

Handbook on Regulation concerning a European rail network for competitive freight

!!! DRAFT !!!

For consultation only

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FOREWORD

Following its adoption by the European Parliament and the Council on 22 September 2010, Regulation EC 913/2010 concerning a European rail network for competitive freight entered into force on 9 November 2010.

The concept of a European rail network for competitive freight has met much interest and response from the rail freight sector and other stakeholders. From several actors questions were raised about the interpretation of different parts of the Regulation. The Directorate-General for Mobility and Transport (DG MOVE) has therefore decided to publish this handbook on the Regulation with guidelines and recommendations for its implementation.

The handbook contains practical advice for the actors concerned and gives examples on how to deal with the various aspects of implementation. This draft is submitted for consultation. After consultation a final version will be presented.

As the reader will realize the Regulation intentionally leaves an appropriate level of freedom to the actors on how to implement Rail Freight Corridors in detail. It should be underlined that the Rail Freight Corridors are to be established for the users, the railway undertakings and other applicants, and in the end the freight transport customers using or wishing to use rail to fulfil their transport needs. Thus an early involvement of all stakeholders active along the rail freight corridor as well as terminal managers is crucial. Ultimately it is not least the level of satisfaction of the user's which will decide about the adequacy of the ways chosen for the implementation of the Rail Freight Corridors.

Brussels, December 2010

1 INTRODUCTION

1.1 Background – the Regulation

1.1.1 Purpose and general objective

The Regulation concerning a European rail network for competitive freight – hereinafter referred to as the Regulation – has been elaborated with the overall purpose to increase rail freight's attractiveness and efficiency, with special focus on international traffic, so that rail can increase its competitiveness and market share on the European transport market.

In order to achieve this, the Regulation has the general objective to improve the conditions for international rail freight by reinforcing cooperation at all levels – and especially among infrastructure managers – along selected Rail Freight Corridors, with the twofold aim

(1) to develop the rail freight corridors in terms of capacity and performance in order to meet market demand both quantitatively and qualitatively.

(2) to lay the ground for provision of freight services of good quality meeting customer expectations

The Rail Freight Corridors to be established on the basis of the Regulation are expected to form a European-wide network for competitive freight, making not only cooperation between infrastructure managers within each corridor, but also among them, essential.

1.1.2 Specific objectives

As specified in the Regulation, the general objective mentioned above can be broken down into a number of specific objectives in the areas of path allocation processes and rules, traffic management, terminals, infrastructure and investments. These areas will be dealt with more in detail in the following chapters.

Concerning path allocation specific objectives are to ensure smooth and efficient processes to good and reliable train paths, making use of appropriate IT-tools. There has to be flexibility to accommodate even late and ad hoc capacity requests. Information has to be transparent and easily accessible and requests for capacity open to applicants other than railway undertakings.

When it comes to traffic management the specific objectives are to ensure that sufficient priority is given to freight trains, even in case of disturbances. Traffic management has to be coordinated between several infrastructure managers and performance has to be monitored along the corridors. Furthermore it has to be ensured that there is an adequacy between infrastructure capacity and terminal capacity and that traffic and terminal management is coordinated.

The Regulation promotes the harmonisation of infrastructure with the specific objectives to remove bottlenecks and to harmonize relevant parameters like train lengths, train gross weights, axle loads and loading gauges. Reference is made to ERTMS- and TEN-T corridors, underlining that the deployment of interoperability is a cornerstone in the concept of the Rail Freight Corridors.

In order to support the harmonisation of infrastructure across borders investment planning has to be coordinated among Infrastructure Managers. This coordination also aims at minimising disruptions by maintenance work.

1.2 Objectives and purpose of the handbook

Many actors in the rail freight sector as well as other stakeholders have actively followed the work on the Regulation. With the adoption of the Regulation and its subsequent entering into force there are now binding deadlines for the implementation of the nine Rail Freight Corridors defined in its Annex.

The Directorate-General for Mobility and Transport (DG MOVE) has decided to publish this handbook on the Regulation with guidelines and recommendations for its implementation for the purpose to support the actors concerned with the practical implementation of the Regulation – for instance by especially further clarifying the role of the competent railway Infrastructure Managers (IM) – but also to spread information to the future users of the Rail Freight Corridors who will apply for the capacity on them – Railway Undertakings and other Applicants. The Regulation could also be used as a “base document” by national governments who could expand on its scope, if they want to, with the help of this handbook. The aim is therefore not to interpret the provisions of the Regulation but rather to propose to various concerned actors examples of practices and methods to be usefully considered in its implementation. This would help to avoid legal misinterpretations and to ensure a harmonised establishment and development of the different rail freight corridors.

1.3 Methodology

In the elaboration of the Handbook experiences and best practices of related corridor concepts, especially the Rail Network Europe (RNE) and ERTMS-corridors have been taken into account. Furthermore previous studies concerning the preparation of possible corridors have been analysed and taken into account.

1.4 Structure

The first issue concerning the practical implementation of a Rail Freight Corridor, which this handbook deals with, is in chapter 2 the designation of a Rail Freight Corridor, i.e. the exact specification of railway lines and terminals, which will belong to a Corridor. In this context even the relation of the Rail Freight Corridor concept to other corridor concepts is treated.

Chapter 3 covers the governance of a Rail Freight Corridor and the setting up of the related structures and organs.

Chapter 4 deals with the implementation plan which has to be elaborated for each Rail Freight Corridor. The chapter takes up each of the documents of the Implementation Plan and gives an overview over its content.

In chapter 5 the One-Stop-Shop (OSS) and its tasks are described as well as the capacity application and allocation procedures and principles.

Chapter 6 is dedicated to the terminals and their integration into the Rail Freight Corridors.

Chapter 7 deals with issues related to Traffic Management.

Chapter 8 finally deals with the information, which has to be provided to applicants and the European Commission; here also certain administrative issues are taken up.

2 DESIGNATION OF A RAIL FREIGHT CORRIDOR

2.1 Demarcation of Rail Freight Corridors (RFC)

A rough geographical definition of the Rail Freight Corridors is given in the Annex of the Regulation:

Corridor	Member States	Principal routes ¹	Date of implementation
1 Rhine Corridor	NL, BE, DE, IT	Zeebrugge-Antwerp/Rotterdam-Duisburg-[Base]-Milan-Genova	9 Nov 2013
2 Benelux-France Corridor	NL, BE, FR, LU	Rotterdam-Antwerpen-Luxemburg-Metz-Dijon-Lyon/[Base]	9 Nov 2013
3 Central North-South Corridor	SE, DK, DE, AT, IT	Stockholm-Malmö-Copenhagen-Hamburg-Innsbruck-Verona-Palermo	9 Nov 2015
4 Atlantic Corridor	PT, ES, FR	Sines-Lisboa/Leixões - Madrid-Medina del Campo/Bilbao/San Sebastian-Irun-Bordeaux-Paris/Le Havre/Metz Sines-Elvas/Algeciras	9 Nov 2013
5 Balt-Med Corridor (Baltic-Mediterranean Corridor)	PL, CZ, SK, AT, IT, SI	Gdynia -Katowice-Ostrava/Zilina-Bratislava/Vienna-/Klagenfurt - Udine- Venice/ Trieste/ I - Bologna/Ravenna/ /Graz-Maribor-Ljubljana-Koper/Trieste	9 Nov 2015
6 Mediterranean Corridor	ES, FR, IT, SI, HU	Almería-Valencia/Madrid-Zaragoza/Barcelona-Marseille-Lyon-Turin-Milan-Verona - Padua/Venice - Trieste/ Koper-Ljubljana-Budapest-Zahony (Hungarian-Ukrainian border)	9 Nov 2013
7 Orient Corridor	CZ, AT, SK, HU, RO, BG, EL	- Bucharest-Constanta Prague-Vienna/Bratislava-Budapest - Vidin-Sofia-Thessaloniki-Athens	9 Nov 2013
8 Central East-West Corridor	DE, NL, BE, PL, LT,	Bremerhaven/Rotterdam/Antwerp-Aachen/Berlin-Warsaw-Terespol (Poland-Belarus border)/Kaunas	9 Nov 2015
9 Eastern Corridor (Czech-Slovak Corridor)	CZ, SK	Prague - Horni Lideč - Žilina-Košice-Čierna nad Tisou - (Slovak/Ukrainian border)	9 Nov 2013

Table __: List of Initial Rail Freight Corridors

¹ "/" means alternative routes. In line with the TEN-T priority projects, routes 4 and 6 should in the future be completed by Project 16, the Sines/Algeciras-Madrid-Paris freight axis which takes in the central Pyrenees crossing via a low elevation tunnel.

In the table above, in addition to the numbers of the Rail Freight Corridors according to the Regulation are also given indicative names. The use of names allows a better identification of each corridor and to discern them more easily from corridors of other corridor concepts, which partly also use numbers for their denomination (e.g. TEN-T and RNE-corridors).

Thus for the purpose of clarity it is suggested to use for the Rail Freight Corridors mainly names to identify a specific corridor. The use of names also facilitates communication with the public and parties which are not or less involved in the corridors and which most likely cannot relate to the corridor numbers.

The exact definition of railway lines to become part of a Rail Freight Corridor – i.e. their designation to a corridor in accordance with the definition of freight corridor (Art. 2(2)(a)) – is the task of the Management Board in cooperation with the competent Infrastructure Managers, involving the Advisory Groups. The Executive Board has to give its approval.

The railway lines, and where appropriate rail ferry line, to be designated to a corridor should connect terminals with relevance for rail freight traffic along the principal route outlined in the Regulation, this are especially

- marshalling yards
- major intermodal terminals and
- rail terminals in sea ports and along inland waterways.

The designated railway lines (including rail ferry lines) and terminals designated to a corridor have to be indicated in the Implementation Plan (Art.9(1a)) and the network statement (Art.18(a)).

2.1.1 Designated routes

The *principal routes* of the nine initial corridors as set out in the Annex to the Regulation should be understood as an approximate geographical description of the corridors, i.e. the locations mentioned in it do not necessarily represent specific stations in the railway network but rather geographical places – often major cities – where the corridors start, end or pass through.

The selection of railway lines to be designated to a corridor should be based on their suitability for freight traffic with regard to infrastructure parameters like maximum gradients, permitted train-lengths, axle-loads and loading gauges, and their capacity. Even the location of important terminals, as far as they were not already identified in the first step, should be taken into account.

