

Annex I (Service Conditions)

Annex to the EETS Domain Statement concerning the Danish Kilometer Tolling Scheme

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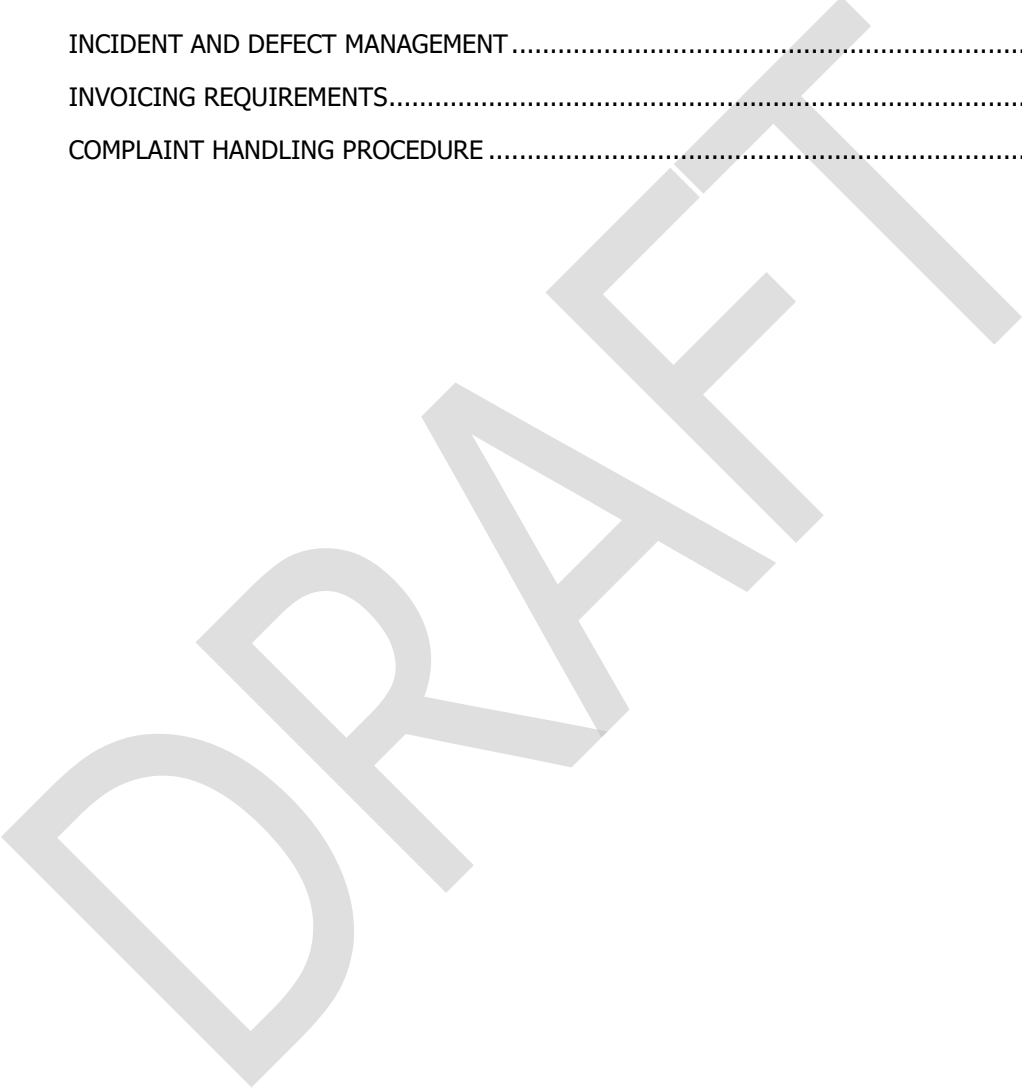
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1 DOCUMENT HISTORY

Version	Date	Comment	Initials
0.3	10 February 2023	Draft version published to the EETS Provider for information and review purposes as part of the accreditation procedure.	MLBR

2 DEFINITIONS AND ABBREVIATIONS

All definitions in the EETS Domain Statement shall have the same meaning in this Annex.

