

18 April 2014
Spring 2014 Procurement Events

[Supplier Name]
Supplier contact information

_____, 20__

[Company Name]
Company contact information

Re: Notification and Consent of Recording Practices

Dear Sir/Madam:

This is to notify you, _____[Ameren Illinois Company (“AIC”) / Commonwealth Edison Company (“ComEd”)], that under applicable law and under rules of the Commodity Futures Trading Commission (“CFTC”), we, _____ [Supplier Name], are under obligation to record certain oral communications, which may include telephone conversations with _____[Ameren Illinois Company / Commonwealth Edison Company] in connection with administrative and operational issues associated with the _____ [Confirmation Agreement (“CA”) / Master Power Purchase and Sale Agreement (“MPPSA”)] and which occur after execution of the _____[CA/MPPSA] dated _____, 2014.

Please confirm, by executing this Letter Agreement:

- (i) your consent to our recording of telephone conversations between _____[AIC / ComEd] and the trading, marketing and other relevant personnel of _____ [Supplier Name] (“Trading Personnel”) in connection with the above referenced _____[CA/MPPSA], each such recording being referred to as a “Recorded Communication” in this document; and
- (ii) your agreement to notify _____[AIC / ComEd]’s relevant personnel of the recording of conversations on the telephone lines of the Trading Personnel as described in clause (i).

Both _____ [Supplier Name] and _____[AIC / ComEd] agree that no Recorded Communication:

- (x) shall have any force or effect as applied to the above-referenced _____[CA/MPPSA], including any Transaction Confirmation delivered thereunder or in respect thereof;
- (y) shall create or otherwise form the basis for a transaction between the parties; or
- (z) is intended to, or shall be deemed to, modify, amend, supplement, or change any of the terms of the above referenced _____[CA/MPPSA] or the terms of any Transaction Confirmation pursuant to such _____[CA/MPPSA].

Subject to the immediately preceding sentence, _____ [Supplier Name] shall be permitted to disclose or use any Recorded Communication to the extent (and only to the extent) it is required to do so in accordance with the rules of the CFTC.

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This Letter Agreement may be amended only in a writing signed by _____ [Supplier Name] and _____ [AIC / ComEd]. Each party represents and warrants that its execution, delivery and performance of this Letter Agreement has been duly authorized and that this Letter Agreement constitutes its legal, valid and binding obligations. This Letter Agreement may be signed in counterparts. All counterparts together will be taken to constitute one instrument. This Letter Agreement constitutes the entire agreement between the parties relating to the subject matter hereof.

Respectfully,

[Supplier Name]

By: _____

Name: _____

Title: _____

Date: _____

ACCEPTED AND AGREED:

[Ameren Illinois Company / Commonwealth Edison Company]

By: _____

Name: _____

Title: _____

Date: _____