in accordance with the provisions in force.

The nearness of the availability date of these capacities leads to a fast track commercialisation process, the Open Subscription Period « *OSP Fos Cavaou 2022* ».

This document describes the allocation rules of OSP Fos Cavaou 2022.

Further information about Fos Cavaou LNG terminal and Fosmax LNG Third Party Access offer is available on our Website: www.fosmax-lng.com

1 Provisional commercial schedule of OSP Fos Cavaou 2022

- Announcement of OSP Fos Cavaou 2022 17 March 2022
- Start of the subscription window 31 March 2022
- Deadline for submission of applications 14 April 2022 16h00 Paris time
- End of OSP Fos Cavaou 2022 and capacity publication no later than 25 April 2022

¹ which includes 13 TWh per year of primary capacity already existing.

2 Registration / Qualification

No qualification criteria will be required.

Applications for binding subscriptions can be made by shippers in accordance with the standard terms and conditions for the ATM6 tariff period and the current access contract. No prior registration will therefore be necessary.

3 Format of applications for binding subscriptions

Applications for binding subscriptions must be drawn up in accordance with the provisions of the access contract in force and should be sent to the following address: Foscavaou-Development@fomax-lng.com

Applications for binding subscriptions can be revised at any time until the end of the subscription window, only the last valid request received being retained.

3.1 For 2022

Applications for binding subscriptions must indicate the requested unloading dates among the following possibilities:

Window of Arrival	Quantity (QDC) in GWh
01/09/2022	1000
27/09/2022	1000
19/10/2022	1000
29/10/2022	1100
10/11/2022	1100
21/11/2022	1000
27/11/2022	1000
01/12/2022	1000
03/12/2022	1000
27/12/2022	1000
30/12/2022	1100

3.2 For 2023 and 2024

Applications for binding subscriptions must indicate a Contractual Unloaded Quantity (QDC) requested and a Number of Contractual Unloadings (NDC).

The average cargo size of the requested unloading must be over 1100 GWh for the request to be recognised as valid.

3.3 Quarterly Capacity for 2023

In accordance with article 7.2.3 of the general conditions of the contract for access to the Fos Cavaou LNG terminal, the annual schedule is drawn up with a concern for regularity in the arrival of vessels. However, Fosmax LNG offers the following Quarterly Capacity for the year 2023:

- January - March 2023 : 1650 GWh, and
- October - December 2023 : 1650 GWh.

As a reminder, a specific additional tariff term of 0,10 €/MWh unloaded, in addition to the terms applicable to the unloading service, applies to the Quarterly Capacity.

4 Prioritisation of applications

Applications for binding subscriptions for the year 2022 and those for the years 2023 and 2024 are managed in two separate processes.

All applications for binding subscriptions received before the closing date of the window are put on hold. The sorting mechanism is then as follows:

- Applications are sorted in descending order of a theoretical cumulative turnover associated with the quantity unloaded (QDC) of the initial application for binding subscriptions on the period in question, without further revision;
- In the event of a tie between two applications, a draw is made to decide between the binding applications.

5 Allocation of capacities

The capacities for the year 2022 and the capacities for the years 2023 and 2024 are allocated separately.

The capacities are allocated in the order of the prioritised applications for binding subscriptions according to the process described in the previous paragraph until the stack is exhausted or the offered unloading capacity is reached.

If an application for binding subscriptions cannot be fully met, the shipper concerned will be offered a partial allocation of the application. If no response is received within 2 working days, the allocation will be considered to have been refused. In this case, Fosmax LNG will continue to process the remaining applications for binding subscriptions in the sorted list if there are any left.

OSP Fos Cavaou 2022 is closed at the end of the allocation process, at the latest 10 days after the closing date of the subscription window.

After this subscription window, the remaining capacities will be offered under the usual « first come, first served » allocation rule.

6 Modification of the contract for access to the Fos Cavaou LNG terminal

6.1 “Nominal Terminal Flow Rate”

The definition of the term "Nominal Terminal Flow Rate" in article 1 "Definitions" of the general terms and conditions of the contract for access to the Fos Cavaou LNG terminal:

“designates the value expressed in MWh(GCV)/d, as will result from the division of the annual LNG input capacity published on the Operator's website, of around 8.25 Gm³/year, multiplied by the average provisional GCV for gas delivered by the Terminal published on the Operator's website for the current calendar year, by 365.”

is replaced by the following definition:

“designates the value expressed in MWh(GCV)/d, as will result from the division of the annual LNG input capacity published on the Operator's website, multiplied by the average provisional GCV mentioned in appendix 1 (Special Conditions) for the current calendar year, by 365.”

6.2 Annal Schedule

The third paragraph of article 7.2.3 “Determination and notification of the Annual Schedule by the Operator” of the general terms and conditions of the contract for access to the Fos Cavaou LNG terminal:

“Finally, the Operator shall determine the Annual Schedule, ensuring:

- *that a minimum period of forty-eight (48) Hours is maintained between the end of one Window of Arrival and the start of the next Window of Arrival.*
- *that any Reloading is preceded by Unloading from the Shipper and that a minimum period of twenty-four (24) Hours has lapsed between said Unloading and Reloading operations by the Shipper.”*

is replaced by the following:

“Finally, the Operator shall determine the Annual Schedule, ensuring:

- *that a minimum period of twenty-four (24) Hours is maintained between the end of one Window of Arrival and the start of the next Window of Arrival.*
- *that any Reloading is preceded by Unloading from the Shipper and that a minimum period of twenty-four (24) Hours has lapsed between said Unloading and Reloading operations by the Shipper.”*