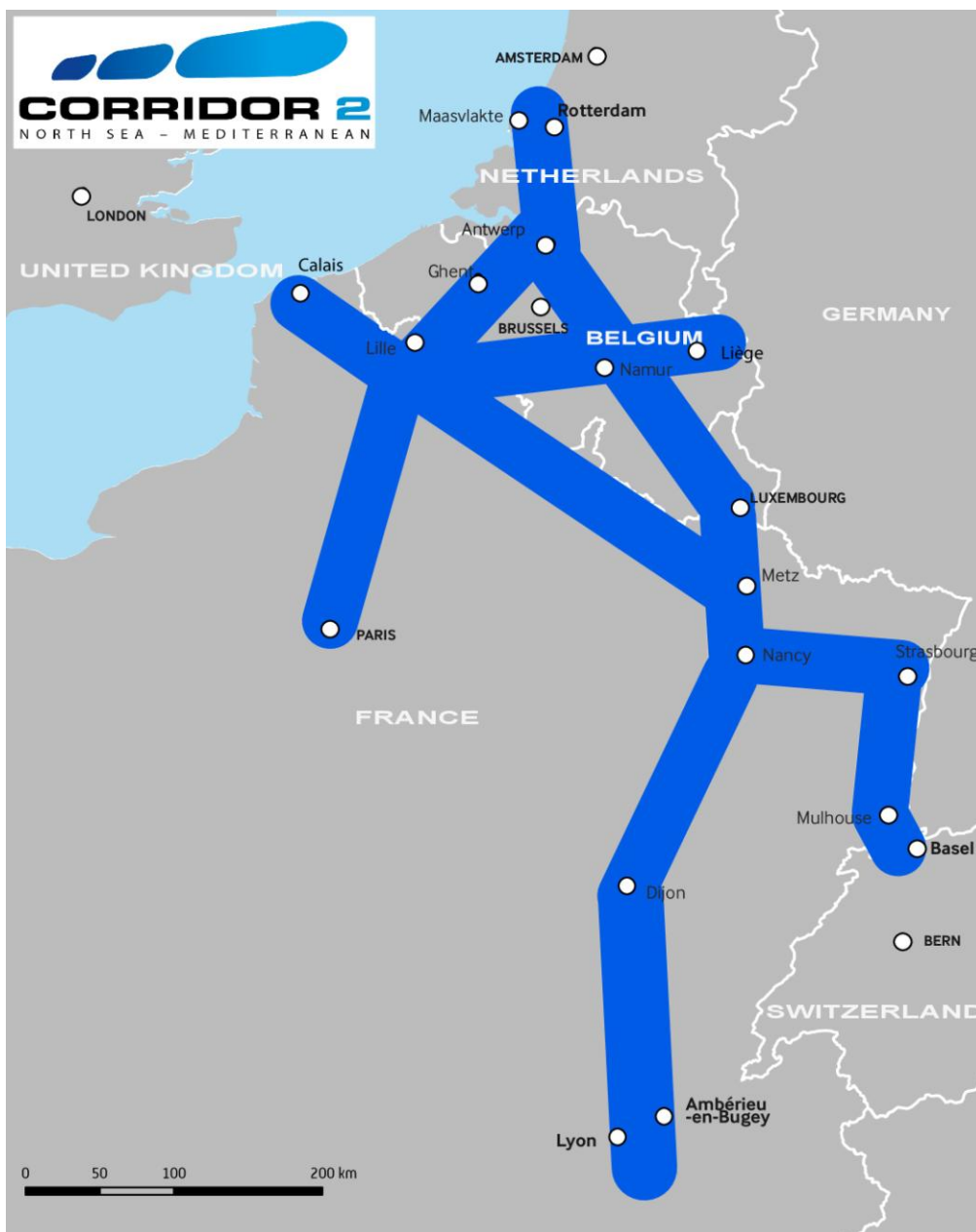


Rail Freight Corridor 2

Corridor Information Document

Book IV - Procedures for Capacity and Traffic Management for timetable **2016**



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Table of Contents

TABLE OF CONTENTS	2
1. INTRODUCTION.....	4
2. CORRIDOR ONE STOP SHOP	4
2.1 FUNCTION	4
2.2 TASKS OF THE C-OSS	4
2.3 TASKS OF THE IM/ABS	5
2.4 PATH COORDINATION SYSTEM (PCS)	5
3. CAPACITY ALLOCATION FOR FREIGHT TRAINS	5
3.1 FRAMEWORK FOR CAPACITY ALLOCATION	6
3.2 APPLICANTS	6
3.2.1 <i>Generalities on RFC North Sea-Mediterranean</i>	6
3.2.2 <i>Corridor overview for applicants not being an RU</i>	6
3.3 CORRIDOR RELATED PATH PRODUCTS	7
3.3.1 <i>PaPs for the annual timetable</i>	7
3.3.2 <i>Late Path requests</i>	8
3.3.3 <i>Reserve Capacity</i>	8
3.3.4 <i>Feeder/Outflow/Connecting Paths</i>	8
3.3.5 <i>Multiple corridor paths</i>	9
3.4 CONDITIONS FOR BOOKING CAPACITY VIA THE C-OSS	9
3.4.1 <i>PaP / RC</i>	9
3.5 HANDLING OF CAPACITY REQUESTS	9
3.5.1 <i>Path request phase (annual timetabling process)</i>	9
3.5.2 <i>Priority rules in capacity allocation</i>	10
3.5.2.1 <i>Generalities</i>	10
3.5.2.2 <i>Request with a higher priority value</i>	12
3.5.2.3 <i>Request with a lower priority value</i>	12
3.5.2.4 <i>Late path request and reserve capacity</i>	13
3.5.3 <i>Handling of unused PaPs at X-7.5</i>	13
3.5.4 <i>Path elaboration phase (including f/o and tailor made), draft offer and acceptance phases</i>	13
3.5.5 <i>Final offer phase</i>	13
3.5.6 <i>Late path request phase</i>	13
3.5.7 <i>Ad-hoc path request phase</i>	13
3.5.8 <i>Exceptional transports and Dangerous Goods</i>	14
3.6 REQUEST FOR CHANGES	14
3.6.1 <i>Modification</i>	14
3.6.2 <i>Withdrawal</i>	14
3.6.2.1 <i>Generalities on RFC North Sea-Mediterranean</i>	14
3.6.2.2 <i>Overview of the current national conditions</i>	14
3.6.3 <i>Transfer of capacity</i>	15
3.6.4 <i>Cancellation</i>	15
3.6.4.1 <i>Addressing and form of a cancellation</i>	15
3.6.4.2 <i>Overview of cancellation fees and deadlines on RFC North Sea-Mediterranean</i>	15
3.6.5 <i>Non-usage</i>	16
3.7 RAIL-RELATED SERVICES.....	17
3.8 INVOICING	17
4. COORDINATION OF WORKS AND POSSESSIONS	17

4.1	COORDINATION MEETINGS	17
4.2	MANAGEMENT OF CONFLICTS BETWEEN PLANNED POSSESSIONS	18
4.3	TIMELINE OF PUBLICATION	19
5.	TRAFFIC MANAGEMENT	19
5.1	COORDINATION OF TRAFFIC MANAGEMENT BETWEEN INFRASTRUCTURE MANAGERS	19
5.2	COORDINATION OF OPERATIONS BETWEEN INFRASTRUCTURE MANAGERS AND TERMINALS	20
6.	TRAFFIC MANAGEMENT IN CASE OF DISTURBANCES.....	21
7.	COMPLAINTS.....	21
	LEGAL NOTICE / DISCLAIMER	21
	ANNEX 1: REGULATORY BODIES AGREEMENT	22
	ANNEX 2: NETWORK PAPS.....	23

1. Introduction

Book 4 of the CID explains the processes and provisions for ordering and allocating dedicated corridor capacity and related paths as well as the steps which need to be taken before and after the allocation procedure, and quotes the relevant regulations. It also contains information on traffic management.

The processes, provisions and steps related to Pre-Arranged Paths and Reserve Capacity refer to the Regulation (EU) 913/2010 and are applicable to all applicants. For all other issues, the relevant conditions presented in the Network Statements of the corridor IMs/ABs are binding where stated.

2. Corridor One Stop Shop

2.1 Function

The C-OSS is the only body for applicants to request and to receive answers, in a single place and in a single operation, regarding infrastructure capacity on RFC North Sea-Mediterranean. The publication of PaPs and RC is done by the C-OSS. The C-OSS is exclusively responsible for the allocation decision with regard to requests for PaPs and RC on behalf of the concerned IM(s)/AB(s).

For the contact details of the C-OSS see CID Book I, chapter 5.

2.2 Tasks of the C-OSS

The C-OSS is executing the following tasks:

A. Pre allocation phase

- Publish the PaP Catalogue and Reserve Capacity.
- Provide an answer to all questions from applicants and thus act as a single point of contact.

B. Allocation phase

- Collect and review all the requests for PaPs or Reserve Capacity, submitted via PCS.
- Create a register containing the date of the applications, the name of the applicants, the documents supplied by these applicants and the incidents that occurred. Allocate PaPs according to the allocation rules described in the corridor framework for capacity allocation, drawn up by the Executive Board in accordance with article 14.1 of Regulation (EU) 913/2010.
- Propose alternative PaPs, if available, to the applicants whose applications have a lower priority value, due to a conflict between several path requests.
- Manage the resolution of conflicting requests through consultation where applicable.
- Transmit the path requests that can't be treated to the concerned IM/AB, in order for them to take a decision on these requests.
- Monitor the construction of feeder or outflow paths by sending these requests to the concerned IMs/ABs and obtain their responses/offers.
- Send the responses/offers mentioned above to the applicants on behalf of the concerned IMs/ABs.
- Keep the PaP catalogue updated.
- Allocate PaP requests for the Late Path request phase.

- Allocate the reserve capacity paths.
Keep the reserve capacity path catalogue updated

2.3 Tasks of the IM/ABs

The IMs/ABs are executing the following tasks:

A. Pre-allocation phase

- Jointly define PaPs before the deadline described in the framework for capacity allocation, drawn up by the Executive Board of the corridor.
- Jointly define reserve capacity paths before the deadline described in the framework for capacity allocation, drawn up by the Executive Board of the corridor.

B. Allocation phase

- Redirect applicants for PaPs to the C-OSS.
- Propose, if possible, paths for applicants with a lower priority value, despite any alternative PaPs proposed by the C-OSS, and supply these to the C-OSS for submitting to the applicant.
- Provide the offers for feeder/outflow paths to the concerned PaPs and reserve capacity, received after the determining of the legitimacy of the applicants to receive feeder/outflow paths.
- Decide on the path request that can't be treated by the C-OSS.

C. Operational phase

- Provide to applicants the PaPs or Reserve Capacity allocated by the C-OSS.

2.4 Path Coordination System (PCS)

PCS is the only tool for publishing the offer of PaPs and RC and for placing international path requests on a corridor. The advantage of this solution is that the displayed data for a PaP or RC may be used for creating a path request dossier – without any manual copying. Furthermore, that method simplifies the presentation and management of the paths which remain in the catalogue for allocation as ad-hoc paths during the running timetable period. Access to the tool is granted by RailNetEurope (www.rne.eu).

3. Capacity Allocation for Freight Trains

The decision on the allocation of PaPs and RC on the corridor is taken by the C-OSS on behalf of the IMs/ABs. For the feeder and outflow paths, the allocation decision is made by the relevant IMs/ABs and communicated to the applicant by the C-OSS.

All necessary contractual relations regarding network access have to be dealt with between the applicant and each individual IM/AB.

3.1 Framework for Capacity Allocation

Referring to Article 14.1 of the Regulation (EU) 913/2010, the Ministers of transport adopted a decision related to capacity allocation by the C-OSS on RFC North Sea-Mediterranean. For timetable 2016, a revised version was drafted and adopted by the representatives of the Executive Board. The detailed text can be found at the following addresses:

http://www.rfc2.eu/sites/rfc2.eu/files/rff/141211_decision_fca_nsm_corridor_en.pdf (English version)

http://www.rfc2.eu/sites/rfc2.eu/files/rff/141211_decision_fca_nsm_corridor_fr.pdf (French version)

3.2 Applicants

3.2.1 Generalities on RFC North Sea-Mediterranean

According to the Article 15 of the Regulation (EU) 913/2010, applicants other than railway undertakings or the international groupings that they make up, such as shippers, freight forwarder and combined transport operators, who have a commercial interest in procuring infrastructure capacity, may also request PaPs and reserve capacity on corridors.

To be accredited as an applicant on RFC North Sea-Mediterranean, not being a Railway Undertaking (RU), the acceptance of the conditions of the concerned IM's/ABs is needed.

The applicant commits to comply with all relevant regulations regarding its path request via the RFC North Sea-Mediterranean C-OSS, by signing the "General Terms and Conditions for requesting international freight paths through the RFC North Sea-Mediterranean one stop shop" of the C-OSS, at the latest before placing the request, otherwise the request will not be handled. You can find the "General Terms and Conditions" on www.rfc-northsea-med.eu.

3.2.2 Corridor overview for applicants not being an RU

The applicant has to appoint the executing RU(s) either when placing the request for PaP/RC or anytime afterwards to the C-OSS until 21 days before the first circulation of the train. The applicant may change the executing RU(s) as long as this change is placed before 21 days before the first circulation of the train. The appointment of the executing RU(s) is only valid if at 21 days before the first circulation of the train, the appointed RU(s) possesses all the necessary authorisations, including licences, certificates and contracts with the involved IM/AB(s). If the necessary authorisations are not provided at this date, the PaP will be treated as cancelled by the applicant, and national rules for the cancellation of a path will be applied, including its financial consequences.

The C-OSS will forward the name of the RU(s) to the concerned IM(s)/AB(s), without prejudice of the conditions of the IMs/ABs.

If RFC North Sea-Mediterranean does not supply PaPs/RC on a line, the applicant can request a catalogue or tailor-made path for this segment only if it is authorised in the national legislation to do so. The deadline for the appointment of the executing RU(s) will also follow the national legislation in this case.

3.3 Corridor related Path Products

Most of the Pre-arranged paths have a fixed timetable along their entire trajectory. They can be requested partially or in their totality but in principle, no other flexibility is provided.

Flex PaP

As an exception, a Flex PaP is a PaP which is only a semi-finished product. All handover times at network borders are fixed, and IMs can fix additional points on their network, but outside of these fixed reference points, applicants have freedom to request whatever they want (arrival/departure time if no domestic times are communicated, origin, intermediate stops, feeder/outflow), within a given timeframe and possible request specifications of the IMs/ABs. When constructing the path, the IMs/ABs will then try to take the wishes of the client into account.

A PaP can consist out of flex and non-flex sections, depending on the possibilities the IM has to construct the PaP at a given time and place. Flexibility will be clearly marked in PCS.

Network PaP

Certain pre-arranged paths may be designated by the Management Board for the application of the network pre-arranged paths priority rule “Network PaP rule” (defined in section 3.5.2.1) aimed at better matching traffic demand and best use of available capacity, especially for capacity requests involving more than one rail freight corridor. The Network PaP rule may apply to pre-arranged path sections linked together within one single or across several rail freight corridors. They are designated to promote the optimal use of infrastructure capacity available on rail freight corridors. A pre-arranged path on which the Network PaP rule applies is called “Network PaP”. It will be clearly identifiable for the client in PCS and other publications and will be identified by a special ID or marker in PaP catalogues and IT tools.

A Network PaP can be a non Flex PaP, a Flex PaP or a combination of the two. The fact that a PaP is declared as Network PaP only has impact on the way the priority rule for allocation is calculated in case of conflicting requests at X-8. More details can be found in chapter 3.5.2.

3.3.1 PaPs for the annual timetable

PaPs on RFC North Sea-Mediterranean are an assembly of several PaP segments and not just only an entire PaP from Rotterdam/Antwerpen to Lyon or Basel – respectively its terminals – in order to comply with applicants need for flexibility and market demand. Therefore, the offer might also include purely national PaP segments – to be used in the context of international path requests to the C-OSS. Intermediate points will be included in order to respect the amount of freight traffic entering and/or leaving the corridor in an intermediate location.

It is essential to know that published PaPs are protected in the IMs planning system/tool against major changes (dislocation, shifting, etc.) resulting from other capacity requests.

PaPs are published in PCS on the 2nd Monday in January (eleven months before the timetable change) until the 2nd Monday in April (path request deadline). Capacity requests for the annual timetable have to be placed until that date to the C-OSS. A re-publication or an updating of the remaining – non-booked – PaPs for late path requests takes place approximately the first week of May. The period between X-8 and the end of April will be used for solving conflicting requests. Therefore, the C-OSS needs all remaining PaPs for this task until X-7.5 (end of April).

3.3.2 Late Path requests

Late requests refer to capacity requests placed within the timeframe after the 2nd Monday in April until beginning of October concerning the annual timetable to the C-OSS. Late requests have to follow the conditions listed in point 3.4.

3.3.3 Reserve Capacity

Reserve capacity on RFC North Sea-Mediterranean is an assembly of several segments along the corridor. The segments are either unused PaP segments out of the annual timetable, or specially constructed paths for the reserve capacity.

Reserve capacity might also include purely national segments – to be used in the context of international application to the C-OSS.

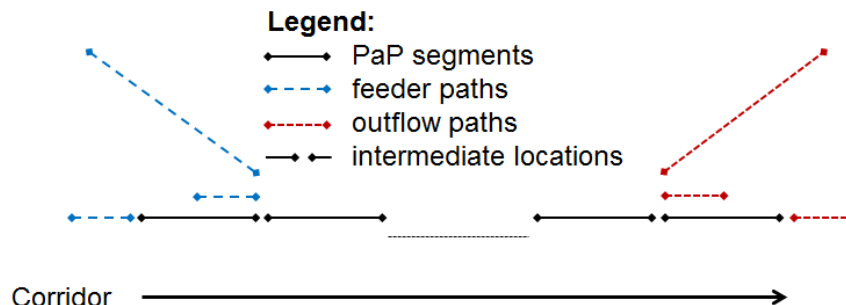
RC will be published in form of PaPs in PCS from mid-October (approximately 2 months before timetable change) until 21 days before the day of running. After this deadline, requests will have to be addressed to the concerned IM/AB.

3.3.4 Feeder/Outflow/Connecting Paths

In case the available PaPs or RC do not cover the entire requested path, the applicant may include a feeder and/or outflow path to the connecting PaP segment(s) into the international request addressed to the C-OSS via PCS in a single dossier.

A feeder/outflow path refers to any path/path segment prior to reaching an intermediate point on the corridor (feeder path) or any path/path segment after leaving the corridor at an intermediate point (outflow path).

However, it must be noted that requesting a connecting path between two PaP sections is strongly discouraged, because of the difficulty this might bring to the IMs to deliver a suitable offer.



Graph with possible scenarios for feeder/outflow paths in connection with a request for one or more PaP segment(s)

3.3.5 Multiple corridor paths

It is possible for capacity requests to cover more than one rail freight corridor. The applicant has to select one of the concerned C-OSS as coordinating C-OSS, which will manage the further treatment within the different corridor organisations. The specific handling of multiple corridor requests can be found in chapter [3.5.1](#).

3.4 Conditions for booking capacity via the C-OSS

RFC North Sea-Mediterranean applies the internationally agreed deadlines for placing path requests as well as for allocating paths (for the calendar, see <http://www.rne.eu/timetabling.html>).

3.4.1 PaP / RC

An international request for capacity on a corridor has to fulfil the following requirement:

- to be submitted to a C-OSS
- using the tool PCS including at least one PaP segment
- the entire train run from origin to final destination must be requested in one single PCS dossier, but can consist of several PaP segments on one or more corridors including feeder and/or outflow paths
- to cross at least one border on a corridor
- the technical parameters of the path request have to be within the range of the parameters of the requested PaP segments

Various booking possibilities are:

- 1 RU for the entire train run (PaP/RC + feeder/outflow), will run the train on its own
- 1 RU for the entire train run (PaP/RC + feeder/outflow), will run the train together with partner RU(s)
- 2 or more RUs for the entire train run (PaP/RC + feeder/outflow)
- 1 applicant, not being an RU, for the entire train run (PaP/RC + feeder/outflow), possibilities for booking feeder/outflow depend on national regulation(s)
- Combination of an applicant, not being an RU, with one or more RUs for the entire train run (PaP/RC + feeder/outflow)

3.5 Handling of capacity requests

3.5.1 Path request phase (annual timetabling process)

The C-OSS checks all the incoming capacity requests. The C-OSS will only treat requests for freight trains using PaPs/RC and crossing at least one border on a corridor. All other requests will be immediately forwarded to the IM/AB concerned for further treatment. Answers will be provided directly by the involved IM/AB. Regarding requests for the annual timetable, the IMs/ABs will accept them as placed in time (i.e. until the 2nd Monday in April). This procedure does not apply for feeder/outflow paths, where the IMs/ABs offer will be communicated by the C-OSS together with the offer for PaP/RC.

In case the request is either incomplete or inconsistent, the C-OSS will contact the applicant(s) and ask him (them) to complete the missing information within five (5) working days. If the required information is not delivered within this timeframe, the request will not be treated any further.

