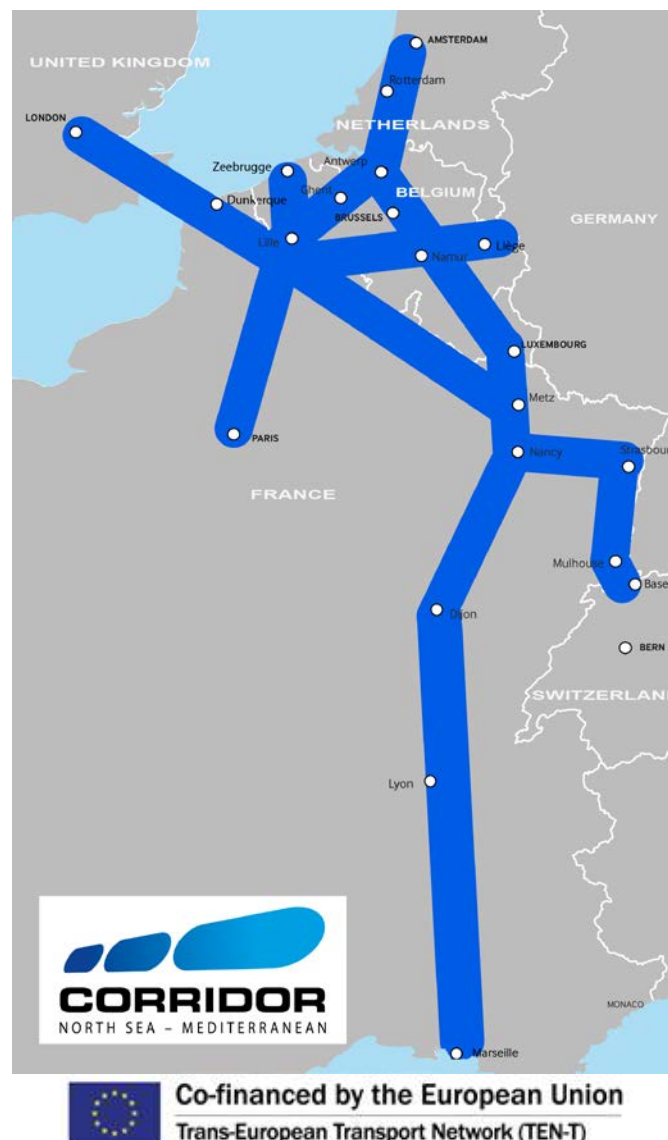


# Rail Freight Corridor North Sea-Mediterranean

## Corridor Information Document

### Book IV - Procedures for Capacity and Traffic Management for timetable **2017**



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## VERSION CONTROL

Version	Chapter changed	Changes
09.06.2016	- Annex 1 - Annex 3	- UK Regulatory Body - Signed FCA
19.02.2016	2.4	Addition map with PCS denomination for RFC NSM borders
12.01.2016	/	Publication version 1 for TT2017

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## 1. Introduction

This document describes the procedures for capacity allocation by the Corridor One-Stop-Shop (C-OSS), Temporary Capacity Restrictions (TCR) and for Traffic Management.

All rules concerning applicants, the usage of the C-OSS and its products - Reserve Capacity (RC), Pre-arranged Paths (PaP) and how to order them - are explained here. The processes, provisions and steps related to PaPs and RC 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)<sup>1</sup>.

Please find the contact details for the C-OSS on the right hand side.

