

MATCHMAKING RULES FOR A POTENTIAL HYDROGEN CLUSTER

Whereas

- (A) On 26 January 2021, Fluxys Belgium SA/NV (**Fluxys**) organised an information session for potential users of future hydrogen and carbon infrastructures where it broadly outlined its approach, the commercial process and the technical orientations for developing such infrastructures.
- (B) Following this information session, potential users of the hydrogen and/or carbon dioxide infrastructures were invited to fill out a request for information, being a questionnaire allowing Fluxys to get a first overview of how market needs develop geographically and over time (the **RFI**). Fluxys received numerous (confidential) answers in the frame of its RFI, whose aggregation allowed it to gain some first insights on potentials for connecting hydrogen producers with consumers with open access infrastructure.
- (C) Among the potential hydrogen clusters in Belgium, Fluxys has identified a Cluster (the **Cluster**), in which the Company is located.
- (D) Fluxys wants to bring the Company in contact with potential hydrogen producers of the Cluster to, firstly, enable and/or facilitate matches between potential hydrogen producers and consumers, thereby contributing to the uptake of the hydrogen market, and, secondly, ensure there is enough demand for hydrogen transmission before taking the next development step in the form of a public open season for the Cluster (the **Matchmaking Phase**).
- (E) The confidentiality of any confidential information exchanged between Fluxys and the Company during the Matchmaking Phase, is safeguarded by and according to the terms of the Non-Disclosure Agreement already entered into between them (the **NDA**) or according to Fluxys' commitment to uphold the terms of the standard NDA published on its website in the context of the RFI (<https://www.fluxys.com/en/energy-transition/hydrogen-carbon-infrastructure/request-for-information>).
- (F) In order to abide to this NDA and likewise confidentiality agreements between Fluxys and other potential off-takers and producers of the Cluster and for an orderly process of the Matchmaking Phase, Fluxys kindly requests the Company to sign the present set of rules.

..... **[Company Name]** incorporated and registered in
.....
[ADDRESS, company identification number] (the **Company**), hereby:

- 1.1 Consents to having its identity and role as potential hydrogen off-taker of the Cluster shared by Fluxys with potential producers of the Cluster participating to the Matchmaking Phase.
- 1.2 Commits to keep confidential vis-à-vis third parties the identity and contact details of the potential producers of the Cluster which Fluxys shall share with the Company in the context of the Matchmaking Phase.
- 1.3 Undertakes to make reasonable efforts to give to Fluxys, at the latest eight (8) weeks after it has received from Fluxys the contact details of the potential producers of the Cluster, a

non-binding indication of reasonably likely matches with other potential producers of the Cluster and the related needs for hydrogen transmission services (or of the absence of any such match) so as to allow Fluxys to evaluate whether there is overall sufficient market demand to proceed to an open-season phase for hydrogen transmission services in the Cluster.

This declaration and any dispute or claim arising out of or in connection with it shall be governed by, and construed in accordance with, Belgian law and shall be submitted to the exclusive jurisdiction of the ordinary courts of Brussels, Belgium.

Done in, on

For and on behalf of:

Company Name

.....

Name:

Title: