Technical Rule no. 05 Rev. 4 P-GO

(under article 4 of the Rules governing the regulated market and the platform for registering bilaterals of guarantees of origin, successfully verified by the Director of Markets of "*Autorità di Regolazione per Energia Reti e Ambiente*" – ARERA − on 22 December 2011, as subsequently amended and supplemented)

Title	VAT Taxation on the P-GO

Reference Legislation	Article 17, para. 17.4, Rules governing the regulated market and the platform for registering bilaterals of guarantees of origin

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1. Foreword

Under Article 17, para. 17.4 of the Rules governing the regulated market and the platform for registering bilaterals of guarantees of origin (hereafter P-GO Rules), each Participant shall ask GME to enter the data and information referred to in Article 16, para. 16.2 h) thereof into the List of P-GO Participants, enclosing a statement concerning his/her/its VAT taxation scheme to his/her/its request, in accordance with what is established in the Technical Rules.

Under Article 17, para. 17.5 of the P-GO Rules, after receiving the requests referred to in para. 17.4 thereof, GME shall update the List of P-GO Participants and the modification shall take effect by the end of the second working day following receipt of the request by GME.

2. Application of VAT

The following statements, where applicable, must be enclosed to the request for entry of the above-mentioned data and information:

a) if a Participant established in Italy intends to exercise the option of purchasing goods and services without the application of VAT, as per article 8, para. c) of Decree of the President of the Republic no. 633 of 26 October 1972 − a statement of intent − issued in accordance with article 1 c) of Law-Decree no. 746 of 29 December 1983, converted into Law no. 17 of 27 February 1984 – and the documents to be enclosed thereto, where applicable under the legislation from time to time in force.

To continue to exercise the option of making purchases without the application of VAT, the Participant established in Italy for VAT purposes is required to resubmit the statement and the enclosed documents upon the expiration of their period of validity, where required by the applicable legislation. If the statement and the enclosed documents, where applicable, are not renewed within the time limits established by the applicable legislation, GME will apply the standard VAT rate to the Participant concerned;

b) if the entity (parent company or fixed establishment) that will materially carry out the purchase and/or sale transactions/registrations on the M-GO and/or on the PB-GO is different from the entity (parent company or fixed establishment) admitted as Participant to the M-GO and/or PB-GO, a statement (in the format posted on GME's website www.mercatoelettrico.org) where the Participant (as parent company or fixed establishment) notifies GME of the entity (parent company or fixed establishment) that will materially carry out the purchase and/or sale transactions/registrations on the M-GO or on the PB-GO.

If the M-GO Participant is at the same time a PB-GO Participant and vice versa, the statement must be issued both for the market of guarantees of origin and for the platform for registering bilaterals of guarantees of origin.

If the Participant requests or has already requested the application of the VAT scheme referred to in subpara. a) of this paragraph, then such statement and the enclosed documents, where applicable, will produce all of their effects only in respect of the fees referred to in Article 7 of the P-GO Rules, which will be invoiced by GME.

3. Effect of the statements

The entry of the data and information contained in the statement referred to in para. 2 above will take effect by the end of the second working day following receipt of the request by GME, in compliance with Article 17, para. 17.5 of the P-GO Rules, provided that the documents are correct and complete and that the requirements, if any, for updating the data and information provided by the Participant are satisfied.