**Capacity Reservation and Transit Services Agreement**

This Capacity Reservation and Transit Services Agreement (hereinafter the **“Agreement”**) is entered into by and between:

(1) **FLUXSWISS Sagl**, a limited liability company incorporated in and under the laws of Switzerland, having its registered office at Via delle Scuole 8, 6900 Paradiso, Switzerland; Hereinafter referred to as **“FluxSwiss”** or the **“Carrier”** (hereby duly represented by Raoul Raffagli, Deputy CEO and Lorenzo Dondi, Operations Manager); and

(2) [●], a company incorporated in and under the laws of [●], having its registered office at [●], registered at the [●] under number [●] with VAT number [●]; Hereinafter referred to as the **“Shipper”** (hereby duly represented by [●], [●] and [●], [●]).

Carrier and Shipper may hereinafter individually be referred to as a **“Party”** and collectively as the **“Parties”**.

WHEREAS:

(A) Shipper has available a certain quantity of Natural Gas at the Delivery Point and wishes to have said natural gas transited by Carrier to the Redelivery Point in accordance with the terms and conditions of this Agreement; and

(B) Carrier has available transit capacity in the Pipeline System and is willing to provide Natural Gas Transit Services to Shipper in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

**1. DEFINITIONS AND INTERPRETATION**

**1.1 Definitions**

The terms used in this Agreement and its Attachments shall have the meaning given to them in the article 1 of the General Conditions (hereinafter **“GC”**), which are included in Attachment 2 as integral part of this Agreement.

**1.2 Interpretation**

(i) The headings of articles shall not affect their interpretation.

(ii) Words of any gender used in this Agreement shall be deemed to include any other gender.

(iii) References to a ‘company’ shall be construed so as to include any company, corporation or other body corporate, wherever and however incorporated or established.

(iv) References to a ‘person’ shall be construed so as to include any physical person, individual, firm, company, government, state or agency of a state or any joint venture, association or partnership (whether or not having separate legal personality).

(v) Reference to any person includes references to that person’s successors and permitted assignees.

(vi) Reference to a statute, by-law, regulation, rule, delegated legislation or order is to the same as amended, modified or replaced, from time to time, and to any by-law, regulation, rule, delegated legislation or order made thereunder.

(vii) In case an index used or referred to in this Agreement ceases to be available or is materially changed or affected in its content, or no longer reflects the price of the commodity it refers to at the place it refers to, or the methodology used to calculate the index is materially altered as compared to how it was calculated at the date of execution of this Agreement, Carrier shall provide an appropriate adjustment or replacement of such index in order to achieve as accurately as possible the objectives

**ANNEX B**

**COMMUNICATION**

|  |  |  |
| --- | --- | --- |
| Carrier: | Carrier’s name: | FluxSwiss Sagl |
|  | General Company Postal Address: | Via delle Scuole 8, 6900 Paradiso |
|  | Country: | Switzerland |
|  | General Company E-Mail: | info@fluxswiss.com |
|  | General Company Phone | +41 91 910 93 00 |
|  | Commercial communications | Attention of: |
|  | E-mail: |
|  | Phone: |
|  | Billing communications | Attention of: |
|  | E-mail: |
|  | Phone: |
|  | Gas Operations & Dispatching communications | Attention of: |
|  | E-mail: |
|  | Phone: |
|  | GMSL 24/7 Commercial dispatching: | GMSL Commercial dispatching:  24/7 phone: +44 845 164 5079  e-mail: dispatching@fluxswiss.com |
|  | Communications relevant to GC 11bis. and GC 11ter. | backoffice@fluxswiss.com |

|  |  |  |
| --- | --- | --- |
| Shipper: | Shipper’s name: |  |
|  | General Company Postal Address: |  |
|  | Country: |  |
|  | General Company E-Mail: |  |
|  | General Company Phone: |  |
|  | Commercial communications: | Attention of: |
| E-mail: |
| Phone: |
| Address [If different from General]: |
|  | Billing communications | Attention of: |
| E-mail: |
| Phone: |
| Address [If different from General]: |
|  | Gas Operations & Dispatching communications | Attention of: |
| E-mail: |
| Phone: |
| Address [If different from General]: |
| 24/7 Dispatching Phone number: |
| Empowered e-mail addresses |  |