Often it is quite obvious which lines come into consideration, given that there are important traffic flows already today on these corridors and the lines to be designated to a corridor will certainly coincide with those mainly used today.

In some cases it may become relevant to include further railway lines to accommodate sufficient capacity in a corridor; here lines are concerned which may not play an important role for long-distance freight traffic today, but which may do so in the future. In this context plans developed in some countries to add additional capacity on new routes – or to divert freight traffic from existing routes to new routes in order to relieve pressure on certain bottlenecks – constitute an important input and will have to be taken into consideration.

In certain cases it may be meaningful to designate – *in addition* to lines serving the places specified in Annex I of the Regulation – railway lines bypassing these places. This could be the case when there are major traffic flows in a Rail Freight Corridor, for which a route via a certain place does not appear meaningful. By doing so "irrational" transport routes can be avoided and possible bottlenecks can be circumvented for these traffic flows. The transport market study to be developed as part of the Implementation Plan will indicate where such "bypasses" are meaningful. *In any case it has to be ensured that the places indicated in the Regulation always are incorporated in a Corridor in an adequate way.*

Generally all railway lines on which pre-arranged train paths will be arranged should be designated to a corridor. Furthermore, where appropriate, routes which are not used for pre-arranged train paths, but may become used in case of traffic disturbances, should be designated to a corridor. These *diversionary routes* should have characteristics (in terms of permitted train lengths, loading gauges, axle-loads, etc), which allow a diversion of trains without negatively affecting operational efficiency as little as possible).

When it comes to the selection of terminals in Step II principally all terminals along a railway line designated to a Rail Freight Corridor should be considered belonging to the Corridor.

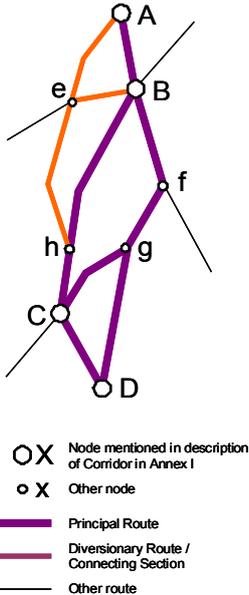


Figure __: Elements of a Rail Freight Corridor

2.1.2 A two-step approach

A *first step* in the definition of the railway lines to be dedicated to a corridor should be the selection of relevant terminals in or in the vicinity of the places indicated in the Annex of the Regulation. In some cases it may be meaningful to include several terminals for each place, e.g. where there are several marshalling yards, intermodal terminals or port terminals.

In a *second step* the railway lines, including where appropriate rail ferry lines, connecting these terminals should be selected and be designated to the corridor as well as further terminals along these railway lines. Even diversionary routes have to be included (Art.2(2a)).

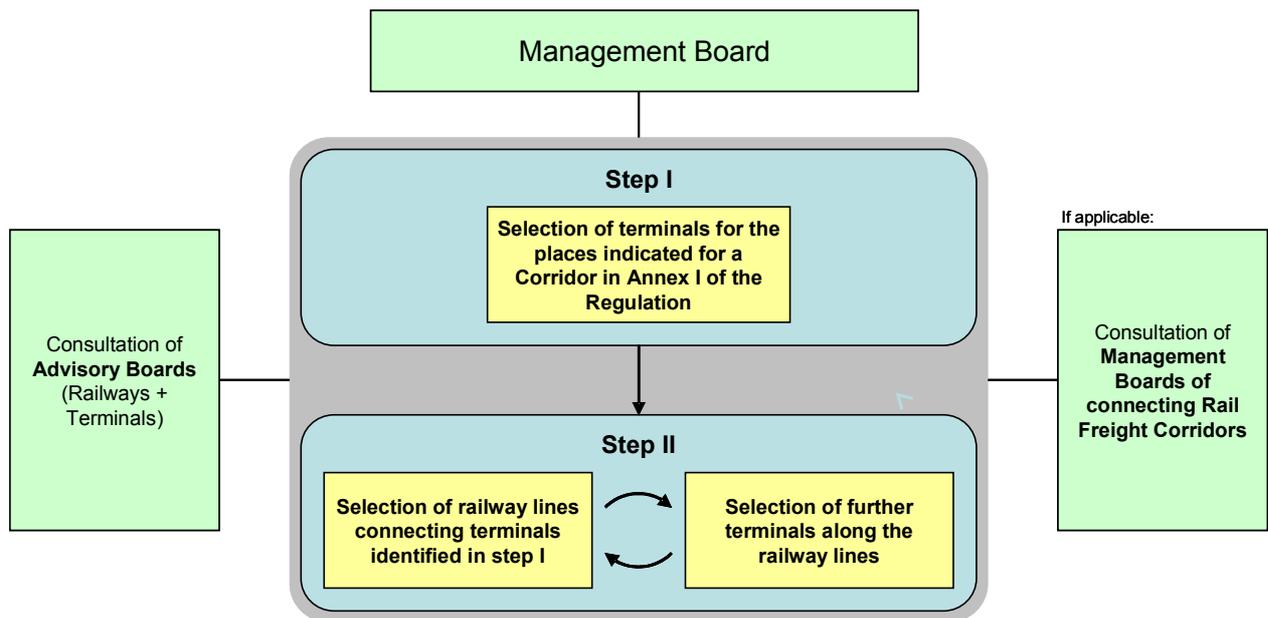


Figure __: Steps for geographical definition of a Rail Freight Corridor

The Management Board and Infrastructure Managers are responsible for the demarcation of the corridors; the appropriateness of their demarcation will mainly depend on the satisfaction of their customers, i.e. the railway undertakings and other applicants as well as the terminal managers. Thus it is essential to involve advisory groups in the demarcation of the corridors at an early stage.

Some corridors connect with other corridors and some of their sections may overlap. A railway line can in fact be designated to more than one corridor, in which case an agreement has to be reached concerning its dual use as part of two corridors (see chapter 2.1.4). In these cases, consultation between infrastructure managers via the management boards of rail freight corridors concerned is appropriate when it comes to the designation of railway lines.

2.1.3 What does 'establish a Corridor' mean?

In the Regulation two terms are used to indicate the start of operations on a Rail Freight Corridor: “make operational” (Art.3) and “establishment” (Art.3, 4(d),5(1,2,3,5,6,7), 7, 9(3),22, Annex). They have to be understood synonymously.

To establish or make operational a corridor means taking all necessary measures to implement a Rail Freight Corridor in accordance with the Regulation and the Corridor so that the corridor becomes operational. This means especially:

- To set up the governance structure of the corridor, comprising the Executive Board, the Management Board and the Advisory Groups
- To designate railway lines and terminals to a corridor

- To elaborate the implementation plan
- To establish the One-Stop-Shop and to provide for the provision and dissemination of information
- To specify the designated capacity (pre-arranged train paths and ad hoc-capacity)
- To develop processes and rules for capacity requests, capacity allocation and traffic management

2.1.4 Dual Governance

If a railway line or a terminal belongs to two or more corridors the infrastructure manager concerned has to participate in two or more governance structures.

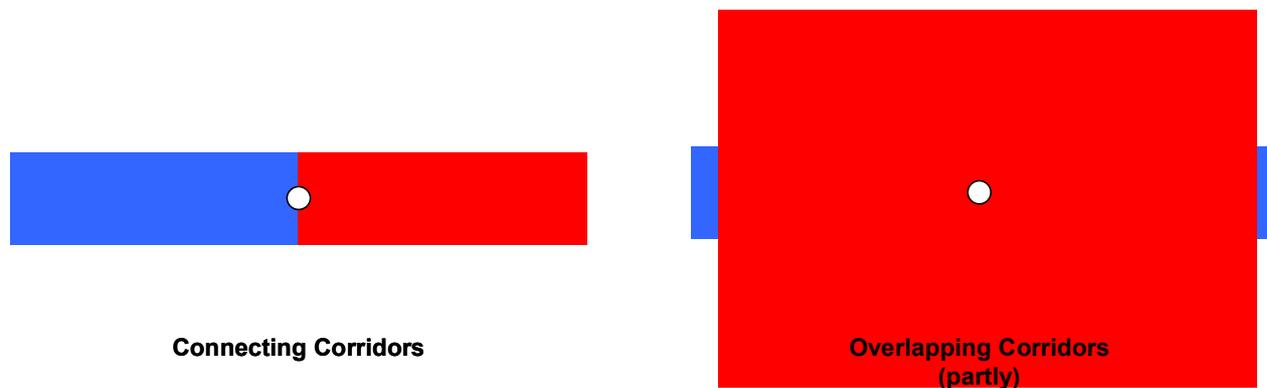


Figure __: Forms of geographical interaction between Corridors

2.1.5 Making operational a Corridor or parts of it before the dates set out in Annex I of the Regulation

The Regulation does not expressly foresee making operational a corridor, or parts of it, before the dates set out in Annex I, i.e. three or five years after the Regulation has entered into force.

However, this does not prevent Member States concerned to do so. If one or more Member States involved in a corridor wish to establish parts of a corridor in advance of the deadline set by the Regulation, all Member States concerned by that corridor should consider the possibility to meet this request. A decision has to be taken on a case-by-case basis. In any case it has to be ensured that the partial establishment of a corridor does not impede the timely establishment of the corridor in its entirety.

2.2 Rail Freight Corridors and their relation to other corridor concepts

The Rail Freight Corridors are related to a number of other corridor concepts, which have to be taken into account in the selection of railway lines. The Regulation mentions expressly the ERTMS-corridors, the TEN-T Network and the Rail Network Europe (RNE) corridors (recital 12).

Six of the nine initial Rail Freight Corridors overlap with ERTMS-corridors. All nine Rail Freight Corridors include one or several RNE-corridors or parts of these.

The Regulation should allow reconciling various types and nature of existing freight corridors, such as ERTMS, RNE (and even Green corridors) under a single concept of Rail Freight Corridors. The inclusion for the Rail Freight Corridors in the TEN-T network is also expected.

The different corridor concepts are in fact complementary to each other. While the TEN-T concept focuses on infrastructure investments, the RNE-corridors are addressing timetabling and capacity allocation issues; the core task of the ERTMS-corridors is the deployment of the European Train Control system and the promotion of interoperability. Thus, a harmonisation of the different concepts would result in positive synergic effects.