In addition to the definitions in the EETS Domain Statement the following definitions shall apply for this Annex:

"Means of Communication" shall have the meaning set out in section 4.2.

"Business Day" means Monday through Friday except for public holidays, i.e., 24, 25 and 26 December (Christmas), 31 December and 1 January (New Year), Maunday Thursday, Good Friday, Easter Monday, General Prayer Day, Ascension Day, Whit Monday, 5 June (Constitution Day).

"Payment Claim" means the aggregated invoice of valid Billing Details sent to the EETS Provider, and to be paid to the Toll Charger according to the payment terms of the Agreement.

"Payment Announcement" means the digital message sent from the EETS Provider to the Toll Charger regarding payment of the Payment Claim, confirming that the EETS Provider has transferred the amount due to the Toll Charger's bank.

3 INTRODUCTION

This Annex is structured so the EETS Provider understands the service conditions required by the Toll Charger and the context in which these service conditions are expected to be fulfilled during operation of the Services to the EETS Users.

The next sections of this Annex are structured as follows:

- (i) **Section 4:** In this section, the Toll Charger's requirements related to service management are described, including general requirements for support to the Toll Charger and communication between the EETS Provider and the Toll Charger.
- (ii) **Section 5:** In this section, the Toll Charger's cooperative organisation during operation is described.
- (iii) **Section 6-9:** In these sections, the applicable service conditions of the EETS Provider are covered. The service conditions are divided into the following elements:
 - Monitoring and reporting (section 6)
 - Incident and defect management (section 7)
 - Invoicing requirements (section 8)
 - Complaint handling procedure (section 9)

4 SERVICE MANAGEMENT

Service management shall be provided in close cooperation between the employees responsible for handling daily operations both from the Toll Charger and the EETS Provider.

4.1 Single point of contact (SPOC)

The Toll Charger and the EETS Provider are to appoint their respective contact persons, the contact persons must function as single point of contact (SPOC) concerning communication between the Toll Charger and the EETS Provider. Needless to say, that besides appointing a SPOC from both parties, there will also be peer-to-peer communication between the parties' operational staff on a daily basis.

4.2 Support to the Toll Charger

The EETS Provider shall provide support to the Toll Charger, this support shall include handling and answering questions, inquiries and/or complaints by telephone, e-mail and/or using collaborative tool(s) introduced by the Toll Charger (the "**Means of Communication**"). The support to the Toll Charger shall be conducted in English regardless of the Means of Communication.

The EETS Provider undertakes to make sure that the EETS Provider's employees have a high knowledge of the Toll Charger and the Toll Domain in order to support the Toll Charger with high quality service and professionalism.

The Means of Communication shall be staffed and available to the Toll Charger on Business Days between the hours of 9.00 and 16.00 CET. Within this timeframe the EETS Provider must reply to the communication from the Toll Charger preferably within two (2) Business Days from receipt of the communication, unless otherwise agreed. As a minimum, the reply must include a time limit for a final answer.

Where an activity has been agreed upon at a meeting, including a deadline, and where it is impossible for the EETS Provider to keep that deadline, the Toll Charger must be contacted before the expiry of the deadline with a view to dealing with any consequences and to agreeing upon a new deadline.

4.3 Service management meetings

The parties will conduct service management meetings quarterly, or otherwise agreed, in order to discuss the operational situation in general. For the quarterly meeting, a report will be presented by the EETS Provider and discussed in accordance with the requirements in section 6.1.

Service management meetings will be conducted as remote meetings via Microsoft Teams or held at the Toll Charger's locations. In general, meetings will be held as remote meetings, but the Toll Charger can require the EETS Provider to physically attend service management meetings when this is deemed relevant. The EETS Provider is responsible for ensuring the service management meetings are duly held. The Toll Charger is responsible for taking minutes.

