

DEEMED CONTRACT SCHEME

For Major Business Customers from 18 June 2008

Made by EDF Energy Customers plc, pursuant to Schedule 2B of the Gas Act, for the purpose of determining the terms and conditions which are to be incorporated into contracts which, by virtue of that schedule, are to be deemed to have been made

In force with effect from 18 June 2008

RECITALS

- A** Paragraph 8 of Schedule 2B to the Gas Act 1986 (the “Schedule”) provides for contracts to be deemed to have been made between gas suppliers and owners or occupiers of premises in circumstances described at paragraphs 8(1) and (2) of the Schedule;
- B** Paragraph 8(7) of the Schedule requires the express terms and conditions of such a contract (a “Deemed Contract”) to be provided for in a scheme made under paragraph 8 (a “Deemed Contract Scheme”); and
- C** Paragraph 8(10) of the Schedule provides for a Deemed Contract Scheme to make different provision for different cases or classes of cases, or for different areas, determined by or in accordance with the provisions of the Deemed Contract Scheme.
- D** London Energy plc (registered company number 2228297) made a Deemed Contract Scheme which commenced on 1 November 2003 (“the Previous Scheme”).
- E** In June 2006, London Energy plc changed its name to EDF Energy Customers plc (“EDF Energy”).
- F** EDF Energy, pursuant to and in accordance with paragraph 8(8) of the Schedule, hereby makes the following Deemed Contract Scheme, for determining the terms and conditions which are to be incorporated into

contracts that are deemed to have been made by virtue of the Schedule and which replaces the Previous Scheme.

PART 1: GENERAL PROVISIONS OF THE DEEMED CONTRACT SCHEME

1. COMMENCEMENT

- 1.1 This Deemed Contract Scheme comes into force on 18 June 2008.

2. SCOPE AND APPLICATION

- 2.1 This Deemed Contract Scheme applies where:
 - 2.1.1 gas is supplied to premises in any part of Great Britain otherwise than in pursuance of a contract, and
 - 2.1.2 EDF Energy is the appropriate supplier at those premises (the “Relevant Premises”).

3. EFFECT OF THE DEEMED CONTRACT SCHEME

- 3.1 Where this Deemed Contract Scheme applies, it determines the terms and conditions of the Deemed Contract made between EDF Energy and the customer for the supply of gas at the Relevant Premises (the “Deemed Terms and Conditions”).

PART 2: DEEMED TERMS AND CONDITIONS

4. DETERMINATION

- 4.1 For the purposes of paragraph 3.1, the Deemed Terms and Conditions are to be determined as equivalent (with any necessary adaptations) to those of the standard contract for the supply of gas by EDF Energy that would have applied to the supply of gas at the Relevant Premises at the time that the Deemed Contract was made.

5. UNDERTAKING

- 5.1 EDF Energy undertakes to comply with all obligations placed on it by virtue of paragraph 4.1 and, in particular, will not terminate any Deemed Contract under this Deemed Contract Scheme except in

accordance with the termination provisions of the equivalent relevant standard contract for the supply of gas at the Relevant Premises.

PART 3: DEFINITIONS AND INTERPRETATION

6. DEFINITIONS

- 6.1 In this Deemed Contract Scheme:
 - “Appropriate Supplier” means the supplier determined in accordance with the provisions of paragraph 8(3) of the Schedule;
 - “Customer” means the owner or occupier (as the case may be) of the relevant premises; and
 - “Standard Contract” means any contract of a type or category that was made available to customers by EDF Energy in the normal course of its gas supply business at the time that the Deemed Contract was made.

7. INTERPRETATION

- 7.1 The reference in paragraph 4.1 to a standard contract for the supply of gas is to be taken to include a reference to each successive revision of that contract (in accordance with the provisions thereof) since the time that the Deemed Contract was made, and the terms and conditions of the standard contract (particularly, but without limitation, as to price) are to be applied to the Deemed Contract accordingly.

8. REVOCATION

- 8.1 With effect from 18 June 2008 the Previous Scheme is hereby revoked provided however that any Customer supplied pursuant to the Previous Scheme shall continue to be supplied pursuant to this new Deemed Contract Scheme.

Executed by:
Robert Ian Higson
Company Secretary
EDF Energy Customers plc

EDF Energy Customers Plc
Legal Department
40 Grosvenor Place
Victoria London
SW1X 7EN