

# FEE SCHEDULE FOR THE END CUSTOMERS MARKET (CZ)

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## Article 1

### Subject of the Regulation

1. This Fee Schedule set forth Fees Types and rates for services provided by the POWER EXCHANGE CENTRAL EUROPE, a.s. (PXE) on the market of end customers organized by PXE where commodities with delivery in the Czech Republic are traded (the "Exchange Fees").
2. The terms used herein that start with a capital letter shall have the same meaning as in the Exchange Rules for the Commodity Market for End Customers (CZ), unless the context indicates otherwise.

## Article 2

### Types and Structure of Exchange Fees

1. Exchange fees on the Market shall be trading fees and participation fees.
2. If the Exchange provides counselling services to a trading participant in connection with the trading on the Market, the remuneration, if it was agreed, and other possible conditions of the services will be subject of the separate agreement between the Exchange and the trading participant.

## Article 3

### Obligated Entities

1. Obligated entities with regard to payment of exchange fees shall be Suppliers and Customers.
2. According to these rules Suppliers shall pay the Exchange only the variable part of trading fees.
3. Customers shall pay the Exchange participation fees, fixed part of trading fees (hereinafter only as the "Auction Fee") and variable part of trading fees, unless stipulated otherwise below.
4. The following deviations shall apply to Associated Customers:

#### *Participation Fees*

- a) Participation fees shall be paid by (i) an Associated Customer that is a representative of all other Associated Customers for submitting a Bid (hereinafter referred to as the "Main Associated Customer") and (ii) each of the Associated Customers that have concluded a separate Participation Agreement. Other Associated Customers shall not pay participation fees. For the purposes of these Rules, a representative of all other Associated Customers that is not an Associated Customer, but has the status of a central customer shall also be deemed a Main Associated Customer.
- b) However, if there is no Main Associated Customer, participation fees shall be paid by each of the Associated Customers in full.

#### *Trading Fees – Variable Part*

- c) The variable part of trading fees shall be paid by (i) the Main Associated Customer based on the number of supply points attributable to all Associated Customers, with the exception of those who have concluded a separate Participation Agreement, and (ii) the Associated Customers that have concluded a separate Participation Agreement based on the number of their own supply points. Other Associated Customers shall not pay the variable part of trading fees.
- d) However, if there is no Main Associated Customer, the variable part of trading fees shall be paid by each of the Associated Customers based on the number of supply points attributable to such an Associated Customer.

#### *Trading Fees – Fixed Part (Auction Fee)*

- e) The Auction Fee shall be paid by the Main Associated Customer. Other Associated Customers shall not pay the Auction Fee.
- f) If there is no Main Associated Customer, all Associated Customers shall pay one Auction Fee altogether, whereas each of the Associated Customers shall pay such part of the Auction Fee corresponding to the ratio between the number of supply points attributable to such an Associated Customer and the number of supply points attributable to all Associated Customers. The parts of the Auction Fee paid by the Associated Customers shall be rounded up to the nearest whole Crown.

## Article 4

### Billing Period

1. The billing period for trading fees for the Supplier shall be a calendar month.
2. The billing period for trading fees for the Customer shall be an auction day. If there are multiple auctions held on one working day, the trading fees for the Customer for all auctions shall be billed for one day.

## Article 5

### Fee Base and Rates

1. The base of the variable part of trading fees for the Supplier shall be the total volume of the Commodity traded within the given Exchange Trade concluded by the Supplier.

2. The trading fees paid by the Customers consist of the fixed part amounting to CZK 7,500 for every realized auction and of the variable part. The realized auction in this Schedule means the auction that led to the selection of the winning Supplier.
3. The base of the variable part of trading fees for the Customer shall be the number of supply points. The number of supply points specified in the Bid shall be decisive for the amount of the variable part of trading fees for Customer, unless stipulated otherwise below. If, before the Bid was placed, the Exchange submitted to the Customer a price offer on the exchange fees, which was accepted by the Customer, and the offer was based on a different number of supply points than the number of supply points specified in the Bid, the number of supply points used for the price offer shall be decisive for the amount of the variable part of trading fees; however, this does not apply if the number of supply points specified in the Bid was higher than the number used for the price offer by more than 10%.
4. The variable part of trading fees for the Customer (Main Associated Customer) shall be paid by the Customer (Main Associated Customer) for each realized auction and its rate is dependent on the time-intensity per one supply point. The time-intensity per one supply point means the ratio of the overall time-intensity of the auction preparation to the number of supply points. The overall time-intensity of the auction preparation means the time that the Exchange and the Trading Officer (*in Czech: burzovní dohodce*) spend preparing the Customer's Bid in the Trading System, in particular entering data on supply points into the Trading System.
5. The rate of the variable part of trading fees for the Customer (Main Associated Customer) is for each supply point:

The fee rate for each supply point	The rate shall apply if the time-intensity per one supply point is
CZK 100	not more than 5 minutes
CZK 150	more than 5 minutes but not more than 10 minutes
CZK 200	more than 10 minutes but not more than 15 minutes
CZK 250	more than 15 minutes but not more than 20 minutes
CZK 300	more than 20 minutes

The Exchange may submit to the Customer an offer containing the price proposal for the variable part of the trading fees made on the basis of its own qualified estimate of the time-intensity. In the event that the Customer accepts this offer, the estimated time-intensity is decisive for determining the rate of the variable part of the fees, even if it differs from the actual time-intensity.

