

Annex to the General Terms

Credit Assessment

V 4.00

Document Management

Document History

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*ECG = E-Control GmbH

Note: This translation of the German text "Anhang Bonitätsprüfung" is provided for convenience purposes only.

Table of Contents

1	Conducting Credit Assessments	4
2	Classification Indicators for Credit Ratings	5
3	Periodical Credit Assessments	5

1 Conducting Credit Assessments

1. The assessment of creditworthiness of a newly admitted BGR¹ consists of an evaluation of the entire economic, legal, financial and personnel situation of the company.

The assessment is based, in particular, on

- the key indicators mentioned in clause **Fehler! Verweisquelle konnte nicht gefunden werden.**,
- the financial statements, including the audit opinion if available, as well as the notes and the report of the management board for the last two financial years (if the BGR has a shorter life, for the last financial year), and
- if available, the rating assigned by one of the following internationally recognized rating agencies: Standard & Poor's, Moody's, Fitch or another rating agency of equal standing.

If this information is not available, the BGR is automatically assigned a credit rating of class 5. If guarantees or letters of comfort are provided by group companies (as defined by §15 Stock Corporation Act or § 115 Limited Liability Company Act²), the credit assessment will cover the group companies as well.

The BGC has the authority to request additional proof and information in order to assess creditworthiness.

2. In particular, the following factors are additionally taken into account when assigning a credit rating class and may, also after classification, result in a re-classification:
- a) Media reports and reports published by national and international information agencies (Reuters, Dow Jones, Platts, etc.);
 - b) Interim financial statements (half-yearly and quarterly reports);
 - c) Poor payment morale: the creditworthiness of a BGR may be downgraded due to poor payment morale. This applies when a BGR fails to make payments on time on more than two instances during three billing periods in connection with the periodical clearing cycle and fails to make the payments due afterwards on time, unless the BGR proves that it is a case of technical default for which it is not responsible.
3. After completion of the credit assessment, a classification is made to a credit rating class from 1 to 5, with class 1 being a company with the best credit rating and class 5 a company with the lowest credit rating.
4. All BGR are under the obligation to send at least once yearly, but at the latest six months after the close of the financial year, the most recent financial statements including the notes and the report of the management board to BGC for a review of creditworthiness. If these are not available, the suitable interim reports pursuant to clause 1. 2.b) are to be sent instead until these documents become available. If the BGR does not comply despite being requested to in writing by BGC, the BGR is assigned a credit rating of class 5.

¹ Balance Group Representative = Bilanzgruppenverantwortlicher

² GesmbHG = Gesetz über Gesellschaften mit beschränkter Haftung

5. Unless there are suitable annual reports and letter(s) of comfort available from the parent company(ies) for the credit assessment, newly founded BGRs for which no annual reports are yet available are assigned a credit rating of class 5.

2 Classification Indicators for Credit Ratings

The following indicators are relevant for the classification to the credit rating classes:

1. Equity ratio;
2. Return on total capital employed;
3. Cash flow pursuant to the Company Reorganization Act³ in percentage of operating income (of turnover);
4. Theoretical debt repayment period pursuant to the Company Reorganization Act.

3 Periodical Credit Assessments

Within six months of the close of the financial year, the BGR must present to the BGC for the purpose of reviewing the credit quality the relevant financial statements prepared in accordance with applicable accounting standards – and thus audited if available – as well as the notes and the report of the management board.

³ Unternehmensreorganisationsgesetz