If a request involves PaPs on several Rail Freight Corridors, the leading C-OSS checks the capacity request. It involves the other participating C-OSS(s) to ensure their cooperation in treating multiple corridor requests. This way, the cumulated length of PaPs requested on each corridor will be used to calculate the priority value of possible conflicting requests. The different corridors can thus be seen as part of one combined network.

3.5.2 Priority rules in capacity allocation

3.5.2.1 Generalities

In the event of conflicting requests for PaPs placed until X-8 (2nd Monday in April), the priority rule described in the “Framework for capacity allocation” will be applied, in order to determine which request has the highest priority value.

However, resolution through consultation may be promoted and performed in a first step between applicants and the C-OSS, if all the following criteria are met:

- Conflict is only on a single rail freight corridor
- Alternative pre-arranged paths are available
- The difference between the priority values of the conflicting requests is not higher than 20% of the highest priority value
- Only two requests for the same pre-arranged path.

The C-OSS addresses both applicants and proposes a solution. If both applicants agree to the proposed solution, the consultation process ends. If for any reason the consultation process does not lead to an agreement between all parties at X-7.5 the priority rules described below apply.

If the C-OSS does not to use the consultation procedure (because of a high number of conflict for example), the following priority rule will be used:

The priority rule consists of two steps. In a first step, the C-OSS checks if a Network PaP is involved in the conflicting requests, or not.

If no “Network PaP” is involved in the conflicting requests:

- L^{PAP} = Total requested length of all PaP sections on all involved RFCs.
- $L^{F/O}$ = Total requested length of the feeder/outflow path(s), for the sake of practicality, is assumed to be the distance as the crow flies.
- Y^{RD} = Number of requested running days for the timetable period
- K = The priority value

All lengths are counted in kilometres.

The priority is calculated according to this formula:

$$(L^{PAP} + L^{F/O}) \times Y^{RD} = K$$

The method of applying this formula is:

- In a first step the priority value (K) is calculated using only the total requested length of pre-arranged path (L^{PAP}) multiplied by the Number of requested running days (Y^{RD}).
- If the requests cannot be separated in this way, the priority value (K) is calculated using the total length of the complete paths ($L^{PAP} + L^{F/O}$) multiplied by the number of requested running days (YRD) in order to separate the requests.
 - The respective applicants will be acknowledged of the undecided conflict the latest five working days after X-8 and invited to attend a drawing of lots in the RFC North Sea-Mediterranean permanent team office in Brussels, in any case before X-7,5.
 - The Regulatory Body of Luxembourg will be invited to this drawing of lots. He can decide to invite other Regulatory Bodies.
 - The actual drawing will be prepared and executed by the C-OSS, with complete transparency to all attendees.
 - The result of the drawing will be communicated to all involved parties, present or not, via PCS and mail, before X-7,5.

If a “Network PaP” is involved in at least one of the conflicting requests:

- If the conflict is not on a “Network PaP”, the priority rule described above applies
- If the conflict is on a “Network PaP”, the priority is calculated according to the following formula:

$$K = (L^{NetPAP} + L^{OtherPAP} + L^{F/O}) \times Y^{RD}$$

K = Priority value

L^{NetPAP} = Total requested length (in kilometres) of the PaP defined as “Network PaP” on either RFC

$L^{OtherPAP}$ = Total requested length (in kilometres) of the PaP (not defined as “Network PaP”) on either RFC

$L^{F/O}$ = Total requested length of the feeder/outflow path(s); for the sake of practicality, is assumed to be the distance as the crow flies.

Y^{RD} = Number of requested running days for the timetable period.

The method of applying this formula is:

- in a first step the priority value (K) is calculated using only the total requested length of the “Network PaP” (L^{NetPAP}) multiplied by the Number of requested running days (Y^{RD})
- if the requests cannot be separated in this way, the priority value (K) is calculated using the total length of all requested “Network PaP” sections and other PaP sections ($L^{NetPAP} + L^{OtherPAP}$) multiplied by the Number of requested running days (Y^{RD}) in order to separate the requests
- if the requests cannot be separated in this way, the priority value (K) is calculated using the total length of the complete paths ($L^{NetPAP} + L^{OtherPAP} + L^{F/O}$) multiplied by the Number of requested running days (Y^{RD}) in order to separate the requests
- if the requests cannot be separated in this way, a random selection is used to separate the requests.

- The respective applicants will be acknowledged of the undecided conflict the latest five working days after X-8 and invited to attend a drawing of lots in the RFC North Sea-Mediterranean permanent team office in Brussels, in any case before X-7,5.
- The Regulatory Body of Luxembourg will be invited to this drawing of lots. He can decide to invite other Regulatory Bodies.
- The actual drawing will be prepared and executed by the C-OSS, with complete transparency to all attendees.
- The result of the drawing will be communicated to all involved parties, present or not, via PCS and mail, before X-7,5.

For the timetable 2016, the Rail Freight Corridor North Sea-Mediterranean will offer PaPs with the Network-PaP Priority Rule on the following corridor sections:

3 Network PaPs Antwerpen – Thionville – Basel – (continuation on the Rhine-Alpine Corridor to Domodossola) of which 1 north to south and 2 south to north.

1 Network PaP north to south Bettembourg – Basel – (continuation on the Rhine-Alpine Corridor to Chiasso)

2 Network PaPs Antwerpen – Thionville – Basel – (continuation on the Rhine-Alpine Corridor to Chiasso) of which 1 north to south and 1 south to north

1 Network PaP south to north Basel – Metz (origin on the Rhine-Alpine Corridor from Domodossola)

The principal aim of these Network PaPs is the optimal use of the especially combined and harmonised PaPs on the RFCs North Sea-Mediterranean and Rhine-Alpine dedicated for freight traffic from the RFC North Sea-Mediterranean. The detailed Network PaPs can be found in Annex 2 to this document.

3.5.2.2 *Request with a higher priority value*

In cases the priority rule has to be applied, the applicant of the request with a higher priority value will be informed.

3.5.2.3 *Request with a lower priority value*

If the priority rule has to be applied, the applicant who did not get the requested PaP(s) (request with a lower priority value) will be informed.

Additionally he will be offered at least one alternative PaP as close as possible to the first request within five (5) working days, in case not all PaPs on the relevant section(s) have been requested. The applicant with a lower priority value has to accept or reject the offered alternative within five (5) working days. In case there is no answer by the applicant or the alternative will not be accepted, the C-OSS forwards the original request to the concerned IM/AB who will continue to handle the request. The appropriate IM/AB offer however will not have the status of a PaP.

Unless otherwise communicated by the applicant or the nominated RU if any, the IM/AB(s) will use the parameters of the requested PaP (speed, length, operation points...) to construct the tailor made alternative solution. The request will be treated by the IM/AB as placed in time (i.e. until the 2nd Monday in April). Feeder and/or outflow paths may have to be adapted as a consequence.

3.5.2.4 *Late path request and reserve capacity*

For these types of request, the priority rule “first come – first served” is applied.

3.5.3 Handling of unused PaPs at X-7.5

The Corridor MB will make a decision regarding the number of PaPs to be kept after X-7.5. The decision on which PaPs to keep or to return to the respective IMs/ABs will depend on the “booking situation” at that moment. More precisely, at least the following three criteria will be used (by decreasing order of importance):

- There must be enough capacity for late requests and reserve capacity
- Take into account the demand for international paths for freight trains placed by other means than PCS
- Need for adaptation of PaP offer due to possible changes in the planning of possessions

The PaPs that will be returned to the IMs/ABs are published in PCS as catalogue paths unless each IM/AB individually decides to withdraw them entirely from PCS in order to free capacity on their network.