5 GOVERNANCE

The Toll Charger will have a collaborative organisation in place for cooperation with and support to the EETS Provider during operation. This collaborative organisation will include:

- (i) **The Toll Charger's SPOC:** The Toll Charger's SPOC will be the primary contact person related to communication with the EETS Provider. This SPOC will be situated within the Toll Charger's Service Delivery team. The Service Delivery team's responsibility covers, among others, contract management, reporting, follow-up on KPIs and complaint handling.
- (ii) **Representatives from Operation:** Employees from the Toll Charger's Business Application Support division will be appointed to cooperate with the EETS Provider on technical matters, among others, testing and re-certification.

The collaborative organisation during operation is yet to be determined in detail. Prior to the Operation Date the Toll Charger will update this Annex with the applicable cooperating organisation including names and contact details.

6 MONITORING AND REPORTING

6.1 Quarterly situation report

The EETS Provider shall prepare and send a quarterly situation report to the Toll Charger about the operational status. As a minimum, the quarterly report must include the following information:

- (i) Brief but adequate operational situation reporting;
- (ii) Compliance status showing whether the EETS Provider has met the KPI and service level requirements for the preceding quarter, cf. Annex G (Key Performance Indicators);
- (iii) An incident list comprising all reported incidents for the preceding quarter with relevant information, and the status of the incidents broken down per month (e.g. reported, worked around, temporarily remedied etc.);
- (iv) An incident curve showing the development in the number of incidents by calendar month and broken down by incident status;
- (v) A list comprising the top five inquiries related to the KmToll Scheme (these topics should reflect the questions and issues that the EETS Users report to the EETS Provider in relation to the KmToll Scheme);
- (vi) A list comprising the number of OBE failure reported/detected in the KmToll Scheme by calendar month including the provided solution to the EETS Users for the preceding quarter;
- (vii) A brief overview of the coming months' activities, focusing on corrective action, changes, and preventive maintenance; and
- (viii) Status on potential risk, if any.

The quarterly situation report must be received by the Toll Charger no later than five (5) Business Days after the end of the quarter. The quarterly situation report will form the basis for discussion at the quarterly service management meetings.

6.2 Quarterly report concerning complaints from EETS Users

The EETS Provider shall prepare and send a quarterly report with aggregated data on complaints from the EETS Users received by the EETS Provider during the foregoing calendar quarter.

An enquiry by the EETS User to the EETS Provider may be deemed to be a complaint e.g. if the EETS User report unsatisfactory or unacceptable behaviour by the EETS Providers or errors on part of the EETS Provider which can be of legal, technical or procedural nature, and/or the EETS User objects to the driven route and/or Toll calculated by the Toll Charger.

The quarterly report shall contain the following information in a table format:

- (i) Number of complaints per month;
- (ii) The reason for each complaint (aggregated per month); and
- (iii) The result of the complaint handling procedure (aggregated per month), divided into the following categories:
 - Complaint accepted due to 1) error on part of the Toll Charger, or 2) error on part of the EETS Provider.
 - Complaint rejected due to 1) error on part of the EETS User, or 2) other reason.

The Toll Charger may at any time demand additional information such as a specification from the EETS Provider containing information for each complaint. This specification shall, as a minimum, contain the following information:

- (i) The EETS Provider’s case ID of the complaint;
- (ii) The date the complaint is received from the EETS User;
- (iii) The date the EETS Provider forwarded the complaint to the Toll Charger;
- (iv) The date of communication between the Toll Charger and the EETS Provider; and
- (v) The date the EETS Provider has sent the answer to the EETS User.

7 INCIDENT AND DEFECT MANAGEMENT

This section describes the conditions applicable to the EETS Provider in order to ensure consistency, clear reporting on incidents, and a basis for prioritisation, follow-up and defect management.

7.1 Incident reporting tool

Reporting of incidents and incident management in general will happen primarily through the use of a ticket system chosen by the Toll Charger.

Incidents categorized as “Urgent”, system failure and the like must be reported to the Toll Charger as soon as possible by e-mail and supplemented by a telephone call.

7.2 Categorisation and prioritisation of incidents

Incidents shall be categorised according to incident type, and prioritised according to the severity and criticality of the incident. Incidents shall be categorised and prioritised according to the four levels as reflected in Table 1.