2.2.1 ERTMS-corridors

The ERTMS-corridors play a key role in this context, since the governance structures already established for the ERTMS-corridors should form the basis of the governance structures to be established for the majority of the Rail Freight Corridors.

Each ERTMS-corridor is corresponded by a freight corridor and the governance structures already set up should constitute the base of those of the freight corridor and lines.

The following table shows the Rail Freight Corridors and the corresponding ERTMS-corridors. The Atlantic Corridor (Rail Freight Corridor 4), Balt-Med Corridor (Rail Freight Corridor 5) and Czech-Slovak Corridor (Rail Freight Corridor 9) do not have a corresponding ERTMS-corridor. For these corridors it is especially important to initiate their establishment without delay.

Rail Freight Corridor		ERTMS-Corridor
1 Rhine Corridor	Zeebrugge-Antwerp/Rotterdam-Duisburg-[Base]/Milan-Genova	A Rotterdam – Genova
2 Benelux-France Corridor	Rotterdam-Antwerpen-Luxemburg-Metz-Dijon-Lyon/[Base]	C Antwerp – Basel – Lyon
3 Central North-South Corridor	Stockholm-Malmö-Copenhagen-Hamburg-Innsbruck-Verona-Palermo	B Stockholm - Naples
4 Atlantic Corridor	Sines-Lisboa/Leixões - Madrid-Medina del Campo/Bilbao/San Sebastian-Irun-Bordeaux-Paris/Le Havre/Metz Sines-Elvas/Algeciras	-
5 Balt-Med Corridor (Baltic-Mediterranean Corridor)	Gdynia -Katowice-Ostrava/Zilina-Bratislava/Vienna-/Klagenfurt - Udine- Venice/ Trieste/ / - Bologna/Ravenna/ /Graz-Maribor-Ljubljana-Koper/Trieste	-
6 Mediterranean Corridor	Almería-Valencia/Madrid-Zaragoza/Barcelona-Marseille-Lyon-Turin-Milan-Verona - Padua/Venice - Trieste/ Koper-Ljubljana-Budapest-Zahony (Hungarian-Ukrainian border)	D Valence – Lyon – Ljubljana – Budapest
7 Orient Corridor	Prague-Vienna/Bratislava-Budapest Thessaloniki-Athens - Bucharest-Constanta - Vidin-Sofia	E Dresden – Prague – Budapest
8 Central East-West Corridor	Bremerhaven/Rotterdam/Antwerp-Aachen/Berlin-Warsaw-Terespol (Poland-Belarus border)/Kaunas	F Duisburg – Berlin - Warsaw
9 Eastern Corridor (Czech-Slovak Corridor)	Prague - Horni Lideč - Žilina-Košice-Čierna nad Tisou - (Slovak/Ukrainian border)	-

Table __: Rail Freight Corridors and corresponding ERTMS-corridors

2.2.2 RNE Corridors

Freight corridors include nearly all the lines of the RNE corridors, but some RNE corridors are distributed on several freight corridors.

2.3 Selection and modification of further corridors

The Regulation provides for the selection (establishment) of further corridors. The criteria for the selection of further freight corridors are laid down in Art.5.

The principal routes of further Rail Freight Corridors may also be modified on the basis of Art.6. The possibility to modify a Rail Freight Corridor means that lines can be both added and removed from a corridor.

The possibility to modify initial Rail Freight Corridors of Annex I of the Regulation is subject to a co-decision procedure involving the European Parliament and the Council.

A further Rail Freight Corridor should be proposed by the concerned Member States and approved by the Commission under the comitology procedure.

2.3.1 Mandatory establishment of corridor extensions or further corridors

In two cases there is an obligation for a Member State to participate in the establishment of a further corridor or modification (extension) of a corridor:

- If the Member State has to meet its obligations according to Art.4(1).
- If the Member State is requested by another Member State to participate in the establishment of a further corridor or extension of a corridor and the requesting Member State is doing so in order to meet its obligation according to Art 4(1).

2.3.2 Voluntary establishment of corridor extensions or further corridors

Member States are free to establish extensions of corridors or further corridors on a voluntary basis.

Proposals for extensions of corridors can be initiated by the different organs of a corridor, should be approved by the Executive Body and have to be submitted to the Commission by the Member State(s) on whose territory the extension is situated.

An extension of a corridor should be initiated by the management board especially if it is motivated by results from the transport market study, the customer satisfaction survey or consultations with the advisory groups.

In case of disagreement between two or more Member States a Member State may request the Commission to consult the Committee on this matter according to Art 7 (Reconciliation).

3 GOVERNANCE OF A RAIL FREIGHT CORRIDOR

3.1 Governance structure

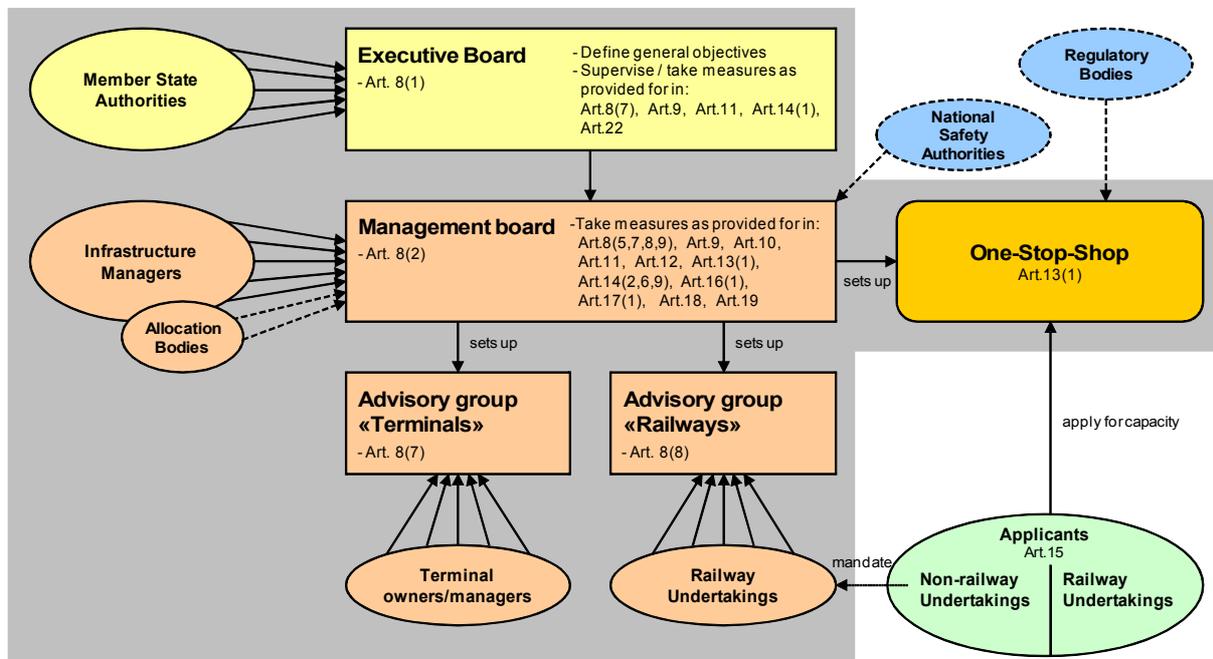


Fig. __: Governance structure of a Rail Freight Corridor

The Regulation establishes a governance structure involving all actors concerned in various bodies. Roles and powers given to these bodies in accordance with the Regulation respect the prerogatives of each actor as set down in the market access rules contained in the First Railway package, including the principles of managerial autonomy of an infrastructure manager, of separation between infrastructure management and transport operation and of independence of regulatory bodies.

3.2 Setting-up the Executive Board

The setting up of the Executive Board is one of the first steps in the implementation of the Regulation and must be established as soon as possible.

The Executive Board should formalise its working rules (meetings, etc.). It should designate a chair Member State (for a specific period) to coordinate its activities. The Executive Board should prepare a mission statement for the Management board. An official endorsement by the Transport Ministers would facilitate commitments in relation to objectives and tasks.

Executive Boards of the ERTMS corridors should in principle adapt and extend their existing organisation (tasks and structure) to meet the requirements of the Regulation, as appropriate, in order to avoid duplication of bodies or of tasks. As an example, the chair of existing

corridors is usually the Director in charge of land or rail transport matters in the competent ministry. One of his/her collaborators is the secretary of the executive board. The meetings (4 to 6 per year) take place alternatively in the different Member States of the corridor.

Representatives of the Management Board should be invited by the Executive Board to attend meetings of the executive board and report on a regular basis on the progress made in implementing the corridor and examine on-going issues of relevance for the executive board.

The main tasks of the Executive Board are:

- the definition of the general objectives of the freight corridor (Art 8(1)), and their supervision
- the approval of the designated lines of the corridor
- taking the appropriate measures for:
 - providing opinion in case of disagreement between the management board and the advisory board of terminals (Art 8(7))
 - the approval of the implementation plan (Art (9(1)) and the investment plan (Art 11)
 - the definition of the framework for the allocation of capacity (Art(14(1))
 - the presentation to the Commission of the progress report (Art(22))

3.3 Setting-up the Management Board

The Infrastructure Managers (and where relevant Allocation Bodies) have to establish a management board.

The main tasks of the Management Board are:

- proposing the lines to be designated for the corridor
- establishing its structure (Art 8(5))
- setting up an advisory board of terminals owners and managers (Art 8(7))
- setting up an advisory board of railway undertakings and taking into account its opinions (Art 8(8))
- the coordination of the use of IT tools for paths requests and traffic management (Art 8(9))
- drawing up and periodical review of the implementation plan and the transport market study (Art 9(1-3))
- cooperation with regional and/or local administrations (Art 9(5))
- consultation of applicants (Art 10)
- drawing up the investment plan (Art 11)
- coordination and publication of works (Art 12)

- setting up the One Stop Shop (Art(13(1)))
- evaluation of the needed capacity (Art 14(6))
- coordination of priority rules concerning the allocation of capacities (Art 14(6))
- procedures for allocation of capacity between infrastructure managers and terminals (Art 14(9))
- procedures for coordinating traffic management (Art 16(1))
- adoption of common targets for punctuality (Art 17(1))
- adoption of guidelines for traffic management in case of disturbances (Art 17(1))
- publication of a 'Corridor Document' (Art 18)
- promotion of compatibility between the performance schemes (Art(19))

The participation of authorised applicants other than railway undertakings, on a voluntary basis, should be strongly encouraged and their opinions should be taken into account where appropriate.

