

SALE OF SHORT-TERM CAPACITIES 1 April 2013 – 31 March 2017

Terms proposed by Fosmax LNG

1. Object

The purpose of this note is to describe the terms and conditions of the sale of short-term capacities at the Fos Cavaou LNG terminal, for the period starting the 1st of April 2013, and ending the 31st of March 2017.

2. Context

Regularly, Fosmax LNG proposes to the market capacities to be booked on the basis of short-term contracts as defined by the December 2003 decision of the CRE .

In an international context dominated by a strong attractiveness of the Asian markets, LNG companies potentially interested in access capacity offered by Fosmax LNG prefer an occasional commitment, based on small size capacities. To meet this need, and thus maximize the opportunities of reservation, Fosmax LNG proposes flexible terms and conditions of sale, to match the widest possible range of requests.

Fosmax LNG wants to highlight the wide opening of the terminal, which has already been providing services to several regular shippers since several years. Fosmax LNG is committed to provide to all types of customers capacities for any duration (short-term and long term) and any maturity.

Fosmax LNG stresses that the equivalent of 2 standard cargos per year are proposed on the Bulletin Board, available on its website, and which can complement the capacity made available on the primary market.

3. Description of the available capacity

10% of the capacity of the Fos Cavaou terminal (i.e. 0,825 Gm³/year) are dedicated to subscriptions based on short-term contracts. The sale of these capacities was coordinated so far with the tariff periods to ensure visibility of the reservation price to potential subscribers. Throughout the period in question, the capacity is allocated on a regular basis, it allows to unload each year about 10 standard cargos (of a size of about 1 TWh).

4. Tariff

This capacity will be invoiced according to the tariff in force on the 1st of April 2013.

5. Marketing process

Fosmax LNG will organize a sale to allow any interested company to book these capacities in transparent and non-discriminatory conditions.

This sale will include several steps:

1. a preliminary information of the market conducted no later than in October 2012 concerning the sale of capacities with an announcement posted on Fosmax LNG's website and relayed by a "Newsletter";
2. a detailed information of the market, with the publication on Fosmax LNG's website of the terms of the sale and a presentation meeting with the market players, whereupon the interested companies will be invited to qualify for the sale;
3. the opening of a subscription period from the 15th of October to the 15th of November, 2012, during which the qualified companies will submit their engaging applications.
4. at the end of this period, the designation of the beneficiary (ies) among the qualified companies which have submitted an application.
5. the conclusion of a contract or an amendment to an existing contract, where appropriate, before the end of the year 2012.

Note: Calendar has been fixed to allow the subscribers of 2013 capacities to participate in the annual scheduling process for this year. The publication of the tariff by October 15, 2012 is not guaranteed.

6. Conditions of qualification

Interested Companies will be invited to qualify, by providing a commitment to comply with the rules of the sale. The qualification will be subject to the provision of a guarantee of one million Euros, corresponding to a significant part of the commitment to pay for the capacity reservation, and which will be exchanged against guarantees laid down in the contract in case of booking or returned otherwise. Considering the possible draw in the allocation phase, the affiliated companies are invited to coordinate themselves to make only a single request: requests from several affiliated companies will not be taken into account in the allocation process.

7. Description of the application for subscription

A single application for subscription by qualified company will be made in the following manner:

- application for each year of the period extending from the 1st of April of the year N to the 31st of March of the year N + 1
 - of a QDC (Quantité Déchargée Contractuelle – contractual unloaded quantity) expressed in MWh at 25 ° C
 - with a QDC ≤ 10 000 000 MWh at 25 ° C
- for the month of April to December of the year 2013, the subscription application will be accompanied by a quarterly program request pursuant to the article 6.2.1 of the General Conditions of contract of access.

Interested companies will be invited to submit their requests by e-mail to the address gnlcavaou@fosmax-lng.com and by fax at + 33 1 46 52 36 14.

8. Sale procedure

8.1. Subscription period

Interested companies can apply for subscription from the 15th of October, 2012 12: 00 pm (Paris time). No request before this deadline will be accepted. This is the time of receipt of the copy that will determine the order of arrival of the requests.

All compliant requests received before November 15, 2012 12: 00 pm (Paris time) will be deemed simultaneously received.

8.2. Allocation rule

Subscription requests will be ranked and allocated according to the following priority criteria which will be applied successively:

1. The application with the largest accumulation of the QDC over the period on sale is allocated in priority.
2. The largest QDC requested the first year is allocated in priority, for the part of the capabilities that have not been allocated in step 1
3. The largest QDC requested the second year is allocated in priority, for the part of the capabilities that have not been allocated in steps 1 and 2
4. The largest QDC requested the third year is allocated in priority, for the part of the capabilities that will have not been allocated in steps 1, 2 and 3
5. The largest QDC requested the fourth year is allocated in priority, for the part of the capabilities that will have not been allocated in steps 1, 2, 3 and 4

If a beneficiary is allocated a capacity lower than the one claimed in its application, it may refuse the allocation.

In the case of an ex-aequo, a draw will be conducted by the GTM to designate the beneficiary.

Unallocated capacities by the 30th of November 2012 12: 00 pm (Paris time) will be made available on the primary market and allocated to interested companies according to the principle of "first come - first served".