



Bundesnetzagentur

Report

Terms and Conditions and Rates for Large
Volume Mailers and Mail Consolidators on
the Letters Market



Terms and Conditions and Rates for Large Volume Mailers and Mail Consolidators on the Letters Market

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Telecommunications, Post and Railway**

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Summary

The complete DP AG conveyance service chain extends from accepting the letter post item from the sender to handing the item over to the addressee. The part of the chain that is performed by DP AG is referred to as an access service. An access service can be the collecting, forwarding, delivering or sorting of mail items.¹ The services performed by contracting partners to prepare mail items for access services are referred to as wholesale services or, in the postal sector, "access service-relevant work by other providers". Mail items can be dropped off by contracting partners either in an outward mail centre (nationwide) or an inward mail centre (within the mail centre's routing region).² The breakdown of the conveyance chain as a whole into access and wholesale services is shown in the figure below.

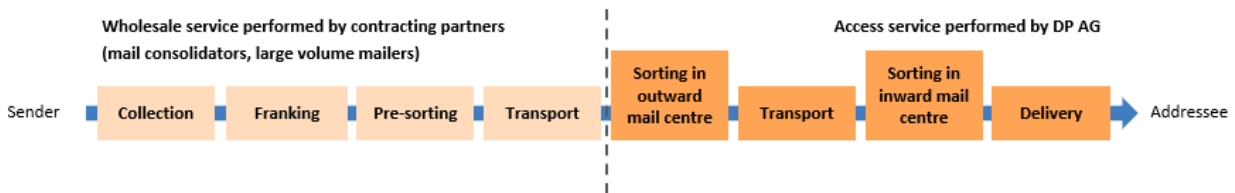


Figure 1: Example of outward mail centre access service

Large volume mailers and mail consolidators that drop off mail items ready for access services with DP AG receive a quantity-based refund on the respective postage rate. The difference between the postage rate and quantity-based refund is referred to as the access service rate. Assuming a maximum mailing volume³ for the respective refund level, the following access service rates are valid for large volume mailers and mail consolidators in 2022.

Access service rates for large volume mailers and mail consolidators in 2022 at maximum refund

	Postage rate	Refund by drop-off type		Refund for infrastructure service	Access service rate by drop-off type including refund for infrastructure services	
		Outward mail centre	Inward mail centre		Outward mail centre	Inward mail centre
		Standard letter	€0.850		44%	47%
Compact letter	€1.000	36%	39%	5%	€0.590	€0.560
Large letter	€1.600	33%	36%	5%	€0.992	€0.944
Maxi letter	€2.750	30%	33%	5%	€1.788	€1.705
Postcards	€0.700	48%	51%	5%	€0.329	€0.308

Figure 2: Access service rates for large volume mailers and mail consolidators (at maximum refund)

The special feature of the market for mail items is that DP AG, the operator of the nationwide postal network, also competes on the postal market as a mail consolidator. As an example, the following figure shows the

¹ cf. Cologne Administrative Court, 1 December 2015 – 22 K 3555/14

² cf. General Terms and Conditions of Deutsche Post for Access Services for the Conveyance of Letters for Commercial Consolidation (General Terms and Conditions for Letter Access Services)

³ See Annex 1 and Annex 2 for quantity-based scales

consolidation and franking rates (option 1) and fixed rates (option 2) for outward mail centre drop-offs for DP AG's own subsidiary Deutsche Post InHaus Services GmbH (DP IHS).

Average rates for DP IHS in 2022

	Option 1		Option 2
	Consolidation rate	Franking rate	Fixed price
Standard letter outward mail centre	€0.031	€0.022	€0.530
Compact letter outward mail centre	€0.034	€0.022	€0.710
Large letter outward mail centre	€0.067	€0.045	€1.157
Maxi letter outward mail centre	€0.121	€0.070	€2.412
Postcards outward mail centre	€0.024	€0.038	€0.706

Figure 3: Average rates for DP IHS in 2022

In addition to access services in connection with basic products, DP AG also offers contracts for access services for the Dialogpost product. Dialogpost is exclusively for mail items with advertising content, eg mail-outs with free samples, promotions or customer magazines. Dialogpost dispatches are in decline overall. The volume of Dialogpost has fallen by 27.25% since 2014. Customers and mail consolidators can drop off Dialogpost mail items ready for access services at DP AG bulk acceptance offices in inward mail centres. The basis for this is formed by the General Terms and Conditions for Dialogpost Inward Mail Centre Customer Access Services, the General Terms and Conditions for Dialogpost Inward Mail Centre Consolidation Access Services and the General Terms and Conditions for National Letters, the Prices and Services brochure and the National Dialogpost brochure.

The postage rate for Dialogpost is dependent on the item weight. Under some circumstances, further discounts are possible in addition to the refunds granted under access service contracts. Besides a minimum volume of 5,000 items, the production of bundles, containers or pallets is required for this. The postage rate (regular and discounted) for Dialogpost and the maximum access service rate when using contracts for inward mail centre Dialogpost access services and Dialogpost cooperation are shown in the figure below.

Postage rate/access service rate per Dialogpost item

	Dialogpost regular	Dialogpost regular discounted	Dialogpost access service rate contracts (inward mail centre customer and commercial consolidation)	Dialogpost access service rate contracts (inward mail centre customer and commercial consolidation) – discounted	Access service rate for Dialogpost cooperation agreement
Card*	€0.28	€0.27	€0.27	€0.26	€0.21
Standard					
0-20 g	€0.32	€0.30	€0.31	€0.28	€0.23
21-50 g	€0.37	€0.35	€0.36	€0.32	€0.27
Large					
0-50 g	€0.45	€0.43	€0.44	€0.41	€0.33
51-100 g	€0.58	€0.56	€0.56	€0.53	€0.43
101-250 g	€0.72	€0.69	€0.70	€0.66	€0.53
251-500 g	€0.79	€0.76	€0.77	€0.72	€0.58
501-1,000 g	€0.92	€0.88	€0.89	€0.84	€0.67
Surcharges					
Production surcharge	€0.05		€0.05		
EASY (small volumes from 500 to 4,999)	€0.15		€0.15		

Source: DP AG, Dialogpost brochure + Bundesnetzagentur presentation

* Price based on card size and grammage (max. 500g/m3)

Figure 4: Postage rate/access service rate per Dialogpost item

1 Introduction

Mail volume on the letters market consists of private and business mail. Under certain circumstances, business mail consignors can drop off their mail items directly at DP AG or other postal distribution services themselves either as large volume mailers or through a service provider, referred to as a mail consolidator. As only part of DP AG's network is used in these cases, this is referred to as access mail. As far as the Bundesnetzagentur is aware, the most significant share of mail volume is generated by access mail. In 2020, 8.11bn access mail items in total were entrusted to DP AG,⁴ 1.16bn of which from competitors. Revenue from downstream access mail totalled €4.15bn in 2020.⁵ By contrast, private mail plays only an insubordinate role within the total mail volume on the letters market. The revenue generated on the market for postal services subject to licence amounted to €8.08bn in total in 2020.⁶ Retail customers accounted for only around 14% of this.

Given the significance of access mail for the letters market, the Bundesnetzagentur publishes an annual report on the terms and conditions and rates for large volume mailers and mail consolidators; the first report was published in 2019. The aim of the report is to achieve greater transparency of the terms and conditions and rates for access mail. It shows the development in rates, the conditions for large volume mailers and mail consolidators, the terms and conditions for preparing basic DP AG products for access services and the structures and market players in the business customer segment. This report contains updates of all figures for 2022, including DP AG's postage and refund rates as well as DP IHS remuneration.

⁴ BNetzA (2021); 2020/2021 Post Activity Report, page 14

⁵ BNetzA (2021); 2020/2021 Post Activity Report, page 15, figure 7

⁶ BNetzA (2021); 2020/2021 Post Activity Report, page 17, figure 10

2 Network access on the letters market

As the dominant postal service provider, DP AG is required to offer network access for competitors in the field of postal services subject to licence. The term "network" can mean a physical network infrastructure as well as referring to service networks. In the postal sector, the physical component is limited to hubs, and in particular mail centres. The hubs are connected by service structures, as a result of which the postal sector has less intensive capital and personnel requirements compared to the telecommunications, energy and railway sectors. Personnel (eg for transport and delivery) is therefore a crucial factor for a postal company.

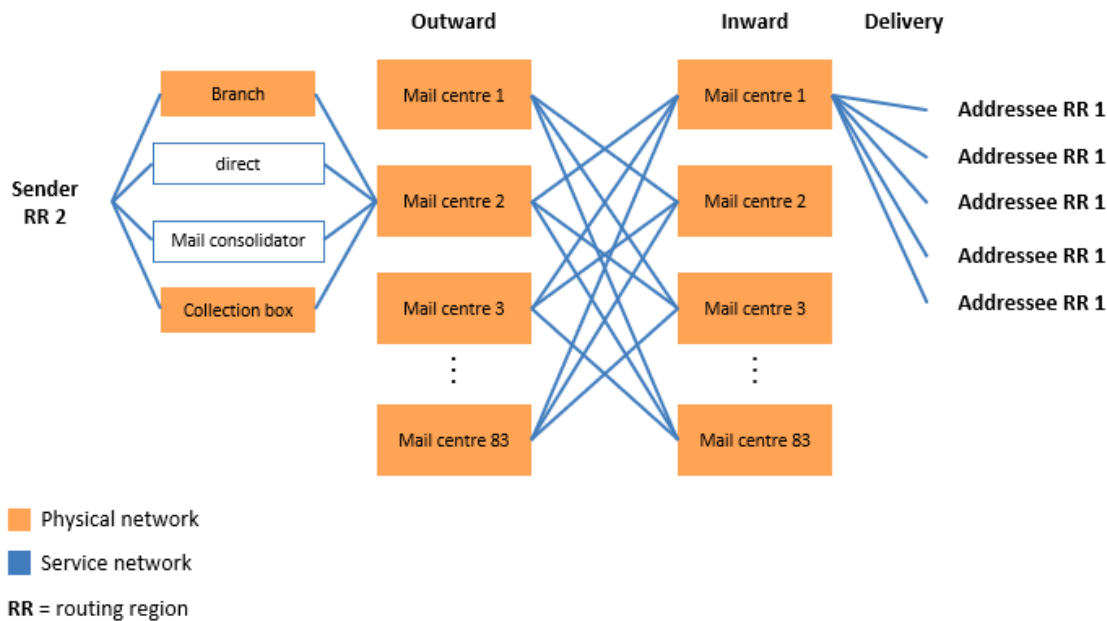


Figure 5: Network structure in the postal sector

Competition with DP AG can take two forms: firstly, there is the establishment of a parallel network (end-to-end competition) and, secondly, there is the partial use of DP AG's network (network access competition). Partial use of DP AG's network is when mail items are dropped off directly at the mail centre, and thus both DP AG's physical network and its service network are utilised from the mail centre onwards. In this scenario, DP AG does not have to collect the mail items deposited in collection boxes or brought to branches. DP AG is also spared the stages of the process entailed by bringing the mail items to the mail centre.

In terms of end-to-end competition, there are two associations of regional and national postal service providers in Germany that cooperate to run a network parallel to that of DP AG. The association of different regional postal service providers is intended to ensure the possibility of national delivery independent of DP AG's network. The individual postal service providers consolidate the mail items from their customers and ensure delivery within their regions. Through their cooperative network, the individual postal service providers can utilise the services of other cooperation partners and offer delivery beyond their own regions. Such cooperative networks are offered in Germany by mail alliance and P2 Die zweite Post.

The mail alliance⁷ cooperative network was founded in early 2010. Partners in mail alliance include Mediengruppe Pressedruck, PIN AG, MADSACK Mediengruppe, FUNKE Mediengruppe, Deutsche Versand Service GmbH and CITIPOST-Verbund GmbH. Operated by mailworX GmbH, mail alliance has more than 70 private delivery operations with around 55,000 mail carriers in total.

The P2 Die zweite Post⁸ cooperative network consists of more than 40 regional postal services and has been operating on the postal market since 2008. It has three main hubs (Stuttgart, Chemnitz and Biebesheim/Rhein). The total mail volume of the regional postal services in the P2 cooperative network is more than 500mn mail items per year from around 50,000 customers. The Bundesnetzagentur does not have access to information on how many mail items from this total volume are distributed or delivered via the cooperative network.

The second form of competition, network access competition, plays a special role as no other postal service provider operates a nationwide alternative network to that of DP AG to date. While competitors can achieve a significantly greater density of delivery by working together, nationally they are still dependent on the DP AG network to enable full coverage for their customers, and are therefore not entirely independent.

The dual functions of operators are characteristic of network access competition. While the postal service provider is a competitor to DP AG in terms of its own retail customers, at the same time it is itself a customer of the dominant company and, after performing its own services, uses only a part of DP AG's overall network and thus its overall conveyance service (referred to as access service, see Chapter 3). Competitors therefore no longer have to rely on DP AG's conveyance service as an end-to-end product, but they are still able to offer their customers universal delivery.

⁷ Information on the cooperative network is taken from the website www.mailalliance.net.

⁸ Information on the cooperative network is taken from the website www.die-zweite-post.de

3 Access services for basic DP AG products

The full conveyance service provided by DP AG consists of accepting the letter post item from the sender through to handover to the addressee. An access service, or work sharing service within the meaning of section 28(1) of the *Postgesetz* (PostG – German Postal Act), is any part of a postal service provider's conveyance chain that can be performed separately⁹. The component of the entire conveyance service performed by DP AG, less the consignor's own performance, is referred to as an access service. Besides collecting, forwarding or delivery, the access service can also include the sorting of mail items¹⁰. The services performed by contracting partners to prepare mail items for access services are referred to as wholesale services. This can include franking, pre-sorting, numbering and the dropping off of mail items in the mail centre. Mail items can be dropped off by contracting partners either in an outward mail centre (nationwide) or an inward mail centre (within the mail centre's routing region)¹¹.