The remaining PaPs will be published during the late request phase in PCS with continuous updating from X-7.5.

3.5.4 Path elaboration phase (including f/o and tailor made), draft offer and acceptance phases

During this phase, IM timetable teams will try to construct all feeder/outflow sections requested, and tailor made solutions where needed (flex PaPs or in case of a request with a lower priority value). When this is done, the applicant will receive the details via PCS. The C-OSS will also send a notification via e-mail, so it is clear for the applicant that he has been requested to accept or decline the draft timetable provided.

3.5.5 Final offer phase

The C-OSS will take into account the customer input provided and ask the IM timetable teams to construct solutions where needed. At X-4, the C-OSS will then provide a final offer for all dossiers via PCS, together with a request to each applicant to verify the proposed timetables per dossier.

3.5.6 Late path request phase

Requests for remaining PaPs (i.e. placed after the 2nd Monday in April), will be treated and allocated according to the principle “first come – first served”. However, the feeder and/or outflow path(s) will be constructed by the concerned IM(s)/AB(s) once the timetable with the requests placed on time has been finalised. This means, applicants will not receive an offer for the entire train run before the second half of August.

3.5.7 Ad-hoc path request phase

During this phase, applicants can request paths published as reserve capacity PaPs, from X-2, in to the running timetable, up to 21 days before the actual train run.

The C-OSS receiving the request via PCS will check the consistency of the request and designate the IM/AB involved in the path request. The C-OSS will coordinate the handling of the request and provide the answer via PCS to the client, which will also be notified via e-mail. This will be done within five working days after the request has been placed.

Applicants have 5 days to accept the path offer, but in any case before 21 days before the first circulation of the train. Any remark by the applicant will be treated as far as possible. In case of remarks, the C-OSS will coordinate to provide an alternative proposal where possible.

3.5.8 Exceptional transports and Dangerous Goods

Corridor related path products are intended to serve the majority of standard rail freight transports. Therefore, requests for trains which do not fit the published standard PaP characteristics for each segment have to be addressed directly to the concerned IM(s)/AB(s). The same applies for the traffic of dangerous goods.

3.6 Request for changes

3.6.1 Modification

Change requests between X-8 (after path request deadline) and X-4 (before final allocation) will be treated as a withdrawal of the request and as a new late path requests, except for cancellation of part of the running days or the shortening of the route in the context of the corridor as long as the modified path(s) still has at least one border crossing on a corridor and as long as this does not changes the result of the allocation decision..

3.6.2 Withdrawal

Withdrawing a request is only possible between X-8 (after path requests deadline) and X-4 (before final allocation) for annual timetable requests and between the date of request and the date of allocation for reserve capacity. Once the allocation has taken place, only cancellation remains as a possibility.

3.6.2.1 Generalities on RFC North Sea-Mediterranean

At the moment, no harmonised rules valid for the entire corridor can be presented.

3.6.2.2 Overview of the current national conditions

Country:	Condition:
The Netherlands	Free of charge
Belgium	Administration fee needs to be paid

Luxembourg	Free of charge
France	Free of charge
Switzerland	Free of charge

3.6.3 Transfer of capacity

Once capacity is allocated to an applicant, it shall not be transferred by the owner to another applicant. The use of capacity by an RU when carrying out the business of an applicant which is not an RU, is not considered as a transfer.

3.6.4 Cancellation

Cancellation refers to the phase between the final allocation and the train run. Cancellation can refer to one, several or all running days and to one, several or all segments of the path.

3.6.4.1 Addressing and form of a cancellation

The cancellation needs to be addressed in PCS to the C-OSS until 21 days before train run, afterwards directly to the relevant IMs/ABs.

3.6.4.2 Overview of cancellation fees and deadlines on RFC North Sea-Mediterranean

At the moment, no harmonised rules for the entire corridor can be presented. So this topic will follow the national rules below.

Country:	Cancellation fees:
The Netherlands	<p>ProRail: A reservation charge of €10 per path for each day of the timetable year that the path is cancelled will be applied for train paths that:</p> <ul style="list-style-type: none"> - are applied for as part of the timetable application and are subsequently cancelled during the allocation process (for any reason other than that ProRail is unable to meet the specifications of the train path), or - are cancelled by means of the first change sheet. <p>This amount is remitted if an applicant or railway undertaking, during the timetable allocation browsers or via the first change sheet, cancels less than 1% of its applied paths.</p> <p>2. If in the first seven weeks after commencement of the timetable, use is made of less than 80% of an allocated train path for public passenger transport, and less than 50% for other transport, calculated in train kilometres per train number for all traffic days jointly, a reservation levy is due for each train kilometre less than 80% and 50%, respectively, of the path, amounting to the user charge for the tariff applicable to the standard weight of the train type. Failure to use the path due to causes attributable to ProRail, fluctuations in market circumstances, public holidays, etc., are deemed to be processed in the percentage of 80% and 50%, respectively, whereby no reservation charge is owed for unused paths between 100% and 80% or 50%, respectively.</p>

	<p>Keyrail (Betuweline):</p> <ul style="list-style-type: none"> • Scheduled in the annual timetable / change sheet • Scheduled (ad-hoc) up to 4 hours before applicable departure • Scheduled (ad-hoc in traffic management phase) at least 4 hours before departure • Scheduled (ad-hoc in traffic management phase) <ul style="list-style-type: none"> - < 1 hour before departure - after departure/implementation 	<p>0%</p> <p>0%</p> <p>€ 55</p> <p>€ 110</p> <p>€ 220</p>
Belgium	<p>For all cancellations, irrelevant of the date, the administration fee will be charged.</p> <p>Depending on the moment of cancellation a % of the track access charges has to be paid</p> <ul style="list-style-type: none"> • > 60 calendar days before the running day • Between 30 and 60 calendar days before the running day • Between 24 h and 30 calendar days before the running day • < 24 h before train run 	<p>0%</p> <p>15%</p> <p>30%</p> <p>100%</p>
Luxembourg	<p>For all cancellations, irrelevant of the date, the administration fee will be charged.</p> <p>If cancellation is notified at least 30 calendar days before the scheduled traveling date, no penalty will be due and only the amount covering the administrative costs will be acquired by Fond du Rail.</p> <p>If cancellation is notified less than 30 calendar but more than three € days before the scheduled date of travel but more , the following penalty will be applied: 12.5 % of the tax for the use of infrastructure for the relevant path.</p> <p>For less than three (3), it is 25% of the tax, and if not notified at all, 37.5% of the tax will be charged.</p>	
France	Cancellations after X-2	€ 36
Switzerland	<ul style="list-style-type: none"> • Cancellations 61 or more days before the day of operation • Cancellations 31–60 days before the day of operation • Cancellations between 30 days before and 17:00 on the day before the day of operation • Cancellations after 17:00 on the day before the day of operation • Cancellations of train paths for trains with intermediate stops 	<p>0.10 per tpkm</p> <p>0.50 per tpkm</p> <p>0.80 per tpkm</p> <p>1.20 per tpkm</p> <p>0.10 per tpkm</p> <p>Rates (Price in CHF per unit)</p>

3.6.5 Non-usage

If the RU does not show up, i.e. does not use the allocated path, the case will be treated as follow:

Country:	Explanations:
The Netherlands	<p>ProRail: cfr cancellation</p> <p>Keyrail (Betuweline): After departure/implementation</p>

	€ 220
Belgium	100% of the path charge and administration fee will be invoiced
Luxembourg	37.5% of the tax for the use of infrastructure plus the administration fee will be charged
France	If non usage is evident and can be demonstrated there is no charge.
Switzerland	If a path is not cancelled by the RU, the train is charged in accordance with the standard rates set out in the "List of infrastructure service (section 4.3.2.)".

