1. **Form of Access Request for Foundation Available Capacity Agreement**
2. **- Open Season 2024 –**

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| **Access Request Identification Code** | [Company name] - [OX]**[[1]](#footnote-1)** |

1. [LETTERHEAD OF THE APPLICANT]

[Place], [*date*]

To:

Terminale GNL Adriatico S.r.l. (“Operating Company”)

Via Santa Radegonda, 8

20121 Milan

Italy

For the attention of Capacity Subscription Coordinator

Sirs,

1. ACCESS REQUEST FOR AVAILABLE REGULATED CAPACITY
2. We refer to the Regasification Code implemented by the Operating Company and approved by the ARERA on 12 May 2011, by resolution Arg/Gas n° 57/11 and following amendments, providing the conditions for access to the offshore regasification terminal owned by the Operating Company, located approximately 17 km offshore Porto Levante, Italy (the “**Regasification Code**”).
3. The Operating Company, pursuant to clause II.2.3 of chapter II of the Regasification Code, has published on its Electronic Communication System:the Available Annual Capacity.
4. The terms indicated below with a capital letter refer to the definitions set out in the Regasification Code, unless otherwise specified.
5. [*Applicant*] (the “**Applicant**”)[[2]](#footnote-2), hereby, requests from the Operating Company access to the Service: (i) starting from the date; (ii) for the quantities that will be indicated on AnnexPrice Form to this Access Request; and (iii) on the terms and conditions provided in the Non-Foundation Capacity Agreement[[3]](#footnote-3).
   * + 1. With reference to clause 2.4.5 of chapter II of the Regasification Code, and in addition to the information contained in the Non-Foundation Capacity Agreement, [*Applicant*] hereby states that:

(a) the loading port(s) of the LNG that will be transported to the Delivery Point is(are) [*insert name of loading port(s*)];

(b) the LNG Tanker(s) that will be used to transport the LNG to the Delivery Point has(have) the following technical specifications: [i*nsert technical specifications, including tonnage, gross loading capacity and length*];

(c) the Representations set forth in clause 2.4.1 of chapter III of the Regasification Code are and will be true and accurate with respect to [*Applicant*], from the date of submission of this Access Request until the date the relevant Non-Foundation Capacity Agreement is entered into, or this Access Request is rejected, as the case may be;

(d) [*in the case of acceptance of this Access Request, it will timely act to be enabled to operate at the Virtual Exchange Point and will duly execute, and timely provide the Operating Company with, the documentation required by Snam Rete Gas, in order for the Operating Company to be authorised to operate at the Virtual Exchange Point by making requests for transactions which imply the automatic acceptance by the Users*] [*it is already enabled to operate at the Virtual Exchange Point and, in the case of acceptance of this Access Request, it will duly execute, and timely provide the Operating Company with, the documentation required by Snam Rete Gas in order for the Operating Company to be authorised to operate at the Virtual Exchange Point by making requests for transactions which imply the automatic acceptance by the Users*][[4]](#footnote-4);

(e) it satisfies and will maintain the Access Conditions provided in clause 2.4.4 of chapter II of the Regasification Code from the date of submission of this Access Request until the date the Non-FoundationCapacity Agreement is entered into;

(f) [If applicable: The Users or Users of the Transportation System in favour of whom to divide the relevant Gas quantities will be: [Complete]]

1. This Access Request is irrevocable, pursuant to article 1329 of the Italian civil code, in accordance with clauses 2.4.2 (a) (iv)b) of chapter II of the Regasification Code.

In accordance with clauses 2.4.5 (b) of chapter II, as the case may be[[5]](#footnote-5), and clause 2.4.6 of chapter II, of the Regasification Code, together with this Access Request and for the purpose of entering into the Non-Foundation Capacity Agreement, the Applicant submits the following documentation:

[*index of documentation attached to the Access Request pursuant and subject to* clause*s 2.4.5 (a), 2.4.5 (b)[[6]](#footnote-6) of chapter II, as the case may be, and* clause *2.4.6 of chapter II, of the Regasification Code*]

* 1. If you accept this Access Request, please send us a copy of the Non-Foundation Capacity Agreement signed for acceptance.
  2. [*Applicant*]
  3. By[[7]](#footnote-7): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
  4. Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The Applicant may, at its discretion, send up to n. 3 (three) Access Requests, reporting on each of them the Company name and a progressive number from 01 to 03. With reference to each Access Request, the code thus generated will identify the Access Request to be associated with the Annex Price Form to the Access Request through the Operating Company “Portale Asta” electronic portal. [↑](#footnote-ref-1)
2. It is understood that, if this Access Request is accepted by the Operating Company without modifications, the Applicant, as a consequence, shall become a User. Therefore, reference to the Applicant in this Access Request corresponds to a reference to the User in the Capacity Agreement. [↑](#footnote-ref-2)
3. Non-Foundation Capacity Agreement is available at this link <https://www.adriaticlng.it/en/market-area/services/open-season/> in case of subscription of allocated Available Capacity. [↑](#footnote-ref-3)
4. Delete as appropriate. [↑](#footnote-ref-4)
5. Depending upon the Applicant being a company incorporated under the laws of Italy or not, article 2.4.5 (b) of chapter II of the Regasification Code, shall apply. [↑](#footnote-ref-5)
6. Pursuant to art. 2.4.5. lett. a) documents to enclose should be those indicated on art. 2.4.5. lett. a) lett. from (i) to (vi) [↑](#footnote-ref-6)
7. To be signed by the same person signing the Capacity Agreement i.e. the person with the necessary powers to act in the name and on behalf of the applicant. [↑](#footnote-ref-7)