The breakdown of the conveyance chain as a whole into access and wholesale services is shown in the figure below.

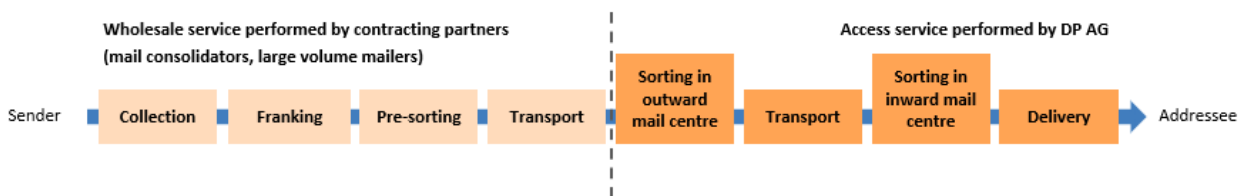


Figure 6: Example of outward mail centre access service

Besides retail customers, DP AG's network is used by business customers as well. These can be divided into large volume mailers, small volume mailers and mail consolidators. Large volume mailers (eg insurance companies) have high mailing volumes and can therefore enter into contractual agreements for access services with DP AG directly. Companies with small mailing volumes (small volume mailers) without the minimum volume necessary for an access service agreement can use a mail consolidator. The mail consolidator collates mail items from its customers and, in turn, drops these off with DP AG as a large volume mailer for access service. Large volume mailers and mail consolidators receive a quantity-based refund on the respective postage rate. The difference between the postage rate and quantity-based refund is referred to as the access service rate. The mail consolidator then passes the refund on, less the agreed service costs (service charge), to its customers (see Chapter 4).

The following figure shows DP AG's refund rates valid in 2022, using the outward mail centre access service as an example:

⁹ cf. German Federal Administrative Court, 20 May 2009 – 6 C 14.08; Higher Administrative Court, 22 January 2008 – 13 A 4362/00; Cologne Administrative Court, 1 December 2015 – 22 K 3555-14

¹⁰ cf. Cologne Administrative Court, 1 December 2015 – 22 K 3555/14

¹¹ cf. General Terms and Conditions of Deutsche Post for Access Services for the Conveyance of Letters for Commercial Consolidation (General Terms and Conditions for Letter Access Services)

DP AG refund rates 2022

Outward mail centre customer letter/outward mail centre consolidation letter					
Minimum number of mail items per drop-off	Standard letter	Compact letter	Large letter	Maxi letter	Postcards
	in %	in %	in %	in %	in %
from 500 to 1,000 mail items	–	–	19%	16%	–
from 1,001 to 2,000 mail items	–	–	22%	18%	–
from 2,001 to 3,000 mail items	–	–	25%	22%	–
from 3,001 to 4,000 mail items	–	–	29%	26%	–
from 4,001 mail items	–	–	33%	30%	–
from 5,000 to 10,000 mail items	31%	23%	33%	30%	35%
from 10,001 to 15,000 mail items	33%	26%	33%	30%	37%
from 15,001 to 20,000 mail items	37%	29%	33%	30%	41%
from 20,001 to 25,000 mail items	40%	33%	33%	30%	44%
from 25,001 mail items	44%	36%	33%	30%	48%

Figure 7: Refund rates for outward mail centre drop-off as at 1 January 2022

An inward mail centre drop-off further increases the refund as the services of the outward mail centre and the transport between the mail centres do not have to be used and there is no outbound sorting. In this scenario, the mail items are already in the addressee's target region. The refund rates valid in 2022 for inward mail centre drop-off are shown in the following figure.

DP AG refund rates 2022

Inward mail centre customer letter/inward mail centre consolidation letter					
Minimum number of mail items per drop-off	Standard letter	Compact letter	Large letter	Maxi letter	Postcards
	in %	in %	in %	in %	in %
from 100 mail items	–	–	36%	33%	–
from 250 mail items	47%	39%	36%	33%	51%

Figure 8: Refund rates for inward mail centre drop-off as at 1 January 2022

Large volume mailers and mail consolidators can enter into agreements with DP AG as set out in section 28(1) PostG. These agreements set out the wholesale services to be performed by the large volume mailer or mail consolidator to prepare mail items for access services, the requirements for the franking of mail items, the conditions for performing infrastructure services and the exact refund regulations.

DP AG offers large volume mailers and mail consolidators 13 different contracts/agreements and additional agreements for access services. The contracts for Dialogpost are described in more detail in Chapter 8. With regard to systems and amounts, access service rates are the same for mail consolidators and large volume mailers. However, there are differences between large volume mailers and mail consolidators in terms of the conditions to be met to prepare mail items for access services, such as applying a mail consolidator prefix. It is typical for all contracts that they do not have a fixed duration and DP AG's contracting partners are required neither to utilise the contract nor to make drop-offs. It is not apparent from the contracts submitted to the Bundesnetzagentur whether the contracting partners utilise the contracts entered into with DP AG. The

number shown for individual contracts can therefore be higher than the number of contracts actually utilised. The Bundesnetzagentur cannot filter out "unutilised" contracts until significant amendments are made to them. For this reason, the information on the number of contracts presented here may differ from prior Bundesnetzagentur publications. The contracts offered by DP AG are listed below with a brief description of their content and terms and conditions.

3.1 Agreement on the IT franking of mail items

The agreement on the IT franking of mail items comprises the payment of postage for mail items and the billing of the postage charges using a standard software or a software created by the customer. The software created must be approved by a DP AG specialist for IT franking. Besides the agreement itself, the basic requirements for using IT franking are sorting by postcode, the sequential numbering of mail items, the certification of the address layout and the franking mark with a matrix code in accordance with the rules of the brochure "Mail Items for Automated Systems" plus an average minimum mailing volume of 4,000 standard/2,000 compact mail items or 200 large and maxi items.¹² The mail items are dropped off at DP AG's bulk acceptance offices. Besides franking, the sorting and numbering of mail items are also essential to qualify for a refund. The DP AG contracting partner receives a refund of 1% of the current postage rate for the respective basic product.

The following figure provides an overview of the number of agreements on the IT franking of mail items entered into by DP AG and shows the respective refund using a standard letter as an example. The change in the refund from 2021 to 2022 is also shown.

Number of contracts	Refund for the IT franking of mail items in 2021	Refund for the IT franking of mail items in 2022	Change
6,805	€ 0.008	€ 0.009	+0.001 ct.

Figure 9: Agreements on the IT franking of mail items (June 2022)

3.2 Contract for the use of a franking machine

Through a contract for the use of a franking machine, the customer acquires the right to frank mail items using a franking machine.¹³ The DP AG customer receives a refund of 1% for this. Unlike IT franking, the use of a franking machine requires a minimum sale of €200 per transaction per franking machine.¹⁴ The mail items must be organised and separated into standard, compact or large and maxi mail items.¹⁵

¹² cf. IT Franking: The advantages of a systematic approach, Information and notes on use. DP AG, March 2021

¹³ cf. General Terms and Conditions of Deutsche Post AG for the Franking of Mail Items Using Franking Machines

¹⁴ cf. DP AG, "Prices and Services", 1 July 2021, page 41

¹⁵ cf. General Terms and Conditions of Deutsche Post AG for the Franking of Mail Items Using Franking Machines

The following figure provides an overview of the number of orders for the use of a franking machine entered into by DP AG and shows the respective refund using a standard letter as an example. The change in the refund from 2021 to 2022 is also shown.

Number of contracts	Refund for the use of a franking machine in 2021	Refund for the use of a franking machine in 2022	Change
191,874	€0.008	€0.009	+001 ct.

Figure 10: Orders for the use of a franking machine (June 2022)

3.3 Contract for outward/inward mail centre customer letter access services

Depending on their drop-off location, large volume mailers can enter into a contract for outward mail centre or inward mail centre access services. The contract enables large volume mailers – under certain conditions that must be complied with to prepare mail items for access services – to drop off mail items at DP AG.¹⁶

- **Pre-sorting and consecutive numbering**

The mail items must be pre-sorted according to the first two digits of the postcodes (routing region). The mail items must be consecutively numbered for each basic product (standard, compact, large, maxi letter).

- **Filling of letter mail trays**

The mail items must be deposited in trays provided by DP AG. They must be separated into type of basic product and into type of franking. There are also rules on when a tray is considered full.

- **Franking of mail items**

The franking types "IT franking" and "franking using franking machines" are permitted. Customers can also frank items themselves in line with the necessary agreements¹⁷ with DP AG or they can utilise DP AG's franking service. Special requirements for franking apply if the customer has entered into a contract for infrastructure services.¹⁸

- **Machine-readability, sender's address**

The mail items must be machine-readable and the customer must be identified as the sender on the envelope.

- **Minimum volumes**

The minimum volumes can vary according to the basic product and type of drop-off (outward/inward mail centre). The minimum volume for the outward mail centre drop-off of standard or compact letters and postcards is 5,000 mail items or 500 large or maxi letter items. For inward mail centre drop-off, there is a minimum volume of 250 items for the basic products of standard or compact letters and postcards. The minimum volume of large and maxi letter items for inward mail centre drop-off is 100 mail items.

¹⁶ General Terms and Conditions of Deutsche Post for Access Services for the Conveyance of Letters for Customers (General Terms and Conditions for Letter Access Services)

¹⁷ See 3.1 and 3.2.

¹⁸ cf. "Contract for the performance of infrastructure services", see 3.6

- **Drop-off documents**

The large volume mailer must use a certain document for dropping off mail items. The current drop-off documents are provided by DP AG at www.einlieferungslisten.de. The number of carts handed over is confirmed by DP AG when accepting mail items.

- **Miscellaneous**

Mail items are typically accepted at agreed times and must be received by a certain time for same-day forwarding. However, DP AG has no contractual obligation to adhere to certain delivery deadlines or periods.

The contract for outward mail centre access services also stipulates quantity-based refund rates. A uniform refund rate is used in contracts for inward mail centre access services upwards of a minimum volume. The refund rates for 2022 are shown in Figures 7 and 8. Furthermore, details of the relevant quantity-based scales and refund rates for the years 2010 to 2022 can be found in the annex. The refund is paid after deducting refunds already granted on the basis of agreed and implemented IT franking or franking using franking machines.

The following figures provide an overview of the number of contracts for outward/inward mail centre access services entered into by DP AG and show the respective access service rates (including 1% AFM/electronic discount, not including ISR discount) upwards of a volume of 25,001 or 250 mail items (assuming the maximum refund) using a standard letter as an example. The change in the access service rate from 2021 to 2022 is also shown.

Number of contracts	Outward mail centre access service rate in 2021*	Outward mail centre access service rate in 2022*	Change
1,162	€0.472	€0.476	€+0.004

*upwards of a drop-off volume of 25,001 mail items

Figure 11: Contracts for outward mail centre customer letter access services (June 2022)

Number of contracts	Inward mail centre access service rate in 2021*	Inward mail centre access service rate in 2022*	Change
2,406	€0.448	€0.450	€+0.002

*upwards of a drop-off volume of 250 mail items

Figure 12: Contracts for inward mail centre customer letter access services (June 2022)

3.4 Additional agreement to the contract for outward/inward mail centre customer letter access services

The additional agreement adds to the contract for access services for large volume mailers that the mail items of affiliated companies of the contracting partner are also considered the large volume mailer's own mail items. The affiliated companies are listed in the annex to the additional agreement.

3.5 Contract for outward/inward mail centre letters commercial consolidation access services

If mail items are dropped off in the mail centre by a mail consolidator, additional regulations are stipulated in the specific general terms and conditions in addition to the above terms and conditions and access service rates for business customers.¹⁹ It should be noted that the mail consolidator is not the sender of a letter and, given the consolidation of letter post items from multiple smaller volume mailers, large mail item volumes can arise. The main additional regulations relate to:

- DP AG’s right to assign a certain acceptance office if capacity at other acceptance offices is fully utilised
- the return of undeliverable mail items to the sender
- the application of a mail consolidator number to all envelopes.

The following figures provide an overview of the number of contracts for outward/inward mail centre commercial consolidation access services entered into by DP AG and show the respective access service rates upwards of a volume of 25,001 or 250 mail items (assuming the maximum refund level) using a standard letter as an example. The change in the access service rate from 2021 to 2022 is also shown.

Number of contracts	Outward mail centre access service rate in 2021*	Outward mail centre access service rate in 2022*	Change
209	€0.472	€0.476	€+-0.004

*upwards of a drop-off volume of 25,001 mail items

Figure 13: Contracts for outward mail centre letter commercial consolidation access services (June 2022)

Number of contracts	Inward mail centre access service rate in 2021*	Inward mail centre access service rate in 2022*	Change
245	€0.448	€0.450	€+-0.002

*upwards of a drop-off volume of 250 mail items

Figure 14: Contracts for inward mail centre letter commercial consolidation access services (June 2022)

¹⁹ cf. General Terms and Conditions of Deutsche Post for Access Services for the Conveyance of Letters for Commercial Consolidation (General Terms and Conditions for Letter Access Services)

3.6 Contract for the performance of infrastructure services

As at 1 January 2018, DP AG launched a contract for the "performance of infrastructure services". Under certain circumstances, large volume mailers and mail consolidators that have entered into a contract for outward/inward mail centre access services can receive an additional refund from DP AG. The wholesale service to be performed by the large volume mailer or mail consolidator comprises franking activities. Large volume mailers and mail consolidators that frank mail items and that have entered into an agreement with DP AG on electronic franking or franking using a franking machine can enter into a contract with DP AG for the performance of infrastructure services. The infrastructure services are performed by the large volume mailer or mail consolidator by the advance notice of each drop-off of franked mail items in DP AG's "Order Management". "Order Management" is a portal for DP AG customers that allows them to save and retrieve information on mail items dropped off.²⁰ A predefined template must be used for the franking of mail items. Until 30 June 2019, DP AG paid a refund of 3% of the postage rate for the respective basic product for the performance of these services. The refund was increased to 5% as at 1 July 2019.