3.7 Rail-Related Services

All questions regarding rail related services can be asked directly to the C-OSS who will contact the concerned IMs and who will provide an answer within a reasonable time frame. For IM-specific information, you can consult CID book II, chapter 5.

3.8 Invoicing

The C-OSS does not invoice anything. All costs (charges for using a path, administration fees, etc.) are invoiced by the respective IMs/ABs.

Currently, there is a difference within the various countries regarding the invoice for the path charge. In some countries, the path applicants will receive the invoice, in other countries the invoice will be sent to the RU who has used the path.

Country:	Explanations:
The Netherlands	Path charge will be invoiced to the RU that used the path.
Belgium	Path charge can be invoiced to the non RU-applicant or the RU, depending on the situation.
Luxembourg	Path charge will be invoiced to the path applicant.
France	Path charge will be invoiced to the path applicant.
Switzerland	Path charge will be invoiced to the RU that used the path.

4. Coordination of works and possessions

In the coordination of works and possessions process, the following principles should be considered:

- avoid simultaneous works on the principal and the diversionary lines ;
- avoid works on the same line at different dates near a border section.

4.1 Coordination Meetings

RFC North Sea-Mediterranean organises two meetings each year for coordination and publication of possessions. These meetings are held in the third week of March and the third week of

September. Only RFC North Sea-Mediterranean and infrastructure manager's representatives participate in these meetings.

The first meeting is held in the third week of March each year.

All RFC North Sea-Mediterranean infrastructure managers participate in this meeting organised under the leadership of RFC North Sea-Mediterranean. The date of the meeting falls before the start of the national consultation phases on works (with applicants).

The following items are included in the Agenda of this meeting

- Description of the lines and border sections concerned
- Presentation of the expected works (X-24) from all IMs
- Identification of works conflicts
- In case of conflicts, determination of a solution (within the second term)
- Preparation of the July publication of works and possessions on the Corridor and the RNE website (see timeline of publication below)

The second meeting is held in the third week of September each year.

During this second meeting, infrastructure managers analyse the results of the consultation phase. They also fine-tune the coordination launched in March and prepare the November publication update (see timeline of publication below).

Any RFC North Sea-Mediterranean infrastructure manager can request additional meetings on specific issues. This can typically be bilateral meeting with another RFC North Sea-Mediterranean infrastructure manager.

The expected works and possessions identified during the meetings are published on the Corridor website. Applicants are given a period between March and June each year for commenting upon the planned capacity restrictions.

If necessary RFC North Sea-Mediterranean will initiate meetings with the Railway Undertakings and Terminals Advisory Groups to discuss and handle any identified issue.

4.2 Management of Conflicts between planned Possessions

In the planning and coordination phase some conflicts may occur.

The process to manage conflicts between infrastructure managers is as follows:

- 1) Conflicts should be addressed primarily in the regular coordination meetings of the corridor aiming at a shared solution. Unsolved conflicts will be reported to the Management board of RFC North Sea-Mediterranean.
- 2) Infrastructure managers involved in the conflict initiate the conflict solving process (e.g. by initiating specific bi/trilateral meeting) under the supervision of RFC North Sea-Mediterranean. Results will be presented to the Management board of RFC North Sea-Mediterranean.
- 3) If there is still no agreement, the reasons and possible solutions will be reported to the Management board of RFC North Sea-Mediterranean.
- 4) The Management board of RFC North Sea-Mediterranean will recommend a solution to the infrastructure managers.
- 5) The final decision will be in the responsibility of the infrastructure managers.

4.3 Timeline of Publication

Coordinated possessions shall be published at least at the following dates (X being the first day of the timetabling period and X-N being N months before X)

- X-24 Initial general publication of major works based on available information (some information may be missing such as exact dates)
- X-17 More detailed information on high level possessions - can be taken into consideration before starting the construction of PaPs
- X-12 Detailed coordinated possessions – issued prior to the publication of PaPs at X-11
- X-9 Update - prior to the deadline for path requests at X-8
- X-4 Update - prior to final allocation and for planning of reserve capacity for ad-hoc trains

At X-24 and X-17 it may not be possible for every infrastructure manager of RFC North Sea-Mediterranean to provide detailed information, due to different procedures for planning and financing works, mainly because of national laws and regulations. Nonetheless, all information known at that time, at least for major possessions, should be provided.

5. Traffic Management

5.1 Coordination of traffic management between infrastructure managers

From timetable 2016, RFC North Sea-Mediterranean covers five neighbouring countries and eight border sections in total.

These border sections are

- Essen / Roosendaal
- Mouscron / Tourcoing
- Aubange / Mont St Martin
- Aubange / Rodange
- Bettembourg / Zoufftgen
- Mulhouse / Basel
- Blandain/Baisieux
- Erquelinnes/Jeumont

Two types of procedures already exist between the RFC North Sea-Mediterranean infrastructure managers: the bilateral agreements and the border section procedures

Bi-lateral agreements = level 1 documents

These documents are general and give information about national rules such as the following topics:

- Principles for providing services
- Admission of vehicles
- Legal terms / Applicable law for each IM
- Measures in case of disturbance during operations
- Connection of neighbouring infrastructures
- Maintenance
- Planning and preparation of infrastructure works that impact operations
- Timetables / Train paths
- Responsibilities of the IMs
- Data Protection

- Duration of contract / Cancellation
- Arbitration clause

Border section procedures = level 2 documents

There is one border section document per border section. This technical document gives practical information to the local dispatchers and to the customers. The information available is for instance:

- The language to be used with the local dispatcher and the Traffic Control Centre
- The communication means available for railway undertakings along the tracks (radio, GSM-R, telephone)
- The line descriptions
- The traction power characteristics
- The operational procedures to stop the traffic
- The way to deal with late trains
- The procedure for hazardous goods
- The procedures in case of works on 1 track or on 2 tracks
- Etc...

As such procedures are essential for the coordination of traffic management, and in the context of the corridor implementation, RFC North Sea-Mediterranean and its infrastructure managers have reviewed existing level 1 and level 2 documents. All missing documents have been drafted or are currently in the process of being drafted. In some cases, the documents existed but were outdated. They have been updated or are in the process of being updated. The drafting/update of these procedures was done on the basis of a common template.

All the local procedures are available at RFC North Sea-Mediterranean (oss@rfc2.eu).

5.2 Coordination of operations between infrastructure managers and terminals

There are four types of terminals on RFC North Sea-Mediterranean:

- big ports with a railway infrastructure that is not managed by the national IM: e.g. Dunkirk, Strasbourg
- big ports with a railway infrastructure that is managed by the national IM: e.g. Antwerp (Infrabel)
- yards owned by the national IM: marshalling yards
- other terminals: private sidings connected to the national network

The coordination of operations between RFC North Sea-Mediterranean infrastructure managers and RFC North Sea-Mediterranean terminals are ruled by local procedures or protocols. There is one local procedure for each RFC North Sea-Mediterranean terminal and all of them are available at the concerned infrastructure manager.

To further improve the coordination between the infrastructure managers and the terminals, the RFC North Sea-Mediterranean management and executive boards promote the use of Train Information System (TIS) by terminals. They recommend both RUs and Terminals to sign TIS confidentiality agreements. A template for this confidentiality agreement can be requested at oss@rfc2.eu.

6. Traffic Management in case of disturbances

In case of disturbances, Traffic Control centres must apply priority rules in order to come back as fast as possible to the time table.

According to Regulation (EU) 913/2010, international freight trains running on a prearranged path must have at least the same level of priority as other trains.

Four of the RFC North Sea-Mediterranean countries (NL, LUX, CH and FR) have adopted priority rules which stipulate that a freight train running on time on a prearranged path, should remain on time on its path as far as possible.

7. Complaints

Please find the signed cooperation agreement between the Regulatory Bodies situated in the countries of the corridor in annex 1 to this document.

Legal Notice / Disclaimer

In the overview of the corridor, the infrastructure managers concerned will publish the planning status for infrastructure availability restrictions along RFC North Sea-Mediterranean. The published measures constitute a snapshot of the situation at the date of publication and are subject to constant changes. Please note that the information provided should be used for rough orientation purposes only and may not constitute the basis for any legal claim.

The publication of possessions does not substitute any national law or legislation.

Customers must refer to national Network Statements.

Annex 1: Regulatory Bodies Agreement

COOPERATION AGREEMENT

Between the Regulatory Bodies situated in the countries of Corridor N° 2:

Rotterdam-Antwerp-Luxembourg-Metz-Dijon-Lyon/[Basel]

Belgium: Service de Régulation du Transport ferroviaire et de l'Exploitation de l'Aéroport de Bruxelles-National, CCN, Rue du Progrès 80 boîte 5, 1030 Bruxelles

France: Autorité de Régulation des Activités Ferroviaires, 57 boulevard Demorieux CS 81915, 72019 Le Mans Cedex 2

Luxembourg: Institut Luxembourgeois de Régulation, 17 rue du Fossé 2922 Luxembourg

The Netherlands: Autoriteit Consument & Markt, P.O. Box 16326 2500 BH Den Haag



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- For the time being Switzerland is negotiating the implementation of Regulation (EU) No 913/2010 in Swiss legislation; as long as Regulation (EU) No 913/2010 has not been duly incorporated into Swiss law, Railways Arbitration Commission will not sign this agreement but cooperate based on a letter of intent.
- In accordance with Article 20 of Regulation (EU) No 913/2010 in conjunction with Article 57 of Directive 2012/34/EU the Regulatory Bodies of Belgium, France, Luxembourg and the Netherlands (countries of Corridor 2) have agreed on the following way of cooperation.

The signature of the present agreement expresses the consent of the signatory Regulatory Bodies to be bound by this agreement. Signatory Regulatory Bodies agree to review this agreement every two years or if at least one of them considers it is necessary.

Principles of cooperation

Article 20 of Regulation (EU) No 913/2010, hereafter 'the Regulation', in conjunction with Directive 2012/34/EU, provides the legal basis for Regulatory Bodies to monitor the definition of train paths to avoid discrimination.

In accordance with Article 13.5 in conjunction with Article 20 of the Regulation, Regulatory Bodies are jointly responsible for monitoring the activities of the Corridor One-Stop Shop and for ensuring non-discriminatory access to the Corridor.

a) Complaint relating to infrastructure managers:

As the territorial principle applies, national Regulatory Bodies regulate the activity of infrastructure managers in accordance with their national provisions (Article 20 of the Regulation).

The Regulatory Body concerned should inform other Regulatory Bodies involved in the Corridor.

b) Complaint related to the Corridor One-Stop shop:

Owing to the multiple responsibilities for regulating the Corridor-One-Stop Shop, and in order to guarantee fast decision-making, the Regulatory Body responsible for taking a decision in the event of a complaint regarding the Corridor-One-Stop Shop will be identified as follows:

- 1) Should the Regulatory Bodies of the Corridor jointly come to the conclusion that the cause of complaint is related to only one single country, the Regulatory Body responsible (hereafter 'RespRB') will be the competent Regulatory Body for that country.
- 2) For other cases, the Regulatory Body responsible for handling the complaint will be the Regulatory Body of the country where the representative structure of the Corridor One-Stop Shop is legally seated (hereafter 'RespRB'). The 'EEIG RFC 2' in its capacity of representative structure of the Corridor One-Stop-Shop being incorporated in Luxembourg^[1], the RespRB for Corridor n°2 is the 'Institut Luxembourgeois de Régulation.'

^[1] Luxembourg Trade and Companies Register (*Registre de Commerce et des Sociétés* – RCS) n° D 78.

Handwritten initials: 2 and a signature.

Depending on the circumstances, it is possible that more than one Regulatory Body could be involved in a matter concerning the regulation of the Corridor. As all Regulatory Bodies concerned by a complaint must be consulted in the investigation process, in accordance with Article 20.3 of the Regulation, the process of co-operation is set out below.

Initial review:

Any Regulatory Body, hereafter referred to as RB(a), on the Corridor can be solicited by a complainant. Upon receipt of a complaint related to the Corridor One-Stop Shop, the RB(a) acknowledges receipt.

RB(a) conducts a formal review of the complaint and checks if the information given by the complainant is complete and sufficient to initiate a case.

When the information is incomplete or insufficient, RB(a) requests the complainant to provide that information without delay.

RB(a) informs other Regulatory Bodies concerned and asks them for comments.

Regulatory Bodies determine jointly if the cause of the complaint is related to only one single country or not.

If the cause of the complaint is related to one single country, the responsible Regulatory Body of that single country will be the competent Regulatory Body ('RespRB' in the process below) for handling the complaint.

If the Regulatory Bodies determine that the complaint is not related to one single country, the complaint will be handled by the Regulatory Body where the legal representative structure of the Corridor One-Stop Shop is legally seated ('RespRB' in process below).

If RB(a) is not the competent Regulatory Body, it sends all relevant information to the RespRB, informs the complainant that it is not competent to handle the complaint and advises the complainant to introduce the complaint at the RespRB.

The RespRB continues with the review of the complaint.

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Review:

The proceeding is based on RespRB's national law in the context of the Regulation. The Regulatory Body which is responsible for the complaint sets the deadlines according to its national rules. The final decision is taken no more than two months after having received all information (in compliance with time frame foreseen in the applicable European legislation).

RespRB informs concerned parties in writing that it has received the complaint. Subsequently, it sends to these parties appropriate information, including letter (in English and/or in one of the official languages of the country where the RespRB is located), and asks for comments on the complaint. Such parties might include railway undertakings, infrastructure managers, the Corridor One-Stop Shop, other Regulatory Bodies or any other stakeholder.

RespRB reviews all the information and comments received from the applicant and other parties and, if necessary, requests further information.

All Regulatory Bodies on the Corridor 2 ensure their cooperation in the investigation of the RespRB by providing all information legally available within their powers.

RespRB drafts a decision and informs, within the limits of its national legislation, the Regulatory Bodies involved. The Regulatory Bodies involved can comment on the proposed decision (deadline defined by RespRB on a case to case basis).

After having consulted, where applicable, the Regulatory Bodies involved, the RespRB decides and informs properly (according its national legislation) the complainant, the Corridor One-Stop Shop and, where applicable, the infrastructure manager that is involved.

RespRB sends the decision and a summary of the decision in English to all Regulatory Bodies affected by the decision.

RespRB informs the other Regulatory Bodies whether or not the concerned parties complied with the decision.

The exchange of information between Regulatory Bodies will be in English and by e-mail.

The decision is subject to judicial review according the national legislation of the RespRB.

For Service de Régulation du Transport ferroviaire et de l'Exploitation de l'Aéroport
de Bruxelles-National,
Serge DRUGMAND

 10 OKT. 2013
Serge DRUGMAND
Directeur

For Autorité de Régulation des Activités Ferroviaires
Pierre CARDO



For Institut Luxembourgeois de Régulation
Jacques PROST



For Autoriteit Consument & Markt
Mark TE VELDHUIS

 B/A

Annex 2: Network PaPs

Network PaPs Direction
North-South:

Ned - Bel - (Lux) - Fra - Swi

path number			RFC21Net0203	RFC21Net0401	RFC21Net0403
NetPaP RFC1 details			dep Basel: 15:27 arr Domo Il: 20:20	dep Basel: 18:32 arr Chiasso: 00:21	dep Basel: 20:10 arr Chiasso: 01:36
	comments				
path number			RFC21Net0203	RFC21Net0401	
running days			2 to 6	2 to 6	
national path reference			62600	62602	
B / Antwerpen-Noord		dep	01:23	02:22	/
B / Antwerpen-Schijnpoort		runthrough	01:39	02:38	/
B / Muizen-Goederen		runthrough	02:04	03:03	/
B / Ronet formation		arr	03:39	04:36	/
B / Namur		dep	03:49	04:41	/
B / Bertrix		runthrough	03:57	04:49	/
B / Bertrix		arr	/	06:19	/
B / Y.Aubange		dep	05:28	06:24	/
B / Y.Aubange		runthrough	06:21	07:19	/
path number					RFC21Net0403
running days					2 to 5
national path reference					
L / Bettembourg marchandises		dep	/	/	11:13
L / Bettembourg frontière		runthrough	/	/	11:17
path number			RFC21Net0203	RFC21Net0401	RFC21Net0403
running days			2 to 5	2 to 5	2 to 5
national path reference			MMBA06 (a)	MMBA08 (a)	BTBA10 (a)
F / Zoufftgen frontière		runthrough	/	/	11:17
F / Mont-Saint-Martin frontière		runthrough	06:23	07:21	/
F / Thionville	* = Thionville fais.LU ** = Uckange	arr	07:38 *	08:48 **	11:30 *
path number			RFC21Net0203	RFC21Net0401	RFC21Net0403
running days			2 to 5	2 to 5	2 to 5
national path reference			MMBA06 (a)	MMBA08 (a)	BTBA10 (a)
F / Thionville	* = Thionville fais.LU ** = Uckange	dep	09:08 *	10:13 **	12:50 *
F / Metz		a-d/runthrough	09:37 - 10:06	10:38 - 11:46	13:21
F / Hausbergen		a-d/runthrough	11:57	14:11 - 14:46	15:38
F / Mulhouse-Nord		a-d/runthrough	13:28 - 13:43	16:10 - 16:18	17:29 - 17:45
F_S / Saint-Louis frontière		runthrough	14:11	16:50	18:21
S / Basel SBB GRI		arr	14:34	17:12	18:44

disclaimer:	subject to modifications due to unforeseen infrastructure works are possible some stops might not be displayed here
RFCxxNETxxx	Network PaP
	origin PaP
	destination PaP
	alternative
(a)	not available 13.12.2015 - 02.04.2016
(b)	not available 02.04.2016 - 10.12.2016

**Network PaPs Direction
South-North:**

Swi - Fra - (Lux) - Bel - Ned

path number			RFC12Net0202	RFC12Net0204	RFC12Net0206	RFC12Net0402
NetPaP RFC1 details			dep Domo II: 07:00 arr Basel: 12:03	dep Domo II: 09:00 arr Basel: 14:03	dep Domo II: 16:00 arr Basel: 21:03	dep Chiasso: 01:35 arr Basel: 06:25
	comments					
path number	* = continuation on RFC4 with PaP RFC24PaP0002 to Le Havre		RFC12Net0202 *	RFC12Net0204	RFC12Net0206	RFC12Net0402
running days			1 to 4 + 5	1 to 5	1 to 5	2 to 5
national path reference			BALH14 (a) BALH14[1] (a)	BAMM16 (a)	BAMM22 (a)	BAMM08 (a)
S / Basel SBB GRI		dep	13:18	15:49	22:23	07:37
F_S / Saint-Louis frontière		runthrough	13:38	16:09	22:39	08:00
F / Mulhouse-Nord		a-d/runthrough	14:16	16:30	23:08 - 23:15	08:21
F / Strasbourg Port du Rhin		dep	/	/	/	/
F / Hausbergen		a-d/runthrough	15:34	18:08	00:55	10:33
F / Metz		a-d/runthrough	17:45	20:05	02:40	13:05
F / Thionville	* = Thionville fais.LU ** = Uckange	arr	/	20:48 *	03:13 *	13:45 *
path number				RFC12Net0204	RFC12Net0206	RFC12Net0402
running days				1 to 5	2 to 6	2 to 5
national path reference				BAMM16 (a)	BAMM22 (a)	BAMM08 (a)
F / Thionville	* = Thionville fais.LU ** = Uckange	dep		23:37 *	05:35 *	15:50 *
F / Mont-Saint-Martin frontière		runthrough		00:41	06:40	17:01
path number				RFC12Net0204	RFC12Net0206	RFC12Net0402
running days				2 to 6	1 to 5	1 to 5
national path reference				62601	62611	62617
B / Y.Aubange		runthrough		00:43	06:42	17:03
B / Bertrix		arr		01:40	07:40	18:02
		dep		01:45	08:00	18:07
B / Namur		runthrough		03:08	09:33	19:34
		arr		03:15	09:41	19:42
B / Ronet formation		dep		03:20	09:46	19:47
B / Muizen-Goederen		runthrough		04:53	11:31	21:28
B / Antwerpen-Schijnpoort		arr		05:18	11:59	21:55
B / Antwerpen-Noord		arr		05:32	12:14	22:09

disclaimer:	subject to modifications due to unforeseen infrastructure works are possible
	some stops might not be displayed here
RFCxxNETxxx	Network PaP
	origin PaP
	destination PaP
	alternative
(a)	not available 13.12.2015 - 02.04.2016
(b)	not available 02.04.2016 - 10.12.2016