

Annex: Operation and Nomination to the General Terms and Conditions for access to the natural gas storage facilities operated by RWE Gas Storage West GmbH (RGSWest)

Preamble

This Annex "Operation and Nomination" of RWE Gas Storage West GmbH (RGSWest) describes the operating interfaces, mutual business roles and business processes between the storage customer and RGSWest to process the storage facility access.

§ 1 Availability

- (1) RGSWest and the storage customer hereby agree to be available 24 hours on every gas day.
- (2) Availability must be assured at least by telephone and, if feasible, via a further communication medium.
- (3) The storage customer and RGSWest hereby agree to be able to receive, send and process the data necessary for operation via the agreed communication media according to § 3.

§ 2 Identification

- (1) RGSWest shall allocate the following data to the storage customer in due time before the start of the agreed storage facility utilization:
 - At least one shipper code for clear identification within the framework of the nomination; and
 - the access data for the web portal via which the allocation data and storage balance accounts are to be provided; and
 - a specific code for the usable storage facility injection and withdrawal points in the form of an ID code.
- (2) If RGSWest maintains more than one storage balance account for the storage customer, RGSWest shall allocate the storage customer in due time before the agreed storage facility utilization a shipper code for each further storage balance account.
- (3) If the storage customer has agreed on day-ahead utilization, RGSWest shall allocate the storage customer a separate shipper code in due time before the day-ahead utilization.

§ 3 Communication media

- (1) All data necessary for the execution of the storage contract shall be exchanged via the following communication medium:

Edig@s via AS4.

The data necessary for processing shall be specified in SI units.

- (2) If the communication medium pursuant to Paragraph (1) is not available, the contractual partners hereby agree to take all adequate measures without undue delay to reactivate and use the communication medium pursuant to Paragraph (1). The communications for this transition period shall be made by e-mail.
- (3) The storage customer and RGSWest shall inform each other in writing in due time before the start of the agreed storage facility utilization of the addresses, telephone numbers and e-mail addresses necessary for communication.
- (4) If the addresses, telephone numbers and e-mail addresses necessary for communication change during the execution of a storage contract, the storage customer as well as RGSWest, as the case may be, must communicate this without undue delay in writing to the other contractual partner.

§ 4 Communication test

- (1) Prior to the start of the storage facility utilization, RGSWest shall be entitled to perform a communication test with the storage customer. In such communication test, RGSWest shall check whether the communication requirements have been fulfilled and whether the storage customer is able to send notices and messages relating to the operative execution of the storage contract and to receive and process such notices and messages from RGSWest.
- (2) RGSWest shall be entitled to repeat the communication test throughout the term of the storage contract if RGSWest has legitimate doubt as to whether the storage customer is still able to meet the communication requirements.
- (3) If the storage customer does not pass the communication test, RGSWest shall be entitled to reduce all nominations to zero for the following gas days after the date of the failure to pass the communication test. In such event, nominations shall only be accepted again after the communication test is passed.
- (4) If RGSWest has reduced nominations pursuant to Paragraph (3) to zero and the storage customer has passed the communication test, the nominations reduced to zero for storage facility utilization must be sent again by the storage customer as a new nomination.

- (5) The period for a communication test shall normally amount to at least 7 working days.

§ 5 Nominations

- (1) Nominations are to be made by the storage customer for the natural gas volumes to be taken over by RGSWest for injection per storage injection point and for the natural gas volumes to be made available by RGSWest for withdrawal per storage withdrawal point.
- (2) Notwithstanding Paragraph (1), the nominations of the storage customer for injection and withdrawal are to be made for an injection or withdrawal zone, if RGSWest has published corresponding zones. In this regard, the nominations are to be made by the storage customer for the natural gas volumes to be taken over by RGSWest for injection per injection zone and for the natural gas volumes to be made available by RGSWest for withdrawal per withdrawal zone.
- (3) Nominations may only be undertaken by the storage customer or with the approval of RGSWest by a commissioned third party in the name of the storage customer. If the nominations are to be undertaken by a third party commissioned by the storage customer, RGSWest shall perform the communication test pursuant to § 4 with the commissioned third party. Provided the commissioned third party agrees to comply with the provisions of this Annex and passes the communication test, the approval pursuant to Sentence 1 is to be granted by RGSWest. If RGSWest grants its approval, the provisions of this Annex applicable to the storage customer shall apply accordingly to the commissioned third party.
- (4) Nominations pursuant to Paragraph (1) shall only be valid if RGSWest and the adjacent network operator match these. The provisions pursuant to § 11 shall apply to the matching.
- (5) The storage customer shall be entitled to renominate the nominated natural gas volumes. The nominations made pursuant to Paragraph (4) by the storage customer or the nominations declared valid after carrying out the matching procedure shall then be replaced by the renominations. Paragraph (4) shall apply accordingly to renominations.
- (6) The nominations and renominations submitted to RGSWest by the storage customer shall be valid at the earliest 2 hours after receipt of the renomination by RGSWest for the next full hour (*Renominierungsfrist*).

