



General Conditions for the sharing of administrative easements and pipeline easements owned by Nova Transportadora do Sudeste S / A - NTS, pursuant to ANP Normative Resolution No. 42/2012.

1. Objective

The purpose of this document is to establish the General Conditions required for third parties to share the administrative easements and easements of transport pipelines owned by NTS [Infrastructure], as regulated by Agency Resolution No. 42 of December 10, 2012 National Petroleum, Natural Gas and Biofuels - ANP.

2. Share Evaluation and Request Procedures

The Applicant must send his / her Request by letter to the address, Praia do Flamengo, 200 / 20° Andar, Flamengo, Rio de Janeiro, RJ - Zip Code 22210-030, to the care of the Technical Operational Director explaining the sharing issue below.

The Request must be made by a legal representative of the Applicant, duly documented, and must contain the necessary technical information for the feasibility analysis by NTS, as per Annex 1 (Standard Share Request Form), in addition to meeting the items (i) and (ii) below:

(i) Technical Environmental Feasibility Study - EVTA, following the standards established in the Term of Reference - TR (Annex 2);

(ii) The information presented in the sharing request regarding the construction of the projects must comply with the quality, safety and environmental protection parameters established in the Technical Regulation of Oil, Derivatives and Natural Gas Movement Pipelines - RTDT, an integral part of ANP Resolution no. 6, of February 3, 2011, as well as ANP Ordinance No. 125, of August 5, 2002.

In assessing the Request, NTS will consider the availability of space in the Infrastructure, taking into account the needs to meet installed pipeline obligations.

In addition, it is emphasized that the sharing may not affect the limits of capacity, safety, reliability, engineering requirements, and the conditions or clauses issued by ANP or other bodies within its scope, related to the existing Infrastructure.

By prior written agreement, the Requester shall be responsible and bear the burden of any special technical studies that may be necessary for NTS to assess the feasibility of meeting the conditions for sharing by the required party.

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NTS will respond to the Request within sixty calendar days, which may be extended for an equal period of time, from the date of receipt of the Share Request, informing whether or not it is possible to share, or the need for special technical studies.

In the event that special technical studies are required, the final answer on whether or not to share will be given within 60 calendar days of the outcome of such studies.

In its response, NTS will inform the Requester of the assumptions and considerations of its assessment, the technical information of the Infrastructure to be shared (end points, width, extension and number and diameter of existing or to be constructed pipelines) and, if so, negative, the reasons that led to its decision.

The existence of available capacity for sharing does not imply a guarantee of effective sharing, since the portions of the requesting agent's pipeline of interest may, at the time the request is filed, be subject to requests from other interested agents parties.

If the applicant does not agree with the reasons given by the NTS for the unfeasibility of sharing, may request the action of the ANP to resolve this conflict, as provided in ANP Normative Resolution No. 42/2012.

3. Request Formalization

If NTS confirms the feasibility of the Request, the Infrastructure Sharing Agreement [Contract] shall be signed by the parties and shall be filed with the ANP for approval.

Negotiations between the Applicant and NTS for the preparation of the Contract shall be based on principles that respect broad, free and fair competition, mutually between those involved in the contract and in relation to third parties. Will not be admitted:

- a) subsidies for artificial price reductions;
- b) the use of information obtained from competitors for competitive advantage;
- c) the omission of technical and commercial information relevant to the provision of services by others and the security of the shared infrastructure;
- d) the requirement of unfair conditions or coercion to conclude contracts;
- e) the intentional obstruction or delay of negotiations;
- f) the establishment of conditions that imply inefficient use of the infrastructure; and
- g) the imposition of counterparts.

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Pursuant to ANP Resolution No. 42/2012, the ANP will comment on the Agreement within 30 days, after which, in the absence of ANP manifestation, the Contract will be considered approved and effective.

If the ANP expresses itself in the form of requesting additional information, the parties, by mutual agreement, will complement the information or provide any clarifications that may be required. After the date of the filing of the ANP response by the requested party, copying the other party, the procedures of the previous paragraph shall apply.

In the opinion of the ANP in the form of requesting amendments to the Agreement, NTS will have 60 days to forward a certified copy of the new version of the Agreement to the ANP. In this case, the procedures referred to in the previous two paragraphs shall apply.

The Requester shall forward an original copy or certified copy of the Agreement signed to the ANP within thirty days of approval to remain available for consultation, filing delivery and communicating the act to NTS.

The effectiveness of the Contract and its amendments will be subject to its approval by the ANP.

4. Prices

Infrastructure sharing prices will be negotiated on a case-by-case basis between NTS and the Requester, taking into account up-to-date Infrastructure assessments, fair and reasonable conditions for both Parties and the principles of fairness and free competition.

Prices shall ensure the compensation of the cost allocated to Infrastructure and other costs incurred by NTS and the obligations provided for in the Contract.

Although freely negotiated between the Parties, the prices may not be discriminatory and may differ in each specific case due to justifying conditions, whether factual, commercial, technical or legal.

5. General Requests and Responsibilities of the Requester

Obtain licenses, permits, certificates or other instruments provided for in the legislation related to the construction, operation and maintenance of its pipeline from the environmental and regulatory entities.

If applicable, obtain authorization, extrajudicial or judicial, to use the servant properties in which the strip is located, prior to the beginning of the activities pertinent to the installation of its pipeline, assuming all the burdens, obligations and responsibilities related to its construction, operation and maintenance.

Be responsible for and bear the burden of obtaining permits from landowners and for damages resulting from damage they cause to landowners.

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To elaborate and execute the projects and procedures of construction, assembly, operation and maintenance in accordance with the legal requirements, with the technical standards consecrated by the engineering and the best practices of the pipeline industry, and with the Petrobras System standards that have been informed to the Applicant.

Maintain an uninterrupted contact channel, available 24 hours a day, with a responsible person who can be called by NTS or agents and who can direct the solution of any problems.

Keep ready, during construction and throughout operations, qualified personnel and in the amount necessary to combat any emergencies.

Take immediate action to remedy any problem arising from its pipeline that may affect the integrity and safety of the Infrastructure or other pipelines therein.

Allow the oversight of NTS and its agents by providing information or providing access to documentation and services in execution and promptly meeting their observations and requirements.

Respect and make their agents comply with the Infrastructure safety guidelines issued by NTS or its agents.

To reimburse NTS or other related companies for any loss suffered as a result of the construction, assembly or operation of its pipelines and any compensation they may pay to third parties as a result of the works or operations performed by the Applicant.

Hire insurance against risks involving the construction and assembly, as well as maintenance and operation of the Applicant's Infrastructure pipeline with coverage for loss or damage to NTS or third parties and loss or damage by injury (including death) to persons.

Upon the termination of the Applicant's pipeline operation, if there is no interest from NTS to fully or partially incorporate the pipeline and improvements, the Applicant shall completely deactivate the pipeline and improvements, respecting Petrobras System and environmental and regulatory bodies' rules and procedures.

6. General Obligations and Responsibilities of the Holder

Meet requests in a non-discriminatory manner by negotiating fair and reasonable conditions and prices.

Provide the technical information related to the bands subject to sharing, observing as a minimum detail that contained in Annex I of ANP Resolution No. 42/2012, and it is certain that the information passed on to the Applicant will be treated confidentially, and the respective confidentiality terms must be signed.

Perform the operation and maintenance procedures of its pipelines in accordance with the technical standards established by engineering, the best practices of the pipeline industry and the Petrobras System standards.

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Carry out the construction and assembly projects of its new pipelines in accordance with engineering standards, best practices in the pipeline industry and Petrobras System standards.

Maintain an uninterrupted contact channel available, 24 hours a day, with a responsible person that can be triggered by the Requestor or agents.

Take steps to remedy any problems arising from its pipeline that may affect the integrity and safety of the Infrastructure or other pipelines therein.

Provide the Requester with available technical and environmental information for a track already established to assist in the preparation of EVTA, provided that such information is the responsibility of NTS.

7. Agreement

Taking into account the general aspects of sharing and the specific characteristics of the Applicant's Infrastructure of interest, among other necessary clauses, the Contract shall be structured from the following items:

- a) subject matter;
- b) mode and form of infrastructure sharing;
- c) rights, guarantees and obligations of the parties;
- d) prices to be charged, adjustment and revision formulas and other commercial conditions;
- e) forms of settlement of accounts between the parties;
- f) infrastructure sharing conditions;
- g) technical conditions regarding implementation, safety of services and facilities and quality of services;
- h) compliance with the quality, safety and environmental protection parameters established by the competent bodies;
- i) obligations associated with concessions or authorizations granted or issued by the Granting Authority;
- j) commitment to good national and international practices for the delivery of product shipping services by pipeline;
- k) compliance with the provisions of ANP Ordinance No. 125 of August 5, 2002 and ANP Resolution No. 6 of February 3, 2011, or supervening rules;

