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**From:** Nick Smith  
**Sent:** 10 December 2007 14:52  
**To:** Donald McGougan; Andrew Holmes  
**Cc:** Colin MacKenzie; Rebecca Andrew; Duncan Fraser  
**Subject:** tie Operating Agreement  
**Attachments:** Operating Agreement v10 061207.doc; tie OA response 061207.doc  
**Importance:** High

Donald/Andrew

Please find attached:

- the latest draft of the tie Operating Agreement. This is marked up to reflect many of tie's requested changes, but should be read in the context of the commentary document below; and
- a commentary note responding to Graeme Bissett's latest comments. Please note that we propose that this document is for CEC distribution/discussion only and contains a number of sensitive issues which we may not wish tie to be aware of.

I will forward a copy of the email containing Graeme's original comments for your ease of reference.

Andrew, I understand from Colin that you may wish to touch on some of the issues at LAG this afternoon. Colin asked me to see whether you would perhaps have five minutes to meet with us before the LAG to briefly discuss this. We have been very careful thus far to ensure that we had had an opportunity to brief yourself and Donald on some of what we feel are the more key issues prior to engaging with tie direct in open discussion. It is hopefully intended that this be done at our meeting tomorrow and tie are aware of this.

Finally, please note that the clause references in the commentary document refer to the new draft of the agreement, whereas Graeme's email refers to the old clause numbers.

If you have any comments or queries, please let me know.

Kind regards

Nick

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