§ 6 Nomination procedure

- (1) Nominations and renominations are to be made by specifying the relevant shipper code and ID code.

- (2) Nominations and renominations must contain for each gas day the hourly natural gas volumes to be taken over or made available based on CET or CEST in kWh/h. Nominations are to be undertaken for 24 hours and must result in an integer amount in relation to each hour.
- (3) Nominations of the hourly natural gas volumes to be taken over or made available shall be made as a daily nomination. Daily nominations are to be made for the next gas day at the latest by 2:00 p.m. of the current gas day. If the next gas day is not a working day, additional nominations may be made for further ensuing gas days that are not working days and for the next working day by 2:00 p.m. at the latest.
- (4) A "gas day" pursuant to Paragraphs (2) and (3) shall mean the period from 6:00 a.m. of one calendar day until 6:00 a.m. of the following calendar day.
- (5) Nominations of the hourly volumes may in addition to the daily nomination pursuant to Paragraph (3) be made also as weekly nominations (*Wochennominierung*). Weekly nominations are to be issued for the following gas week at the latest by 2:00 p.m. on the Friday of each week.
- (6) A "gas week" pursuant to Paragraph (6) shall be the period from Monday 6:00 a.m. of one calendar week to Monday 6:00 a.m. of the following calendar week.
- (7) If no 'daily nomination' is made or if a daily nomination is not made in due time, the weekly nominations made until such time by the storage customer shall be used for the relevant day. If no weekly nominations have been made and RGSWest has not received any nomination for the following day or a nomination for the following day that was not received on time, the nominations for the following gas day shall be given a 'zero' value.
- (8) In extraordinary cases the storage customer shall provide a non-binding four-week forecast in the form of 28 consecutive daily nominations upon request by RGSWest. The 28 consecutive daily nominations are to be made at the latest three working days after the request by RGSWest prior to 2:00 p.m., provided the request is made by RGSWest prior to 2:00 p.m. If the request from RGSWest is made after 2:00 p.m., the 28 consecutive daily nominations are to be made at the latest four working days after the request prior to 2:00 p.m.

§ 7 Notice of shipper codes

- (1) The storage customer must notify RGSWest in writing at least 10 working days prior to the start of the storage facility utilization which shipper code has been allocated to the storage customer by the network operator upstream to the storage injection points (upstream shipper code) and which shipper code has been allocated to the storage customer by the network operator downstream from the storage

withdrawal points (downstream shipper code). The written notice is to be made by e-mail to the e-mail address specified by RGSWest. The storage customer shall inform RGSWest about any modification of the shipper codes at the latest 10 working days prior to the planned use thereof. The information is to be sent by e-mail to the e-mail address specified by RGSWest.

- (2) In case of nominations of natural gas volumes to be injected, shipper code pairs are to be specified in the following sequence: upstream shipper code – storage shipper code for all storage injection points. In case of nominations of natural gas volumes to be withdrawn, shipper code pairs are to be specified in the following sequence: storage shipper code – downstream shipper code for all storage withdrawal points.
- (3) If the storage customer plans to use several storage balance accounts pursuant to the Annex "Balancing", the written notice of the corresponding shipper codes pursuant to Paragraph (1) must be made specifying the allocated storage balance account number.
- (4) If RGSWest has published injection and withdrawal zones, Paragraphs (1) and (2) shall apply accordingly to the published injection and withdrawal zones.

§ 8 Time change

Notwithstanding § 6(2), in the event of a change from CET to CEST and from CEST to CET the daily nominations pursuant to § 6(3) are to be made by the storage customer with due regard to the following provisions for the corresponding gas day:

- (a) Change from CET to CEST:

The storage customer shall nominate for each storage injection and withdrawal point and/or for each injection and withdrawal zone 23 consecutive hourly values.

- (b) Change from CEST to CET:

The storage customer shall nominate for each storage injection and withdrawal point and/or for each injection and withdrawal zone 25 consecutive hourly values.

§ 9 Amount of nomination

- (1) The amount of the nominations or renominations of the storage customer may not exceed the capacity rights agreed with RGSWest pursuant to the storage contract. In order to enable the review of any exceeding of the agreed capacity rights, RGSWest shall convert the nominations and renominations of the storage customer in units of m³ per h.
- (2) According to § 9 (1) the conversion of the injection nominations or renominations shall be the measured reference calorific value of the storage facility. The

reference calorific value shall be settled every Thursday (D) and shall be applied beginning from the next Friday (D+1) until the end of next Thursday (D+7). The value of the reference calorific value is the last measured calorific value.

