

Tender Terms and Conditions

1. Initial provision

All notions referred to in these Tender Terms and Conditions that commence with a capital letter shall have the same meaning as in the [Rules of Operation](#) and the [Technical Terms and Conditions](#) of POZAGAS a.s. (“POZAGAS”) unless provided for otherwise hereunder.

2. Storage products offered within Tender

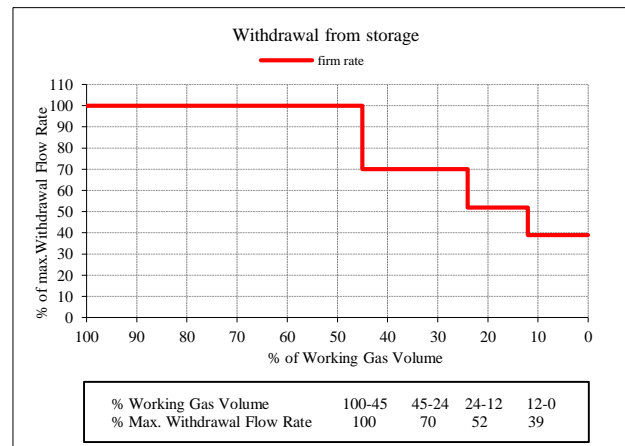
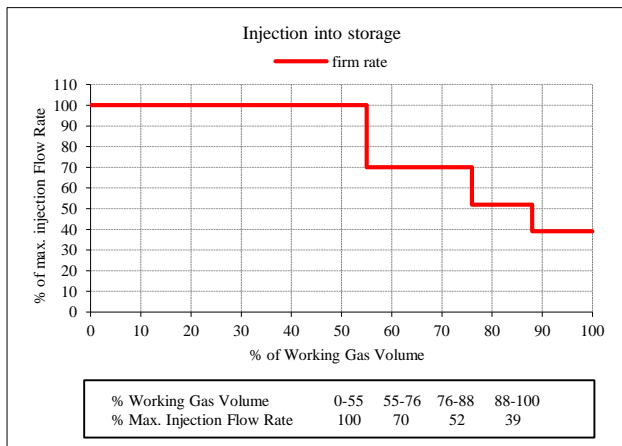
POZAGAS considered while designing the storage capacity into individual products (i) the needs of market participants, (ii) geological-technical possibilities of POZAGAS’ Storage Facility and (iii) economically effective utilization of POZAGAS’ Storage Facility infrastructure.

2.1 Flexible product (Fixed Storage Capacity) – BASIC 130

- a) Form of service Flexible product (Flexible Bundled Unit pursuant to Section 5.4 of the Rules of Operation, including the option of the multiple cycling of Fixed Storage Capacity during one (1) Contract Year)
- b) Bundled Unit Flexible Bundled Unit (section 5.2 (b) of the Rules of Operation) shall be deemed to have the following parameters:

- Working Gas Volume 9 017 MWh
- Maximum Injection Flow Rate 96 MWh/Gas Day
- Maximum Withdrawal Flow Rate 96 MWh/Gas Day

c) Injection/Withdrawal Curve



- d) Injection/Withdrawal Anytime during the Contract Year allowing for the Shutdown Periods (Contract Year as defined in the Contract on access to storage and storage of gas (hereinafter “Gas Storage Contract”))

- e) Entry-Exit Points one (1) Entry-Exit (Handing-over and Acceptance) Point

or

a combination of several Entry-Exit (Handing-over and Acceptance) Points as defined in section 2.3 of these Tender Terms and Conditions

(please refer to the Application for Access to Storage and Gas Storage Services (hereinafter the “Application”))

f) Contract duration one (1) Contract Year with commencement on 1 April 2024 at 6:00 hours CET

2.2 Entry-Exit (Handing-over and Acceptance) Points

POZAGAS offers to the Applicants within marketed storage capacity access to three independent gas infrastructure systems: (i) Transmission Network Slovak Republic, (ii) Distribution Network Slovak Republic and (iii) Virtual Trading Point Austria.

