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October 16, 2015

Rae McQuade, President
North American Energy Standards Board
801 Travis, Suite 1675
Houston, TX 77002

Re: Standards Request No. R15003

Dear Rae:

I am an attorney with an energy commodities practice based in Houston. For many years I have assisted various market participants in the wholesale gas marketplace with their contracting, including their completion of the NAESB Base Contract for Sale and Purchase of Natural Gas (the "Base Contract"). I participated the Wholesale Gas Quadrant drafting committee efforts with regard to the Base Contract in 2006 and 2011, and indeed, while in-house, was involved reviewing the terms of such master to facilitate its initial rollout. I here submit comments as to the above referenced Standards Request on my own part, and not on behalf of any of my various clients.

The Base Contract occupies an important place in the wholesale gas market contracting but migration to other formats can certainly take place over time. I believe NAESB has proper interests in revenue-raising but believe also NAESB should not proceed on this copyright matter in a manner that creates uncertainty in the marketplace or creates a foothold for technical arguments relating to breach.

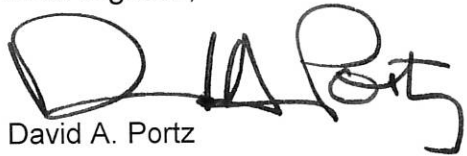
Standards Request No. R15003, dated April 14, 2015, submitted on behalf of the NAESB Board Revenue Committee, suggested "right to use" (and thus copyright-oriented) language as a new clause to the NAESB Base Contract ("Initial Proposal"). In a posting by the Wholesale Gas Quadrant Standard Contracts Subcommittee dated October 6, 2015, it was recommended that the concerns raised by R15003 (i) be addressed by modifying the disclaimer text box that follows the NAESB Base Contract by addition of two sentences ("Subcommittee's Recommendation") and (ii) that no change be made to by

insertion of such clause to the Base Contract itself. I strongly discourage adoption of the Initial Proposal. As between the Initial Proposal and the Subcommittee's Recommendation, I support the Subcommittee's Recommendation. Repeated here for reference, the text proposed in the Subcommittee's Recommendation states:

The copyright in this Contract is owned by NAESB, and market participants are encouraged to review NAESB Copyright Policy and Companies with Access to NAESB Standards under the Copyright Policy posted by NAESB on its website at <https://www.naesb.org/pdf2/copyright.pdf>. Please review this posting and if your company's name is not listed as having access, please obtain access by contacting the NAESB Office per the contact information in the Copyright Policy.

Thank you for accepting these submitted comments. I welcome correspondence in relation to same.

Best regards,

A handwritten signature in black ink, appearing to read 'D. A. Portz', written in a cursive style. The signature is positioned above the printed name 'David A. Portz'.

David A. Portz