### 2.2 Tasks of the C-OSS

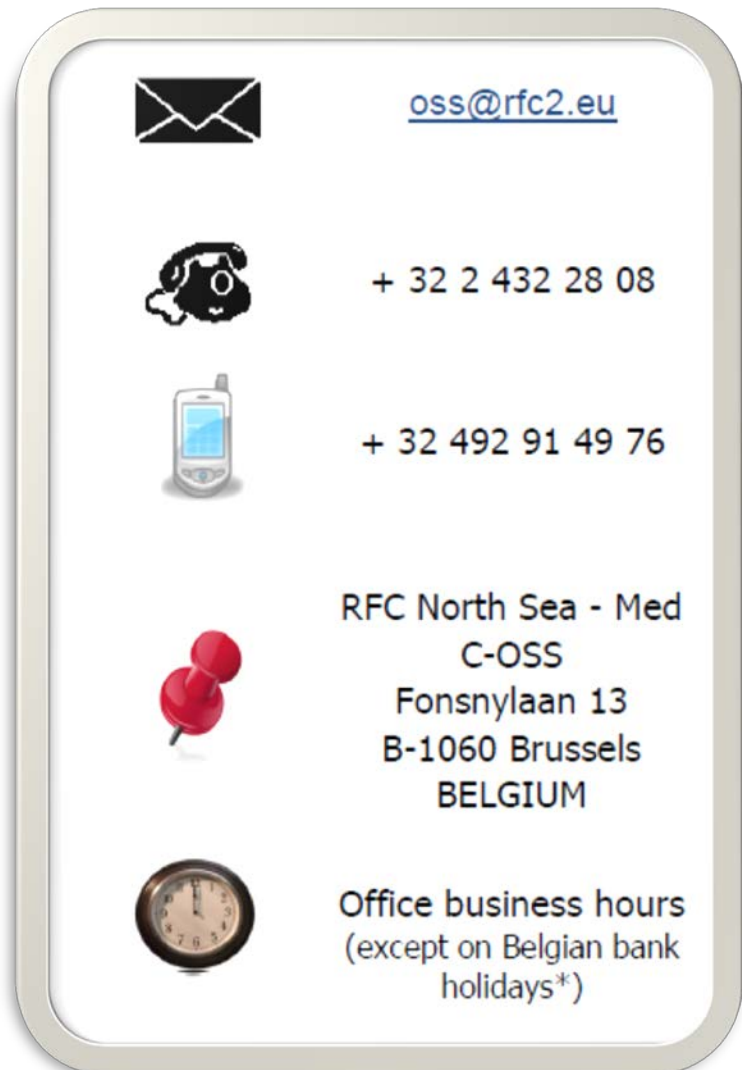
The C-OSS is executing the following tasks:


#### 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.




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 holidays\*)

<sup>1</sup> ProRail, Infrabel, SNCF-Réseau, Network Rail, Eurotunnel, ACF, CFL, SBB, Trasse Schweiz

\* the list of bank holidays is described in Book I of the CID.

- 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.
- Manage the resolution of conflicting requests through consultation where applicable.
- Propose alternative PaPs, if available, to the applicants whose applications have a lower priority value, due to a conflict between several path requests.
- 
- 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 IMs/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/RC 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.

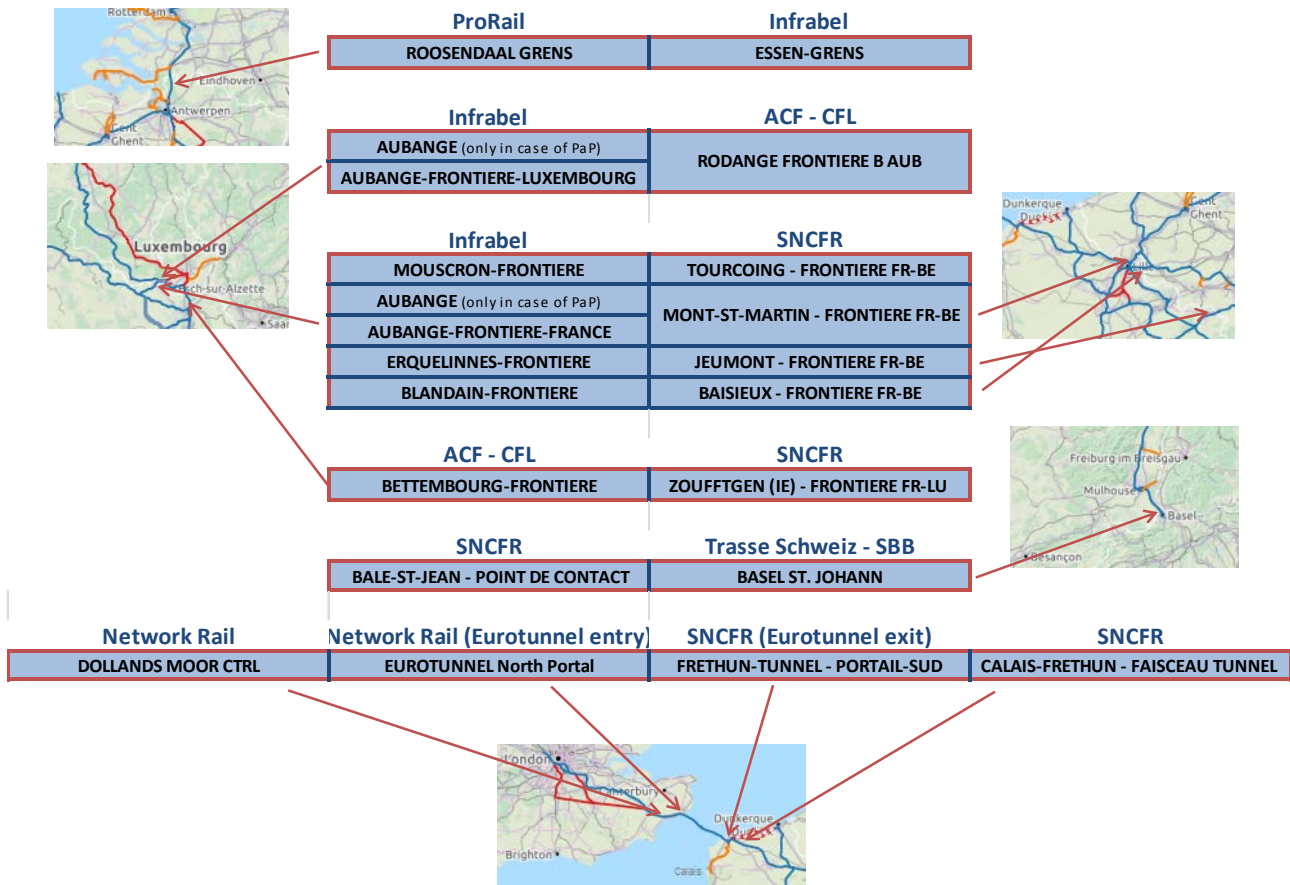
## 2.4 Path Coordination System (PCS)

