

# MPLS Services Framework Agreement

## Annex I Definition List

Initial of APX	Initial of APX UK	Initial of Belpex	Initial of EPEX Spot	Initial of Nord Pool	Initial of OMIE	Initial of GME	Initial of COLT
----------------	-------------------	-------------------	----------------------	----------------------	-----------------	----------------	-----------------

**Annex I Definition List**

The following terms shall, for the purpose of the Framework Agreement, have the following meaning:

**ACER** means the European Agency for the Cooperation of Energy Regulators as established by Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators;

**Affiliate** shall have the meaning set forth in Article 2.1 of the GTC;

**Annex** means any document attached to the main text of the Framework Agreement;

**Anticipated Scope of the EU XBID Cooperation** means the geographical area of the bids to be matched within the XBID PX cooperation, which corresponds to the bidding areas (geographical area where the delivery or take off of electricity resulting from the matched bids takes place) of EU countries and any electrically connected country excluding the Republic of India. For the avoidance of doubt, the expression “electrically connected country” refers to a country connected, directly or through one or several intermediate non EU countries, to a EU country via an interconnection between their electricity grids, regardless where the trader is located or where the energy is taken off/or delivered;

**APX** means the entity referred to in the parties’ description on the identification page of the Framework Agreement;

**APX UK** means the entity referred to in the parties’ description on the identification page of the Framework Agreement;

**Belpex** means the entity referred to in the parties’ description on the identification page of the Framework Agreement;

**CACM Framework Guidelines** means the Framework Guidelines on Capacity Allocation and Congestion Management for Electricity, adopted by ACER on the 29th of July 2011;

**CEST** means Central European Summer Time the time zone that is (two) 2 hours ahead of Coordinated Universal Time (UTC) (UCT+2). This time zone is a DST (daylight saving time) time zone and is used in: Europe;

**CET** means Central European Time (CET), the time zone that is (one) 1 hour ahead of Coordinated Universal

Initial of APX	Initial of APX UK	Initial of Belpex	Initial of EPEX Spot	Initial of Nord Pool	Initial of OMIE	Initial of GME	Initial of COLT
----------------	-------------------	-------------------	----------------------	----------------------	-----------------	----------------	-----------------

- Charges** shall have the meaning set forth in Article 2.1 of the GTC;
- CMM** Capacity Management Module;
- Confidential Information** shall have the meaning set forth in Article 2.1 of the GTC;
- Core Service** means the following services as described in Annex VI (Operational MPLS Communication Network Services):
  - Configuration management;
  - Financial management;
  - Incident management;
  - Problem management;
  - Service level management;
  - Change management; and
  - Legal management.
- Controller** has the meaning as set forth in the applicable Data Protection Legislation;
- Data Protection Legislation** means the applicable EU data protection legislation (for the time being the EU Data Protection Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data) as implemented into national law and all other mandatory laws and regulations applicable to data protection, electronic communications and privacy;
- DBAG** means the company referred to in recital B;
- Dispute** has the meaning as set forth in Section 12.1.1 of the Framework Agreement;
- Disputing Parties** has the meaning as set forth in Section 12.1.2 of the Framework Agreement;
- Dispute Settlement Representative or the “DSR”** shall have the meaning set forth in Section 12.1.2 of the Framework Agreement;
- Dispute Settlement Request** has the meaning as set forth in Section 12.1.2 of the Framework Agreement;
- EPEX Spot** means the entity referred to in the parties’ description on the identification page of the Framework Agreement;
- Framework Agreement** the MPLS services framework agreement entered into between the Service Provider and the PXs, including all Annexes thereto which governs together with the

Initial of APX	Initial of APX UK	Initial of Belpex	Initial of EPEX Spot	Initial of Nord Pool	Initial of OMIE	Initial of GME	Initial of COLT
----------------	-------------------	-------------------	----------------------	----------------------	-----------------	----------------	-----------------

