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Our ref: ETJ/CC33/UK01-000162-00367/140121575 v1

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2 June 2026

Dear Planning Inspectorate

Fosse Green Energy Limited (the "Applicant") Development Consent Order (EN010154) (the "Application") Deadline 6 Submission

Unique Reference Number: FGES-003

Fieldfisher LLP ("**Fieldfisher**") continue to act for British Pipeline Agency Limited ("**BPA**"). BPA act as agents for P66 (as successors in title to Prax) in respect of this Application and any reference to 'BPA' should be interpreted as a reference to BPA acting on behalf of and as agents of Phillips 66 Limited ("**P66**").

We refer to the previous submissions made during the Examination, including (without limitation) [REP5-035], [PD-023] and [REP5A-058 to REP5A-061]. We refer further to the Examining Authority's Rule 17 Letter dated 18 May 2026 [PD-027].

1. Statement of Common Ground

- 1.1 We understand that the Examining Authority consider that there is now a very urgent need for a final and signed statement of common ground to be submitted by no later than 2 June 2026.
- 1.2 BPA / P66 are working both internally and with the Applicant in order to progress the statement of common ground (including discussing matters directly with the Applicant) with a view to submitting a final signed version by Deadline 6.

2. Protective Provisions

- 2.1 At present, the draft protective provisions for the benefit of P66 are unlikely to be agreed by Deadline 6.

2.2 BPA and Fieldfisher continue to engage with the Applicant / the Applicant's solicitor in relation to the draft protective provisions, with any disagreement as to the form of those provisions to be included in the statement of common ground.

3. Update

3.1 P66 / BPA continue to actively engage with the Applicant in order to finalise the statement of common ground and to finalise the draft protective provisions.

3.2 P66 / BPA's position remains that they cannot support the draft Order in its current form until BPA's concerns (as set out in the submissions made on behalf of BPA to date) have been satisfactorily addressed and appropriate protections have been agreed. On that basis, P66 / BPA's position in making further representations during the Examination remains strictly reserved.

Yours faithfully



Fieldfisher