

KO 19/09/08

Warsaw, 25.IX.2008

**Ms Neelie Kroes
European Commissioner for Competition
European Commission
B-1049 Brussels
Belgium**

Dear Ms Kroes,

Polish Chamber of Liquid Fuels is an organization gathering private entrepreneurs of fuel industry in Poland. The purpose of the PCLF is to represent the interests, support economic activity of our members, as well as to help and act when problems occur which the entrepreneurs from fuel industry must face every day.

Taking the above into consideration we would like to draw your attention to the problems of our members and entities conducting activity in the fuel sector (although I emphasize that the problem concerns all entrepreneurs accepting payments by credit cards) regarding commissions and fees on account of transactions made with the use of credit cards and other bank cards.

According to the Polish Chamber of Liquid Fuels, very high commissions are charged for payments by cards in Poland. They range from 1.63% to 2.5% gross on one transaction involving fuels, and to 3% on transactions involving other consumer goods. In addition, the owners of terminals increase the lease fee amounting to PLN 40-100 every month.

American Express settles the transactions without agents. However, it has decidedly higher commissions on transactions, because they range from 2.4% to 3.5% for petrol stations, and from 4% to 5% for most of small companies. There are also fuel cards in the market. The commissions for DKV cards range from 2.8% for fuels to 5% for accessories, for UTA cards the percentage is 2.5% and 5%, respectively.

The inflated interchange fee is one of the main factors hampering the development of payments with the use of cards. This leads also to a number of unfavourable phenomena from the consumer's point of view, such as limitation of card payments. The interchange fee contributes also to unjustified increase in costs of points accepting cards and thus, adversely influences the general price level in the entire trade and service sector.

The banks' common establishment of the interchange fee violates the provisions of competition and consumer protection law and according to the Polish Chamber of Liquid Fuels, it seems highly probable that there are arrangements regarding the minimal interchange fee in Poland.

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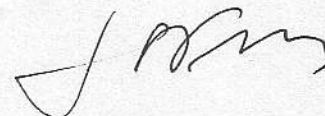
The President of the Office for Competition and Consumer Protection, who demanded that the illegal arrangement consisting in the banks' establishment of interchange fee within the scope of Visa and MasterCard systems be brought to an end, has already taken a stand in that case. However, these actions did not contribute to lowering the commission.

In the "Old Union" countries, the commissions are significantly lower and e.g. in Germany they range from 0.4% to 0.9% for fuels.

Please, review our request and take a stand.

yours sincerely,

Halina Pupacz



**President
Polish Chamber of Liquid Fuels**