



gas & power division
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Prot. 2286/PORF

San Donato Milanese, 23 September 2010

Subject: Certification of transmission system operators under the Third Package - consultation.

By means of this non confidential letter **eni** is pleased to reply to your consultation on unbundling certification of transmission system operators dated 29 July 2010.

Considering the imminence of the entry into force of the Third Package, we appreciate your decision to deal with the matter of the unbundling certification for TSOs.

As a player on the British market we would like to invite you to express your point of view on the unbundling regime required for storage operators that have also a transmission pipeline functional to the storage infrastructure. In our opinion, for SSOs that don't have an exemption from the duty to obtain a transmission licence, we believe that the TSO's certification of compliance to unbundling provision is unnecessary.

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Company share capital Euro 4,005,358,876.00 full paid up
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As shareholder of Interconnector UK Ltd. (IUK), we welcome your view that IUK has to be considered exempted from the certification requirements on the base of the "comfort letter" of 1995.

However, we would like to underline that the different view expressed by the Belgian Commission de Régulation de l'Electricité et du Gaz is creating a situation of uncertainty. As you know, among the shareholders of IUK there are operators involved in all parts of the gas chain. IUK has strong governance rules in place which allow the company to be managed in the interest of its shareholders, whilst ensuring that a transparent and non discriminatory attitude is taken towards shippers.

In our opinion the requirement for a company such as IUK to unbundle half way through the term of its financing would be disproportionate. Any uncertainty about the unbundling regime applicable to IUK and to the companies, like eni, that have made the financing of this infrastructure possible, would affect the legitimate expectations of the shareholders, and indeed their property rights. We believe that if unbundling is applied to IUK, it could have a negative impact on the willingness of parties to invest in cross border infrastructure.

Should you require any clarification or further information, please do not hesitate to contact us.

Yours sincerely,

eni spa
gas & power division
Regulatory Affairs
Vice President
Michele Pizzolato