- (3) According to § 9 (1) the conversion of the withdrawal nominations or renominations shall be the specific reference calorific value of the actual stored gas regarding to the agreed working gas volume of the storage contract. The value of the specific reference calorific value shall be settled every Day (D) and shall be applied for the next Day (D+1). The settlement of specific reference calorific value shall be based on the actual stored gas amounts within the agreed working gas volume of the previous Day (D-1) and shall be calculated as follows:
- Stored gas amounts in the unit kWh / Stored gas amounts in the unit m³ = specific reference calorific value.

§ 10 Rejection or reduction of nominations

- (1) RGSWest shall be entitled to reject the nominations or renominations made by the storage customer or to reduce the valid nominations of the storage customer pursuant to § 5 (4) up to zero in the following cases:
- 1.1. The storage customer exceeds with the nominations or renominations the availabilities notified to the storage customer pursuant to the Annex "Technical Framework Conditions".
 - 1.2. With the nominations or renominations, the storage customer does not comply with the minimum flow technically required as determined in the Annex "Technical Framework Conditions".
 - 1.3. With the nominations or renominations, the storage customer fails to comply with the changeover periods determined in the Annex "Technical Framework Conditions".
 - 1.4. By the nominations or renominations, the storage customer breaches the requirements determined in the Annex "Technical Framework Conditions" for the utilization of the provided working gas volume.
 - 1.5. The nominations or renominations do not meet the formal requirements in accordance with this Annex, are substantively incomplete or are not made via the agreed communication media.
- (2) The nominations and renominations made by the storage customer exceeding the capacity rights agreed pursuant to the storage contract in relation to the injection and withdrawal capacity shall be reduced by RGSWest until they correspond to the agreed capacity rights.
- (3) If, prior to the withdrawal, the corresponding natural gas volumes have not been injected by the storage customer or transferred within the storage facility to the storage customer and thus the filling level of the working gas volume provided for

the storage customer is smaller than the storage customer's nomination or renomination for the withdrawal, the nomination or renomination of the storage customer shall be reduced by RGSWest. The reduction shall be made until the nomination or renomination corresponds to the filling level.

- (4) If interruptible capacity rights are agreed between the storage customer and RGSWest, RGSWest shall be entitled to reduce valid nominations or renominations or nominations or renominations made before or after carrying out the matching procedure.
- (5) If the nomination of the storage customer is rejected, a nomination at zero shall apply for the corresponding hour.
- (6) If the nomination of the storage customer is reduced by RGSWest, RGSWest shall send the value of the reduced nomination to the storage customer. At the same time the reduced nomination shall be sent to the adjacent network operator by RGSWest and the value of the reduced nomination shall be matched with the adjacent network operator. The reduction may be made so that the nominated natural gas volume is zero and shall become valid at the earliest two hours after notice of the reduction as of the next full hour.
- (7) The reduction of Nomination pursuant to Paragraph (6) and Paragraph (7) shall be made by RGSWest by electronic means via Edig@s (NOMRES).

§ 11 Matching procedure

- (1) The storage customer must assure that for all storage injection and withdrawal points and for all injection and withdrawal zones identical nominations are made both in relation to RGSWest and in relation to the upstream and downstream network operators. RGSWest shall be obliged to match the nominations and renominations made by the storage customer with the respective upstream and downstream network operator, if the network operator initiates the corresponding matching within the matching procedure. If RGSWest has not matched after the receipt of the nomination or renomination by the storage customer, RGSWest shall inform the storage customer by electronic means generally 30 minutes before the received nomination or renomination is take effect pursuant to Paragraph (5).
- (2) If it is determined during the matching procedures between RGSWest and the relevant network operator that the nominations or renominations made by the storage customer with RGSWest do not conform with those nominations or renominations of the storage customer made to the relevant network operator, the "lesser off rule" shall apply. Within the framework of the "lesser off rule", the smaller nomination or renomination than the nomination made between the relevant adjacent network operator and RGSWest shall be matched and thus become valid pursuant to § 5(4). If the "lesser off rule" is applicable, RGSWest shall confirm the reduced nomination to the storage customer.

- (3) After the matching pursuant to Paragraphs (1) and (3) is completed, RGSWest shall send the storage customer a confirmation (NOMRES). The confirmation shall contain the natural gas volumes to be taken over by RGSWest from the storage customer or the natural gas to be provided to the storage customer.
- (4) The confirmation shall be sent to the storage customer prior to the following times at the latest:
 - 4.1 in the case of daily/weekly nominations, prior to 7:00 p.m. of the same day on which the daily/weekly nomination was issued by the storage customer.
 - 4.2 Nominations or renominations shall normally be confirmed when using AS4 with a lead time of two hours to the next full hour; otherwise, with a lead time of 4 hours to the next full hour after receipt of the renomination or nomination.
- (5) The nominations and renominations matched between RGSWest and the relevant adjacent network operator are valid nominations pursuant to § 5(4) in relation to the storage customer and shall be used by RGSWest for the allocation.