3.3.1 Internal rules and procedures

The Management Board, which is an operational body, has to define its organisation, in particular the:

- Structure

The Management Board should be made up of high-ranking management representatives responsible for implementation of the corridor within their organisation.

The Management Board should designate a chair infrastructure manager (for a specific period) to coordinate its activities. It should formalise its working rules.

The Management Board can appoint a permanent organisation, composed of full-time dedicated people (central office or not, ie located at one place or working within their infrastructure manager), to support the implementation of the corridor.

It sets up working groups with expert members of the respective infrastructure managers to deliver the foreseen measures. In the existing ERTMS corridors there are among others working groups on ERTMS deployment, Operations, Capacity, Traffic Quality, Terminals, Investments. The working group on Traffic Quality should welcome the view of the users, notably those that are not directly represented in the advisory bodies.

Each infrastructure manager should manage at least one WG.

Meetings between the CEOs of the Infrastructure managers should take place to support the tasks of the Working Groups and Management Board members.

Financial rules for the functioning of the corridor have to be defined.

-Existing ERTMS corridors

Within the ERTMS corridors, the existing management board would be the basis of the Management Board of the Rail Freight Corridors, extending or adapting its tasks and its structure, as appropriate, to avoid duplication of bodies or of tasks. Existing ERTMS management boards should do an inventory of the existing and new tasks foreseen by the Regulation, proposing the adequate structure (working groups -existing or new ones-) and a timetable to cope with the implementation of the Regulation.

-EEIG

An independent legal entity, which can be an EEIG, is recommended by the Regulation. The Management Board of ERTMS-corridors A, C and D is already an EEIG.

The already existing EEIGs should continue and extend their missions and their membership, if necessary, in case the Rail Freight Corridor involves countries not involved in the ERTMS corridor. Their mandate should be extended. All infrastructure managers of a corridor should be members of the EEIG. For example, the Hungarian Infrastructure Manager is not member of the EEIG of corridor D, while the other Infrastructure Managers are members.

In some Member States, the paths are allocated by an allocation body instead of the infrastructure manager. The role of the allocation bodies within the Management Board should be examined. In case the allocation body or the infrastructure managers have the prerogative to allocate paths and capacity (tracks, marshalling yards etc...) to authorised applicants other than railway undertakings, the presence of such authorised applicants on a voluntary basis is to be encouraged.

3.4 Advisory Groups

3.4.1 Advisory Group of railway undertakings

The Management Board have to set up an Advisory Group to represent railway undertakings and other applicants using or interested to use the corridor (Art 8(8)). The widest possible representation of applicants, both railways undertakings and others is to be encouraged.

The Management Board is responsible for the organisational and logistic support of this advisory group (secretary, meetings organisation, internal rules...).

3.4.2 Advisory Group of terminals owners/managers

The Management Board have to set up an Advisory Group group made up of managers and owners of the terminals of the freight corridors (Art.8(7)). Terminals could be represented by both the owner or the manager, while the owner should primarily be involved with regard to issues related to investments.

The Management Board is responsible for the organisational and logistic support of this Advisory Group (secretary, meetings organisation, internal rules...).

An exchange (and also a manual) of best practices within the corridor would be very useful and improve the performance of the corridors and the terminals. The advisory group should cooperate in the preparation of the information concerning terminals which has to be published by the OSS.

4 THE IMPLEMENTATION PLAN FOR A CORRIDOR

4.1 Role of the Implementation Plan

The Implementation Plan contributes to specify objectives to improve the corridor capacity and service quality. To work on the performance schemes as well as the monitoring system would also be a tangible and effective way, by which lower transport time and higher reliability of freight services is likely to take place.

4.2 Parts of the Implementation Plan

The Implementation Plan comprises a number of documents (Art.9(1)) as shown in the figure below, of which the Transport Market Study plays a central role in the implementation of a corridor.

The Implementation Plan with all its documents have to be completed six months before making the corridor operational, i.e. at latest 9 May 2013 for those Rail Freight Corridors to be established within three years and 9 May 2015 for those to be established within five years after entry into force of the Regulation. Concerning the Performance Monitoring Report and the Satisfaction Survey it would be sufficient to provide by this time a structure, detailing the kind of information it will contain. Full Performance Monitoring Reports and Satisfaction surveys will have to be provided after the implementation of the corridor on an annual basis. The Transport Market Study may reveal already some information concerning today’s performance and customer satisfaction in the corridor, which may be useful for an ex-post comparison and for defining the scope and content of the list of measures as well as the performance report and the satisfaction survey.

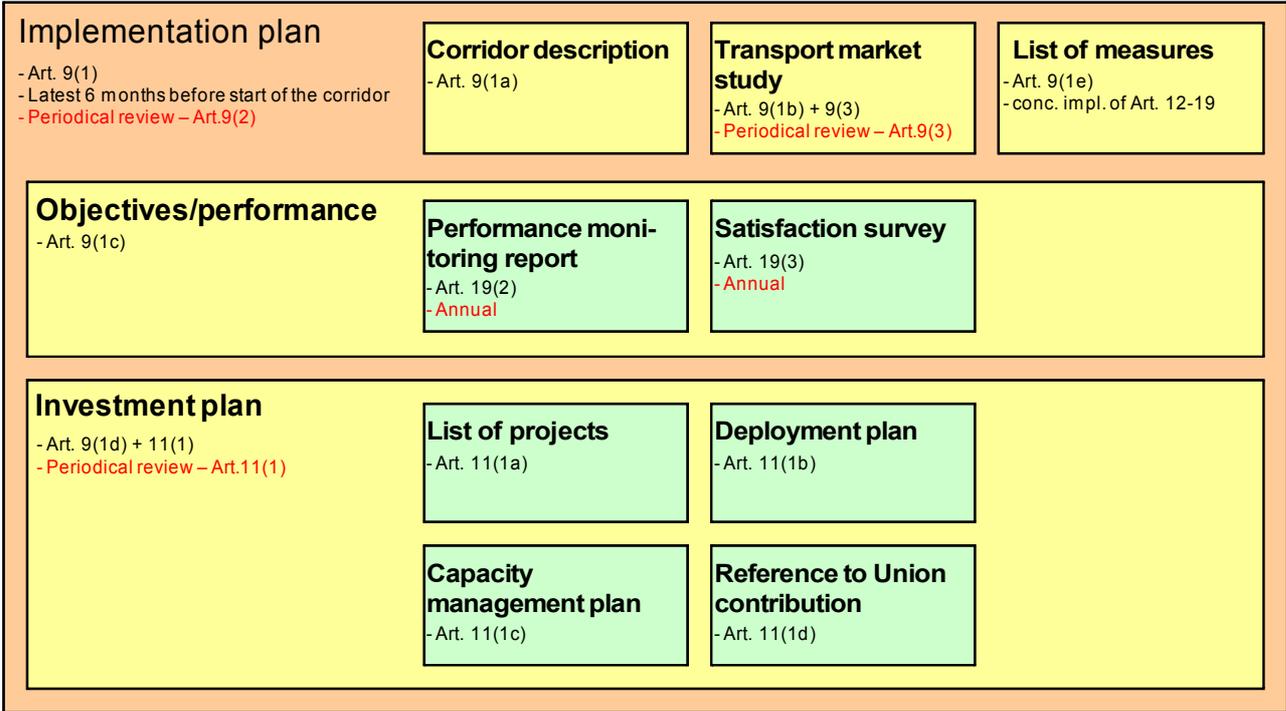


Fig. ___ Parts of the Implementation Plan

4.3 Corridor Description

The Corridor Description should comprise:

- a) A list of all railway lines and terminals designated to a Rail Freight Corridor. It is recommended to include as well a map of the Corridor.
- b) A detailed and systematic description of all infrastructure parameters relevant for rail freight traffic, including, but not necessarily limited to:
 - a. train lengths
 - b. loading gauges
 - c. axle- and meter-loads (line classes)
 - d. gradients
 - e. electrification system
 - f. signalling system
 - g. possible existence of commodity restrictions
 - h. security requirements
 - i. levels of deployment and compliance with TSI
 - j. terminal description (Art.18b)

This information should be given for each section of the Rail Freight Corridor. It has to be indicated for which date the information is valid. Any changes foreseen should be indicated in the Corridor Description.

- c) A detailed description of capacity available and, if relevant, bottlenecks along the Corridor, as well as an overview over existing traffic patterns (both freight and passenger traffic)

4.4 Transport Market Study

4.4.1 Scope and content

The Management Board has to carry out a Transport Market Study related to the freight corridor (Art.9(1b), 9(3)). This study should also analyze, where necessary, the socio-economic costs and benefits stemming from the establishment of the freight corridor.

The Transport Market Study serves as the basis for the assessment of the “customer” needs. Three groups of “customers” of a corridor can be discerned and have to be taken into account in the study:

- Railway Undertakings and other applicants that operate today on the corridor

- Railway Undertakings and other applicants which do not operate on the corridor today, but might become interested to do so ~~under conditions to be assessed~~
- Other applicants, such as shippers, needing to transport their goods; they freight forwarders, logistics service providers and other modes' transport operators that are (or could become) clients of the Railway Undertakings.

Including railway undertakings' customers' views and requirements~~this group~~ is important in order to get better information about their needs – including those of shippers not using rail today – in order to better assess the market potential of a corridor, with a view to improve provided quality rail services that the establishment of the corridor should make of better quality become available. ~~In certain cases transport customers may also be represented as Other Applicants.~~

Requirements/wishes may be expressed in quantitative terms, ~~for example as regards journey time, punctuality~~ or in qualitative terms for example, but not limited to, journey time, punctuality as regards availability of interoperable rolling stocks, simplified procedures for obtaining paths, punctuality track record, train cancellation history, etc.

