



***Letter modifying the bank guarantee provided pursuant
to Annex 3 of the ME Rules
in force until the day before the go live date of markets
netting***

COURTESY TRANSLATION

Letter modifying the bank guarantee no. [•]

To
Gestore dei Mercati Energetici S.p.A.
Viale Maresciallo Pilsudski, 122/124
00197 Roma

....., date

Letter modifying the bank guarantee issued on, ref. no.

The Bank, branch of,
with registered office in, taxpayer's code, V.A.T.
no., listed at no..... at Register of Companies (*Registro delle Imprese*).
....., and at no..... of the Register of Banks (*Albo delle Banche*) with capital stock of Euro
....., represented by its legal representatives
..... (hereinafter: the Bank),

WHEREAS

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(*surname and name/company name or registered name*),) (*date and place of birth*)
.....
(*place of residence and, if different, domicile/registered office*)
taxpayer's code....., VAT number capital stock Euro,
of which (subscribed), of which (paid-up), registered with (hereinafter
referred to as the "Market Participant" or "Applicant"),
- on submitted the financial guarantee in the form of a first-demand bank guarantee,
pursuant to Annex 3 of the Integrated Text of the Electricity Market Rules (hereinafter: ME
Rules) in force until the day before the go live date of markets netting, as possibly updated;
- article 135 paragraphs 135.4, subpara a), 135.5, subpara a), 135.6 and 135.9 of the ME Rules
provides that, upon the occurrence of one of the conditions set out therein, the Market
Participant who has posted a guarantee to GME in the form of a first-demand bank guarantee,
pursuant to the version of the ME Rules in force until the day before the go live date of markets
netting, must make it compliant with the current ME Rules;

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submitted only in the Italian version.

- the bank guarantee referred to in the previous paragraph must be submitted at the bank in charge of the GME's treasury service pursuant to Article 78 of the ME Rules, which shall verify it;

NOW, THEREFORE

Upon request of the Market Participant, with this deed, the Bank modifies its bank guarantee without expiration No. submitted to GME on originally according to Annex 3 of the ME Rules in the version in force until the day before the go live date of markets netting, by explicit acceptance of the new bank guarantee form, pursuant to Annex 3 of the ME Rules.

For the purposes set out in articles 8 and 18 of Annex 3 of the ME Rules, the Bank communicates its certified e-mail address (PEC)

The conditions indicated in the bank guarantee letter issued on, ref. no..... shall remain valid, insofar as not in contrast with the provisions of the current Annex 3 of the ME Rules.

Registered name of the Bank
Signatures of its Legal Representatives

Specifically, pursuant to and for the purposes of articles 1341 and 1342 of the Civil Code, the clauses and conditions referred to in the following articles of the bank guarantee made compliant with the current Annex 3 of the ME Rules are approved: article 2 (*waiver of the benefit of prior enforcement*), article 4 (*Substitution in the bank guarantee contract during the transitional period*), article 5 (*Substitution and succession of bank guarantees over time*) article 6 (*Extension of the Bank's liability*), article 7 (*First-demand payment*), article 9 (*Derogation from the provisions of Article 1957 of the Italian Civil Code*), article 10 (*Partial enforcement*), article 11 (*Autonomy of the bank guarantee*), article 12 (*Waiver of the rights covered by Articles 1945, 1947 and 1955 of the Italian Civil Code*), article 13 (*Waiver of claims or actions*) and article 19 (*Applicable Law and Jurisdiction*).

Registered name of the Bank
Signatures of its Legal Representatives

Note: the signatures of the legal representatives shall be certified in accordance with the applicable legislation.

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