From: Willie Gallagher Sent: 06 May 2008 10:52

To: david_mackay@ Graeme Bissett (external contact); Steven Bell; Alastair Richards -

TEL

Subject: FW: ETN BB share only

FYI

----Original Message----

From: Joachim Enenkel [mailto:Joachim.Enenkel@bilfinger.de]

Sent: 06 May 2008 10:11 To: Willie Gallagher

Subject: ETN BB share only

Dear Willie,

We refer to the discussions regarding the most recently advised increase in costs yesterday afternoon. We can confirm that in respect of the increased costs advised of 12m GPB and a subsequent agreement on the Phase 1b transfer we are prepared to reduce our additional requirement to 6m GBP in order to progress the Contract to Financial Close. This reduction in the amount advised is to be in conjunction with with process outlined below to achieve an agreed Effective Commencement Date for the Works, which must then be incorporated into the Contract.

To achieve a meaningful start of works on the site we require the advised Design Alignment process to be undertaken, completed and, the outcome to be fed into our Construction Programme. This will then develop a realistic and meaningful Commencement of Works date which must be incorporated into the Contract as the 'Effective Date for the Commencement of Works - to be agreed'.

Best Regards from Wiesbaden

Joachim Enenkel
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Civil / Ingenieurbau
Chairman of the Executive Management
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