The study should include:

- the actual volumes, types of goods, and modal split that are present on~~for~~ the corridor and, (if available, for different sections) as well as the expected 24 months forecast
- the general economic situation in the concerned Member States, GDP growth with implications on traffic growth
- the expected traffic growths and development of modal split within a corridor
- the number of trains and their type
- an analysis of the interactions that are possible with the transport of goods by other modes
- the list of the operators already active along the Rail Freight Corridor as well as those potentially interested to operate on the Corridor in the future, by market segment
- the passenger traffic has to be analysed for the definition of the capacity
- the analysis of the current situation: the actual procedures and their functioning, quality of the corridor, actual performance (commercial speed, journey time, punctuality....) with precise reference to the and potential for further improvement development
- the terminals needs and their development plans, including an analysis of capacities and demand in quantitative and qualitative terms
- identification of bottlenecks and key problems (ex: interoperability, capacity, coordination....) along the corridor; even bottlenecks as well as possible access problems to terminals should be addressed
- the rail transport costs, possibly compared ~~and a comparison~~ with road and inland waterways

- a report on the quality offered, ~~the and~~ volumes transported and nature of the goods transported by the adjacent road transport services~~traffie~~

A comparative analysis of the competitive situation between rail and other modes, primarily road transport should be provided. The idea would be to use road transport in the corridor as a benchmark: it is important to better understand the service offered by the road, its cost, when the information is available. It will then be easier to target specific market segments on which rail could better compete. If-if the quality of service ~~is would be~~ improved, the opportunities for rail services to promote its value on the market will be multiplied.

When available, information on existing traffic for each section as regards regional/national and international passenger trains (in train per days) and on freight trains (national and international in train per days and in T.km per day) would be useful.

Information on today's *journey times and average speeds* for freight trains should be given for the entire corridor and/or relevant sections, in particular for cross-border sections. In case journey times vary strongly, it could be useful to give information on shortest, average and the longest transit time. ~~It should also be indicated~~The sections of a corridor with restrained capacity for freight trains during certain times of the day ~~should also be indicated.~~

If available *capacity utilisation of terminals*, including variations in utilisation over the day, should be given. For major marshalling yards and for border stations information on shortest and average *dwell times for wagons* should be provided. Similarly, information on *punctuality* should be given.

All Corridors should understand that the higher is the quality of the information provided to the applicant, the greater will be the competitiveness of the Corridor in the eyes of the user. This is one of the main elements of competitiveness of rail freight operators with other modes of transport.

Proposal of measures and milestones to remedy, which will be the basis to define the objectives of the Corridor and for an Action Plan of the measures to create and let function the corridor.

Corridors could also give their views as regards the opportunity to create a "marketing structure" whose aim would be to promote the corridor products to "end users" and rail undertakings or facilitate contacts between "end users" and rail operators.

4.4.2 Timeframe

The market study will analyse and present the main market elements of the corridor allowing to prepare the Implementation Plan, which will define objectives, investments and capacity.

The study has to be launched as soon as possible to obtain the results in appropriate time to draw the implementation plan. The Implementation Plan has to be drawn up at the latest six months before making the corridor operational.

An *approximate* timeframe for a Transport Market Study is indicated in the figure below, based on the following time needs:

- Preparation of TORs for the study ca. 3 months

- Call for tender and contracting ca. 3 months
- Study, including data collection ca. 9 to 18 months
- Analysis of results /preparation of Implementation Plan ca. 6 to 9 months
- Adoption of the Implementation Plan by MB and EB ca. 3 months

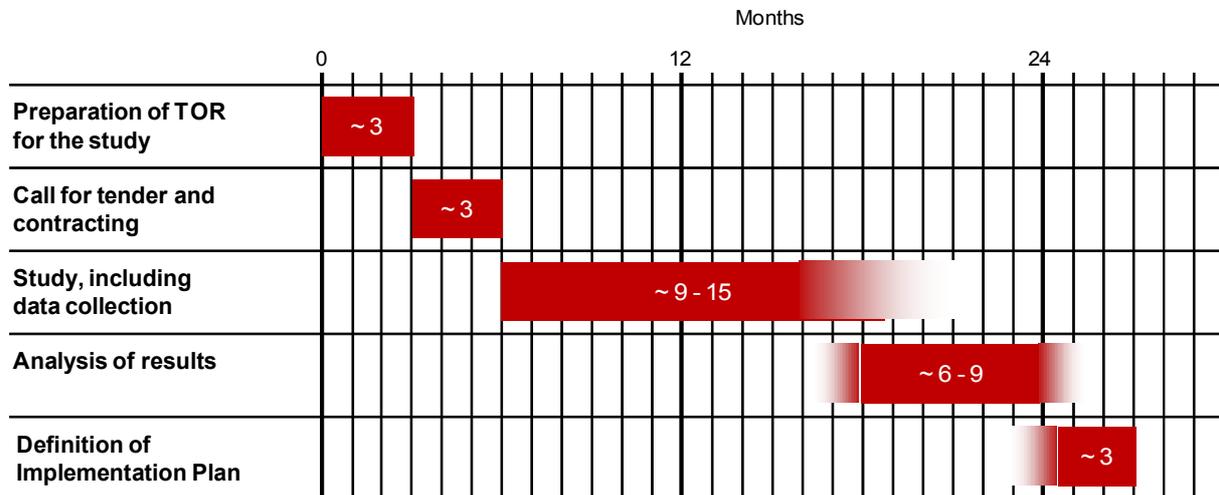


Fig. __ Approximate schedule for a Transport Market Study

4.5 List of Measures

The Implementation Plan has to contain a list of measures on how the implementation of Articles 12-19 is foreseen (Art.9(1e)).

Article 12 concerns the carrying out of works on the infrastructure, Article 13 the establishment of the One-Stop-Shop, Article 14 the framework for the allocation of capacity to freight trains, Article 15 the inclusion of non-railway undertakings among the Authorised Applicants, Article 16 Traffic Management Procedures for the Rail Freight Corridor, Article 17 Traffic Management in the event of disturbance, Article 18 the information to be provided on the conditions of use of the Corridor and Article 19 quality performance schemes along the Corridor.

4.6 Performance Monitoring Report

Concerning the Performance Monitoring Report (Art.9(1c), Art.19(2)) it would be appropriate to provide before the implementation of the corridor a partial report, showing its structure with detailed information on the kind of information it will contain; as far as available it should also contain relevant performance data from the Transport Market Study, which may be useful for an ex-post comparison.

Full Performance Monitoring Reports will have to be provided after the implementation of the corridor on an annual basis.

The Performance Monitoring Report will play an important role in the assessment of the quality of implementation of a corridor.

Among the parameters to be provided in the Performance Monitoring Report should be mentioned especially:

- Average speed of freight trains
- Average length of train runs
- Average number of stops in sidings per train run, per 100 train-km and total per year
- Average Dwell time in sidings per intermediate stop
- Deviation in time compared to path request
- Number of paths rejected
- Number of allocated paths that were not used
- Number of paths that were rejected for allocation
- Response time to a path request
- Percentage of empty wagons
- Number of freight trains
- Information relating to the punctuality of the freight trains

The Performance Monitoring Report should be brought to the attention of the public.

4.7 Satisfaction Survey

Even for the Satisfaction Survey (Art.9(1c), 19(3)) it would be appropriate to provide before the implementation of a corridor a partial survey, showing the structure of the survey and – as far as available – relevant information from the Transport Market Study.

Full Satisfaction surveys will have to be provided after the implementation of the corridor on an annual basis. The Transport Market Study may reveal already some information concerning today's customer satisfaction in the corridor, which may be useful for an ex-post comparison.

The Satisfaction Survey should give a detailed picture of the satisfaction of users with the corridor in quantitative and qualitative terms, addressing i.a. the following aspects:

- Infrastructure standard
- Information about the corridor
- Pre-arranged train paths and ad hoc capacity, journey times
- Application procedures
- Traffic management, punctuality
- Handling of complaints

- Terminal services
- Comparative advantages of rail corridor solutions

A close cooperation among all corridor Management Boards is highly desirable in order to develop a common Satisfaction Survey for all corridors.

As the Performance Monitoring Report, the results from the Satisfaction Survey will play a key role in the assessment of the quality of implementation of a corridor and should therefore be brought to the attention of the public.

4.8 The Investment Plan

The Investment Plan (Art. 9(1d), Art.11(1)) has to include an indicative medium-term plan (3-5 years) where the infrastructure managers have more precise financial commitments from the Member States and an indicative long-term plan (10 years) indicating the foreseen investments, under possibilities of financing.

- Suggested measures to be investigated in the Investment Plan are especially:

- Infrastructure maintenance and improvement
- Longer Trains
- Higher axle-loads
- Increased train gross-weights
- Larger loading gauges
- Removal of bottlenecks (additional track, bypasses of congested areas...)

If applicable, the Investment Plan has to contain references to financial contributions of the European Union (Art.11(1d)).

4.8.1 List of Projects

The Implementation Plan (Art.11(1a)) as part of the Investment Plan has to comprise a list of infrastructure projects along a Rail Freight Corridor. This list should also indicate the financial requirements, sources of finance and an indicative time plan for implementation.

4.8.2 Deployment Plan

The Deployment Plan (Art.11(1b)) as part of the Investment Plan has to provide information on the deployment of interoperable systems along a Rail Freight Corridor, i.e. the implementation of ERTMS.

The Deployment Plan has to fulfil the requirements and technical specifications for interoperability (TSI) and shall be based on a cost-benefit analysis.

4.8.3 Capacity Management Plan

The Capacity Management Plan (Art.11(1c)) as part of the Investment plan has to provide a plan for capacity management for freight trains along the corridor. Measures to improve the capacity utilisation, e.g. by improved speed management or by increasing train lengths, loading gauges, train gross weights, axle-loads, etc. should be considered in this plan.

5 ONE-STOP-SHOP -AND- CAPACITY APPLICATIONS

5.1 Role, scope and tasks of the One Stop Shop

The Regulation provides for the establishment and designation of a One-Stop-Shop (OSS).

The main issues related to its setting up or designation are:

- its organisation,
- the development of standardised processes (tools and procedures),
- the handling of paths requests and their follow-up
- the establishment of a register of path requests,
- the provision of information as foreseen in Article 18.

5.1.1 Organisation

The Commission has made the following declaration about the OSS:

“The Commission underlines that the OSS is a joint body set up or designated by the Management Board of each corridor; its function is that of a coordination tool. It may be a technical body within the corridor management structure or one of the Infrastructure Managers concerned.”