6. The variable part of trading fees for the Supplier shall amount to CZK 3 per MWh, however, not more than the maximum amount of CZK 2,500,000 per one auction.
7. The fee rate for participation for the Customer shall be CZK 2,500.
8. The amount of the fee as specified herein is exclusive of value added tax. The value added tax at the rate applicable as of the taxable supply date shall be added to the total amount of the fees.

## Article 6

### Maturity of the Trading Fee

1. The trading fee shall be payable in arrears for the billing period.
2. Maturity of the trading fee shall be 21 days from issuance of a tax document by the Exchange. The Exchange shall always issue a tax document after the end of the billing period.

## Article 7

### Maturity of the Participation Fee

1. Maturity of the participation fee shall be 21 days from issuance of a tax document by the Exchange. The Exchange shall usually issue a tax document no later than upon conclusion of the Participation Agreement.

### Article 8

#### Method of Payment of Fees

1. Any and all fees shall be paid by bank transfer, based on a tax document issued by the Exchange.
2. By concluding a Participation Agreement, the Trading Participant agrees with issuing of tax documents for fees in electronic form, in accordance with applicable legal regulations.
3. The Exchange shall send the Trading Participant issued tax documents in electronic form with an electronic mark, with a qualified time stamp, based on a qualified system certificate.
4. The Trading Participant shall provide the Exchange with its email address for delivery of issued tax documents. The Trading Participant shall inform the Exchange of any changes to this address no later than the last day of the calendar month of the taxable period.

### Article 9

#### Use of Fees

The funds obtained from fees shall constitute the Exchange's income.

### Article 10

#### Reduction of Fees, Exemption from Payment of Fees or Increase of Fees

1. The Exchange Chamber may decide to reduce or increase fees paid by obliged entities or to exempt obliged entities from payment of fees.
2. The Customer who concluded an Exchange Trade on the Exchange with the Supplier that subsequently (i) lost its authorization or (as a consequence of non-fulfilment of financial requirements for settlement of imbalances) possibility to supply Commodity, being subject of the Exchange Trade, to the Customer, or, (ii) in case of Commodity supply on the basis of a Contract for associated services of Commodity supply, ceased to have the distribution system services secured for the Customer (hereinafter referred to collectively as the "Failed Supplier"), shall not pay trading fees for the further Exchange Trade concluded on the Exchange (hereinafter referred to as the "Substitute Exchange Trade"), if:
  - a) the subject of the Substitute Exchange Trade was the supply of the same Commodity, for the same supply points and for the same supply period or remaining part thereof as with the above stipulated Exchange Trade concluded with the Failed Supplier, and
  - b) the PARC System as at the start of the Bid preparation contained up-to-date data of the supply points that were subject of the Substitute Exchange Trade.
3. The Customer that terminated the Contract (in Czech: *vypověděl Smlouvu*) with the Supplier concluded within the Exchange Trade, or withdrew from that Contract (in Czech: *odstoupil od Smlouvy*) because it has found out that false information about the Supplier was entered in the Register of Beneficial Owners, shall not pay the Trading Fees from the further Exchange trade concluded on the Exchange, if the subject of this further Exchange Trade is the delivery of the same commodity, for the same supply points and for the same delivery period or the remaining part thereof as in the terminated Contract.

### Article 11

#### Consequences of Failure to Pay Fees

If a fee is not paid in due time, the obliged entity shall pay a late payment interest as stipulated in the Government Order No 351/2013 Coll., determining the amount of interest for late payments and the costs associated with the claims, determining the remuneration of the liquidator, the winding-up administrator and the member of the body of the legal person appointed by the Court, and regulating certain issues of the Commercial Bulletin (*Obchodní věstník*) and of the public registers of legal and natural persons and records of trust funds and records of beneficial owners.

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**Article 12**

**Transitional Provision**

1. The Customer's obligation to pay the maintenance fee for participation, if the obligation was not fulfilled by the effective date of this exchange regulation approved by the Exchange Chamber on 6 December 2017 ("Regulation"), ceases to exist as of the effective date of the Regulation, regardless of whether and when the due date of the fee occurred.

**Article 13**

**Effect of the Rules**

This Schedule shall come into effect on July 1, 2022.