Table 1. Incident criticality matrix

	Severity 1	Severity 2	Severity 3	Severity 4
Criticality 1	Low	Low	Normal	Normal
Criticality 2	Low	Normal	Normal	High
Criticality 3	Normal	Normal	High	Urgent
Criticality 4	High	High	Urgent	Urgent

The incident types and levels of criticality and severity to which the incidents shall be categorised and prioritised during operation is yet to be determined in detail. Prior to the Operation Date the Toll Charger will update this Annex with the applicable types and levels.

7.3 Incident and defect management process

The incident management process is on a high level built around the following steps:

- (i) The incident shall be categorized and prioritized
- (ii) Initial analysis of the incident and assignment of the right resources
- (iii) Normal service operation is restored as quickly and efficiently as possible

(iv) Adverse impact of IT failures on the business and operations are minimized

(v) Work to resolve the incident is initiated (which may imply "workarounds")

If the result of the analysis shows that the problem is caused by the EETS Provider, or the EETS Provider's involvement is necessary in order for the Toll Charger to solve the incident, the Toll Charger will inform the EETS Provider, and the following process must take place:

(i) The root cause of the incidents shall be found

(ii) An incident report must be created with corrective actions for all incidents, including the incidents resolved through workarounds.

(iii) The risk for recurrence of such incidents must be mitigated.

The focus shall always be on solving incidents classified as "Urgent" and/or "High" first as well as repeated incidents classified as "Normal".

7.4 Follow-up procedure and quality optimisation

To follow-up on the reported incidents and in order to optimise the quality of the Services provided to the EETS Users, and the KmToll Scheme in general, the Toll Charger intends to implement a quality optimisation scheme.

The quality optimisation scheme will imply that the Toll Charger by the end of each quarter will use the list of incidents, as provided by the EETS Provider in the quarterly situation report, to calculate a weighted score for the EETS Provider, which will be compared to a target level.

This quality optimisation scheme is still to be defined. Prior to the Operation Date the Toll Charger will update this Annex with the applicable quality optimisation scheme, including the applicable requirements of the EETS Provider.

8 INVOICING REQUIREMENTS

8.1 Invoice to the EETS User from the EETS Provider

Terms regarding invoicing must first and foremost be fully compliant with the invoice requirements as stated in the Applicable EETS Legislation.

The invoice to the EETS Users shall be based on the Billing Details from the Toll Charger. The Billing Details will have its own number sequence.

The EETS Provider's invoicing of the EETS Users must be in compliance with the invoicing requirements specified in the Agreement between the EETS Provider and the Toll Charger. This includes that the EETS Provider:

(i) Generate an invoice to the EETS User where Sund & Bælt Holding A/S' name shall be clearly included as payment information for the purpose of collecting the Toll under the KmToll Law; and

(ii) Clearly states the Toll incurred in the Toll Domain, and, unless the EETS User request otherwise, as a minimum specify the time and the location of the Toll incurred and the user-relevant composition of the specific Toll.

Each invoice to the EETS User can contain transactions from different Toll Chargers, but there must be a clear distinction between the individual Toll Charger, and all invoicing rules must be met separately per Toll Charger.

8.1.1 Invoice content and layout

The requirements to the content of the invoice must adhere to the following;

- (i) Invoice number (sequential): The sequential numbering must be based on one or more series and the number must uniquely identify the invoice.
- (ii) Invoice date.
- (iii) Period of supply (calendar month) The period of supply refers to the period that the Service is performed which is the same period as when circulation of a vehicle has taken place in the KmToll Domain (corresponding to the date on the Billing Details).
- (iv) Name and address of the Toll Charger: Name, address and company registration number of the Toll Charger must be stated on the invoice.
- (v) Name and address of the EETS User
- (vi) Description of Services supplied
- (vii) Total invoice amount (excluding VAT)
- (viii) VAT rate: Since the service is not subject to VAT, then the VAT field has to be left blank.
- (ix) Information regarding the complaint handling procedure with reference to the KmToll Law. Text will be provided by Toll Charger.
- (x) Storage of invoices: 5 years (running calendar year + 5 years)

To illustrate the invoicing requirements, examples have been prepared of how the invoice can be set up and what information the invoice shall contain as a minimum. The example is shown below*. However, the following should be observed:

- (i) The data content is compulsory;
- (ii) The layout is not compulsory, but to be determined individually by the EETS Provider;
- (iii) The invoice content may be expanded if there is a need for this; and
- (iv) Description fields (direction and name) may have other designations or be extended with more fields.