The following figure provides an overview of the number of contracts for the performance of infrastructure services entered into by DP AG and shows the respective refund using a standard letter as an example. If the customer has entered into a contract for outward/inward mail centre customer letter access services (see 3.3) or a contract for outward/inward mail centre letter commercial consolidation access services (see 3.5), the contract for the performance of infrastructure services allows the customer to receive the additional refund shown in the following figure and thus further reduce the access service rate. The change in the refund from 2021 to 2022 is also shown.

Number of contracts	Refund for the performance of infrastructure services in 2021	Refund for the performance of infrastructure services in 2022	Change
2,185	€0.04	€0.043	€+0.003

Figure 15: Contracts for the performance of infrastructure services (June 2022)

4 System of rates for access services

By entering into the above contracts/agreements (and by entering into Dialogpost access service contracts), large volume mailers and mail consolidators can receive refunds from DP AG on the postage rate to be paid for the respective basic product (standard, compact, large and maxi letters and postcards). The actual access service rate for large volume mailers and mail consolidators – as described above – derives from the postage rate for the respective basic product less the refund generated. At contractual level, the access service rate paid by large volume mailers and mail consolidators therefore covers the portion of the conveyance chain starting from the mail centre where items are dropped off to the addressee.

²⁰ DP AG, Terms and Conditions for the Use of Order Management, 10 July 2009, available at https://www.deutschepost.de/content/dam/dpag/images/E_e/Elektronisches%20Auftragsmanagement/nutzungsbedingungen_am_portal_de.pdf

4.1 Refund scheme

Depending on the contract set-up, the large volume mailer or mail consolidator can reduce the access service rate accordingly. The optimal contract set-up for reducing access service rates is achieved when a contract for inward mail centre access services and a contract for the performance of infrastructure services are entered into with DP AG. The respective contractual set-up and the associated refund scheme are shown in the figure below. However, this reflects only the contractual relationship between DP AG’s contracting partners and DP AG itself. The contractual and billing relationships between the mail consolidator and the consignor are presented in more detail in Chapter 6. Various scenarios are possible. The large volume mailer makes a drop-off directly at the inward mail centre and also performs infrastructure services (Scenario A). The consignor (large or small volume mailer) utilises the services of a mail consolidator but does its own franking (Scenario B). In the third scenario (Scenario C), the mail consolidator performs all services (including franking) for the consignor.

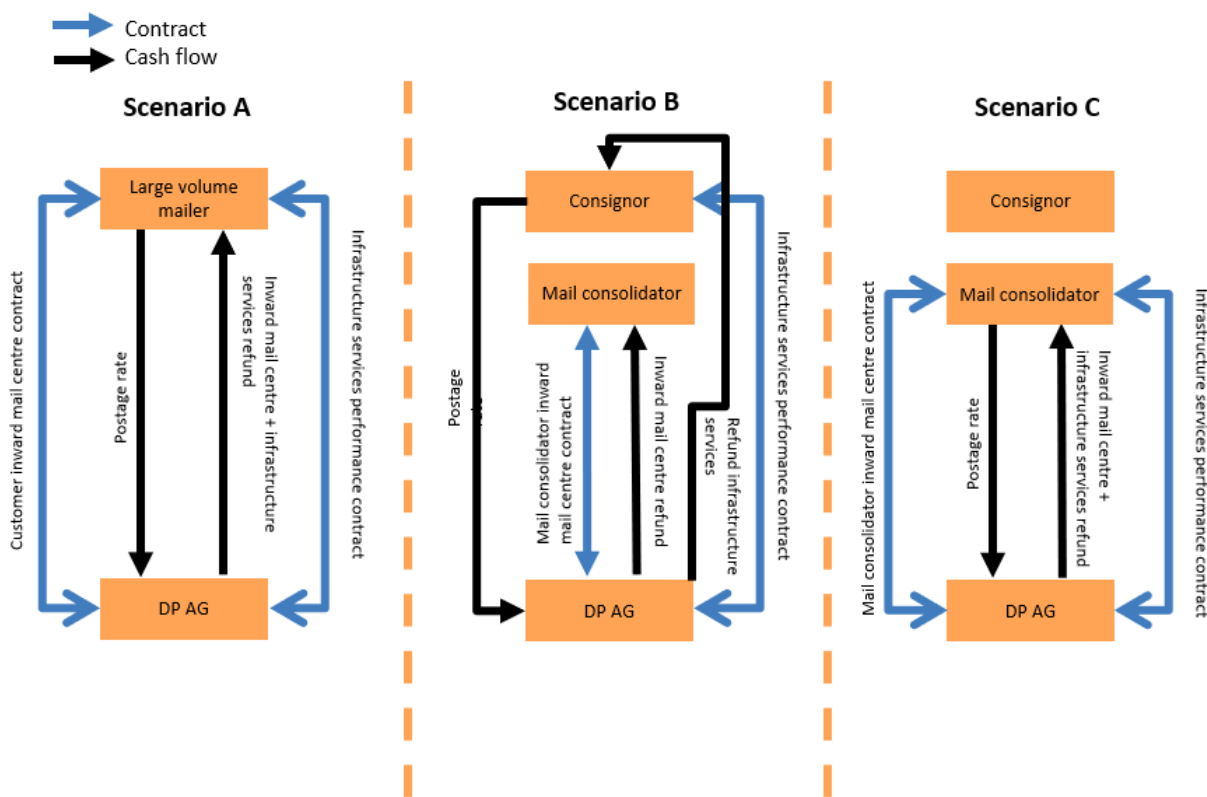


Figure 16: Refund scheme with infrastructure services

In **Scenario A**, the large volume mailer has a direct contractual relationship with DP AG. For the maximum refund, the large volume mailer has entered into a "contract for inward mail centre access services" and a "contract for the performance of infrastructure services". The large volume mailer pays the letter postage rate directly to DP AG and receives a refund from DP AG after the drop-off of mail items on the basis of the services it has performed to prepare mail items for access services and for the infrastructure services performed (franking). To perform infrastructure services, the large volume mailer must register its drop-off using DP AG’s "Order Management".

If the consignor utilises the services of a mail consolidator and franks mail items itself (**Scenario B**), the consignor does not require a "contract for inward mail centre access services" as the mail consolidator will have entered into such a contract. However, for the maximal possible refund, the consignor still has to enter into a "contract for the performance of infrastructure services". The consignor pays the letter postage rate as it franks the mail items. The mail consolidator collects the mail items from the consignor and bundles these with the mail items of other consignors. The mail consolidator then drops off the mail items at the DP AG mail centre. The mail consolidator receives a refund from DP AG for dropping off mail items ready for access services. In Scenario B, both the consignor and the consolidator perform infrastructure services. This means that the consignor must create orders for its mail items in DP AG's "Order Management". In turn, the mail consolidator must indicate its drop-offs in DP AG's "Order Management" through additional orders with the orders of the consignor saved in "Order Management". When the consignor and the mail consolidator have completed these steps, the consignor receives the refund for the performance of the infrastructure service.

If the mail consolidator handles the franking and drop-off of mail items in the inward mail centre for the consignor (**Scenario C**), in order to generate the maximum possible refund it must also enter into a "contract for the performance of infrastructure services" and a "contract for inward mail centre access services" with DP AG. The mail consolidator then utilises Order Management and does not require additional orders to drop off mail items of the consignor. All refunds are paid by DP AG directly to the mail consolidator.

Independently of the contracts described above, each franker has also entered into an additional "agreement on IT franking for mail items" or a "contract for the use of a franking machine" with DP AG. However, this is irrelevant to the presentation of the refund scheme as the refund for franking services is already included in the "contract for inward mail centre access services".

4.2 System of rates

The system of rates can be derived from DP AG's contracts. Large volume mailers or mail consolidators are required to pay the letter postage rate for the respective basic product to DP AG. DP AG refunds the large volume mailer or mail consolidator a portion of the letter postage rate – scaled according to quantity – for the wholesale services performed by the large volume mailer or mail consolidator. The amount of the respective refund following the performance of wholesale services can be found in the respective contracts and is presented in a table for all basic products, separated into outward or inward mail centre drop-off, in the annex. The access service rate is calculated as the difference between the letter postage rate and the respective refund.

The following figure shows the calculation of the access service rate for 2021 and 2022 using the contract set-up for standard letters as an example.

Variant in €:

System of rates for access services

	2021		2022	
	Relative	Absolute	Relative	Absolute
Standard letter postage rate	100%	€0.800	100%	€0.850
Refund for performance of infrastructure services	5%	€0.040	5%	€0.043
Refund for access services with outward mail centre drop-off	41%	€0.328	44%	€0.374
Additional refund for access services with inward mail centre drop-off	3%	€0.024	3%	€0.026
Maximum possible refund	49%	€0.392	52%	€0.442
Access service rate	51%	€0.408	48%	€0.408

Figure 17: System of rates for access services with inward mail centre drop-off

The optimal contract set-up is achieved when refunds are generated both from a contract for inward mail centre access services and a contract for the performance of infrastructure services when dropping off the maximum mail item volume. Both the refund rate (as a percentage) and the amount of the refund (in euro) are shown. The refund rate indicates the percentage of the letter postage rate paid by DP AG for the service performed by its contracting partner. The postage rate for a standard letter has been €0.85 since 1 January 2022. Based on this, DP AG calculates the refund for the service performed by the contracting partner. DP AG pays 5% of €0.85 (€0.04) for the performance of infrastructure services/franking services performed. When mail items are dropped off at the outward mail centre, 44% of the letter postage rate (€0.374) is refunded for the mail items ready for access services in view of the services performed by the contracting partner. The contracting partner can be refunded an additional 3% of the letter postage rate (€0.026) for an inward mail centre drop-off. The maximum refund possible for a consignor can amount to up to 52% (€0.442) of the postage rate. The access service rate for a standard letter is therefore €0.408.

The refund possible on a standard letter has increased in 2022 compared with 2021, but the access service rate is unchanged year-on-year as the postage rate is higher as well.

5 Development of refund rates and access service rates at DP AG

Typically, large volume mailers and mail consolidators have entered into a contract for inward mail centre access services and also a contract for outward mail centre access services. As set out above, consignors with small mail volumes will engage a mail consolidator to drop off their mail items at DP AG in order to generate the maximal possible refund on the postage rate as the refund is determined by the drop-off volume. The access service rate to be paid is determined by the valid postage rate for the respective basic product after deducting the refund generated.

5.1 Development of refund rates and refunds

The figure below shows the development of refund rates for outward and inward mail centre access services from 2010 to 2022 using standard letters as an example. The maximum possible drop-off volume is assumed, ie 25,001 mail items for outward mail centre drop-off and 250 mail items for inward mail centre drop-off. The figure thus shows the development in the maximum refund rates it was possible for both large volume mailers and mail consolidators to achieve for outward/inward mail centre access services in the respective years.

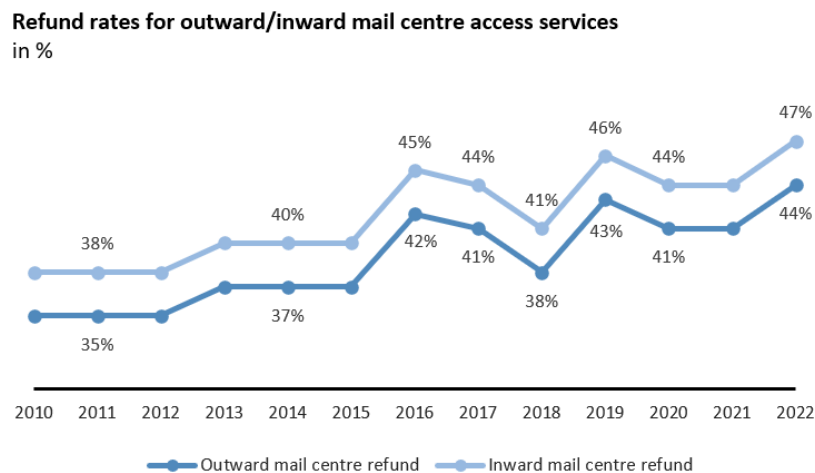


Figure 18: Development of refund rates since 2010

Since 2010, refund rates have risen from 35% to 44% (outward mail centre access services) and from 38% to 47% (inward mail centre access services). The developments in refund rates for outward mail centre access services and inward mail centre access services were parallel throughout.

The next figure shows the maximum possible refunds for outward/inward mail centre access services as an amount in euro and compares this to the respective postage rate.

