

part of eex group



Application for
approval as a
Trading Participant
on EEX OTF in EEX
Power Futures (3rd
party balance area
agreement)

Required in single copy

01.04.2022

Leipzig

Ref. TP_EEX_01b

Release 009

- only required as scan -

Preliminary remark

With this form you apply for approval as a Trading Participant in financial EEX Power Futures for the EEX OTF at European Commodity Clearing AG (ECC) in accordance with the Clearing Conditions of ECC with obligation of physical fulfillment via EPEX SPOT SE Day-Ahead auctions.

In that case the approval as trading participant at EEX OTF Financial Power Futures would also require an admission at EPEX SPOT SE for the Day-Ahead auction of the respective TSO zone (Amprion).

The physical settlement of financial EEX Power Futures will be effected by European Commodity Clearing Luxembourg S.a.r.l. (ECC Lux), a subsidiary of ECC. Both ECC and ECC Lux will be mentioned in this form as ECC.

Approval as a Trading Participant requires:

- (a) participation in clearing as a Clearing Member or Non-Clearing Member for the market, where the respective product is being traded,
- (b) participation at EEX OTF market and admission at ECC as equivalent acknowledged access to the market, where the respective product is being traded,
- (c) proof of the capability for physical settlement at the respective transmission grid by means of the nomination of a 3rd Party holding a balance area agreement with Amprion GmbH (Amprion)¹
- (d) admission at EPEX SPOT SE for the Day-Ahead auction of the respective TSO zone ²
- (e) the declaration of consent of the nominated 3rd Party to be used for physical settlement.

Approval involves the following steps:

1. Please fill in the application form for approval as a Trading Participant. Both you and the nominated 3rd Party shall sign the application form in a legally binding manner.
2. Send this application in scanned version to the following E-Mail address:

MemberReadiness@ecc.de
Phone: +49 341 24680 261
3. ECC shall decide on the application regarding approval as a Trading Participant and it shall inform the applicant and the EEX OTF thereof.

¹ Balancing Agreement is only required in case of physical fulfillment of the Financial Power OTF Future

² EPEX SPOT SE membership is only required in case of physical fulfillment of the Financial Power OTF Future

Application

We hereby apply for approval as a Trading Participant in the below Products according to the Clearing Conditions of ECC:

Financial Futures:

- ☐ EEX German/Austrian Financial Power OTF Futures³

The legal basis for approval as a Trading Participant is established in:

- this application,
- the Clearing Conditions of ECC,
- the Clearing Agreement (Clearing Member) or NCM Agreement (Non-Clearing Member) and
- the price list of ECC.

By signing this application we confirm that we are familiar with the above mentioned rules and regulations and that we acknowledge and observe these. The respective current version of said documents can be downloaded from the ECC website at www.ecc.de.

³ Participation in trading in EEX German/Austrian Financial Power OTF Future at EEX OTF requires a balancing agreement only, if a delivery request is intended to be exercised. In that case please fill in the EIC code for Amprion on page 5.

Applicant

Member-ID: *

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="E"/>	<input type="text" value="X"/>
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* Need to get filled only in case you are already Member at ECC. NEW members can leave it blank.

Name of the Company and Company Register

Name of the Company according to excerpt from company register		Legal status
Tax number		Sales tax identification number

Contact physical settlement / nominations 24/7

Contact person

Contact person
Telephone number
Fax
E-mail

Proof of capability for physical settlement

The balance area agreement of a 3rd party nominated by us should be used for physical settlement of our transactions in physical EEX Power Futures. The nominated owner of the balance area agreement will declare its consent:

Information regarding the balance area agreements	
Owner of the balance area agreements nominated by us	Name
	Address
	Contact person
	Telephone number
Control areas	Delivery account (EIC Code)
Amprion ⁴	

The use of the balance area agreements mentioned above for the physical settlement of our transactions in financial EEX Power (OTF) Futures shall take effect:

- ☐ as of the next delivery date possible
- ☐ as of delivery date _____

The applicant may terminate the use of the balance area agreement at the end of a calendar month with a notice period of 7 business days.

⁴ By choosing Amprion as the Balance Area please also fill in the TP02 form („Formblatt Börsenzulassung“) and send the Original directly to the TSO if not already done for the admission on Amprion at EPEX SPOT SE.

VAT Details

VAT details are only required if a classification for the purpose of VAT treatment hasn't taken place previously or these classifications are not relevant for deliveries of electricity at the respective transmission grid. We have attached the form TP07 "VAT Details" with this application if applicable.

Declarations

1. We hereby assure that we will acknowledge and observe the rules and regulations of ECC (in particular the Clearing Conditions) and the rules and regulations of EEX OTF in their respectively valid versions.
2. We recognise that in the case of mismatches between schedules nominated to the respective TSO the schedules nominated by ECC are binding and that we will take all measures required, in particular the correction of our schedules, in order to match the schedules nominated by us with the binding schedules nominated by ECC. Any imbalances between the binding schedules nominated by ECC and the amount of electricity actually injected or withdrawn shall be borne by us.
3. If the respective TSO rejects the schedules nominated by ECC for the physical settlement of our transactions in financial EEX Power OTF Futures, because we failed to provide the capability for physical settlement according to its terms and conditions, we will hold ECC harmless from any damages caused by this rejection. We will undertake appropriate actions to solve the cause of the rejection, immediately after being informed.
4. We assure that we will inform ECC immediately in case the admission at EPEX SPOT SE is suspended, withdrawn or terminated and/or in the case of the loss of the balance area agreement of the nominated 3rd Party.
5. We hereby declare our consent for the forwarding of information by ECC regarding physical delivery within EEX Group and respective TSO.
6. We hereby authorise the respective TSO to inform ECC with regard to our balance area agreement and about the status of our nominated schedules and deliveries.

On behalf of the Trading Participant:

Place	Date	Company stamp and legally binding signature(s) Signature(s): Name(s):
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Declarations by the appointed 3rd party

1. We give our consent, that our balance area agreement will be used for the physical settlement of the Trading Participant's transactions in financial EEX Power (OTF) Futures, in accordance with the Clearing Conditions of ECC and the rules and regulations of European Energy Exchange. We may revoke this consent at the end of a calendar month with a notice period of 7 business days.
2. We recognise that in the case of mismatches between schedules nominated to the respective TSO, the schedules nominated by ECC are binding and we will take all measures required, in particular the correction of our schedules, in order to match the schedules nominated by us with the binding schedules nominated by ECC.
3. If the TSO rejects the schedules nominated by ECC for the physical settlement of the Trading Participant's transactions in financial EEX Power (OTF) Futures, because we failed to provide the capability for physical settlement according to TSO's terms and conditions, we will undertake appropriate actions to solve the cause of the rejection immediately after being informed.
4. We assure that we will inform ECC immediately with regard to the loss of the proof of the capability for physical settlement. This shall apply especially in the case of the loss of our balance area agreement.
5. We hereby declare our consent for the forwarding of information by ECC regarding physical delivery to EEX Group and the respective TSO.
6. We hereby authorise the respective TSO to inform ECC with regard to our balance area agreement and about the status of our nominated schedules and deliveries.

PRIVACY NOTICE

The undersigned assures that he has fully informed the contact persons named in connection with the contract, the exchange membership relationship or other legal relationships about the transfer of their personal data and that he has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

On behalf of the nominated 3rd party:

Place	Date	Company stamp and legally binding signature(s) Signature(s): Name(s):
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