	GTC and the accepted Order Form the Service Contract between a PX and the Service Provider;
<b>GME</b>	means the entity referred to in the parties' description on the identification page of the Framework Agreement;
<b>GTC</b>	the General Terms and Conditions of the Service Provider, as provided in <u>Annex VIII (GTC)</u> ;
<b>Initial Term</b>	shall have the meaning set forth in Article 2.1 GTC;
<b>Legal Provisions</b>	means any type of mandatory legal provision of public order, proclaimed by any competent authority;
<b>Local Trading System</b>	the complementary solution to the XBID Solution, used by the PXs to support the PXs' market activities;
<b>MPLS</b>	Multiprotocol Label Switching;
<b>MPLS Communication Network</b>	shall have the meaning set forth in <u>recital E</u> ) of the Framework Agreement;
<b>MPLS Communication Network Services</b>	means the communication network services referred to in <u>recital E</u> ) of the Framework Agreement;
<b>New PX</b>	means any PX acceding the Framework Agreement, in accordance with <u>Section 9</u> of the Framework Agreement;
<b>Non-Performance</b>	shall have the meaning set forth in <u>Section 11.2</u> of the Framework Agreement;
<b>Nord Pool</b>	means the entity referred to in the parties' description on the identification page of the Framework Agreement;
<b>Off-net Services</b>	means the Services provided by using a telecommunication network that is not owned by the Service Provider;
<b>OMIE</b>	means the entity referred to in the parties' description on the identification page of the Framework Agreement;
<b>Order Acceptance</b>	shall have the meaning set forth in Article 2.1 of the GTC;
<b>Order Forms</b>	the forms to be used for ordering a Service, as provided in <u>Annex VII (Standard Order Forms)</u> ;
<b>Parties</b>	has, in deviation of the definition of this term in Article 2.1 of the GTC, the meaning as set forth on the identification page of the Framework Agreement and any PXs that has acceded to the Framework Agreement, in accordance with <u>Section 9</u> of the Framework Agreement;

Initial of APX	Initial of APX UK	Initial of Belpex	Initial of EPEX Spot	Initial of Nord Pool	Initial of OMIE	Initial of GME	Initial of COLT
----------------	-------------------	-------------------	----------------------	----------------------	-----------------	----------------	-----------------

<b>Party</b>	has, in deviation of the definition of this term in Article 2.1 of the GTC, the meaning as set forth on the identification page of the Framework Agreement and any PXs that has acceded to the Framework Agreement, in accordance with <u>Section 9</u> of the Framework Agreement;
<b>Personal Data</b>	means any information qualified as personal data under the applicable Data Protection Legislation processed by the Service Provider in the context of the Services or disclosed or provided by the PXs to the Service Provider in any form whatsoever;
<b>Pro Forma Order Form</b>	an Order Form submitted to the Service Provider for administrative reasons by a PXs in name and on behalf of all PXs;
<b>Project Management Services</b>	shall have the meaning set forth in <u>Section 4.1.1</u> of the Framework Agreement and further described in Annex V (Project Management Services and Installation Services);
<b>PX</b>	means a power exchange mentioned on the identification page of the Framework Agreement or a power exchange that acceded to the Framework Agreement, in accordance with <u>Section 9</u> of the Framework Agreement;
<b>PXs</b>	means the power exchanges mentioned on the identification page of the Framework Agreement and any power exchange that acceded to the Framework Agreement, in accordance with <u>Section 9</u> of the Framework Agreement;
<b>Services</b>	means in deviation of the definition of this term in Article 2.1 of the GTC, the services to be provided by the Service Provider as indicated in <u>Section 4.1.1</u> ;
<b>Service Contract</b>	means, in deviation of the definition of this term in Article 2.1 of the GTC, the contract that comes into being between a PX and the Service Provider as soon as the Order Form is accepted by the Service Provider and which is composed by the documents referred to in <u>Section 3.1</u> of the Framework Agreement;
<b>Service Provider</b>	means the entity referred to in the parties' description on the identification page of the Framework Agreement;
<b>SPOC</b>	means single point of contact, <i>i.e.</i> the single contact person for administrative management of the contractual relation appointed by the PX(s) for the matters indicated in the relevant Annex;
<b>Subprocessor</b>	means any subcontractor appointed by the Service Provider in compliance with the Framework Agreement which processes Personal Data on behalf

Initial of APX	Initial of APX UK	Initial of Belpex	Initial of EPEX Spot	Initial of Nord Pool	Initial of OMIE	Initial of GME	Initial of COLT
----------------	-------------------	-------------------	----------------------	----------------------	-----------------	----------------	-----------------

of the Controller in accordance with its instructions, as received by the Subprocessor from the Processor;

**XBID**

means cross border intraday;

**XBID-Model**

shall have the meaning set forth in recital A);

**XBID Solution**

shall have the meaning set forth in recital B);

The definitions set forth in this Annex prevail over the definitions in the GTC.

Initial of APX	Initial of APX UK	Initial of Belpex	Initial of EPEX Spot	Initial of Nord Pool	Initial of OMIE	Initial of GME	Initial of COLT
----------------	-------------------	-------------------	----------------------	----------------------	-----------------	----------------	-----------------