POZAGAS is included into market area Slovakia as well as market area Austria (Market Area East). POZAGAS procures respective capacities to and from Austrian transmission network and it allocates them to its customers along with storage capacity.

| Entry-Exit (Handing-over and Acceptance) Point | Market area | Mode of gas processing |
|---|--------------------|-------------------------------|
| Transmission Network Slovak Republic | SK | Injection and withdrawal |
| Distribution Network Slovak Republic | SK | Withdrawal |
| Virtual Trading Point Austria | AT | Injection and withdrawal |

Applicants for storage capacity may freely combine in their Application the above mentioned entry and exit points for access into three independent connected networks and respective market areas, and thus utilize the associated advantages.

Depending on method of chosen entry-exit points’ utilization, storage capacity utilization may be subject to additional fees according to current [Pricelist](#).

2.3 Customization of storage product

2.3.1 Bundled Unit parameters

Applicant for storage capacity shall have the right to request in the Application customization of Bundled Unit parameters via allocation of additional Injection Flow Rate and/or Withdrawal Flow Rate.

2.3.2 Other parameters

Applicant for storage capacity shall have the right to request the customization of storage service other than described in 2.3.1 of these Tender Terms and Conditions.

The requests under 2.3.1 and 2.3.2 shall be placed in section 2.7 “Comment” of the Application. Applicant is obliged to declare, whether he would or would not be interested in the allocation of requested number of Bundled Units in case his specific request cannot be accepted.

POZAGAS shall evaluate each individual request and allocate additional Injection Flow Rate and/or Withdrawal Flow Rate or requested storage service customization taking into consideration the best economic conditions of the bid and current geological-technical conditions of the Storage Facility.

3. Registration of Applicants

Applicants who are successfully registered as part of the general registration carried out in accordance with the document "Registration of counterparties for business activities with company POZAGAS a.s." published on the website www.pozagas.sk in the Registration section are allowed to participate in Tender.

Those Applicants, who do not have a valid registration (do not dispose of the notice on the general registration) are obliged to carry out the registration according to abovementioned procedure.

4. Terms of Applications' submission

- a) A binding [Application](#) form is available on www.pozagas.sk under “Capacity sale”.
- b) In his Application the Applicant shall insert the offered storage capacity unit price in form of EUR/MWh of storage capacity working gas volume, rounded to maximum of two (2) decimal places. The total price for the storage capacity shall be determined by multiplying the unit price by the allocated Working Gas Volume.
In case that Entry-Exit (Handing-over and Acceptance) Point Virtual Trading Point Austria is requested, the offered unit price shall include the costs associated with the reserved capacity of MAB system and capacity of exit point to/from transmission network Austria (Speicher MAB).
- c) By submitting his Application, the Applicant shall implicitly confirm that unless so required under relevant regulations, the price indicated in the Application has not been, and shall not be, directly or indirectly, deliberately disclosed by the Applicant to another Applicant and that the Applicant has not been engaged in any activity that might limit free competition under this Tender.
- d) A submitted Application shall be construed as a binding and irrevocable offer by the Applicant to enter into a Gas Storage Contract by which the Applicant shall be committed from the moment the Application is submitted until such time that **one (1) hour** elapse since the end of the Application Period according to article 5 of these Tender Terms and Conditions.
- e) Under each Offer of Storage Capacity made public in a call for Applications pursuant to section 5 of these Tender Terms and Conditions, each Applicant shall be entitled to submit no more than two (2) Applications.
- f) In one Application the Applicant shall indicate requested number of Bundled Units up to the number of Bundled Units offered within given Offer.

5. Applications Period and Method

Offer shall be placed in the form of a publishing the call for Applications as part of Tender (hereinafter “Call for Applications”) on www.pozagas.sk. POZAGAS shall publish the Call for Applications on the day of the Offer at the latest, between 9:00 a.m. and 4.00 p.m. CET (during working days in Slovak Republic). At the same time POZAGAS shall send a written notice about the Call for Applications by e-mail to all registered Applicants using the contact e-mail addresses indicated in their Registration form.

A Call for Applications shall generally contain the following information:

- a) number of Bundled Units on Offer;
- b) applications Period.

Applications shall be submitted by e-mailing a scanned Application to: international.tender@pozagas.sk, during the period stated in the Call for Applications.

The Applicant to whom the storage capacity shall be allocated is obliged to submit the original of the Application to POZAGAS no later than three (3) working days from notice of allocating the storage capacity in given Offer.