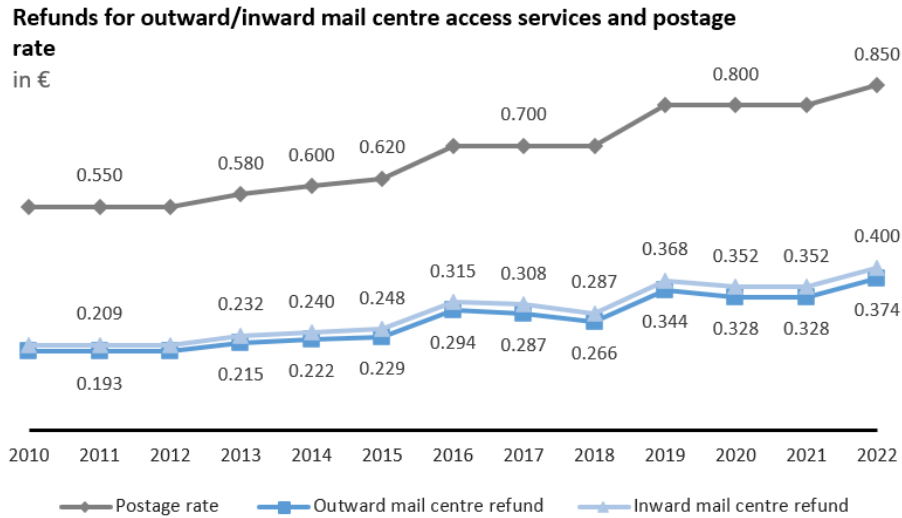


Figure 19: Development of refunds since 2010

The figure shows that the amount of the refund on a standard letter did not change from 2010 to 2012. Between 2013 and 2015, refunds increased from €0.215 to €0.229 (outward mail centre) and from €0.232 to €0.248 (inward mail centre), though the refund rate remained constant at 37% (outward mail centre) and 40% (inward mail centre). The change in the amount of the refund was primarily due to the gradual increase in the postage rate from €0.58 to €0.62. In 2016, the postage rate increased to €0.70 and the refund rates increased to 42% (outward mail centre) and 45% (inward mail centre). The resulting refunds amounted to €0.294 (outward mail centre) and €0.315 (inward mail centre). The refund rates decreased from 2016 to 2018 and the refund possible fell to €0.266 (outward mail centre) and €0.287 (inward mail centre). In 2019, the postage rate was increased to €0.80 and the refund rates were simultaneously increased as well. The refunds possible were €0.344 (outward mail centre) and €0.368 (inward mail centre). DP AG lowered the refund rates in 2020 and left them unchanged as at 1 January 2021. As a result of the increase in the postage rate compared with 2017, the refund rates of 41% (outward mail centre) and 44% (inward mail centre) meant maximum possible refunds of €0.328 (outward mail centre) and €0.352 (inward mail centre) in both 2020 and 2021. DP AG increased the postage rate for a standard letter to €0.85 as at 1 January 2022. At the same time, however, the refund rates were raised to 44% (outward mail centre) and 47% (inward mail centre). The maximum possible refunds in 2022 are therefore €0.374 (outward mail centre) and €0.400 (inward mail centre).

The refund rates listed for outward mail centre and inward mail centre access services for all basic products since 2010 in Annexes 1 and 2 also show that DP AG changed the refund structure for the basic products of compact, large and maxi letters as well as postcards in 2019. Until 1 July 2019, there was a uniform scale in the refund rates per volume category for these basic products. In the period from 2010 to 2016, the scale stipulated refund rates of 20%, 23%, 27%, 31% and 35% for all stated basic products. By contrast, different scales have been used for each product since 1 July 2019. For example, the refund rates for a compact letter in 2022 are 23%, 26%, 29%, 33% and 36%. For a large letter, however, the refund rates are 19%, 22%, 25%, 29% and 33%.

In 2018, DP AG also introduced the refund of 3% for the performance of infrastructure services. This was increased to 5% as at 1 July 2019 and has remained unchanged since then.

5.2 Development of access service rates

The access service rate is the difference between the postage rate for the respective basic product and the refund rate valid for the period under review. Following on from the presentation of the development in refund rates and the refunds possible under 5.1, the development of the access service rates is shown analogously here.

As for the refunds, the figure below uses standard letters as an example to show the development in the postage rate and the development in access service rates (outward mail centre and inward mail centre) since 2010. Here, too, the maximum refund for outward/inward mail centre access services (maximum drop-off volume) is assumed.

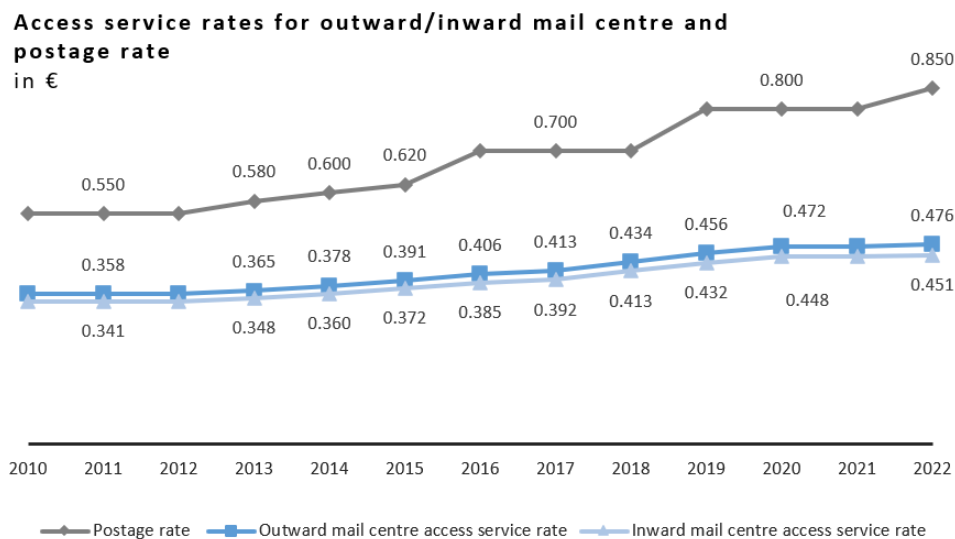


Figure 20: Outward mail centre and inward mail centre access service rates since 2010

The figure shows that outward and inward mail centre access service rates have been rising since 2010. As refunds have also generally risen since 2010, the increase in refunds has been partially compensated by the increase in the postage rate, with the result that access service rates have risen overall.

The figure above does not include the introduction of the refund for the performance of infrastructure services as at 1 January 2018. Large volume mailers and mail consolidators that perform infrastructure services – ie wholesale services in connection with franking – and that have entered into a corresponding contract with DP AG have been able to claim this additional refund since 2018. The refund for infrastructure services for a standard letter was €0.021 (3%) in 2018 and has been €0.04 (5%) since 2019.

Using standard letters as an example, the following figure shows the outward and inward mail centre access service rates including the refund for infrastructure services since 2018.

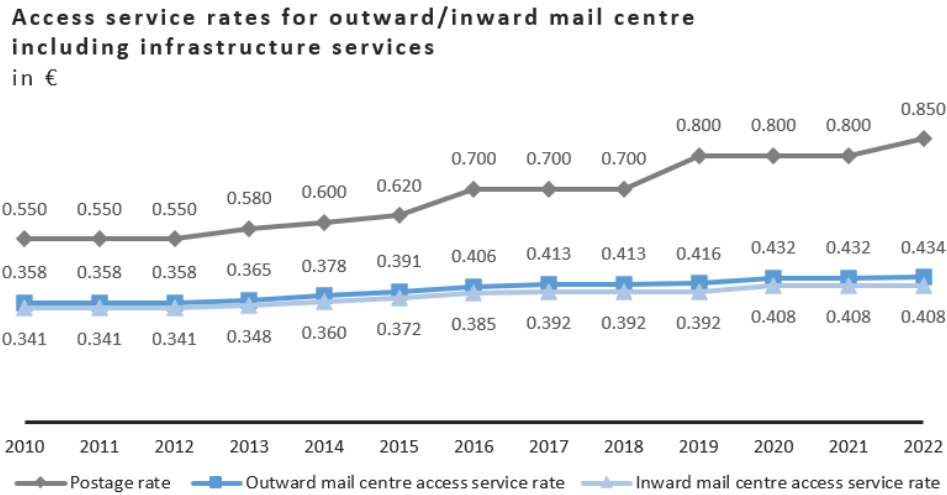


Figure 21: Access service rates including refund for infrastructure services since 2018

Claiming the refund for infrastructure services reduces the access service rates. However, as the refund rates for outward and inward mail centre access services were reduced from 41% to 38% (outward mail centre) and from 44% to 41% (inward mail centre) at the same time that the refund was introduced in 2018, the introduction of the refund for infrastructure services allowed large volume mailers and mail consolidators to maintain the 2017 level for access service rates in 2018 when performing infrastructure services. These remained at €0.413 (outward mail centre) and €0.392 (inward mail centre). Without the introduction of the refund for infrastructure services, access service rates would have already risen in 2018. The postage rate was raised in 2019, and at the same time the refund rates for outward and inward mail centre access services and refund rate for infrastructure services were raised as well. Overall, this resulted in the inward mail centre access service rate remaining stable at €0.392, while the outward mail centre access service rate increased marginally to €0.416. The access service rates were raised again to €0.432 (outward mail centre) and €0.408 (inward mail centre) in 2020. Consignors that do not participate in the performance of infrastructure services or technologically improved franking continued to pay the higher access service rate shown in Figure 21 in 2020, namely €0.472 (outward mail centre) and €0.448 (inward mail centre). There were no changes in access service rates in 2021. Both the postage rate and the refund rates for outward and inward mail centre access services were raised in 2022, while the refund rate for infrastructure services is unchanged at 5%. Overall, this has resulted in the access service rates, including the refund for infrastructure services, for outward and inward mail centre access services remaining virtually unchanged. The change in inward mail centre access services occurs in the third decimal place, though the rounded figure is the same as in 2021 (€0.43).

The following figure also shows the access service rates for all basic products of DP AG if the maximum refund is achieved for the period 2010 to 2022. As the contract for the performance of infrastructure services was not launched until 2018 and hence there were no refunds for the performance of infrastructure services prior to 2018, no value is shown in the relevant lines of the figure for the years before 2018 ("Rates for outward/inward mail centre access services including infrastructure service").

This also shows that there was an upward trend in access service rates for all basic products between 2010 and 2022. The causes of the changes in values since 2010 cannot be explained conclusively. For the change from 2018 to 2019, it is presumed that the adjustment of refund rates for the respective basic product was intended

to ensure a consistent access service rate when simultaneously performing infrastructure services. The setting of the postage rate (in line with benchmarks set by the Bundesnetzagentur) and the refund rates, and thus the access service rates, are business decisions by DP AG. Neither the PostG nor the German Postal Rates Regulation Ordinance contain any regulations specifying refunds or access service rates beyond section 20 PostG. Rate trends from recent years at least provide no basis to conclude that DP AG uses a specific system for determining these amounts.

Variant in €:

Development of rates for access services at maximum refund 2010-2022 in €

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Standard letter	0.550	0.550	0.550	0.580	0.600	0.620	0.700	0.700	0.700	0.800	0.800	0.800	0.850
Rate for outward mail centre access service	0.358	0.358	0.358	0.365	0.378	0.391	0.406	0.413	0.434	0.456	0.472	0.472	0.476
Rate for inward mail centre access service	0.341	0.341	0.341	0.348	0.360	0.372	0.385	0.392	0.413	0.432	0.448	0.448	0.451
Rate for outward mail centre access service including infrastructure service									0.413	0.416	0.432	0.432	0.434
Rate for inward mail centre access service including infrastructure service									0.392	0.392	0.408	0.408	0.408
Compact letter	0.900	0.900	0.900	0.900	0.900	0.850	0.850	0.850	0.850	0.950	0.950	0.950	1.000
Rate for outward mail centre access service	0.585	0.585	0.585	0.585	0.585	0.553	0.553	0.561	0.587	0.618	0.637	0.637	0.640
Rate for inward mail centre access service	0.558	0.558	0.558	0.558	0.558	0.527	0.527	0.536	0.562	0.590	0.608	0.608	0.610
Rate for outward mail centre access service including infrastructure service									0.561	0.570	0.589	0.589	0.590
Rate for inward mail centre access service including infrastructure service									0.536	0.542	0.561	0.561	0.560
Large letter	1.450	1.450	1.450	1.450	1.450	1.450	1.450	1.450	1.450	1.550	1.550	1.550	1.600
Rate for outward mail centre access service	0.943	0.943	0.943	0.943	0.943	0.943	0.943	0.957	1.001	1.039	1.070	1.070	1.072
Rate for inward mail centre access service	0.899	0.899	0.899	0.899	0.899	0.899	0.899	0.914	0.957	0.992	1.023	1.023	1.024
Rate for outward mail centre access service including infrastructure service									0.957	0.961	0.992	0.992	0.992
Rate for inward mail centre access service including infrastructure service									0.914	0.915	0.946	0.946	0.944
Maxi letter	2.200	2.200	2.200	2.400	2.400	2.400	2.600	2.600	2.600	2.700	2.700	2.700	2.750
Rate for outward mail centre access service	1.430	1.430	1.430	1.560	1.560	1.560	1.690	1.716	1.794	1.863	1.917	1.917	1.925
Rate for inward mail centre access service	1.364	1.364	1.364	1.488	1.488	1.488	1.612	1.638	1.716	1.782	1.836	1.836	1.843
Rate for outward mail centre access service including infrastructure service									1.716	1.728	1.782	1.782	1.788
Rate for inward mail centre access service including infrastructure service									1.638	1.647	1.701	1.701	1.705
Postcards	0.450	0.450	0.450	0.450	0.450	0.450	0.450	0.450	0.450	0.600	0.600	0.600	0.700
Rate for outward mail centre access service	0.293	0.293	0.293	0.293	0.293	0.293	0.293	0.297	0.311	0.342	0.354	0.354	0.364
Rate for inward mail centre access service	0.279	0.279	0.279	0.279	0.279	0.279	0.279	0.284	0.297	0.324	0.336	0.336	0.343
Rate for outward mail centre access service including infrastructure service									0.297	0.312	0.324	0.324	0.329
Rate for inward mail centre access service including infrastructure service									0.284	0.294	0.306	0.306	0.308

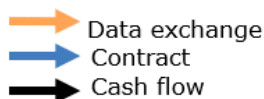
Figure 22: Development of access service rates since 2010

6 Overview of providers for the performance of access services (mail consolidators)

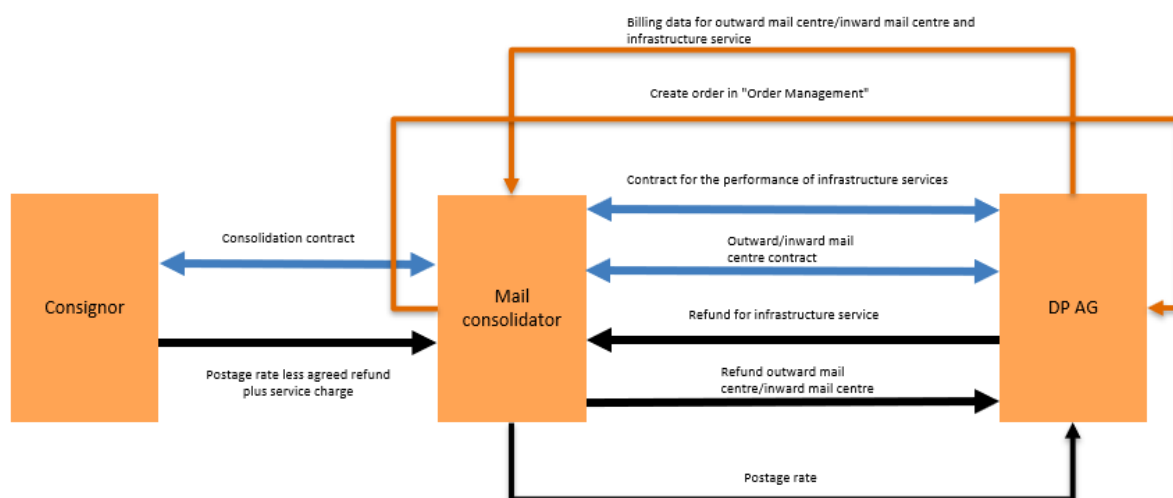
In addition to a direct drop-off of mail items ready for access services at DP AG, consignors also have the option of utilising the services of a mail consolidator. Mail consolidators collate the mail items of various consignors and prepare them for access services. Mail consolidators offer their customers the performance of all wholesale services, with the result that customers, even those with small mail volumes, can indirectly have their mail items prepared for access services and the minimum volumes for generating the refund for outward/inward mail centre drop-off for access services can be achieved overall. If the mail consolidator has a large customer base with a consistent overall volume of mail items and the volumes are regularly sufficient for the maximum refund, higher refund rates can also regularly be achieved for the individual consignor.

The consignor typically pays the mail consolidator a service charge for preparing mail items for access services. The service charge is based on the services to be performed by the mail consolidator for the consignor. Possible mail consolidator services can include the franking, sorting, numbering and collation of mail items with those of other consignors, drop-off in the DP AG mail centre and the utilisation of the order management system to guarantee the refund in connection with the performance of infrastructure services.

The following figure shows which contractual set-ups are possible for a mail consolidator, the structure of cash flows between mail consolidators, consignors and DP AG and the data flows between the parties involved. There are two different scenarios depending on whether the performance of infrastructure services and franking by the mail consolidator (Scenario A) or by the consignor (Scenario B) has been agreed with DP AG.



Scenario A: Consolidation with infrastructure services, mail consolidator



Scenario B: Consolidation with infrastructure services, consignor

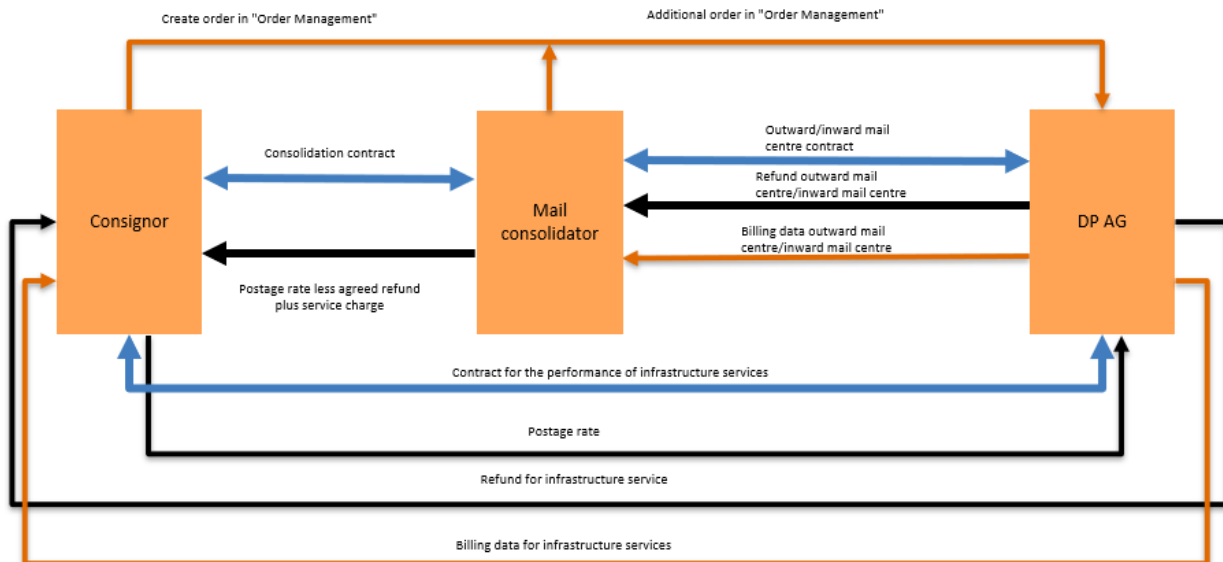


Figure 23: Contract structure, data and cash flows

In **Scenario A "consolidation with infrastructure service, mail consolidator"**, all direct contractual relationships are between DP AG and the mail consolidator alone. The contractual relationships extend to the contracts for outward/inward mail centre access services, franking and the performance of infrastructure services. In connection with the performance of infrastructure services, the orders required for the mail items to be dropped off with DP AG are created by the mail consolidator in "Order Management". The mail items are also franked by the mail consolidator, which in turn pays the postage rate for the mail items to DP AG. The mail consolidator drops off the mail items at the DP AG mail centre in line with the terms and conditions of the contract for outward/inward mail centre access services. DP AG pays the refund for outward/inward mail centre drop-off of mail items ready for access services and the refund for the infrastructure services performed to the mail consolidator. The billing data for these refunds are also provided to the mail consolidator by DP AG.

If the consignor does its own franking and has entered into a contract for the performance of infrastructure services with DP AG, the activities of the mail consolidator and the consignor change (**Scenario B "consolidation with infrastructure service, consignor"**). The consignor franks the mail items and pays the postage rate for these mail items to DP AG. The consignor hands the franked mail items over to the mail consolidator and creates an order in DP AG's "Order Management". In order for the consignor to generate the refund for the performance of infrastructure services, the mail consolidator, in turn, must add "additional orders" to its "orders" in "Order Management". The mail items are then dropped off by the mail consolidator at the DP AG mail centre in line with the requirements of the contract for outward/inward mail centre access services. DP AG pays the refund for the contract for outward/inward mail centre access services for the mail items dropped off to the mail consolidator. The mail consolidator passes this refund on, less a service charge for the services it has performed, to the consignor. The consignor receives the refund for the performance of

infrastructure services from DP AG. The billing data are provided to the consignor and the mail consolidator by DP AG separately by contracts.

The mail consolidator (Scenario A) and the consignor (Scenario B) have also entered into an additional "agreement on the IT franking of mail items" or a "contract for the use of a franking machine" with DP AG. As the refund for franking services is already taken into account in the contract for outward/inward mail centre access services, the contract does not have to be presented separately.

Postal service providers that operate as mail consolidators can offer delivery independent of their range (local, regional or national). Local or regional delivery is carried out by the respective postal service provider itself if this is a service that it provides. Alternatively, for regional delivery, a "contract for inward mail centre letter commercial consolidation access services" allows the option of delivery via the DP AG network. For national delivery of mail items, the cooperative networks of mail alliance or P2 Die zweite Post can be used, or they can be delivered by DP AG under a "contract for outward mail centre letter commercial consolidation access services". In total, there are 209²¹ mail consolidators that utilise regional delivery by DP AG and 245²² mail consolidators that provide national delivery through the DP AG network. The DP AG network also guarantees the coverage of regions not covered by the cooperative networks of mail alliance and P2 Die zweite Post. Thus, national delivery is assured regardless of the postal service provider or the respective network.

The biggest postal service providers that operate as mail consolidators are Postcon, FP freesort, Deutsche Post InHaus Services GmbH and Compador Dienstleistungs GmbH. The distinctive feature of the market for mail items is that the operator of the postal network is simultaneously a competitor on the postal market as a mail consolidator and in addition to its subsidiary (Deutsche Post InHaus Services GmbH), also has a minority holding in another mail consolidator (Compador Dienstleistungs GmbH).

²¹ Number of contracts for outward mail centre commercial consolidation access services

²² Number of contracts for inward mail centre commercial consolidation access services

7 Contracts for access services of DP IHS and Compador

In addition to DP AG, other companies must also present the access service contracts they have entered into to the Bundesnetzagentur. These are Deutsche Post InHaus Services GmbH (DP IHS) and, for the period until July 2018, Compador Dienstleistungs GmbH (Compador) as well. These two companies, Compador at least in part, share DP AG's dominant market position and they are therefore required under section 30 PostG to present their access service contracts in accordance with section 28 PostG.

7.1 Deutsche Post InHaus Services GmbH

DP IHS has been operating in the segment of the letters market subject to licence since 1999. Having formerly traded as Williams Lea InHouse Solutions GmbH, the company has been a wholly owned subsidiary of the DP AG Group since 2007.

DP IHS was instructed by the Bundesnetzagentur by way of notice of 3 April 2013 to present all contracts for access services by 17 May 2013. DP IHS filed an objection to the notice on 16 April 2013. In a ruling of 10 June 2014, DP IHS's objection was rejected as unfounded. DP IHS filed suit with the Cologne Administrative Court on 1 July 2014. Following a notice from the court, the Bundesnetzagentur withdrew its request for presentation of the contracts for access services between group companies and DP IHS, hence the subject of the action was reduced to just the presentation of the contracts for access services between DP IHS and non-group companies. The Cologne Administrative Court ultimately dismissed DP IHS's suit. DP IHS's contracts for access services were presented to the Bundesnetzagentur in 2016 after the conclusion of the proceedings (Cologne Administrative Court, ruling of 1 December 2015, file no. 22 K 3555/14).

In accordance with section 30(2) PostG, the Bundesnetzagentur is permitted to inspect the contracts for access services. Following the above proceedings, DP IHS had attempted further court proceedings to have the contents of its contracts classified as trade and business secrets. On 19 June 2017, the Cologne Administrative Court issued a ruling that provisionally prohibited the Bundesnetzagentur from "sharing with other parties to the proceedings or other third parties [...] any information on actual drop-off volumes, including information from which these drop-off volumes can be calculated, and any information concerning collection or delivery times, as well as information on refunds that DP AG pays to DP IHS or refunds that DP IHS receives from customers, in particular for processing, drop-off and franking, in the contested contracts, or to allow the inspection of this information by other parties to the proceedings or other third parties."²³ The Bundesnetzagentur had filed an appeal with the Higher Administrative Court for North Rhine-Westphalia against the Cologne Administrative Court's ruling. The Higher Administrative Court for North Rhine-Westphalia ruled on 15 June 2018 (file no. 13 B 802/17) that the information on collection and delivery times, and the information on refunds that DP AG pays to DP IHS or refunds that DP IHS receives from customers, in particular for processing, drop-off and franking, does not constitute a trade or business secret. Following the conclusion of the proceedings, the Bundesnetzagentur published its powers of inspection in its official journal.

²³ cf. Cologne Administrative Court, ruling of 19 June 2017

In particular, the Bundesnetzagentur's examination of the contracts submitted by DP IHS was intended to establish whether the rates payable by customers for the performance of the consolidation service by DP IHS, in other words the service charges described above, are compatible with the standards of the PostG.

7.1.1 Scope of services of the DP IHS access service contracts

In accordance with the General Terms and Conditions attached to the access service contracts as an annex (General Terms and Conditions of DP IHS, January 2022), DP IHS performs the services described below for its customers. The General Terms and Conditions have been published on DP IHS's website.

If it has been contractually agreed with the customer, DP IHS collects the customer's mail items that are and are not ready for access services in the trays provided by DP IHS. The collection takes place at the location stipulated in the contract within the time period also contractually agreed (section 2(1) of DP IHS's General Terms and Conditions). Mail items ready for access services within the meaning of DP IHS's General Terms and Conditions are the products standard, compact, large and maxi letter, as well as postcards that are machine-readable, for which postage has been properly paid and that are addressed exclusively to addressees in Germany (section 1(4)). Mail items not ready for access services are other mail items, such as mail items with a handwritten address or franked with stamps, books or goods, parcels, packages as well as registered mail items or cash on delivery mail items (section 1(5)). Unless stated otherwise, DP AG's General Terms and Conditions for BRIEF NATIONAL (BRIEF NATIONAL General Terms and Conditions) and the "Prices and Services" brochure apply as currently amended. If the customer does not utilise the collection of mail items by DP IHS, the customer drops off its mail items (items that are ready and items that are not ready for access services) at the specified DP IHS service centre within the agreed time slot. The mail items must be franked by the customer in advance with the full postage rate for the respective basic product by way of sender franking or IT franking, unless franking by DP IHS has been contractually agreed with the customer (section 3(5) of DP IHS's General Terms and Conditions).

DP IHS consolidates the customer's mail items that are ready for access services with other customers' mail items that are ready for access services (section 2(3) of DP IHS's General Terms and Conditions). The outgoing mail is sorted and numbered by DP IHS (by routing region). It is not explicitly stated in the contract or in the General Terms and Conditions that mail items are sorted by routing region, but this is a requirement for the drop-off of mail items at DP AG. DP IHS then drops off the mail items at the DP AG mail centre. Unless contractually agreed otherwise, DP IHS drops off the mail items on the day of collection at DP AG for forwarding and delivery (section 2(7) of DP IHS's General Terms and Conditions).

Each month DP IHS provides the customer with documentation of the mail dropped off for the customer at DP AG that was ready for access services and not ready for access services. The documentation of the mail items ready for access services forms the basis for payment of the access service rates (section 2(8) of DP IHS's General Terms and Conditions).

7.1.2 Remuneration model

The access service contracts presented show that DP IHS uses two different remuneration arrangements.

Remuneration arrangement 1

Under this remuneration arrangement with its customers, DP IHS agrees to a payment amount stipulated in the contract for the processing and dropping off of mail items ready for access services per basic product per item. This is referred to in the following chapter as the "consolidation rate". If the customer has agreed to the collection of mail items by DP IHS, the customer must then also pay a transport fee to DP IHS that is stipulated in the contract. If DP IHS assumes the franking of mail items for the customer, the customer must also pay the amount stated in the contract per basic product per item. This is referred to below as the "franking rate". On a one-off basis DP IHS charges the customer the amount stated in the contract for the creation of a franking form.

This arrangement results in a refund scheme (also described in the contract) whereby DP IHS receives a refund from DP AG for the mail items dropped off at DP AG that were ready for access services. DP IHS passes this refund on to its customers after first deducting the agreed remuneration. The remuneration amount to be deducted from the refund depends on which DP IHS services the customer actually uses.

If the overall total of mail items dropped off by all customers per product amounts to less than the volume required (for outward mail centre drop-off) to generate the maximum possible refund for a given day, the refunds for this day are reduced as per contract. If the overall total of mail items dropped off by all customers is less than the required number of inward mail centre-compliant mail items per product per day, the refunds for this day are cancelled entirely as per contract. Furthermore, if DP IHS itself receives no or reduced refunds from DP AG in conjunction with its access service agreement with DP AG for reasons for which it is not responsible, the refund to customers will be reduced proportionally in accordance with section 4 of DP IHS's General Terms and Conditions.

Remuneration arrangement 2

DP IHS agrees to a fixed price (per item) with its customers for each basic product. This fixed price is dependent on the respective charge for letters and the refunds from DP AG.

This arrangement results in a refund scheme (also described in the contract) whereby, depending on the franking service performed by DP IHS, mail flows are either calculated at the agreed fixed price (for franking by DP IHS) or the difference between the agreed fixed price and the DP AG postage rate is credited (if the customer franks items in advance).

For both remuneration options, DP IHS is authorised to amend the remuneration for the processing, drop-off, transport or franking of mail items accordingly if the necessary wage or purchasing costs for transport services necessary for the contractual performance changes. This regulation, which was exclusively contained in the contracts until the General Terms and Conditions were updated in November 2020, has now also been included in section 4(3) of DP HIS's General Terms and Conditions.

7.1.3 Analysis of contracts

In conjunction with the review of contracts including the associated contract adjustments, the amount of the agreed remuneration was looked at in more detail for both of the remuneration arrangements presented.

The figures below show the average consolidation and franking rates (remuneration option 1) and fixed rates (remuneration option 2) for the letter formats of standard letter, compact letter, large letter and maxi letter as well as for postcards. The remuneration is shown separately by outward and inward mail centre drop-off.

For the consolidation rate (remuneration option 1), for example, the average rates for outward and inward mail centre drop-off for a standard letter in 2022, as shown in the figure below, range from €0.031 to €0.033. Across all products, average consolidation rates increased by around 12% in 2022 compared with 2021.

Average DP IHS consolidation rates

	2020	2021	2022
Standard letter outward mail centre	€0.027	€0.028	€0.031
Compact letter outward mail centre	€0.029	€0.030	€0.034
Large letter outward mail centre	€0.061	€0.063	€0.067
Maxi letter outward mail centre	€0.109	€0.115	€0.121
Postcards outward mail centre	€0.014	€0.022	€0.024
Standard letter inward mail centre	€0.031	€0.031	€0.033
Compact letter inward mail centre	€0.034	€0.034	€0.036
Large letter inward mail centre	€0.059	€0.060	€0.067
Maxi letter inward mail centre	€0.090	€0.110	€0.119
Postcards inward mail centre	-	€0.018	€0.025

Figure 24: Average DP IHS consolidation rates 2020-2022

For example, the average franking rate (option 1) for a standard letter in 2022 is €0.022. The average franking rates for all basic products are shown in the following figure. Across all products, average franking rates were virtually unchanged from 2021 to 2022.

Average DP IHS franking rates

	2020	2021	2022
Standard letter	€0.021	€0.022	€0.022
Compact letter	€0.022	€0.022	€0.022
Large letter	€0.043	€0.043	€0.045
Maxi letter	€0.064	€0.066	€0.070
Postcards	€0.041	€0.044	€0.038

Figure 25: Average DP IHS franking rates 2020-2022

For example, the average prices for the agreed fixed price (remuneration arrangement 2) for a standard letter were €0.530 (outward mail centre) and €0.507 (inward mail centre) in 2022. The average fixed prices for all basic products are shown in the following figure. In 2022 DP IHS increased its fixed prices marginally for around 60% of the customers concerned. The fact that the average values in 2022 are nonetheless lower than the previous year's average values for most basic products may be due to a clean-up of the database (eg filtering out of cancelled contracts) since last year. Looking at all products, average prices were virtually unchanged compared to 2021.

Average DP IHS fixed prices

	2020	2021	2022
Standard letter outward mail centre	€0.485	€0.532	€0.530
Compact letter outward mail centre	€0.653	€0.713	€0.710
Large letter outward mail centre	€1.089	€1.160	€1.157
Maxi letter outward mail centre	€2.096	€2.344	€2.412
Postcards outward mail centre	€0.507	-	€0.706
Standard letter inward mail centre	€0.510	€0.510	€0.507
Compact letter inward mail centre	€0.689	€0.700	€0.695
Large letter inward mail centre	€1.106	€1.107	€1.125
Maxi letter inward mail centre	€2.775	-	€2.373
Postcards inward mail centre	€0.607	-	€0.706

Figure 26: Average DP IHS fixed prices 2020-2022

7.2 Compador Dienstleistungs GmbH

Compador was founded in 2011. Compador's core business is mail consolidation; it also runs sorting centres for private postal services. Other services relate to mail sending and transport, including delivery and collection runs, a franking service, the sending of parcels and international mail as well as the semi-digital sending of documents, known as hybrid mail. Deutsche Post became a strategic investor in Compador in January 2013. Deutsche Post holds a share of 26% in Compador.

According to a ruling of the Higher Administrative Court for North Rhine-Westphalia of 21 March 2019, Compador had to be attributed to the dominant market position of its minority shareholder DP AG, at least for the period until July 2018, and thus was itself considered to have a dominant market position. As a result, Compador was required to submit its access service contracts for the period until July 2018. Both the scope of services of Compador's access service contracts and an analysis of remuneration as at 1 January 2018 can be found in the report from 2020.²⁴

8 Access services for Dialogpost

According to DP AG, Dialogpost exclusively means mail items with advertising content. This can include, for example, mail-outs with free samples, promotions or customer magazines. The Infopost decision BK5a-11/024 of Ruling Chamber 5 of the Bundesnetzagentur and a legal decision by the Cologne Administrative Court resulted in new terms and conditions for Dialogpost from 1 January 2020, with the result that sales merchandise, payment requests, recalls and invitations to AGMs, for example, no longer count as Dialogpost. The following figure shows the Dialogpost sent from 2014 to 2021.

²⁴ Available at <https://www.bundesnetzagentur.de/DE/Fachthemen/Post/Teilleistungen/start.html>

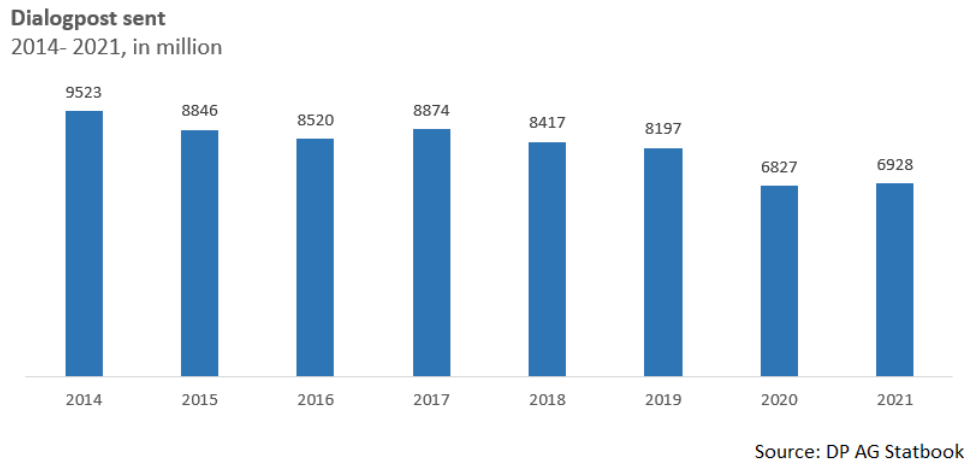


Figure 27: Dialogpost (formerly Infopost) sent 2014-2021, in million

Dialogpost dispatches are in decline overall. The volume of Dialogpost has fallen by 27.25% since 2014. This may be due to the fact that Dialogpost content is increasingly sent to customers electronically and the 2020 redefinition that limited the content of Dialogpost. DP AG attributes the increase in 2017 to communication in the run-up to the elections.²⁵ According to DP AG, the increase in 2021 is due to the development compared to that of the previous year (lockdown) when there was a reduction in advertising content, especially for retail²⁶.

In addition to the content requirements, there are other conditions for Dialogpost as well. Items sent as Dialogpost must have the same sender, the same address inside and outside (address on the envelope and address on the letter), the same envelope size,²⁷ the same franking within a drop-off and the same basic format.

Minimum volumes per drop-off must also be complied with to use the Dialogpost service. These are shown in the following figure together with the terms and conditions for sorting.

²⁵ cf. DPDHL 2017 Annual Report, p. 63

²⁶ cf. DPDHL 2021 Annual Report, p. 38

²⁷ Deviations within the basic format up to max. 30 mm in length and width are permitted.

Minimum volumes and sorting

Volume	Name	Region
5,000	Dialogpost	National
200	Dialogpost	For same routing region
500	Dialogpost Easy	National (with small-volume surcharge)

Source: DP AG, Dialogpost brochure

Figure 28: Minimum volumes and sorting

If the minimum volumes are not achieved, the cost of the deficit volumes can be added on accordingly. This is based on the net mail rate (rate for the individual mail items). If the mail items are sorted by postcode, this must be done for the entire drop-off volume (across all containers).

Another condition for sending Dialogpost is the letter format. Only standard or large format are available. The dimensions of these are shown below.

Dimensions and weights

Basic format	Length	Width	Thickness	Weight	Shape
Standard	150-235 mm	90-125 mm	up to 5 mm	up to 50 g	Rectangular
Large	140-353 mm	90-250 mm	up to 30 mm	up to 1,000 g	Rectangular

Source: DP AG, Dialogpost brochure

Figure 29: Dialogpost dimensions and weights

The standard format also includes postcards on which all the information is visible externally. This does not include double postcards. The length must be at least 1.4 times the width. Large format also includes unenclosed mail items (eg a catalogue). A square shape is also possible, the sides of which must be at least 140 mm. A production surcharge is added if the dimensions and shapes of the mail items deviate from the basic formats within pre-set limits or for mail items with no straight outer edge as these cannot be automated.

8.1 Contracts for Dialogpost access services

Customers and mail consolidators can drop off Dialogpost mail items ready for access services at DP AG bulk acceptance offices in inward mail centres. The basis for this is formed by the General Terms and Conditions for Dialogpost Inward Mail Centre Customer Access Services, the General Terms and Conditions for Dialogpost Inward Mail Centre Consolidation Access Services and the General Terms and Conditions for National Letters, the Prices and Services brochure and the National Dialogpost brochure.

Generally the recipients' addresses must be in Germany. Certain conditions must be complied with for the drop-off of Dialogpost mail items for access services, such as the use of DP AG posting lists and containers.

Items are accepted at the respective bulk acceptance office Mondays to Fridays, at least one hour before the closure of the acceptance office. Adherence to a certain delivery time by DP AG is not guaranteed, though the

mail items are delivered in line with DP AG’s general quality standards.²⁸ Other conditions must be complied with in addition to using DP AG posting lists and containers. A comparison of these with the contracts for inward mail centre customer letter access services is shown below. The conditions relate to pre-sorting, filling, franking, automation capability, minimum volumes and drop-off documents. If these conditions are met, in addition to the discounts agreed in the Dialogpost contracts entered into, further refunds on the postage charges for Dialogpost can be generated from access service contracts for Dialogpost. The refund is issued within two weeks.

<u>Contract for inward mail centre customer letter access services</u>		<u>Access service contracts for Dialogpost</u>
<ul style="list-style-type: none"> • All basic products 	Products	<ul style="list-style-type: none"> • Standard and large format only
<ul style="list-style-type: none"> • By routing region • Consecutive numbering 	Pre-sorting and consecutive numbering	<ul style="list-style-type: none"> • By routing region • Consecutive numbering • Additional postcode sorting within routing region
<ul style="list-style-type: none"> • Use of DP AG postboxes • Separation by basic products and by type of franking • Definition of full containers 	Filling of postboxes	<ul style="list-style-type: none"> • Use of DP AG postboxes • Mail items uniformly arranged • Maximum weight 10 kg
<ul style="list-style-type: none"> • Franking types electronic payment of postage and franking using franking machines • Customers can frank items themselves 	Franking of mail items	<ul style="list-style-type: none"> • Franking wave, abbreviated franking mark, customised design (as a franking mark or in conjunction with electronic payment of postage) • Electronic payment of postage, franking machine (basic price only)
<ul style="list-style-type: none"> • Machine-readable • Customer must be identifiable as the sender 	Machine-readability, sender’s address	<ul style="list-style-type: none"> • Machine-readable • Automation-friendly address side • Standard up to 20 g: Machine-handleable • Customer identifiable as sender
<ul style="list-style-type: none"> • 250 standard and compact letters • 100 large and maxi letters 	Minimum volumes	<ul style="list-style-type: none"> • 200 standard and large letters • 3% refund from 250
<ul style="list-style-type: none"> • Drop-off documents online for download 	Drop-off documents	<ul style="list-style-type: none"> • Drop-off documents online for download

Figure 30: Comparison of access service rates for inward mail centre customer letter and access service rates under Dialogpost contracts

A Dialogpost contract can be entered into in order to allow the option of dropping off Dialogpost that is ready for access services. The contract options for this access service are shown below.

8.1.1 Contract for Dialogpost inward mail centre customer access services

Each customer must enter into a contract for Dialogpost inward mail centre customer access services with DP AG in order to generate refunds on the postage rate for Dialogpost. The requirements to prepare Dialogpost mail items for access services can be found in the comparison in the above figure.

The following figure provides an overview of the number of Dialogpost inward mail centre customer contracts entered into by DP AG and shows the respective refund using a standard Dialogpost letter up to 20 g as an example. The change in the refund from 2021 to 2022 is also shown.

²⁸ cf. Dialogpost National brochure, p. 39

Number of contracts	Refund for Dialogpost inward mail centre customer in 2021	Refund for Dialogpost inward mail centre customer in 2022	Change
187	€0.015	€0.016	€+-0.001

Figure 31: Contracts for Dialogpost inward mail centre customer access services (June 2022)

8.1.2 Contract for Dialogpost inward mail centre commercial consolidation access services

Mail consolidators must satisfy the same conditions for preparing mail items for access services for Dialogpost as in the above contract for the customer. The key difference between the contract for Dialogpost inward mail centre customer access services and the contract for Dialogpost inward mail centre commercial consolidation access services is that the mail consolidator is the sender.

The following figure provides an overview of the number of Dialogpost inward mail centre commercial consolidation access services contracts entered into by DP AG and shows the respective refund using a standard Dialogpost letter up to 20 g as an example. The change in the refund from 2021 to 2022 is also shown.

Number of contracts	Refund for weighted Dialogpost inward mail centre consolidation in 2021	Refund for weighted Dialogpost inward mail centre consolidation in 2022	Change
26	€0.015	€0.016	€+-0.001

Figure 32: Contracts for Dialogpost inward mail centre commercial consolidation access services (June 2022)

8.1.3 Contract for Dialogpost cooperation

In addition to the contracts for Dialogpost inward mail centre customer access services and for Dialogpost inward mail centre commercial consolidation access services, DP AG offers a cooperation agreement for sending Dialogpost including an additional agreement. In particular, the customer's cooperation services include the pre-sorting of mail, the production of containers and their classification. The conveyance orders must be pre-advised by the customer at least seven days before collection/drop-off using electronic order management. The customer must provide the following data: payer, payment method, drop-off/collection date, drop-off/collection location, mailing volume, basic product, weight and number or pallets. Also, details of the type of franking, transport classification, mail planning and container information must be finalised 48 hours before drop-off. The mail items must be sorted by routing regions. The customer pays the rate stipulated in the "Dialogpost National" brochure for the mail items, less the intended discount of 5% for pallet production and pre-sorting by routing region.

The contracting partner can generate a refund through the cooperation agreement for sending Dialogpost. To do so, DP AG's contracting partner must drop off at least 100,000 mail items with a posting list. The

contracting partner also undertakes to cooperate with DP AG in the trialling of new electronic systems and new container classifications. The refund paid by DP AG to the contracting partner is volume-based. The minimum volume per quarter is 1mn mail items and is reimbursed at a rate of 8% on the postage rate for Dialogpost. The maximum refund of 21.65% on the postage rate for Dialogpost can be achieved by a large volume mailer if it drops off a quarterly volume of 180mn.

The following figure provides an overview of the number of cooperation agreements for sending Dialogpost entered into by DP AG and shows the maximum refund for the standard product. The change in the refund from 2021 to 2022 is also shown.

Number of contracts	Max. refund in 2021	Max. refund in 2022	Change
652	€0.065	€0.069	€+-0.004

Figure 33: Cooperation agreements for Dialogpost inward mail centre access services (June 2022)

The additional agreement regulates the inclusion of drop-off volumes from companies controlled by the contracting partner to calculate the refund generated for the quarterly volume.

8.2 Dialogpost access service rates

The postage rate for Dialogpost is dependent on the item weight. Under some circumstances, further discounts are possible in addition to the refunds granted under access service contracts. Besides a minimum volume of 5,000 items, the production of bundles, containers or pallets is required for this.

In standard format, the routing region containers must be at least half full or have a net weight of 2.5 kg. In standard format, the routing region/postcode containers must be at least half full or have a net weight of 6 kg to receive discounts on the postage rate. However, this is not possible for unenclosed mail items.

A minimum net weight of 100 kg is necessary to generate discounts for pallet production with mail items in standard format. For large format mail items, a minimum net weight of 200 kg or a pallet height of at least 1.60 m are required. For pallet mailing in card format, a minimum net weight of 50 kg is required and the basic standard format must be adhered to. For card pallet mailing in large format, a minimum net weight of 100 kg is necessary. Generally, pallets must not exceed a maximum height of 1.80 m or five pallet frames (height around 1.20 m).

The following figure shows the discounts for Dialogpost.

Discount for drop-off volumes from 5,000 items			
Bundle/container production, routing region	Bundle/container production, postcode	Pallet production, routing zone	Pallet production, routing region
Standard 5%		2%	5%
Large 4%	5%*		

Source: DP AG, Dialogpost brochure

* Pre-sorting for discount on postcode container/bundle possible for mail items in large basic format only

Figure 34: Discounts for drop-off volumes from 5,000 items

If the mail items are sorted by routing region, the partner receives a discount of 5% in standard format or 4% in large format. Sorted by postcode (large format only), a discount of 5% is granted. If a pallet is sorted by routing zone (first digit of postcode) only and not by routing region, the partner receives a discount of 2%. Sorted by routing region, 5% is granted.

On entering into contracts for Dialogpost inward mail centre access services, the customer/mail consolidator receives a refund of 3% on the current net rate for Dialogpost mail items. The minimum volume is 250 mail items per routing region. In addition, the above discounts can also be generated by complying with conditions. A maximum refund of 21.65% is possible on entry into a contract for Dialogpost cooperation.

The postage rate (regular and discounted) for Dialogpost and the maximum access service rate when using contracts for inward mail centre Dialogpost access services and Dialogpost cooperation are shown in the following figure.

Postage rate/access service rate per Dialogpost item					
	Dialogpost regular	Dialogpost regular discounted	Dialogpost access service rate contracts (inward mail centre customer and commercial consolidation)	Dialogpost access service rate contracts (inward mail centre customer and commercial consolidation) – discounted	Access service rate for Dialogpost cooperation agreement
Card*	€0.28	€0.27	€0.27	€0.26	€0.21
Standard					
0-20 g	€0.32	€0.30	€0.31	€0.28	€0.23
21-50 g	€0.37	€0.35	€0.36	€0.32	€0.27
Large					
0-50 g	€0.45	€0.43	€0.44	€0.41	€0.33
51-100 g	€0.58	€0.56	€0.56	€0.53	€0.43
101-250 g	€0.72	€0.69	€0.70	€0.66	€0.53
251-500 g	€0.79	€0.76	€0.77	€0.72	€0.58
501-1,000 g	€0.92	€0.88	€0.89	€0.84	€0.67
Surcharges					
Production surcharge	€0.05		€0.05		
EASY (small volumes from 500 to 4,999)	€0.15		€0.15		

Source: DP AG, Dialogpost brochure + Bundesnetzagentur presentation

* Price based on card size and grammage (max. 500g/m3)

Figure 35: Postage rate per Dialogpost item

The figure first shows the regular postage charges for Dialogpost, without discounts and without access service contracts. The column "Dialogpost regular discounted" shows the postage charges that can be achieved upwards of a minimum volume of 5,000 items per drop-off and the associated discount. The discounts are 5% for Dialogpost in card or standard format and 4% in large format. This is equivalent, for example, to a discounted postage rate of €0.30 instead of the regular €0.32 for standard format or €0.42 instead of €0.45 Euro for large format. A 3% refund (€0.31 rather than the regular €0.32) is possible on entry into a Dialogpost access service agreement (inward mail centre customer or inward mail centre commercial consolidation). In combination with the discount, an "access service rate for Dialogpost contracts discounted" of €0.28 rather than the regular €0.32 can be achieved. If a Dialogpost cooperation agreement has been entered into, a further refund of up to 21.65% can be achieved in addition to the discount for pre-sorting by routing region and pallet production of 5%. The total maximum saving is 26.65%. This is equivalent to an access service rate of €0.23 instead of a regular €0.32 for standard format. The conditions for achieving the refund rates can be found in the above descriptions.

As an example, the following figure shows the development in the postage rate since 2016, including the discounts/refunds possible, for Dialogpost in standard format.

Dialogpost postage rate/access service rate development
in € 2017-2022

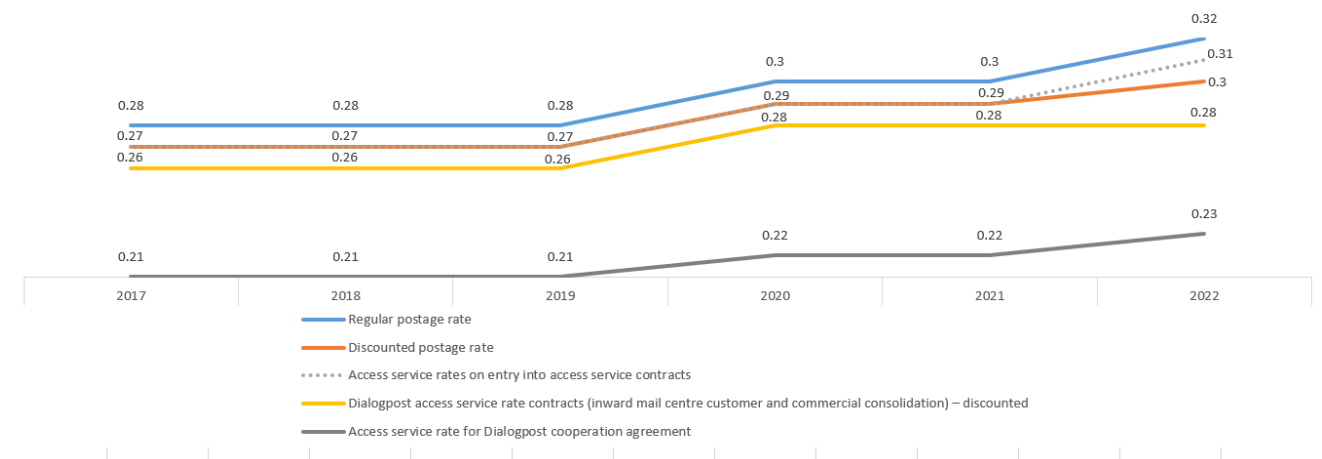


Figure 36: Development in postage rate for Dialogpost and with an access service agreement for Dialogpost

The figure shows a rising trend in the postage rate. There were increases of €0.02 (to €0.30 and €0.32 respectively) for standard format in 2020 and 2022. As the respective refund percentage on entry into a contract for Dialogpost inward mail centre access services or a Dialogpost cooperation agreement has not changed, the curves are proportionally the same.

9 Transparency

In some cases, information on rates and the terms and conditions for how to obtain access services is not freely available. Also, DP AG has not published the relevant sample contracts. Market participants have to contact DP AG's sales departments in order to obtain the necessary information. Unlike other regulated markets, to date there are no legal rules that require DP AG to publish information on how to obtain access services.

It is particularly difficult to gain access to the rules and regulations for obtaining said services. For example, DP AG's "General Terms and Conditions for Letter Access Services" cannot be found on the internet and are not otherwise freely available. There is no comprehensive or clear place to find all of DP AG's relevant general terms and conditions or brochures. The general terms and conditions typically make reference to brochures that contain a detailed explanation of the conditions for preparing mail items to be ready for access services. While these brochures themselves are available on the internet, some of them (such as the brochure "IT Franking: The advantages of a systematic approach") refer to documents that are available only on the developer portal for the Order Management system and are thus not freely available to all interested market participants. The Bundesnetzagentur is not notified of changes to these brochures or other documents. The Bundesnetzagentur receives the General Terms and Conditions only in connection with the presentation of contracts for access services. At best, a review of new regulations is therefore possible only after the Bundesnetzagentur becomes aware of them.

There are no statutory guidelines that govern a procedure for distributing information on changes in rates or terms and conditions for access services. DP AG itself is responsible for how it distributes information; it must inform the market participants concerned of changes in rates or terms and conditions for access services. This also applies to the launch of new contracts on the market, such as the contract for the performance of infrastructure services (see Chapter 3.6).

For example, the following figure shows how information on the introduction of the refund for the performance of infrastructure services was distributed on the market. While the contract was introduced as at 1 January 2018, DP AG allowed customers and manufacturers a transition period of four months owing to implementation problems. The Bundesnetzagentur was actively involved in establishing the facts of this case.²⁹

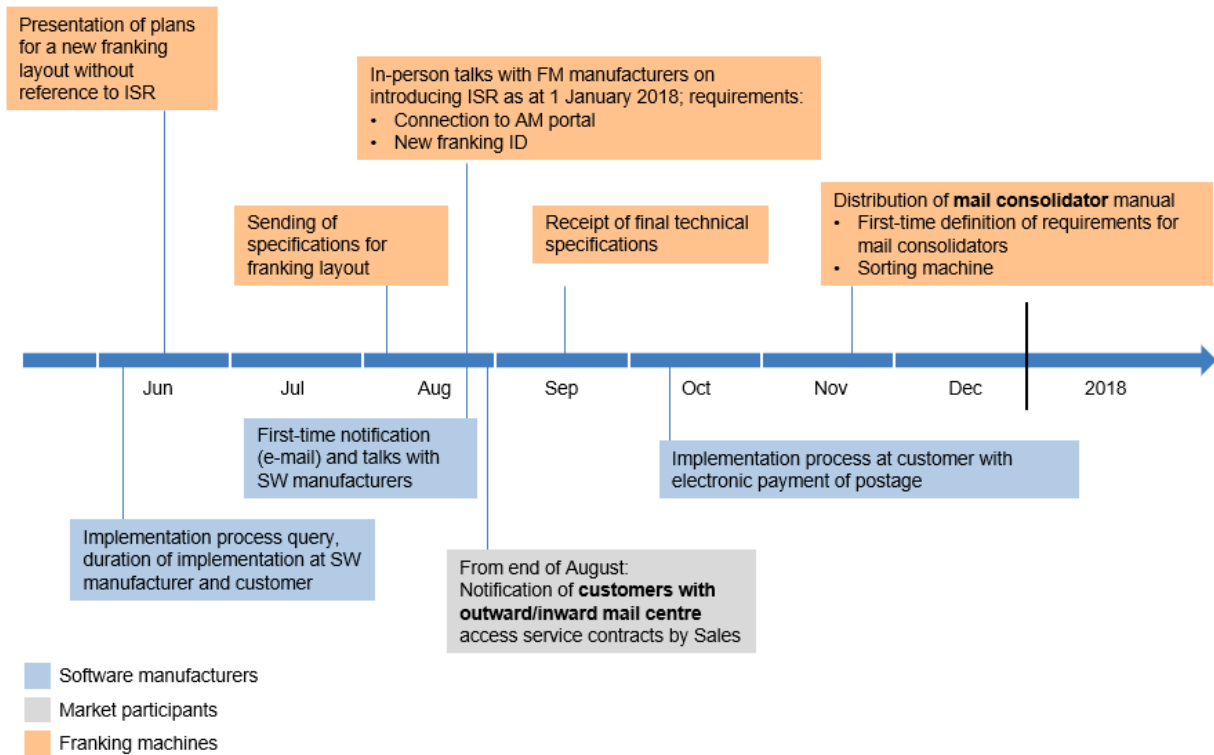


Figure 37: Presentation of the information process

Another example of a cascading distribution of information was the amendment of the General Terms and Conditions for Access Services in 2018. Customers were gradually informed of the amended General Terms and Conditions in several rounds. The changes essentially related to the processes for the drop-off of mail items and a restructuring of the General Terms and Conditions.

²⁹ cf. Bundesnetzagentur, 2017, "Results of Market Polling on the Launch of the DP AG Infrastructure Discount", available at <https://www.bundesnetzagentur.de/DE/Fachthemen/Post/Teilleistungen/start.html>

In both cases, market participants complained to the Bundesnetzagentur because DP AG did not (sufficiently) coordinate with them and the market participants had wished for prior consultation. A regulated procedure for information distribution and consultation with market participants is therefore reasonable, in particular also in light of the business impact on the market participants concerned and any technical implementation that may be required to comply with amended terms and conditions.

At the time of the preparation of this report, it is known that DP AG wishes to amend its access service portfolio for letters as at 1 January 2023. Product information on the new portfolio is accessible to all market participants on DP AG's website (see, for example, DP AG flyer "New Access Service Portfolio for Letters as from 1 January 2023", dated May 2022).

Annex

Annex 1: Overview of access service refunds 2010-2022 (outward mail centre)

Standard letter																										
Outward mail centre customer letter/outward mail centre consolidation letter																										
Minimum number of mail items per drop-off																										
2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund		
in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	
5,000 to 10,000 mail items	20%	0.110	20%	0.110	20%	0.110	22%	0.128	22%	0.132	22%	0.136	27%	0.189	26%	0.182	23%	0.161	30%	0.240	28%	0.224	28%	0.224	31%	0.264
from 10,001 to 15,000 mail items	23%	0.127	23%	0.127	23%	0.127	25%	0.145	25%	0.150	25%	0.155	30%	0.210	29%	0.203	26%	0.182	32%	0.256	30%	0.240	30%	0.240	33%	0.281
from 15,001 to 20,000 mail items	27%	0.149	27%	0.149	27%	0.149	29%	0.168	29%	0.174	29%	0.180	34%	0.238	33%	0.231	30%	0.210	36%	0.288	34%	0.272	34%	0.272	37%	0.315
from 20,001 to 25,000 mail items	31%	0.171	31%	0.171	31%	0.171	33%	0.191	33%	0.198	33%	0.205	38%	0.266	37%	0.259	34%	0.238	39%	0.312	37%	0.296	37%	0.296	40%	0.340
from 25,001 mail items	35%	0.193	35%	0.193	35%	0.193	37%	0.215	37%	0.222	37%	0.229	42%	0.294	41%	0.287	38%	0.266	43%	0.344	41%	0.328	41%	0.328	44%	0.374

Compact letter																										
Outward mail centre customer letter/outward mail centre consolidation letter																										
Minimum number of mail items per drop-off																										
2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund		
in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	
5,000 to 10,000 mail items	20%	0.180	20%	0.180	20%	0.180	20%	0.180	20%	0.180	20%	0.170	20%	0.170	19%	0.162	16%	0.136	22%	0.209	20%	0.190	20%	0.190	23%	0.230
from 10,001 to 15,000 mail items	23%	0.207	23%	0.207	23%	0.207	23%	0.207	23%	0.207	23%	0.196	23%	0.196	22%	0.187	19%	0.162	25%	0.238	23%	0.219	23%	0.219	26%	0.260
from 15,001 to 20,000 mail items	27%	0.243	27%	0.243	27%	0.243	27%	0.243	27%	0.243	27%	0.230	27%	0.230	26%	0.221	23%	0.196	28%	0.266	26%	0.247	26%	0.247	29%	0.290
from 20,001 to 25,000 mail items	31%	0.279	31%	0.279	31%	0.279	31%	0.279	31%	0.279	31%	0.264	31%	0.264	30%	0.255	27%	0.230	32%	0.304	30%	0.285	30%	0.285	33%	0.330
from 25,001 mail items	35%	0.315	35%	0.315	35%	0.315	35%	0.315	35%	0.315	35%	0.298	35%	0.298	34%	0.289	31%	0.264	35%	0.333	33%	0.314	33%	0.314	36%	0.360

Large letter																										
Outward mail centre customer letter/outward mail centre consolidation letter																										
Minimum number of mail items per drop-off																										
2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund		
in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	
500 to 1,000 mail items	20%	0.290	20%	0.290	20%	0.290	20%	0.290	20%	0.290	20%	0.290	20%	0.290	19%	0.276	16%	0.232	19%	0.295	17%	0.264	17%	0.264	19%	0.304
from 1,001 to 2,000 mail items	23%	0.334	23%	0.334	23%	0.334	23%	0.334	23%	0.334	23%	0.334	23%	0.334	22%	0.319	19%	0.276	22%	0.341	20%	0.310	20%	0.310	22%	0.352
from 2,001 to 3,000 mail items	27%	0.392	27%	0.392	27%	0.392	27%	0.392	27%	0.392	27%	0.392	27%	0.392	26%	0.377	23%	0.334	25%	0.388	23%	0.357	23%	0.357	25%	0.400
from 3,001 to 4,000 mail items	31%	0.450	31%	0.450	31%	0.450	31%	0.450	31%	0.450	31%	0.450	31%	0.450	30%	0.435	27%	0.392	29%	0.450	27%	0.419	27%	0.419	29%	0.464
from 4,001 mail items	35%	0.508	35%	0.508	35%	0.508	35%	0.508	35%	0.508	35%	0.508	35%	0.508	34%	0.493	31%	0.450	33%	0.512	31%	0.481	31%	0.481	33%	0.528

Maxi letter																										
Outward mail centre customer letter/outward mail centre consolidation letter																										
Minimum number of mail items per drop-off																										
2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund		
in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	
from 500 to 1,000 mail items	20%	0.440	20%	0.440	20%	0.440	20%	0.480	20%	0.480	20%	0.480	20%	0.520	19%	0.494	16%	0.416	17%	0.459	15%	0.405	15%	0.405	16%	0.440
from 1,001 to 2,000 mail items	23%	0.506	23%	0.506	23%	0.506	23%	0.552	23%	0.552	23%	0.552	23%	0.598	22%	0.572	19%	0.494	19%	0.513	17%	0.459	17%	0.459	18%	0.495
from 2,001 to 3,000 mail items	27%	0.594	27%	0.594	27%	0.594	27%	0.648	27%	0.648	27%	0.648	27%	0.702	26%	0.676	23%	0.598	23%	0.621	21%	0.567	21%	0.567	22%	0.605
from 3,001 to 4,000 mail items	31%	0.682	31%	0.682	31%	0.682	31%	0.744	31%	0.744	31%	0.744	31%	0.806	30%	0.780	27%	0.702	27%	0.729	25%	0.675	25%	0.675	26%	0.715
from 4,001 mail items	35%	0.770	35%	0.770	35%	0.770	35%	0.840	35%	0.840	35%	0.840	35%	0.910	34%	0.884	31%	0.806	31%	0.837	29%	0.783	29%	0.783	30%	0.825

Postcards																										
Outward mail centre customer letter/outward mail centre consolidation letter																										
Minimum number of mail items per drop-off																										
2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund		
in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	
5,000 to 10,000 mail items	20%	0.090	20%	0.090	20%	0.090	20%	0.090	20%	0.090	20%	0.090	20%	0.090	19%	0.086	16%	0.072	30%	0.180	28%	0.168	28%	0.168	35%	0.245
10,001 to 15,000 mail items	23%	0.104	23%	0.104	23%	0.104	23%	0.104	23%	0.104	23%	0.104	23%	0.104	22%	0.099	19%	0.086	32%	0.192	30%	0.180	30%	0.180	37%	0.259
from 15,001 to 20,000 mail items	27%	0.122	27%	0.122	27%	0.122	27%	0.122	27%	0.122	27%	0.122	27%	0.122	26%	0.117	23%	0.104	36%	0.216	34%	0.204	34%	0.204	41%	0.287
from 20,001 to 25,000 mail items	31%	0.140	31%	0.140	31%	0.140	31%	0.140	31%	0.140	31%	0.140	31%	0.140	30%	0.135	27%	0.122	39%	0.234	37%	0.222	37%	0.222	44%	0.308
from 25,001 mail items	35%	0.158	35%	0.158	35%	0.158	35%	0.158	35%	0.158	35%	0.158	35%	0.158	34%	0.153	31%	0.140	43%	0.258	41%	0.246	41%	0.246	48%	0.336

Annex 2: Overview of access service refunds 2010 – 2022 (inward mail centre)

Standard letter

Inward mail centre customer
letter/inward mail centre consolidation
letter

Minimum number of mail items per drop-off	2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund	
	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €
250	38%	0.209	38%	0.209	38%	0.209	40%	0.232	40%	0.240	40%	0.248	45%	0.315	44%	0.308	41%	0.287	46%	0.368	44%	0.352	44%	0.352	47%	0.400

Compact letter

Inward mail centre customer
letter/inward mail centre consolidation
letter

Minimum number of mail items per drop-off	2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund	
	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €
250	38%	0.342	38%	0.342	38%	0.3762	38%	0.342	38%	0.342	38%	0.323	38%	0.323	37%	0.315	34%	0.289	38%	0.361	36%	0.342	36%	0.342	39%	0.390

Large letter

Inward mail centre customer
letter/inward mail centre consolidation
letter

Minimum number of mail items per drop-off	2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund	
	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €
100	38%	0.551	38%	0.551	38%	0.551	38%	0.551	38%	0.551	38%	0.551	38%	0.551	37%	0.537	34%	0.493	36%	0.558	34%	0.527	34%	0.527	36%	0.576

Maxi letter

Inward mail centre customer
letter/inward mail centre consolidation
letter

Minimum number of mail items per drop-off	2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund	
	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €
100	38%	0.836	38%	0.836	38%	0.836	38%	0.836	38%	0.912	38%	0.912	38%	0.988	37%	0.962	34%	0.884	34%	0.918	32%	0.864	32%	0.864	33%	0.908

Postcards

Inward mail centre customer
letter/inward mail centre consolidation
letter

Minimum number of mail items per drop-off	2010 refund		2011 refund		2012 refund		2013 refund		2014 refund		2015 refund		2016 refund		2017 refund		2018 refund		2019 refund		2020 refund		2021 refund		2022 refund	
	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €	in %	in €
250	38%	0.171	38%	0.171	38%	0.171	38%	0.171	38%	0.171	38%	0.171	38%	0.171	37%	0.167	34%	0.153	46%	0.276	44%	0.264	44%	0.264	51%	0.357

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List of abbreviations

Compador	Compador Dienstleistungs GmbH
DP AG	Deutsche Post AG
DP IHS	Deutsche Post InHaus Services GmbH

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