

We act for Phillips 66 Limited ("P66").

With respect to question 2.7.16 of the ExQ2, we would make the following comments:

By way of an update since Deadline 4, the drafting for the suite of voluntary agreements has now been settled with the Applicant and the relevant internal approvals obtained. The agreements were entered into on or around 16 August 2024 and pursuant to the terms of the agreements the Applicant wrote to the Examining Authority on 23 August 2024 with a copy of the Protective Provisions agreed between the parties with confirmation that the same would be included into the next draft DCO to be submitted at Deadline 5.

It has subsequently come to light that for reasons unclear the insurance level cover reflected in the Protected Provisions appended to the agreements and submitted by the Applicant to the Examining Authority under cover of email dated 23 August 2024 did not reflect the agreed level of insurance cover.

As such, and given the importance of this point, the parties have agreed to amend the protective provisions to reflect the agreed insurance level cover by means of an amendment agreement whereupon it is intended (a) that the Applicant would provide the Examining Authority with the amended agreed form set of Protective Provisions and (b) that P66 would proceed to withdraw its objection.

It is anticipated that the above steps will have been concluded very shortly and by Deadline 6.

The Examining Authority will, however, appreciate that unless and until the amended agreed form set of Protective Provisions have been formally approved reflecting the agreed insurance level cover and the amendment agreement finalised accordingly that P66 wishes to maintain its objection to the Application on a protective basis.

P66 will continue to keep the Examining Authority updated as to developments as these matters will hopefully be concluded very shortly shortly.