Fitchie, Andrew [Andrew.Fitchie@dlapiper.com] From:

Sent: 19 February 2010 09:55 To: Stewart McGarrity Mobilisation Payment Subject:

Attachments: 28627513 1 UKMATTERS(Mobilisation Payment 160210).DOC

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Stewart

Here is a preview of the Mobilisation Payment paper in draft.

I do not have the entire picture but direction of travel, I think, is clear. I have not sent this to the wider team. Let me have comments on the factual background and I can finish this - primarily:

- What was actually written down and agreed at the time the discount was settled with BSC regarding the contractual purpose of the payment?
- When was the payment made?
- How has the advance payment been treated inside the payment mechanics under Clauses 41 and 67 and does this say more about how Infraco view it?

kind regards

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