**An examples of how the invoice can look are being prepared and will be included in this Annex as soon as possible.*

8.2 Settlements of transactions between the EETS Provider and the Toll Charger

Settlement of transactions happens according to the following process:

- (1) Based on Toll Declarations from the EETS Provider, the Toll Charger will calculate the corresponding Billing Details, which will be exposed to the EETS Provider.
- (2) Each calendar month the Toll Charger will generate a Payment Claim which contains specifications of the exposed Billing Details for a single calendar month. The Payment Claim will be exposed to the EETS Provider.
- (3) Each calendar month the EETS Provider creates a Payment Announcement corresponding to the received Payment Claim which will be exposed to the Toll Charger. The EETS Provider will transfer the amount of the Payment Announcement to the Toll Charger's bank.

Settlement step 1-3 happens as electronic exchange between the EETS Provider and the Toll Charger according to Annex F (Interface Specification).

- (4) Each calendar quarter the EETS Provider will make a remuneration claim in the format of an invoice to the Toll Charger. The requirements for this invoice is listed in the following section.

8.3 Invoice from the EETS Provider to the Toll Charger

In order to claim remuneration, the EETS Provider shall each calendar quarter forward two invoices to the Toll Charger. The EETS Provider shall forward the following:

- (i) Invoice 1: One invoice related to the per cent of the amount of Toll collected by the EETS Provider in the Toll Domain; and
- (ii) Invoice 2: One invoice related to the number of active pieces of OBE within the Toll Domain in a calendar quarter.

National EETS Providers shall submit invoices digitally to the Toll Charger, CVR. 15 69 46 88, EAN no. 5790002111037.

Foreign EETS Providers shall submit invoices in PDF format to email kreditorbogholderi@sbf.dk.

The invoices from the EETS Provider to the Toll Charger must, as specified below, or as subsequently required by the Toll Charger, contain the relevant information. The following information shall appear on the invoices:

- (i) Invoice number (sequential): The sequential numbering must be based on one or more series and the number must uniquely identify the invoice.
- (ii) Invoice date
- (iii) Period of supply (calendar quarter): The period of supply refers to the period that the Service is performed which is the same period as when circulation has taken place.
- (iv) Name and address of the Toll Charger: Name, address and company registration number of the Toll Charger must be stated on the invoice.
- (v) Name and address of the EETS Provider: Name, address and company registration number of the EETS Provider must be stated on the invoice.
- (vi) Price on the invoice shall be specified as follows;
 - a. Invoice 1: Fixed fee per active OBE x Number of active OBE (units) for the respective calendar quarter.
 - b. Invoice 2: Fixed percentage x sum of the Billing Details transferred from the Toll Charger to the EETS Provider for the respective calendar quarter.
- (vii) Total invoice amount in **DKK** (including VAT)
- (viii) VAT rate: VAT rate according to applicable national legislation.
- (ix) Language: Danish or English.

To illustrate the invoicing requirements, examples have been prepared of how the invoice can be set up and what information the invoice shall contain as a minimum. The example is shown below*. However, the following should be observed:

- (v) The data content is compulsory;
- (vi) The layout is not compulsory, but to be determined individually by the EETS Provider;
- (vii) The invoice content may be expanded if there is a need for this; and
- (viii) Description fields (direction and name) may have other designations or be extended with more fields.

