

Template for the bank guarantee related to the application of the Transfer of Energy

Prior to the application of the Transfer of Energy (ToE), the Flexibility Service Provider (FSP) has to provide ELIA with a proof of a financial guarantee for all Delivery Points of its portfolio concerned by the application of ToE , as foreseen by Chapter IV of [CREG Decision 1677](#) dated on 15 March 2018 and art.7.1 of the ToE Rules¹. These two documents list the dispositions applicable for the bank guarantee.

(to be completed and duly signed)

Company Details

FSP name	
Address head Office	
V.A.T. number	
Represented by	

Bank Details

Bank name	
Address	
Bank guarantee reference (to be mentioned in any communication)	
Validity period of the bank guarantee	

Our customer informs us that he has entered into a contractual relation involving Transfer of Energy with Elia System Operator S.A./N.V., a company established under Belgian law, located at 20 Boulevard de l'Empereur, 1000 Brussels, with company registration number 0476.388.378.

Our customer has to constitute a bank guarantee related to the application of the Transfer of Energy in favor of all Suppliers with whom he has a relationship based either on a valid agreement with a transfer price, either on a valid CREG decision authorizing the use of the transfer price by default.

As a result, we, **[name of the bank]**, hereby irrevocably and unconditionally undertake to provide a bank guarantee of an amount equal to **[amount in letters] Euros and [amount in figures] €**, which will be payable under conditions stated in CREG Decision 1677 dated on 15 March 2018.

This guarantee is established under Belgian law. In order for the call on the bank guarantee to be admissible and acceptable, the claim for which a Supplier needs such call on the bank guarantee including any dispute relating to this bank guarantee can only be submitted to and ruled by the Brussels Commercial Court or an ad hoc arbitration in accordance with the provisions of the Belgian Judicial Code.

For the FSP,

For the Bank,

Name:

Name:

Date:

Date:

¹ The ToE Rules can be consulted on [Elia's dedicated webpage](#)