

# FIRST DEMAND GUARANTEE LETTER TO BE ISSUED TO THE BENEFICIARY

## Whereas

- The company ..... with registered office in ..... Italian Tax Code ..... VAT Reg. No. .... is controlled by or holds a controlling shareholding in the Company (USER) ....., with registered office in ..... Italian Tax Code..... VAT Reg. No.....
- Based on the booking request and on completion of the specific procedure, the Company .....(USER)..... has been allocated regasification capacity by OLT Offshore LNG Toscana S.p.A. (OLT) for one or more gas years between gas year 20xx/20xx and gas year 20xx/20xx;
- In order to proceed with the signing of the Foundation Capacity Contract with ..... (USER), and in accordance with the Access Code, OLT has requested the issue in its favour of a first demand guarantee for an amount equal to one third of the maximum annual commitment fee to cover the obligations deriving from allocation of capacity, consisting of the payment of the fees as of Article 4 of the Foundation Capacity Contract (Contract) signed with OLT;
- Acknowledging the outcome of the allocation procedure, and being fully aware of the provisions which have regulated this procedure, ..... intends to issue the above-stated guarantee.

### The above being stated,

1. The undersigned ..... with registered office in ..... and elected domicile for the purpose of this deed in ....., irrevocably pledges to pay OLT within 5 (five) working days, upon simple written request and without the need to provide any proof or justification whatsoever, and without the need for prior communication, order, notice of default or request to the company .....(USER)....., all the amounts that OLT may request for the purpose indicated above up to an amount of Euro ..... (Euro...../.....).
2. The guarantee can be enforced repeatedly up to the maximum amount as of the previous point.
3. The undersigned ..... declares that this guarantee is not subject to the provisions of articles 1955 and 1957 of the Italian Civil Code, which, in any case, it waives the right to make use of.
4. This guarantee guarantees fulfilment of all the obligations undertaken by the company .....(USER)..... under the Contract signed with OLT, both by way of fee and reimbursement or indemnification, will take effect on ....., and will expire at the end of the fourth month following termination of the effects of the Contract.
5. The Court of Milan has sole jurisdiction in the case of disputes regarding the interpretation, validity, efficacy and enforcement of this guarantee.

Date and place

STAMP AND SIGNATURE

Pursuant to article 1341 of the Italian Civil Code, the following points are approved specifically: 1) payment against simple request and waiver of the right to raise claims, 2) enforcement procedure, 3) waiver of the right to make use of the provisions of articles 1955 and 1957 of the Italian Civil Code., 4) validity of the guarantee, 5) Ruling Court.

Approved Financial Institution letterhead

Guarantee 1/3

Date and place

STAMP AND SIGNATURE