**An examples of how the invoice can look are being prepared and will be included in this Annex as soon as possible.*

9 COMPLAINT HANDLING PROCEDURE

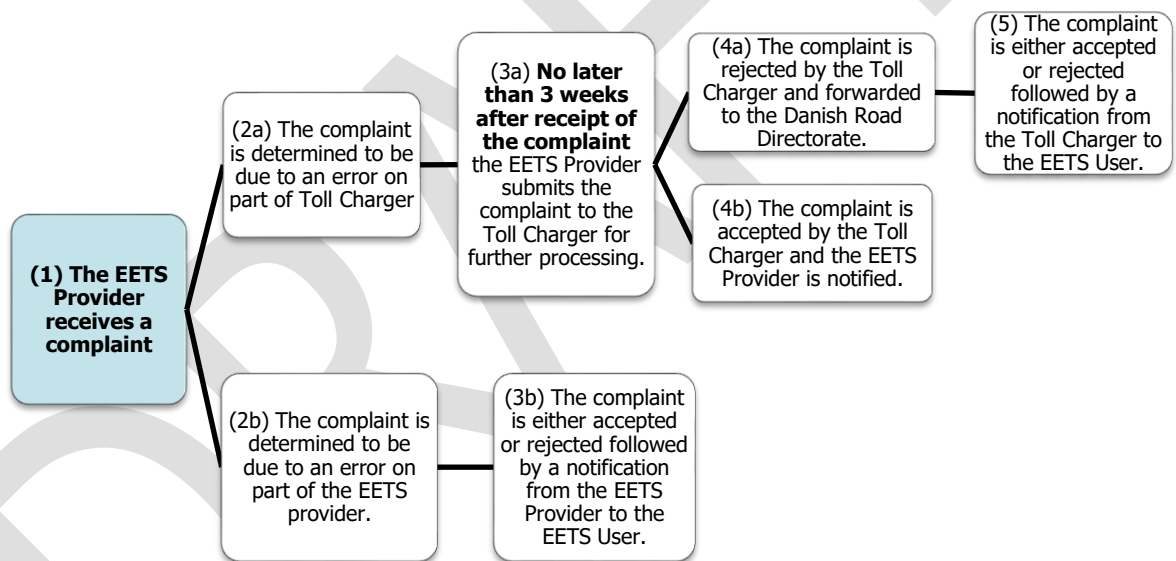
9.1 General about complaint handling

The complaint handling procedure must adhere to the applicable legislation as referred in the EETS Domain Statement and the EETS Provider shall to the greatest extent possible handle complaints from the EETS User.

As described in more detail below, the Toll Charger will have the final saying in complaints concerning circulation in the KmToll Domain. For the EETS Provider the complaint handling procedure will primarily be about collection and analysis of relevant data necessary in order to prepare for a valid decision.

The EETS Provider bears the overall responsibility of securing that a complaint is handled correctly and that the EETS User is informed of the result in due time, also when the EETS Provider is not the primary handler of the complaint. The only case where this principle is not applied is when an EETS Provider is not and should not be aware of the existence of a complaint e.g. in the event of a complaint over a penalty charge notice issued by the Danish Road Traffic Authority directly to the EETS User in relation to the enforcement procedure where the EETS User complains directly to the Danish Road Traffic Authority.

9.2 The duration and obligations of the complaint handling procedure concerning the Toll



The following steps apply for the complaint handling procedure:

Step 1: The EETS Provider receives a complaint from the EETS User concerning the KmToll Scheme and confirms receipt of the complaint.

Step 2: The EETS Provider process the complaint, and assess whether the complaint is (2a) due to an error on part of the Toll Charger, or (2b) due to an error on part of the EETS Provider.

Step 3: If the assessment of the complaint shows (3a) that the complaint is due to error on part of the Toll Charger, the EETS Provider shall forward such complaint to the Toll Charger for further processing no later than 3 weeks after the date where the complaint was received by the EETS Provider. On the contrary (3b) if the complaint is due to error on part of the EETS Provider, the EETS Provider must handle the complaint and notify the EETS User of whether the complaint has been accepted or rejected.

Step 4: In case the complaint is forwarded to the Toll Charger, the Toll Charger will process the complaint, and determine whether to accept or reject the complaint.

In case the complaint is (4a) accepted by the Toll Charger, the Toll Charger will notify the EETS Provider of this decision, and the EETS Provider shall inform the EETS User. The Toll Charger will make the necessary corrections, and the case will be closed in the Toll Charger's case management system.