The declaration of the Commission clarifies that the OSS is a “single entity” for each Rail Freight Corridor, but several possibilities are open for its setting-up or designation, depending on the decisions of the Management Board. The OSS of a specific Corridor could be for example, an Infrastructure Manager or a technical body, which acts as the joint body for the whole Corridor.

Having regard to other missions of the OSS (contact point, info publication....) other than those relating to capacity allocation, the OSS of a Rail Freight Corridor should in principle not be located at an Allocation Body.

As each corridor has its own characteristics and specifications, there are no important economies of scale to have one OSS for several corridors. That does not mean that the IT-systems could not be located on one server for different corridors, with dedicated accesses for each corridor.

The OSS should be corridor-oriented and not nationally oriented.

5.1.2 Standardised processes (tools and procedures)

~~Both~~ Railway undertakings, other applicants and Infrastructure Managers will all act on various corridors. This requires the use of standardised procedures and tools across all corridors.

For example all OSSs should have the same standardised interface with applicants and infrastructure managers.

They should also have the same standardised procedures to transfer paths requests among the infrastructure managers of a corridor and to handle their answers.

5.1.3 Handling of requests for pre-arranged paths and reserve capacity

According to Art.13(1) the OSS should be set up to handle applications regarding infrastructure capacity on a Rail Freight Corridor for freight trains crossing at least one border (international path requests). The OSS should be in the position to receive all applications of this type regardless they refer or not to pre-arranged train paths or the reserve of capacity.

According to Art.13(4) any request of infrastructure capacity, which cannot be met pursuant to Art.13(3), has to be forwarded by the OSS to the competent Infrastructure Manager/Allocation Bodies. The use of the OSS for these requests as a final processor is foreseen in the Regulation.

The requests (and the answers) for the pre-arranged trains paths and the reserve capacity have to be handled by the OSS. The OSS needs an appropriate IT Tool (Pathfinder). The Infrastructure Managers have to be informed of the applications after the decision taken by the OSS.

The Infrastructure Managers have to inform the OSS for requests of capacity for unforeseen maintenance works.

The OSS should take its decisions within a short time, for example within 24 hours for the allocation of pre-arranged train paths and reserve capacity. Contract partners for the railway undertakings however are the responsible infrastructure manager. It could be appropriate that the management board foresees a standard contract, at the level of the corridor, for pre-arranged train paths, with or without (delegated signature) the infrastructure managers or allocation bodies involved, instead of having contracts with each infrastructure manager.

5.1.4 Provision of information

The OSS have also to provide all the information on allocation of capacity (updated capacity available) and on the conditions of use of the Rail Freight Corridor (Art.18).

This information includes

- all information contained in the Network Statements for the national networks as far as railway lines and terminals designated to a Rail Freight Corridor are concerned (Art.18(a))
- a detailed description of the terminals along a Rail Freight Corridor, including conditions and methods on how to access the terminals (Art. 18(b))
- information about procedures related to Articles 13 to 17 of the Regulation (Art.18(c)), i.e.
 - o application procedures for infrastructure capacity to the OSS (Art.13)
 - o capacity allocation to freight trains (Art.14)
 - o the Authorised Applicants (Art.15)

- traffic management in a Corridor (Art.16)
- traffic management in the event of disturbance (Art.17)
- the Implementation Plan with all the documents described in chapter 4 (Art.18(d)).

5.2 Authorised applicants

Applicants other than Railway Undertakings or the international groupings that they make up, such as shippers, freight forwarders, logistics service providers, other modes' and combined transport operators may request international pre-arranged train paths and paths of the reserve capacity (Art.15). Due to its direct application the Regulation provides for this right without any further requirement to be set at national level. Member States could of course extend this right to other applicants, or to cover all types of paths.

5.3 Capacity applications

The figure below illustrates which capacity applications have to be submitted to the OSS and the Competent Infrastructure Manager respectively.

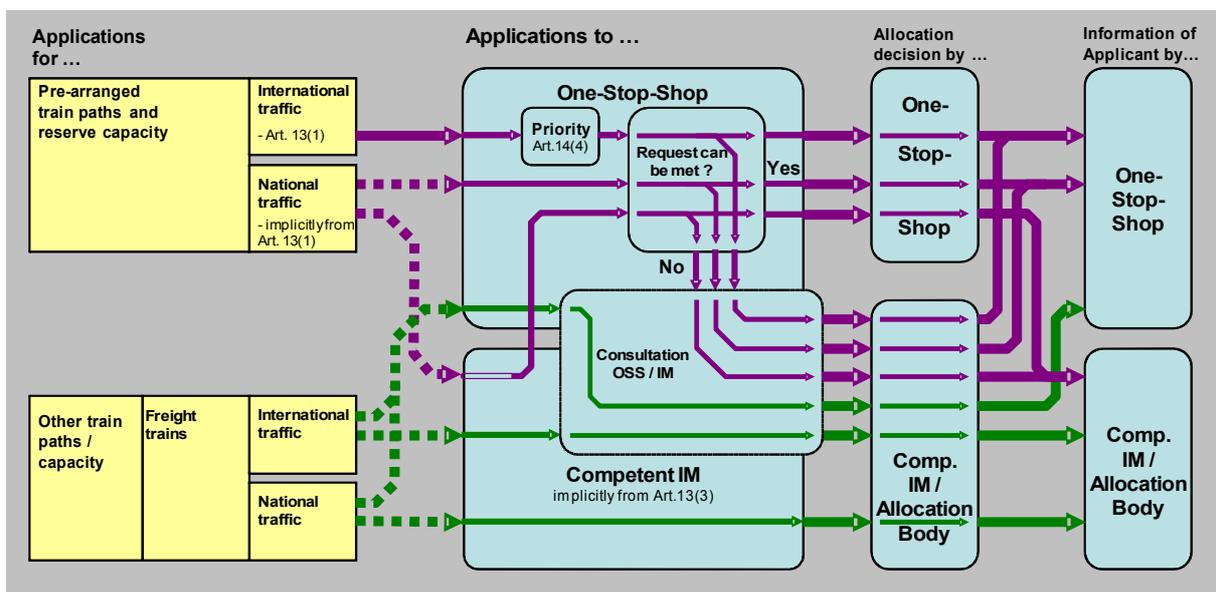


Figure: Applications for different types of capacity (dotted lines = optional)

As regards applications for dedicated capacity on the Rail Freight Corridors, i.e. pre-arranged train paths and reserve capacity, applications have to be made to the OSS of a Corridor as far as international trains are concerned (Art.13(1)).

Concerning applications for national trains, which want to use dedicated capacity on a Rail Freight Corridor, the Regulation does not expressly foresee in Art.13(1), that these applications have to be made to the OSS. However, since the OSS according to Art.13(3)

have to take decision with regard to (all) applications for the dedicated capacity, it is recommended to let applicants submit applications to the OSS even for trains, which do not cross a border, but which want to use dedicated capacity on a Rail Freight Corridor. Nonetheless, in absence of a mandatory submission of such applications to the OSS, national Infrastructure Managers must be prepared to receive applications for national trains wanting to use dedicated capacity on a Rail Freight Corridor. Thus each national Infrastructure Managers concerned by a Rail Freight Corridor has to establish a procedure to forward these applications without delay to the OSS in question.

A well-defined offer of pre-arranged train paths can be expected to cover well the demand for capacity on a Rail Freight Corridor in both quantitative and qualitative terms. However, in certain cases an Applicant may want to apply for capacity on a Corridor, but not being part of the dedicated capacity. This may for example be the case if a train path is using a Rail Freight Corridor only on a shorter section, e.g. on a cross-border section.

Given the objective of the Regulation to strengthen cooperation on allocation of international train paths (4) it is recommended to give applicants the possibility to submit even capacity requests concerning not the dedicated capacity of a Rail Freight Corridor, at least as international trains are concerned, optionally to either the OSS or the Competent Infrastructure Manager. Irrespective to whom the application is made, it should be subject of a consultation between the OSS and the Competent Infrastructure Manager. The final allocation decision resides in this case with the Competent Infrastructure Manager.

Even capacity requests for dedicated capacity, which cannot be met should be subject of consultation between the OSS and the Competent Infrastructure Manager. The final decision on requests which cannot be met have to be taken by the Infrastructure Manager or Allocation Body, in accordance with Art.13 and Chapter III of Directive 2001/14/EC (Art.13(5)).

The communication of the results of a capacity request should always be made by the organisation to which the request has been submitted. In case of denial, the reasons thereof should be clear, complete and corroborated by evidence.

A high number of capacity applications on a Rail Freight Corridor not referring to the dedicated capacity or a high number or requests which cannot be met indicate the need to reconsider the supply of pre-arranged train paths and reserve capacity in quantitative as well as qualitative terms.

5.4 Definition of capacity

5.4.1 Types of capacity requests

The capacity offer on the Rail Freight Corridors has to address a wide range of market demands. Two parameters with a strong influence on the path supply and the processes to be developed are the duration and predictability of the capacity needs, which depend to a high degree on the type of traffic and to some extent the type of rail freight service (production method), see figure below.

The capacity offer on the Rail Freight Corridors has to take into account the varying character of capacity demand, both in order to address the market needs of the end customers (shippers) and for reasons of neutrality towards different Railway Undertakings, since different Railway Undertakings may address different market segments. Therefore the Regulation demands both pre-arranged train paths available in the annual timetable, as well as reserve capacity, which is available at short notice.

	Trainload	Single Wagonload	Intermodal
System-traffic	Long-term	Long-term	Medium- to long-term
Spot-traffic	Short-term	Long-term / Short-term	Medium- to long-term / Short-term

Figure __: Predictability of infrastructure capacity needs based on traffic type and type of rail freight service (production method).

The Regulation foresees the supply of capacity on the Rail Freight Corridors in form of

- 1) pre-arranged train paths and
- 2) reserve capacity.

Pre-arranged train paths address in first hand medium-to long-term capacity needs, while reserve capacity addresses temporary capacity needs at rather short notice.

In order to address the applicants capacity needs in an optimal way it is suggested to establish three request processes:

- On-time requests
- Late requests
- Ad-Hoc requests

While the two first-mentioned ones concern the pre-arranged train paths, the latter one concerns the reserve capacity.

