

ISDA® STATEMENT OF CURRENT PRACTICE
May 2, 2007

The International Swaps and Derivatives Association (“ISDA”) is issuing this “Statement of Current Practice” with respect to certain additional trading days affecting financially settled derivative transactions involving Commodity Reference Prices that reference any futures contracts on ICE Futures. Parties are not obliged to follow the statement set forth below and may choose alternate means of treating these transactions.

On November 14, 2006, ICE Futures announced that it will open for trading in all futures contracts (except for UK natural gas futures and UK peak and base electricity futures) on Monday, May 28, 2007, a day not previously scheduled as a trading day on ICE Futures (this day and any other such subsequently designated trading day each being an “ICE Additional Trading Day”). Members of the ISDA Energy, Commodities and Developing Products Committee met by teleconference on April 3, 2007 and again on April 24, 2007 to discuss how to treat this ICE Additional Trading Day for purposes of transactions that include any Commodity Reference Prices referencing any futures contract on ICE Futures. Members agreed that it would be most practical to preserve existing market practice with respect to May 28, 2007 and also with respect to any future ICE Additional Trading Days that may be announced by ICE Futures, provided that public notice is provided at least sixty (60) calendar days before the date of the ICE Additional Trading Day.

The statement below will pertain to all financially settled derivative transactions (even if entered into on or before the date on which ICE Futures provided or provides public notice of the relevant ICE Additional Trading Day) that include any Commodity Reference Prices referencing ICE Futures, whether documented under ISDA Master Agreements or under other (non-ISDA) contractual arrangements (each an “Affected Transaction”).

Statement

In any Affected Transaction where the transaction documentation of such transaction is silent as to how the ICE Additional Trading Day is to be treated, the relevant ICE Additional Trading Day shall be treated as a Commodity Business Day with respect to any Commodity Reference Price that references a futures contract on ICE Futures.

For the purposes of this Statement of Current Practice, ICE Additional Trading Days are (i) May 28, 2007 and (ii) any day announced after the date of this Statement of Current Practice by ICE Futures to be an additional day on which trading in any futures contracts on ICE Futures will occur, provided that public notice is provided at least sixty (60) calendar days before the relevant date of the ICE Additional Trading Day and also provided that official settlement prices for such futures contracts will be produced on the relevant ICE Additional Trading Day.

All capitalized terms used in this statement and not defined herein shall have the meanings set forth in the 2005 ISDA Commodity Definitions, the 1993 ISDA Commodity Derivatives Definitions (and the 2000 Supplement thereto), as may be appropriate.