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- l) joint issuance and updating of contingency plans covering the phases of construction, operation and maintenance, including those related to communication processes and flows, to make them contemplate the existence of infrastructures of different agents in the same range or administrative easement;
- m) prohibition of subleasing the Infrastructure or its use for purposes not provided for in the Contract without the prior consent of NTS;
- n) deadline for the filing by the Applicant, in the competent bodies, of the licensing and authorization requests necessary for the effective execution of the works;
- o) conditions and amounts for reimbursement of the aggrieved Party in the event of delay in complying with contractual obligations;
- p) responsibilities in obtaining authorizations from the competent public bodies;
- q) fines and other sanctions;
- r) venue and method for out-of-court settlement of contractual disagreements;
- s) implementation and effective deadlines;
- t) extinction conditions.

ANNEX 1 STANDARD FOR SHARING REQUEST FORM

Logotype (applicant's letterhead)

Place and date

To: Mr Operational Technical Director
Address: Praia do Flamengo, n ° 200 - 20° Andar, Flamengo
Rio de Janeiro - RJ
Zip Code: 22210-030

Subject: Share Request

A _____, i9numbered in the CNPJ under _____,
headquartered in _____ comes to request lane sharing with Nova
Trasportadora do Sudeste S.A. - NTS, as detailed in the attached documentation.

This request contains the following documents:

- (i) Standard Share Request Form.
- (ii) Technical Environmental Feasibility Study - EVTA
- (iii) [other attached documents]

Regards,

[Signature of Legal Representative]

[Name of Legal Entity]

[Identification of Legal Representative]

STANDARD FOR SHARING REQUEST FORM

DATE: / /

OFFICIAL NAME OF APPLICANT

Corporate name:

CNPJ:.....

Address:.....

E-mail:..... Phone/Fax:.....

Legal Representative:.....

CPF:.....

Address:.....

E-mail:..... Phone/Fax:.....

OFFICIAL NAME OF ENTERPRISE

Project Name:.....
.....

Construction:

Possibility of Magnification: Yes Not

Only Magnification: Yes No

Description of Development:
.....

Purpose of the Project:
.....

Location / Municipalities crossed:.....
.....

Origin / Destination:.....

Date of commencement of operation: Transported product:
.....

Characteristics of the product carried:
.....

Capacity:.....

Other additional information:
.....

GROUNDS FOR IMPLEMENTING THE ENTERPRISE

Enterprise Objective:

.....
.....

Technical Justifications:.....

.....
.....

Environmental Justifications:

.....
.....

Social Justifications:

.....
.....

Inform, when applicable, appear in PEMAT:

.....
.....

Additional information:

.....
.....
.....

OPERATING CONDITIONS

Diameter (s) (In):

Maximum Allowable Pressure (kgf / cm²):.....

Minimum Allowable Pressure (kgf / cm²):.....

Maximum daily volume moved (MM m³ / day):

Interconnections (where applicable):

Total extension:

Duct Specifications:

Section / Excerpt / Extension:

Main systems and installations (valves, cathodic and corrosion protection system, communication, leak detection system, type of crossings and crossings, etc.):

.....
.....
.....
.....

Description of the strip preparation, construction, assembly and commissioning activity of the project:

.....
.....
.....
.....
.....
.....



ANNEX 2 - TERMS OF REFERENCE FOR THE PREPARATION OF TECHNICAL AND ENVIRONMENTAL FEASIBILITY STUDIES (EVTA) FOR SHARING THE SERVICE TRACK OF THE NOVA TRANSPORTADORA DO SUDESTE S.A.

This Term of Reference - TR has the objective of determining the scope, procedures and criteria for the elaboration of Technical and Environmental Feasibility Studies - EVTA, aiming at subsidizing the decision of the NTS regarding the permission, or not, of the sharing of the Gas Pipeline of Nova Transportadora do Sudeste S.A. - NTS.

The technical characteristics of the enterprise will be evaluated in relation to the environmental restrictions defined from the implementation site, in the case of the regions crossed by the Nova Transportadora do Sudeste S/A - NTS Pipeline, taking into consideration the legal provisions at the three levels of government - municipal, state and federal, as well as the risks involved during construction and operation. Thus, restrictive issues of various natures will be considered, for example:

- Impacts on crossings of watercourses or bodies,
- Suppression of significant isolated vegetation or tree species,
- Impacts on significant or endangered fauna,
- Impacts on geotechnical or hydro-geotechnical hazard areas,
- Environmental liabilities
- Interference and resistance of the local community to the work or enterprise,
- Specific legislation on land use and occupation.

The Technical and Environmental Feasibility Study will define the set of studies to be developed to evaluate the social, biotic and physical impacts, opposing the engineering of the proposed venture for the sharing of the Nova Transportadora do Sudeste SA Gas Pipeline. NTSSuch study will be one of NTS's subsidies for decision-making about whether or not to share their bondage, as defined by ANP Resolution No. 42 of December 10, 2012.

1. STUDIES

1.1. Enterprise

Description of the pipe, its main characteristics (diameter, extension, flow, material, pipe thickness, inner and outer casing, flow direction, transported product and its physical-chemical properties), with information on the trunk line and branch lines, if It may be divided into sections and sections when the physical characteristics of the duct change in diameter, steel quality and design pressure, as well as the duct sizing calculation memory.

Location of fixed installations (valve areas, pumping, compression, among others, including basic characteristics and flow chart), with preliminary locations and capacity of each receiving and delivery point, as well as other complementary facilities.

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1.1.1. Trace Studies

The Layout Study shall be in accordance with ABNT standards for pipeline design and shall include:

1. Collection, analysis and study of existing data from the Nova Transportadora do Sudeste SA pipeline range and project- NTS, aiming at proposing the project layout and fixed installations (Delivery Points, Valve Areas, Compression Stations, among others);
2. Reconstitution of the projected guideline with field inspections, for the characterization of the crossing points and critical segments, notably slopes, areas of population concentration, water bodies crossings and others considered important;
3. Proposed tracing alternatives, if applicable. In these situations, environmental and risk analysis studies of the proposed alternatives should be presented.
4. The range study should be done for each section or section of the trunk line and / or branch branches, in segments with similarity in the difficulty of construction and assembly of the ducts, considering:
 - a) extensions to location classes when pipeline, including pipe thicknesses;
 - b) extensions in distinct topography regions (flat - slope less than 5 °, smooth - slope between 5 ° and 10 °, wavy - slope between 10 ° and 20 °, and mountainous - slope above 20 °);
 - c) extensions to distinct land use regions (rural areas, allotment and urbanization areas, and urbanized areas);
 - d) extensions in flooded areas;
 - e) extensions indicating rock or boulders;
 - f) extensions indicating the categorization of the frequency of hydrographic accidents that bring discontinuity ahead of construction and assembly (low frequency - one every ten kilometers, medium frequency - one every three kilometers, and high frequency - one every one kilometer);
 - g) indication of the construction methods for crossings and intersections indicating the care during implantation considering the integrity of the pipeline of Nova Transportadora do Sudeste SANTS

In the tracing study, it should be presented:

1. Descriptive memorial with the basic engineering characteristics (transport capacity, volume, pressure, temperature, type of steel, among others) and the justification for tracing location;
2. Drawings with the macro localization of the duct in the 1: 25,000 scales, identifying the socio environmental factors and aspects, considering the physical, biotic and socioeconomic means. List the documents and systems used to produce these maps, with the most up-to-date database.

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available, informing the year of update. For fixed installations, consider 1: 5,000 scale presentation respectively,

3. Preliminary plan and profile of the pipeline, based on the georeferenced maps of item 1.6, indicating, where possible, the overlap along the pipeline range of the following items:

1.1.2. Implementation and operation

In general, the characterization of the elements of the implementation phases should be presented, indicating the logistics to be used (accesses, construction sites and material storage areas and others), considering, mainly, the projection of labor. (histogram) and use of services and support in cities, such as the use of health services, supply of material and labor, among others. This should be assessed in the simplified environmental study.

The deployment schedule should also be detailed, considering each phase in time.

The operation of the project should be described, as well as informed about the integrity management of the facilities; what will be the inspections and maintenance of fixed installations and what will be the pipeline maintenance strategy considering that NTS will only be responsible for maintaining the easement range.

1.2. Environmental and Risk Studies

1.2.1. Simplified Environmental Studies

The Environmental Studies should characterize the environmental situation of the area of influence of the proposed project, aiming to know the region and the easement range of the Gas Pipeline before the implementation of the project. Such studies will serve as a reference for the assessment of environmental impacts arising from the work and the operation.

The simplified environmental diagnosis of the region will be based on secondary and, if necessary, primary data. The EIA, RIMA and EAR of the pipeline may be considered as information base.

At this stage, at least the following topics should be covered:

1. Summary of the technical and operational characteristics of the proposed venture;
2. Simplified environmental diagnosis of the region, including aspects of the physical, biotic and socioeconomic environments;
3. Restrictive factors regarding land use by the proposed undertaking, from the point of view of the competent federal, state and / or municipal agencies, related to urban areas, environmental protection areas, archaeological sites, quilombolas, indigenous areas, among others.
4. Summary / menu of municipal, state and federal environmental legislation relevant to the venture;

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5. Identification of the main interfaces “Enterprise x Existing Servitude Range x Environment”, considering degraded areas occurring within the easement range, such as:

- Problems of the pipeline easement strip of Nova Transportadora do Sudeste SA- NTS (erosions, siltation, floods, landslides, among others) that have potential impact on the proposed venture;
- Problems arising from third party activities along the easement range (crops, industries, subdivisions, etc.) that have potential impact on the proposed venture;
- Special construction sites (slopes and crossings) and geotechnical risk in the pipeline easement that may be affected by the implementation and operation of the proposed project;
- Old areas such as camps, power plants, quarries, deposits, among others, that may interfere or have the potential to impact on the proposed venture and / or surrounding areas.

6. Identification, characterization and qualitative assessment of possible environmental impacts of the works and operation of the project.

7. Indication of possible mitigation, compensatory and monitoring measures, as well as Environmental Programs, to be implemented and / or necessary, aiming to eliminate and / or minimize the detected impacts.

1.2.2. Risk Studies

1.2.2.1. Quantitative Risk Studies

A Quantitative Risk Analysis should be prepared according to the CETESB Standard in force at the time - Risk Analysis Design Guidance Manual - available on the CETESB website.

The resulting cumulative range risks (individual and social risk) may not increase the risk rating of the Nova Transportadora do Sudeste SA Gas Pipeline range.- NTS, considering the most recent existing AQR.

1.2.2.2. Preliminary Risk Analysis

Preliminary Risk Analysis (APR) should be presented for all activities that involve the implementation of the venture, and the inherent risk of each one of them should be evaluated considering, above all, the presence of the Nova Transportadora do Sudeste SA gas pipeline.- NTS in the Servitude Range at the time of the work activities.

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2. FEASIBILITY

From the enterprise information, the results of the environmental and risk assessment, a critical analysis will be prepared considering the implementation and operation strategies; the mitigation of impacts and the results of the risk analysis, demonstrating, from the consolidation of this information, the technical and environmental feasibility of implementing the project in the pipeline easement strip of Nova Transportadora do Sudeste SANTS

Feasibility indicators will be:

- BE - Enterprise Benefit for NTS;
- ImpEmp / Mit - Project Environmental Impact Ratio / Mitigations
- RisEmp / Mit - Enterprise Risk / Mitigation Ratio

Sensitivity analysis should be prepared for the selected alternative, thus demonstrating the viability or otherwise of the venture. The analysis period will be 20 years and the technical and environmental assessment will be performed by segment and segment of the project.

The result of EVTA, materialized in its Final Report, should present indicators above viability for the stretch under study, in a joint manner, contemplating the necessary and indispensable interventions for the use of the easement band.

3. PRESENTATION

The Final Report must be delivered containing all the studies, developed in terms of detail, with the information, drawings, graphs and attachments necessary for the analysis.

The methodologies adopted, the services performed and the results obtained shall be presented in strict accordance with these Terms of Reference.

The Final Report will comprise the following volumes:

- Volume 1 Study report (Layout, environmental and risk).
- Volume 2 Descriptive memory and justifications
- Volume 3 Feasibility Assessment.

Only one (1) copy of each volume should be presented, as well as one copy of the volumes in electronic media (CD-ROM or DVD-ROM), in order to facilitate the consultation, which will be sent to NTS.

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4. CONCLUSIONS

After analysis by the NTS technical areas, the Requester may share more data or studies to clarify doubts and supplement information.

Finally, during the evaluation process, NTS may request presentation and clarification meetings.

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