

FORM B: DECLARATION AND ADHERENCE TEMPLATE

Balancing Reserve

Name of Registered Service Provider:

Country of incorporation:

Company number:

Registered office:

Address for receipt of notices (if not R/O):

Agent (if acting on behalf of above Registered Service Provider)

Name:

Country of incorporation:

Company number:

Registered office:

EITHER:

- **DOWNLOAD THE BALANCING RESERVE DECLARATION AND ADHERENCE TEMPLATE (THIS DOCUMENT) [HERE] AND UPLOAD [HERE] DULY SIGNED AND DATED BY A DIRECTOR OR OTHER DULY AUTHORISED SIGNATORY**

OR

- **IF YOU ARE A DIRECTOR OR OTHER DULY AUTHORISED SIGNATORY, ATTACH YOUR ELECTRONIC SIGNATURE WHERE SHOWN BELOW AND CLICK SUBMIT**

WHERE THE SIGNATORY IS NOT A DIRECTOR EVIDENCE IS REQUIRED OF AUTHORITY TO SIGN ON BEHALF OF THE REGISTERED SERVICE PROVIDER (OR AGENT, WHERE APPLICABLE)

DECLARATION

The above named **Registered Service Provider** (acting by its **Agent** where applicable) hereby declares and/or warrants and represents to **NESO** that, except as expressly disclosed in writing to **NESO**:

- it is a duly incorporated company validly existing under the laws of its jurisdiction of incorporation;
- it has complied with all laws intended to prohibit or restrict anti-competitive practices relevant to its participation in activities associated with procurement by **NESO** of the **Balancing Reserve** service;
- neither it nor any **Affiliate** has engaged in any market manipulation in relation to the wholesale energy markets;
- neither it nor any **Affiliate** has done anything which would constitute a breach of the Bribery Act 2010 or any relevant **Anti-Bribery Laws** with a view to influencing the outcome of any procurement activity by **NESO** in relation to the **Balancing Reserve** service; and
- neither it nor any **Affiliate** has offered to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any employee of **NESO**.

ADHERENCE TO BALANCING RESERVE PROCUREMENT DOCUMENTATION

The above named **Registered Service Provider** (acting by its **Agent** where applicable) hereby:-

- confirms its adherence to the below documentation (as modified from time to time in accordance with their terms):
 - **BR Service Terms**; and
 - **BR Procurement Rules**;
- without limiting the above, upon the acceptance of each **Balancing Reserve Sell Order**, and in consideration of **NESO** complying with its own obligations set out therein, undertakes to comply with all the obligations of the **Service Provider** contained in the **BR Service Terms**;
- undertakes to participate in the procurement by **NESO** of **Balancing Reserve** only with respect to Plant and Apparatus of which it is at all relevant times the legal owner or the entity with operational responsibility (which shall, for the avoidance of doubt, include despatch control);
- undertakes to procure all necessary despatch controls, metering and monitoring facilities (as the case may be) as stipulated by the **BR Service Terms**.

Furthermore, by signing and submitting this Balancing Reserve declaration and adherence template, the above named **Registered Service Provider** agrees and acknowledges that:

- it has read and understands the terms of the above documentation, and has taken independent legal advice in relation thereto; and
- neither the submission of this **Balancing Reserve** declaration and adherence template nor **NESO**'s subsequent acknowledgement and confirmation of its registration as a **Registered Service Provider** creates any legally binding obligation or commitment for the provision of, and payment for, the **Balancing Reserve** service, which shall arise only in accordance with the terms of the above documentation.

*NOTE: all terms shown in bold on this **Balancing Reserve** declaration and adherence template have the meanings given (or referred to) in the above documentation.*

Authorised Signatory of Registered Service Provider or Agent

Signed:

Name:

Title:

Date:
