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Information sheet

Complaint by platform providers according to § 52 para. 3 RStV

1. Preliminary questions

Regarding the question of whether a platform provider in the sense of § 2 para. 2 no. 13 RStV in connection with §§ 1 to 3 ZPS is present, we would initially ask for the following preliminary questions to be examined and answered:

- ➔ Do you make your own decisions concerning the allocation of broadcasting and comparable telemedia offerings in your network or your program platform, or is the overall offering merely taken over and carried out by a third party?
- ➔ How many networks does your company or do your subsidiaries operate? How many residential units or users are connected to these (potentially disclosure of company structure)?
- ➔ Across which networks is your platform distributed? Do these include an open network in the sense of § 1 para. 2 no. 1 ZPS? Do you also hold a market-dominating position here? Please also let us know whether, in your opinion, conditions are met for an exception according to § 1 para. 2 ZPS.

Partners:

Landesanstalt für Kommunikation Baden-Württemberg (LFK) ▪ Bayerische Landeszentrale für neue Medien (BLM) ▪ Medienanstalt Berlin-Brandenburg (mabb) ▪ Bremische Landesmedienanstalt (brema) ▪ Medienanstalt Hamburg / Schleswig-Holstein (MA HSH) ▪ Hessische Landesanstalt für privaten Rundfunk und neue Medien (LPR Hessen) ▪ Medienanstalt Mecklenburg-Vorpommern (MMV) ▪ Niedersächsische Landesmedienanstalt (NLM) ▪ Landesanstalt für Medien Nordrhein-Westfalen (LfM) ▪ Landeszentrale für Medien und Kommunikation Rheinland-Pfalz (LMK) ▪ Landesmedienanstalt Saarland (LMS) ▪ Sächsische Landesanstalt für privaten Rundfunk und neue Medien (SLM) ▪ Medienanstalt Sachsen-Anhalt (MSA) ▪ Thüringer Landesmedienanstalt (TLM)

2. Contents of the complaint

Company information

- Name, location, CEO

Documents to be submitted

- Certificate of conduct to be presented to an authority (document type OG)
- Certificate of registration
- Partnership agreement
- Declaration according to § 52 para. 3 RStV (see template)
- Allocation list radio and television for the digital area with the following information:
 - o Name of program/offering
 - o Information on § 52b para. 1 no. 1 lit b and c
 - o Format
 - o Provider
 - o Licencing institution
 - o For non-European offerings, initially also:
 - ♣ Description of the programme
 - ♣ Names of the programme managers
 - ♣ Original of an approval or a comparable document in a German translation

Note: The state media authorities have established a broadcasting database that contains all known broadcast programs as well as the above-mentioned information. The database can be viewed at:

www.die-medienanstalten.de/service/datenbanken/tv-senderdatenbank.html

The complaint can refer to this database in accordance with § 5 para. 2 ZPS.

- List of fees and tariffs for the supply and distribution of broadcasting offerings
- Naming of the used access services (user interface, encryption system, application programming interface). These include access services that you use yourself or through connected companies, meaning they are used in the operation of your platform.
- Disclosure of technical specifications that you or a connected company set with regard to access services for manufacturers of digital receivers.

**DECLARATION OF COMPLIANCE WITH THE LEGAL REQUIREMENTS FOR PLATFORM PROVIDERS AND
COMPLETENESS STATEMENT FOR THE COMPLAINT ACCORDING TO § 52 para. 3 RStV**

The platform provider ensures that he or his legal or
statutory representative:

1. has unlimited legal capacity,
2. has not lost the ability to hold public office through a court's decision,
3. has not forfeited the basic right of freedom of expression according to art. 18 of the
constitution,
4. is not prohibited as an association,
5. lives or is located in the Federal Republic of Germany or a member state of the European
Union or another
6. signatory of the Agreement on the European Economic Area and can be prosecuted,
7. that he will operate the platform in compliance with legal regulations.

In the enclosed complaint, the information required for the examination according to § 52 RStV
were disclosed in full.

The plaintiff ensures that he will indicate any significant change before execution by the
responsible state media authority.

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Location, date

Signature of the platform provider or his legal or statutory
representative