On the contrary if the complaint is (4b) rejected and the Toll Charger upholds its decision, the Toll Charger will inform the Danish Road Directorate as soon as possible after the date where the complaint was received by the Toll Charger. When notifying the Danish Road Directorate the Toll Charger will forward the complaint including the contested decision by the EETS User, any relevant documents submitted and a statement from the Toll Charger setting out the Toll Charger's comments on the case and the complaint in general. At the same time, the EETS Provider will receive a copy of the notification sent to the Danish Road Directorate, which shall be shared with the EETS User. The EETS User then have a 3 week deadline to submit comments on the case.

Step 5: The Danish Road Directorate will make a ruling, accepting or rejecting the complaint, following the Toll Charger's notification to the EETS Provider of the final decision, the EETS Provider shall inform the EETS User. The case will then be closed in the Toll Chargers case management system.

If the EETS User wish to take legal action against the final decision made by the Danish Road Directorate, this legal action must take place no later than six (6) months after the final decision has been given.

9.3 Language

The main language used in the complaint handling procedure is English. However, the EETS Provider may communicate with the EETS User in any language as long as this is acceptable to the involved parties. Between the EETS Provider and the Toll Charger it is the sender of the information (in any form) who has the obligation to translate (into English) when necessary either by own initiative or by request from the recipient.

9.4 Access to and exchange of data

With regards to the complaint handling procedure, the following data is relevant:

Data from the EETS Provider:

- (i) Contact data including vehicle data;
- (ii) Toll Declarations;
- (iii) Black List and White Lists; and
- (iv) Payment data.

Data from the Toll Charger:

- (i) Billing Details and/or Payment Claim; and
- (ii) If applicable, enforcement data (ANPR and pictures).

Additional relevant data may exist at 3rd parties such as identification of the vehicle owner at the national vehicle registers. Both the EETS Provider and Toll Charger shall keep a detailed log of data exchanged in connection with the complaint handling procedure. The parties must follow the rules of national legislation regarding storage of data.

Only an EETS User having an agreement with an EETS Provider at the time of circulation can file a complaint about the Services under the KmToll Scheme. For a complaint to be considered, the

EETS User making the complaint shall provide sufficient credentials to be identified. These may encompass one of the following identifications or any combination hereof:

- (i) Contract number, related to the agreement with the EETS Provider
- (ii) Name and address
- (iii) Organisation number
- (iv) Vehicle registration number
- (v) License plate and nationality
- (vi) OBE ID
- (vii) PAN number

The EETS User shall contact the EETS Provider and provide the necessary information. If the EETS User contact the Toll Charger directly the Toll Charger will redirect the EETS User to the EETS Provider.

If the EETS Provider is not able to handle the complaint, the EETS Provider may ask the Toll Charger for the information necessary in order to process the complaint. Only in cases where this information is still not sufficient to process the complaint the EETS Provider may transfer the handling of the complaint to the Toll Charger.

The EETS Provider and Toll Charger may exchange any data deemed necessary to handle a complaint.

9.5 **Appeal of rejected complaints**

If a rejection is appealed by the EETS User, then the EETS Provider or the Toll Charger responsible for rejecting the complaint will be the part in the relevant appeals/complaints board or in the potential law suit and bear all costs connected with the legal resolution. Overall, it is the party (EETS Provider or Toll Charger) who is responsible for the subject matter according to the terms and conditions in the Agreement who will have to participate as opposing party in a court case. However, a "non-responsible" EETS Provider or Toll Charger with additional information about the court case is obliged to assist when necessary.

9.6 **Complaints related to enforcement cases**

Enforcement cases, cases where the Danish Road Traffic Authority puts a penalty charge notice on the EETS User with an element of punishment, are issues to be solved between the Danish Road Traffic Authority and the EETS User. In relation to this, the EETS Provider is obliged to help the Toll Charger on behalf of the Danish Road Traffic Authority identifying the EETS User and to deliver contact information to the degree possible. However, from a service perspective the EETS Provider can help the EETS User with contact, translation and other actions that will facilitate the process.