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Sent: 24 December 2009 10:24
To: Steven Bell; Frank McFadden; Graeme Barclay
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Subject: Future Adoption by SGN of Gas Assets constructed by Tie associated with the ETN.

Future Adoption by SGN of Gas Assets constructed by Tie associated with the ETN.

As you will be aware, SGN and Tie have been in lengthy and time consuming negotiations regarding adequate Collateral Warranty & Defect Correction Agreements being concluded between SGN and your appointed Gas Contractors (for Collateral Warranty Agreements) and Tie (for Defection Correction Agreement).

At meetings with Tie on the 17th November, 26th November and 17th December SGN have stated our position that we will no longer adopt gas assets until both Collateral Warranty Agreements and Defect Correction Agreements being in place.

We appreciate that this action could have an impact on your ETN programme and we would therefore respectively recommend that Tie deploy increased technical and legal resources to address these outstanding Agreements. Both myself, acting as the SGN Project Sponsor, and Nicola Shand, SGN Commercial Solicitor, are both working over the festive break and are available to work with your representatives.

It is our understanding, based on information provided by Tie Project Managers, that your Gas Contractors will be require gas assets to be adopted in the 3rd or 4th week in January, 2010. Therefore, it is vital to the ETN programme that the above Agreements are concluded by the 2nd week in January.

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