Master Services Agreement

XBID Solution

Exhibit 6

PPI170 – Equal Treatment Charter

Version 12

Table of Contents

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1 Introduction

Equal treatment is one of the key requirements within this project. Equal treatment of all PXs in project management, in the software itself and as part of the Services provision needs to be defined. This document details how equal treatment will be implemented and how it will be monitored.

This Equal Treatment Charter is set forth to govern and secure equal treatment and a level playing field amongst the PXs entering into the XBID Corporation with the procurement of the XBID and a Trading Solution from DBAG and in the subsequent provision of the Services by DBAG.

The Equal Treatment Charter shall define the means and measures enforced for the purpose of governance of a level playing field.

1.1 Equal Treatment – Mitigation of risks identified regarding the playing field[1]

It is of the utmost importance to first understand the playing field and the risks it implies to unequal treatment in order to understand the means and measures to be enforced by this Equal Treatment Charter in order to level out the playing field to implement equal treatment. There are mainly three risks regarding the playing field which are described below. These risks will not be managed by the Equal Treatment Charter. All known risks for discrimination by the platform or processes shall be mitigated and put into the risk register as described in **Exhibit 8** (*Risk Management & Risk Register*).

1. **Competition amongst PXs:** The PXs are competitors and XBID shall not restrict or prevent such competition. Preferential treatment by DBAG of any PX in any means, either by DBAG development and operational processes, technically within the DBAG provided systems and interfaces or by the way DBAG handle confidential business information of the PXs, implies a risk of unequal competition.
2. **Competition amongst implicit and explicit market players:** In XBID there is one central Capacity Management Module and implicit and explicit market players shall be treated equally when allocating capacity from it. There is a risk of unequal treatment if the XBID Solution is not performing to its expectations.
3. **Single system supplier setup:** The XBID Intra-day market is based on one central order book, one central matching engine and one central capacity allocation module provided by DBAG. At the same time DBAG is entitled to offer a Local Trading Solution which implies a risk of unequal competition and risk for discrimination by the XBID Solution. The risk describes that the XBID Solution would favour the Local Trading Solution provided by DBAG in any means over trading solutions provided by 3rd parties lower latency in trading.

It is the intention of the PXs to have free choice to use their own Local Trading Solution(s), always connected through the XBID Messaging Interfaces over communication channels agreed in **Attachment 5A.2** (*Service Description – Hosting*) to the common XBID Solution, while remaining distinct entities operating their respective markets in competition with one another. It is therefore essential that neither the design, configuration, operation, performance, development and maintenance of the implicit intraday target system, nor the treatment of the PXs by DBAG in the provisions of the

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[1] This Section is entered to provide context regarding the Equal Treatment Charted to the esteemed reader of this document. The mentioned risks will be maintained and managed in the risk register, the underlying to Exhibit 8 (Risk Management & Risk Register). The list of risks in this Section will not be maintained or updated going forward. This Section (Section 1.1) is providing the context for the document; it does not put an obligation on any of the referred parties.

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Development and related Services related to the implicit intraday target system result in an unfair or discriminatory advantage of one or many PXs over the others.

The Equal Treatment Charter defines the set of mitigation measures to be put in place by DBAG and the PXs in order to support the implementation of a level playing field and 'non discriminatory setup'.

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2 Purpose

This document is for the purpose of demonstrating how DBAG and the PXs will implement a Level Playing Field for all the PXs participating in the XBID Cooperation, with respect to all aspects of the Services that will be provided and to all aspects of the Agreement.

2.1 Intended Audience

- Project team members
- Project management
- Project steering committee members
- TSOs
- DBAG's contractual parties, the PXs (including PXs' stakeholders within the responsibility of the PXs - NRAs)

2.2 Referenced Documents

Please find the list of referenced documents below

- Attachment 2B (PPI120 – Project Plan Description)
- Attachment 2C (PPI100 – Project Timeline)
- Exhibit 1 (Key Project Terms & Glossary)
- Attachment 4A (Service Description - Maintenance)
- Attachment 5A2 (Service Description – Hosting)
- Attachment 5E (*Technical Architecture Topology Diagram*).
- Exhibit 8 (Risk Management & Risk Register)
- Exhibit 10 (PER120 – Change Management)
- Exhibit 13 (STT110 – Issue Management Process)
- Exhibit 17 (PER110 – Documentation Management Procedures)

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3 Revisions of the tools and procedures

The PXs and DBAG shall have the right to ask for a review of the implemented procedures and methods of transparency and level playing field defined in this document during the term of the Agreement. DBAG shall implement measures and metrics to assure that the equal treatment can be monitored.
A review of the tools and procedures implemented to support equal treatment can be mutually agreed during the term of the Agreement upon justified request. Such a request will be treated as change request and will be subject to the change request procedure defined for the project period (see **Exhibit 10** (PER120 – Change Management) for details).

In case a change to the tools and procedures implemented to support equal treatment is agreed, it will be documented in a new version of this Equal Treatment Charter document according to the documentation management procedure (See **Exhibit 17** (*PER110 – Documentation Management*) for details).

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4 Equal Treatment in the Project and Operational Organisation

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4.1 Joint Steering Committee

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4.2 Joint Project Board

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4.3 Release Control Board

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4.4 User Assurance Coordinator

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5 Equal Treatment in Project Management and operational Processes

The project management processes will be setup to implement a level playing field and equal treatment in project management. The steps taken in the various processes to support the achievement of equal treatment are detailed below and are applicable for all Services.

5.1 Equal Treatment in Change Management

5.2 Equal Treatment in Issue and Incident Management

5.3 Equal Treatment in Documentation Management

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5.4 Equal Treatment in Risk Management

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6 Equal Treatment on Technical Level

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6.1 Data Centre and Hosting Facility

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6.2 Hardware and Network Topology

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6.3 Communication of Trading Solutions and XBID

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7 Level Playing Field in the Development of Local Trading Solutions

The arrangement of a level playing field in the development of Trading Solutions is achieved by a timely provision of the specs for the message interface specifications.

7.1 Provision of the Message Interface Specifications

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7.2 Equal Testing Opportunities

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8 Equal Treatment during Hosting and Maintenance term

Equal treatment of the PXs will also hold during the term of the XBID-DSA Hosting and the XBID-DSA Maintenance and will entail the procedures detailed in the earlier Sections of this document with the notable exception of differences in Issue Management.

8.1 Issue Management during Hosting and Maintenance term

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