

**From:** [Scott Dieball](mailto:Scott.Dieball)  
**To:** [florent.bergeret@gdfsuez.com](mailto:florent.bergeret@gdfsuez.com)  
**Cc:** [olivier.salord@gdfsuez.com](mailto:olivier.salord@gdfsuez.com); [Jeff Canon](mailto:Jeff.Canon); [Joaquin Mavares](mailto:Joaquin.Mavares)  
**Subject:** RE: Trent packages sale  
**Date:** Wednesday, April 28, 2010 10:37:17 AM

---

Thanks for your phone message Florent, and as I am still tied up on a conference call, I will attempt to respond to your enquiry via email.

In purchasing the units from GDF we do not expect that GDF will be warranting the equipment (hence the AS IS language) other than it will warrant that we get good title in and to the equipment. That being said we have spoken to Rolls Royce and they have indicated that they will honor the OEM warranty provided in the original RR-GDF purchase agreement subject to modifications for differing site conditions, etc. As you will note from the draft contract I sent to you last week, once the contract is executed between our respective companies, ProEnergy would like GDF to provide us with a copy of the RR-GDF purchase agreement so that we can review it as part of our due diligence to ensure, among other things, that the warranty coverage afforded by RR meets our needs.

If this reply does not answer your question or if we need to discuss further please let me know and perhaps we could set up a conf. call.

Regards,

Scott Dieball  
*Vice President, Business Operations*

**ProEnergy Services**

616 FM 1960 West, Suite 750

Houston, Texas 77090

**281-580-2111 direct**

**281-580-1112 fax**

**832-212-1645 cell**

**660-829-5100 office**

<http://www.proenergyservices.com>

This e-mail is the property of ProEnergy Services, LLC and/or its relevant affiliate and may contain confidential and privileged material for the sole use of the intended recipient (s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender or reply to ProEnergy Services at [chowatt@proenergyservices.com](mailto:chowatt@proenergyservices.com) and delete all copies of the message. This e-mail (and any attachments hereto) are not intended to be an offer (or an acceptance) and do not create or evidence a binding and enforceable contract between ProEnergy Services LLC (or any of its affiliates) and the intended recipient or any other party, and may not be relied on by anyone as the basis of a contract by estoppel or otherwise. Thank you.

---

**From:** [florent.bergeret@gdfsuez.com](mailto:florent.bergeret@gdfsuez.com) [<mailto:florent.bergeret@gdfsuez.com>]

**Sent:** Wednesday, April 28, 2010 8:47 AM

**To:** Scott Dieball

**Cc:** [olivier.salord@gdfsuez.com](mailto:olivier.salord@gdfsuez.com)

**Subject:** Trent packages sale

**Importance:** High

Scott,

I just leave you a message on your cellular regarding the sale of the 4 Trent packages.

Can you confirm me you want a sale on an 'as is' basis especially without any warranty, according to section 4.1 (j) of your PSA.

Thanks for your answer.

Best regards,

**Florent Bergeret**

Responsable Développement & Intégration

Pôle Thermique

Production Electricité France



Euroatrium

93400 Saint-Ouen - France

Tel. +33 1 49 48 43 40

Mob. +33 6 27 28 48 59

florent.bergeret@gdfsuez.com

www.gdfsuez.com

GDF SUEZ Mail Disclaimer: <http://www.gdfsuez.com/disclaimer/disclaimer-fr.html>