5.4.2 Quantification of capacity needs

The quantification of capacity needs in form of pre-arranged train paths as well as reserve capacity has to be based on the Transport Market Study, consultations with the Advisory Groups, which should be involved in an early stage, and, after the establishment of a Rail Freight Corridor, results from the Satisfaction Survey.

When it comes to the reserve capacity the current share of train paths allocated in recent timetable-periods may serve as an indicator for the quantification of reserve capacity in relation to the capacity supplied in form of pre-arranged train paths.

It is suggested that the reserve capacity is calculated either as a *percentage* of the allocated pre-arranged train paths or a *fixed number* of train paths to be offered *in addition* to the *allocated pre-arranged train paths*. This means that the reserve capacity needs to be defined in form of concrete train paths first when the pre-arranged train paths are allocated. With this approach an “over-supply” of train-paths, blocking capacity for other traffic, can be avoided. Since the reserve capacity is intended to address short-term ad-hoc capacity needs, it appears neither necessary to publish reserve train paths as long time in advance as pre-arranged train paths.

However, for practical reasons it is suggested that the reserve capacity in first hand should consist of pre-arranged train paths, which have not been allocated within the On-time and Last-minute application processes. Furthermore it has to be ensured that the reserve capacity is published a reasonable time (e.g. 4 weeks?) in advance of the time from which on the reserve capacity not any longer needs to be reserved. This latter time must not exceed a maximum of 60 days (Art.14(5)). This means in practice that the reserve capacity has to be published at least the following number of days in advance of the timetable-change:

Number of days, which reserve capacity has to be published in advance of timetable-change	=	Number of days during which reserve capacity has to be published before capacity can be cancelled	+	Number of days before traffic day, until which reserve capacity has to be kept reserved
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The table below shows an example for the calculation of reserve capacity according to the two methods:

	Method	
	Reserve capacity as percentage	Fixed reserve capacity
Number of pre-arranged train paths offered	12	12
Number of pre-arranged train paths allocated	6	6
Reserve capacity	33%	2 paths
Reserve train paths	2	2
Total number of final train paths	8	8

The reserve capacity may vary between different sections of a Rail Freight Corridor as well as between different weekdays and/or traffic seasons.

5.4.3 Definition of train paths

Start and end of a train path, as well as possible intermediate stops should be defined on the basis of the Transport Market Study and in close cooperation with the Advisory Groups; the train path offer should regularly be reviewed and if necessary be adjusted to changed market conditions.

Three situations can be discerned in the definition of train paths:

- Train paths entirely within one Corridor
- Train paths involving two (or more) Corridors
- Train paths with start and/or end node outside any Corridor

Train paths involving two or more Rail Freight Corridors require close cooperation between the OSS and Management Boards of different Rail Freight Corridors.

Train paths which start and/or end outside any Rail Freight Corridor require cooperation with the competent Infrastructure Manager (or Allocation Body).

Procedures should be established to enable these contacts. The demarcation of a Rail Freight Corridor should not hinder the provision of train paths over several Corridors nor to places outside the Corridor. Good cooperation among the different Rail Freight Corridors as well as with Infrastructure Managers should also help to arrange connecting train paths (i.e. separate train paths, but which logistically are connected, e.g. from and to a marshalling yard)

In case the Transport Market Study, consultations with the Advisory Groups or the Satisfaction Surveys reveal a need for a large number of train paths to places outside a Rail Freight Corridor, it should be considered whether the railway lines concerned can be designated to a Corridor or if the Corridor should be modified (extended) with help of the procedure mentioned in chapter 2.3.

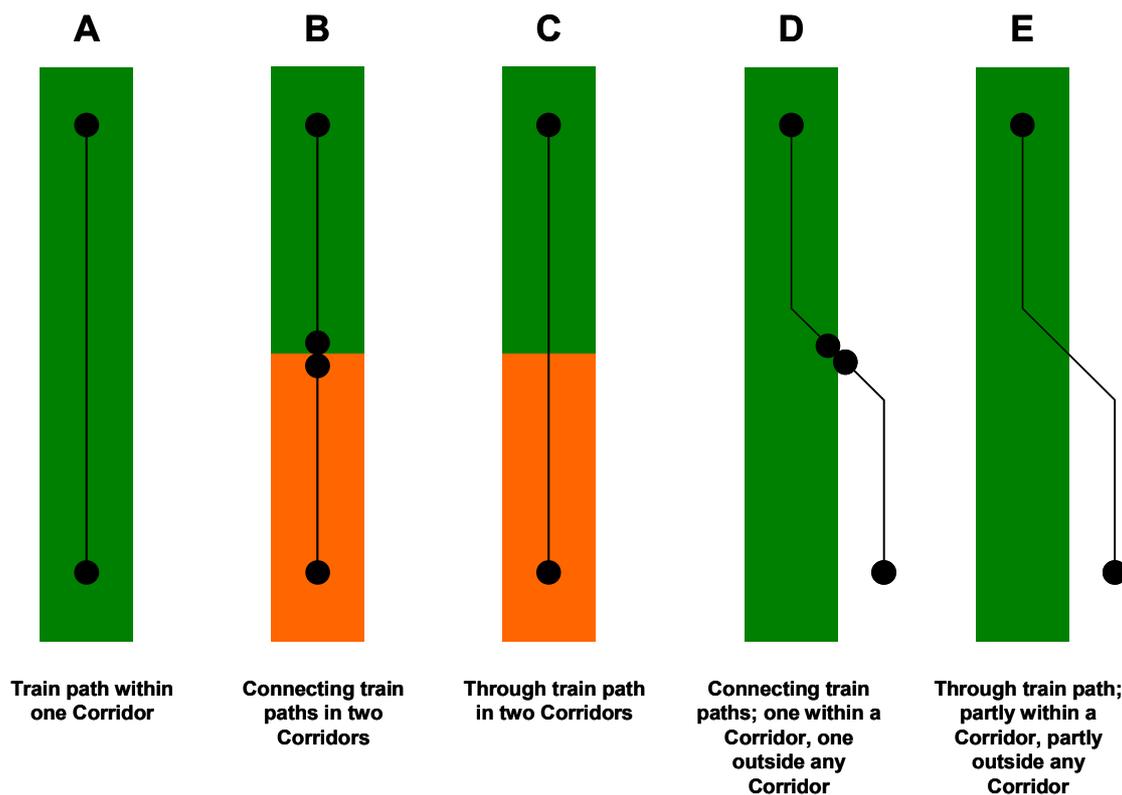


Figure: Situations to be taken into account in connection with the definition of pre-arranged train paths

5.4.4 Flexibility

Flexibility is required both in the interest of the Infrastructure Managers and the Applicants.

Train paths must be defined with sufficient flexibility:

- Flexibility to adjust departure and arrival times
- Flexibility to adjust stopping patterns
- Flexibility for Applicants to apply for only sections of a train path
- Flexibility to combine with train paths in other corridors
- Flexibility to combine with train paths outside the corridor

The allocation of train paths must mirror production systems of different Applicants in order to ensure neutrality and must not distort competition. In this regard, the allocation system must rigorously follow a First In, First Out (FIFO) scheme

Two potential approaches for how to define train paths can be discerned:

- 1) Classical approach: Exact definition of a train path (with departure/arrival/passing times at all major nodes (terminals, nodes with connections to other lines))

2) Flexible approach: Indicative train paths with possibility to adjust train paths during the allocation process (can be in the interest of both Infrastructure Managers and Applicants).

In the case of indicative train paths a certain time-window (e.g. +/- 30 minutes) should be defined, within which the train path can be adjusted. The definition of the time-window should be done by the Management Board in cooperation with the Advisory groups, based on the Transport Market Study. The time-window should reflect market needs.

The freedom to adjust the train paths (within certain limits) gives both Railway Undertakings, other applicants and Infrastructure Managers flexibility and helps to ensure an optimal use of infrastructure capacity. *It is important that this freedom is used in a responsible way; it should not be (mis-)used to deteriorate the quality of the train paths.*

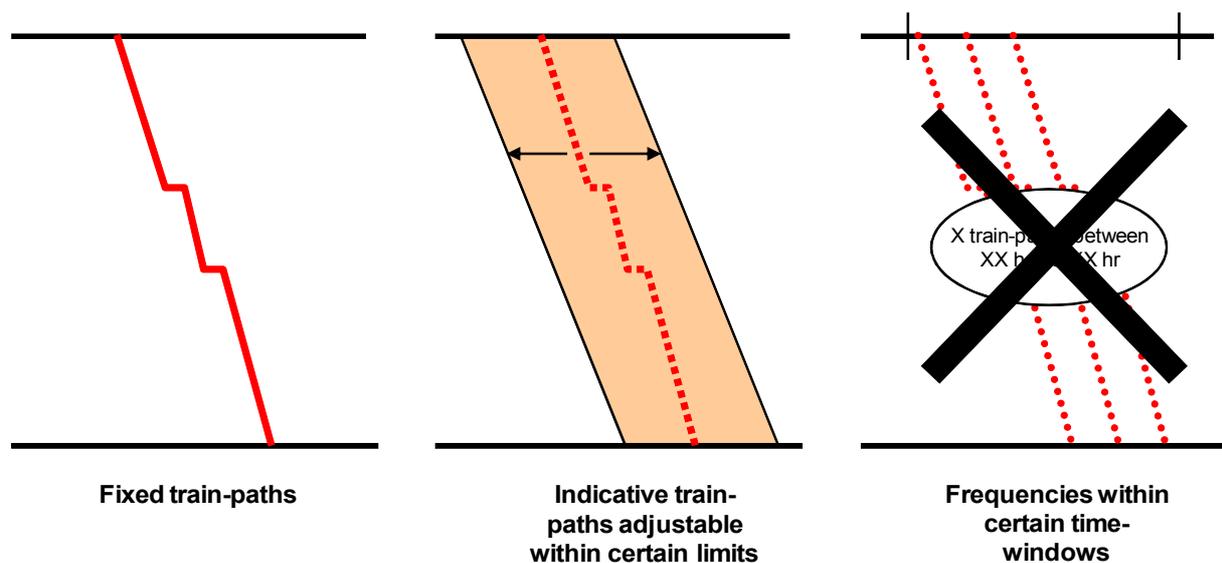


Figure: Illustration of principles for definition of train-paths. Note that the definition of frequencies in certain time-windows alone (right) is not sufficient to fulfil the requirements of the Regulation, which explicitly requires the provision of train paths.

