

Annex 6

Calculation of Guarantees and penalties

All values are net of VAT. Slots are expressed in units of energy of LNG (MWh) based on gross heating value.

Calculation of Guarantees

| | Type of Guarantee | Calculation formula |
|---|--|---|
| 1 | Bank Guarantee securing the Applicants obligations under the Terminal Capacity Allocation request (clauses 78.3.3.7 and 78.6.56 of the Terminal Rules) | $0.15 \times C_r \times T$ <p>Where: C_r: Slots requested by the Applicant, Registered Applicant or Terminal User for Terminal Services in the Gas Year, either during annual or Spot Capacity Allocation Procedure, by signing Annex 8 of the Terminal Rules, MWh; T: Service Tariff for the Regasification Service, €/MWh.</p> |
| 2 | Guarantee issued by the Terminal User's Affiliate or Bank Guarantee, securing the Terminal User's obligations under the Contract Package (clause 6.2.3 of the Terminal Rules) | $(C_a - C_u) \times T$ <p>Where: C_a: Slots allocated to the Terminal User for Terminal Services in the Gas Year, MWh; C_u: Slots used and paid by the Terminal User for Terminal Services during the Gas Year, MWh; T: Service Tariff for the Regasification Service, €/MWh.</p> |
| 3 | Bank Guarantee provided according to Joint Terminal Use Contract (clause 89.7.5 of the Terminal Rules) | $G_i = \sum_j^J (V_j \times P)$ <p>Where: G_i: cumulative Guarantee to be provided by the Joint Terminal User i to the Terminal Operator, to secure the obligations set out in the Joint Terminal Use Contract towards every other Joint Terminal User j (other than i), €; V_j: absolute value of the maximum Net Borrowed Quantity that the Joint Terminal User i has towards the Joint Terminal User j (other than i), during the Gas Year Quarter, MWh; P: largest value of the TTF future gas index during the period starting from the issue/update date of the Bank Guarantee and ending three (3) calendar months after such date (value determined according to Report of ICE Future Europe - index Dutch TTF Natural Gas Calendar Month Future. Settlement prices of the last day of the month prior to the day of issuing the Bank guarantee), €/MWh; J: number of Joint Terminal Users within the Gas Year Quarter.</p> |

For the avoidance of doubt, it is stated that all costs and expenses related to the Guarantees shall be borne by the Terminal User.

Calculation of penalties

| | Description | Calculation formula |
|---|---|---|
| 1 | Penalty for delayed evidence of compliance with financial requirements (clause 6.2.4 of the Terminal Rules) | 10000 € / calendar day |
| 2 | Penalty for unused capacity (clause 78.7.5 of the Terminal Rules) | $(0.95 \times C_a - C_u) \times T$ <p>Where: C_a: Slots allocated to the Terminal User for <u>Terminal Services in</u> the Gas Year, MWh; C_u: Slots used and paid by the Terminal User <u>for Terminal Services</u> during the Gas Year, MWh; T: Service Tariff <u>for the Regasification Service</u>, €/MWh.</p> <p>Penalty shall be paid when such a formula provides a positive number.</p> |
| 3 | Penalty for Terminal User's refusal of the Annual Service Schedule (clause 89.1.12.2 of Terminal Rules) | $0.2 \times C_a \times T$ <p>Where: C_a: Slots allocated to the Terminal User for <u>Terminal Services in</u> the Gas Year, MWh; T: Service Tariff <u>for the Regasification Service</u>, €/MWh.</p> |
| 4 | Penalty for failure to provide or update the Guarantee according to the provisions set out in the Joint Terminal Use Contract (clause 89.7.8 of Terminal Rules) | $0.2 \times C_{aq} \times T$ <p>Where: C_{aq}: Slots allocated to the Terminal User for <u>Terminal Services in</u> the specific Gas Year Quarter, MWh; T: Service Tariff <u>for the Regasification Service</u>, €/MWh.</p> |