Tender for Access to Storage and Allocation of Fixed Storage Capacity No. T/1/2023 (“Tender”)



Underground Gas Storage

ISO 9001, ISO 14001 a OHSAS 18001

POZAGAS reserves the right to announce the second round of Applications’ submitting within the given Offer, during the period in which the Application is binding in accordance with section 4(d) of these Tender Terms and Conditions. The second round of Applications’ submitting shall be announced by the written notification sent by e-mail to the Applicants, who submitted the Applications within the given Offer. The notification about the second round of Applications’ receiving shall contain the Applications Period for submitting the adjusted Applications.

Regarding the adjustment of the Application, the Applicants are entitled to increase the price offered in the initial Application of given Offer, Applicants are not entitled to change other parameters of the Application.

Should the Applicant not use the right according to the preceding sentence, Applicant remains committed by the initial Application according to section 4 (d) of these Tender Terms and Conditions. In case that the Applicant shall modify the Application in other way than describe above, Applicant shall remain committed by the initial Application.

6. Evaluating Applications, allocating storage capacity, the Gas Storage Contract

POZAGAS shall evaluate the received Applications and allocate the offered capacity in accordance with the Rules of Operation, these Tender Terms and Conditions and internal rules stipulated by POZAGAS prior to first Offer using the following criteria ranked by priority:

- a) offered unit price taking into consideration the requests according to section 2.3 of these Tender Terms and Conditions;
- b) number of Entry-Exit (Handing-over and Acceptance) Points;
- c) purpose of storage capacity use.

In case that considering the criteria from a) to c) it will not be possible to determine the allocation of storage capacity due to equal score, the pro-rata mechanism shall be used.

After evaluating Applications, POZAGAS shall allocate storage capacity to the selected Applicant by sending a written notice by e-mail within two (2) hours from the end of the Applications Period.

[Gas Storage Contract](#) template is available on www.pozagas.sk under “Capacity sale”.

7. Rights reserved to POZAGAS

- a) POZAGAS shall not reimburse any expenses of Applicants incurred in preparation and submission of Applications and participation in the Tender.
- b) POZAGAS shall be entitled to verify the information concerning Applicants as submitted during their registration and to request additional information. The Applicant shall deliver such information to POZAGAS by the deadline indicated by POZAGAS.
- c) POZAGAS reserves right not to return delivered Applications and other documentation. POZAGAS shall use such provided commercial, confidential or other restricted information exclusively in order to evaluate Applications. If the Application is successful in the Tender, the documentation and information contained therein which hence constitute a part of the Gas Storage Contract, shall be governed by the Rules of Operation. POZAGAS shall reserve the right to exclude from the Tender Applications submitted with the intention of limiting the scope of the use of documents or information contained in the Application.
- d) In addition to the reasons listed under section 10.2 of the Rules of Operation, POZAGAS shall reserve the right to reject an Application where the offered unit price for storage capacity is lower than the minimum unit price for storage capacity set by POZAGAS prior to the Applications Period.
- e) POZAGAS shall at any time be entitled to cancel individual Offer or Tender as whole without any impact on already concluded Gas Storage Contracts within this Tender or modify its terms and conditions without explaining the

4/5

Tender for Access to Storage and Allocation of Fixed Storage Capacity No. T/1/2023 (“Tender”)



Underground Gas Storage

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reasons to the Applicant. POZAGAS shall at any time be entitled to cancel individual Offer without explaining the reasons to the Applicant.

- f) POZAGAS shall reserve the right to reject the Application if:
- i. an Applicant fails to submit the required documents in the prescribed form by the prescribed deadline pursuant to Article 3 and section 7(b) of these Tender Terms and Conditions;
 - ii. an Applicant fails to fulfill the requirements pursuant to section 4(e) of these Tender Terms and Conditions.
- g) POZAGAS reserves the right to increase total capacity offered in Tender based on actual geological - technical conditions of POZAGAS Storage Facility.

8. Contact persons of POZAGAS

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| First and family name, position: | Martin Beňa, Director for Sales and Marketing |
| Telephone: | +421 34 772 5939 - ext. 214 |
| First and family name, position: | Lukáš Peregrim, Manager for Sales and Marketing |
| Telephone: | +421 34 772 5939 - ext. 211 |
| Fax: | +421 34 772 2406 |
| E – mail: | international.tender@pozagas.sk |
| Address: | POZAGAS a.s., Malé námestie 1, 901 01 Malacky, Slovakia |

Done in Malacky, 14.12.2022