5.4.5 Process timeline

The figure below illustrates the process timeline, based on the process applied by RNE:

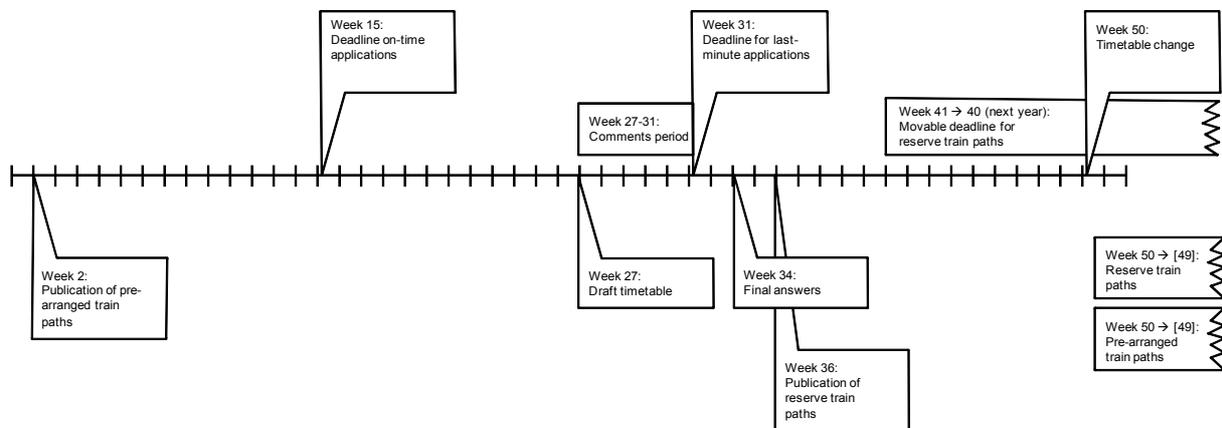


Fig. __: Process timeline

The pre-arranged train paths have to be published in week 2. *For the Rail Freight Corridors to be established in three years after entry into force of the regulation, this means that pre-arranged train paths have to be published by January 2013, for those corridors to be established in five years by January 2015.*

The deadline for on-time requests is in week 15.

A draft timetable is to be presented in week 27; this is followed by a comments period.

Late-minute requests can be submitted until the end of the of the comment period.

The applicants receive final answers to their requests in week 34.

Reserve train paths are to be published in week 36. They have to be reserved until a time limit before their scheduled time as decided by the Management Board, but not exceeding 60 days (Art.14(5)).

The aforementioned means, that the deadline for ad-hoc request is movable. Ad-hoc request for paths on the first day of the timetable, which starts with the timetable change in week 50, have to be possible *at least* until week 41.

6 TERMINALS

The word 'terminal' used in the Regulation covers all facilities where loading/unloading of goods onto/from freight trains, the integration of rail services with other modes of transport and the forming or modification of the composition of freight trains take place art 2(2b)). This includes intermodal terminals, marshalling yards, rail infrastructures and freight services in ports. It includes also the border stations with third countries.

The quality of a rail freight corridor is not only dependent of the rail route but also on terminals and how they are operated. These terminals should have open access and contribute to the progressive introduction of IT tools in the Corridors.

Terminals are concerned by several articles of the regulation, as in:

- the corridor definition (Art. 2(2))
- the criteria to establish new corridors (Art 4(i))
- the advisory group of managers and owners of terminals (Art 8(7))
- the implementation plan (Art 9(4))
- the coordination of allocation of capacity with the rail network (Art 14(9))
- the coordination of traffic management with the rail network (Art 16(2))
- the publication of relevant information in the 'Corridor Document' (Art 18(b))

These issues are examined in the relevant chapters.

As mentioned in chapter 3.4, the Management Board has to set up an Advisory Group of managers and owners of the terminals including, where necessary, rail-connected sea and inland waterway ports.

Art. 14(9) and 16(2) foresee also procedures between infrastructure managers of the freight corridor and terminal managers to ensure optimal coordination of capacity allocation and for traffic management. A reinforcement of the collaboration between infrastructure managers and terminals is also necessary at operational level. Common interfaces should be developed between the IT Tools of railway undertakings, terminals and Pathfinder for path allocation. Europtirails should be extended to terminals for traffic management.

The management board and the advisory group should coordinate the dissemination of knowledge and best practices for infrastructure and equipment, operations and IT, organisation and benchmarking and quality system in view to improve railway services in terminals.

7 TRAFFIC MANAGEMENT

7.1 Preconditions

The Management Board has to put in place procedures for coordinating traffic management along the freight corridor (Art.16(1)). One important issue is to inform continuously the next Infrastructure Manager about all trains running towards its network, whatever they are on time or delayed. **The harmonisation of the train-id along a corridor would be an absolute requirement. A common description of the train number/composition should also help (this part needs to be strengthened).**

7.2 Traffic management in case of disturbances

Infrastructure Managers have to provide Railway Undertakings with appropriate information, particularly by informing automatically the concerned Railway Undertakings about expected and on-going delays, and on other traffic changes. Europtirails is an appropriate tool to display train movements and should be extended to meet the other related needs.

In case of delay, the infrastructure manager has to prepare a new path, in coordination with the next Infrastructure Manager.

Some procedures are of course relevant of Railway Undertakings (ex: train departure...) which have also to inform immediately the IMs about any changes in train movements.

The Member States have to adopt common targets for punctuality and/or guidelines for traffic management in the event of disturbance to train movements on the freight corridor. (Art 17(1)).

Procedures in case of disturbances should specify and be published concerning:

- Degraded operation, contingency arrangements
- In which case the path of a freight train within its scheduled time can be modified
- Managing emergency situations
- Assistance to broken trains
- Diversion of trains
- Management of non-scheduled stops.

These procedures should be as homogeneous as possible, and the creation of an EU standard in the future would be helpful in this respect.

They should also foresee procedures to inform/advise railway undertakings of changes to operational rules/information.

8 INFORMATION

8.1 Information channels for applicants

The different Rail Freight Corridors websites should have a common structure, allowing to put their own specificities.

Similarly structured names, such as www.corridorxx.eu , should facilitate their identification.

These websites should contain also links to other websites, avoiding duplication of information and their non- updating. It could also be considered to provide in cooperation of all corridor management boards a joint entrance website (e.g. www.rfc.eu) for all corridors.

8.2 Information to be published and submitted to the European Commission

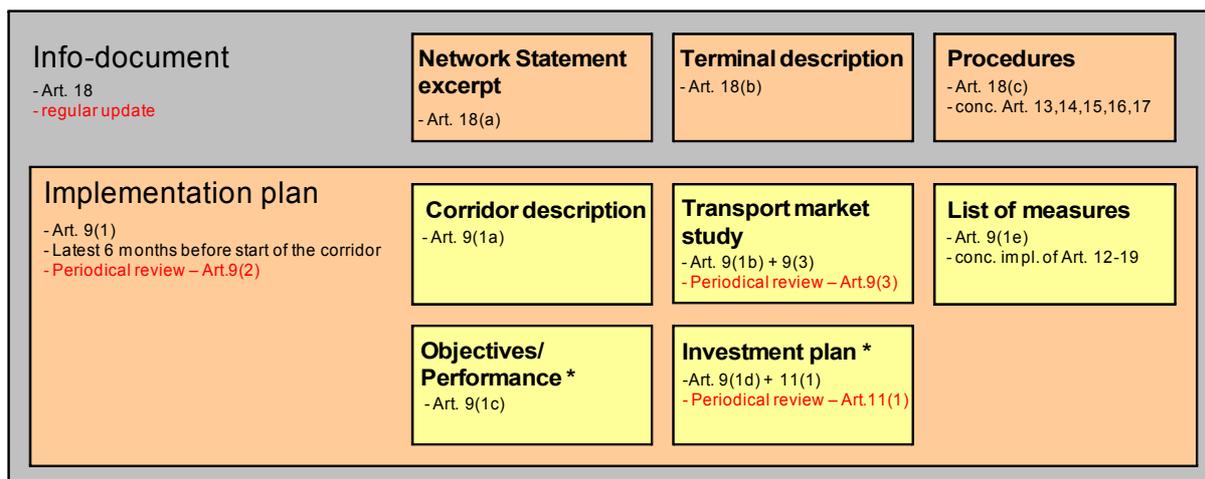
8.2.1 Documents

The Management Board has to elaborate a “Corridor Statement”, i.e. a number of documents, which have to be updated regularly. These comprise (compare figure below):

- | [An executive summary](#)
- A Network Statement excerpt
- A description of terminals forming part of the corridor
- A description of procedures
- The entire Implementation Plan, consisting of
 - o A Corridor description
 - o The Transport Market Study
 - o A list of measures
 - o A report about the objectives and performance of the Corridor
 - o The Investment Plan

The description of the terminals should comprise technical and operational data of the terminals as well as information on the conditions for access and name and contact details of terminal owners and operators.

The report about the objectives and performance comprises the Performance monitoring report (see chapter 4.6) and the Satisfaction survey (see chapter 4.7). The Investment plan comprises a number of documents, which are presented in chapter 4.8.



* = details see figure in chapter 4.2

Fig. __ Documents to be provided according to Art. 18

8.2.2 Periodic updates

The management of a Rail Freight Corridor implies that the Executive Board monitors all progresses of the corridor at least every year.

Article 22 (monitoring implementation) foresees that every two years from the time of the establishment of a freight corridor, the executive board have to present to the Commission the results of the Implementation Plan for that corridor.

Article 9(2,3) foresees the periodic review of the Implementation Plan and the periodically update of the Transport Market Study relating to the observed and expected changes in the traffic. It is appropriate that these respective review and update are carried out every two years, in coherence with the report to the Commission.

Article 11 foresees a periodic revision of the Investment Plan. This revision should be made every two years in parallel with the Implementation Plan.

Thus the schedule for the publication/submission of the documents for the coming years looks as follows:

- ➔ 9 November 2013 Entry into force
- ➔ 9 November 2015 Report on the results of the Implementation Plan
- ➔ 9 May 2016 Results of the reviewed Transport Market Study
- ➔ 9 November 2016 Review of Implementation Plan
- Review of Investment Plan
- ➔ 9 November 2017 New report on the results of the Implementation Plan

E N D
