



European Regulators Group for  
Electricity and Gas  
Council of European Energy  
Regulators ASBL  
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| Vaša značka | Naša značka | Vybavuje | Telefón | Dňa        |
|             |             |          |         | 03.10.2005 |

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Item: ERGEG Report on Monitoring the implementation of the Guidelines for Good TPA Practice for Storage System Operators (GGPSSO)

Dear Sirs,

We would like to make a statement regarding the ERGEG Report on Monitoring the implementation of the Guidelines for Good TPA Practice for Storage System Operators (GGPSSO) (hereinafter "Report"), published on September 7, 2005 by ERGEG.

After studying this document, we have come to the conclusion that certain parts concerning NAFTA a.s. do not objectively and precisely explain the current situation of adopting the GGPSSO by NAFTA a.s.

As we already stated in the accompanying letter to the ERGEG Questionnaire dated June 20, 2005, which we have again attached, our reasons in the aforementioned matter are the limiting factors for NAFTA a.s. With regret, we have to state that ERGEG ignored our warning and has fully evaluated our company through the subsequently published ERGEG Report. ERGEG did so in spite of the fact that Nafta had not and could not answer some questions.

It involves mainly the fact that the NAFTA a.s. Operating Rules ("Storage Code") have not yet been approved by the Regulatory Office of Network Industries. For your information, we would again like to point out that the draft Storage Code sets the business conditions for access and use of the storage facility of NAFTA a.s., as well as the rights and obligations of NAFTA a.s. and of the gas market participants. The draft Storage Code is also aimed at the fulfillment of the GGPSSO but because it was not approved at the time the questionnaire was filled out, we could not have answered many of the questions.

Because this fact has not been regarded in the ERGEG Report as ERGEG evaluated and assessed even those answers to questions to which NAFTA a.s. could not have duly answered, the ERGEG Report provides a rather negative evaluation of NAFTA a.s.. As a result of the aforementioned, ERGEG Report provides an incorrect and misleading image of our company and damages its reputation, as well as the reputation of its shareholders. Because the ERGEG Report has been published, our clients and the public have received false and misleading information about our company.

In addition, the text contains several mistakes, e.g. the factual error on page 27 under the table, showing also NAFTA a.s. in the "Do not comply" column. The comment shown here says that NAFTA a.s. has more than three clients, which is a mistake, which does not correspond to our answers in the ERGEG Questionnaire.

In relation to the aforementioned, and in view of the fact that the Report does not reflect the meaning of the NAFTA a.s. answers quite accurately, and does not regard or state the limiting reasons of NAFTA a.s., we



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hereby ask ERGEG to make all the necessary steps to correct the aforementioned oversights made by ERGEG. In an opposite case the current situation may incur damages and lead to more damages to our reputation.

We believe that ERGEG will understand these objective facts and modify the Report.

In this letter we would also like to emphasize that, because our Storage Code has not yet been approved, it is not possible to fully evaluate NAFTA on the basis of the Questionnaire provided to you and, therefore, it is not possible to fully include NAFTA into the ERGEG Report.

It will be possible to evaluate NAFTA through the ERGEG Report when our Storage Code is approved. Then we will be able to credibly fill the ERGEG Questionnaire and hopefully answer all the questions.

Regards,

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