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 free of charge and granted to all applicants. To receive access to the tool, please send your request to [support.pcs@rne.eu](mailto:support.pcs@rne.eu).

The C-OSS will organise open trainings on a regular basis (at least once a year), and is available for individual trainings or help during the request phase, upon request.

To allow proper coordination and processing, it is important that all requests contain the correct border points in the system. Below you can find the border points used in PCS the corridor:



## 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 2 (FCA). The FCA constitutes the legal basis for capacity allocation via the C-OSS. For timetable 2017, a revised version was drafted and adopted by the representatives of the Executive Board. The detailed text can be found in annex 3.

### 3.2 Applicants

An applicant is a railway undertaking (RU) or an international grouping of RUs or other persons or legal entities, such as shippers, freight forwarders and combined transport operators, with a commercial interest in procuring infrastructure capacity.

An applicant shall sign the general terms and conditions of RFC North Sea-Mediterranean in order to be allowed to place requests. In case the request is placed by several applicants, all applicants requesting RFC North Sea-Mediterranean PaP sections have to sign the document. With the signature the applicant declares that it:

- Accepts the conditions relating to the procedures of allocation as described in the Corridor Information Document.
- Is able to place capacity requests through PCS.
- Is able to provide all data required for the path requests.

The general terms and conditions have to be signed **before placing requests** to the C-OSS. In case of an incoming request by an applicant who has not signed the general terms and conditions, the C-OSS shall ask the applicant to provide the signature of this document within 5 working days.

The declaration form for the general terms and conditions can be downloaded from our corridor website via this link:

[http://www.rfc-northsea-med.eu/sites/rfc2.eu/files/rff/rfc2\\_general\\_terms\\_and\\_conditions\\_-\\_version\\_08112013.pdf](http://www.rfc-northsea-med.eu/sites/rfc2.eu/files/rff/rfc2_general_terms_and_conditions_-_version_08112013.pdf)

Only if the C-OSS is in possession of the signed declaration and the legitimization is verified, the C-OSS will handle the request based on the principles described in this document.

If the applicant is not a RU, it shall assign the responsible RU for execution of the traffic as early as possible, but at the latest 30 days before the running day. The appointment of the executing RU(s) is only valid if at 30 days before the running 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.

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**

#### **3.3.1 PaPs for the annual timetable**

PaPs are a joint offer of the IMs/ABs of the countries involved in the RFC North Sea-Mediterranean. The bodies coordinate cross-border paths for the annual timetable and hand them over to the C-OSS as a single point of contact for publication and capacity allocation.

The PaPs are an off-the-shelf product for international rail freight. In order to meet the applicants' need for flexibility and market demand on the RFC North Sea-Mediterranean, they are split up in several sections instead of PaPs crossing the entire RFC – respectively its terminals. Therefore the offer might also include purely national PaP sections – to be requested in the context of international path applications to the C-OSS (to include at least one border of a Rail Freight Corridor, on a PaP or on a feeder/outflow section requested). Every PaP receives a PaP ID, linking the different sections together, as the PaP has been constructed and harmonised between IMs/ABs, from origin to destination (for example: RFC02PaP0085).

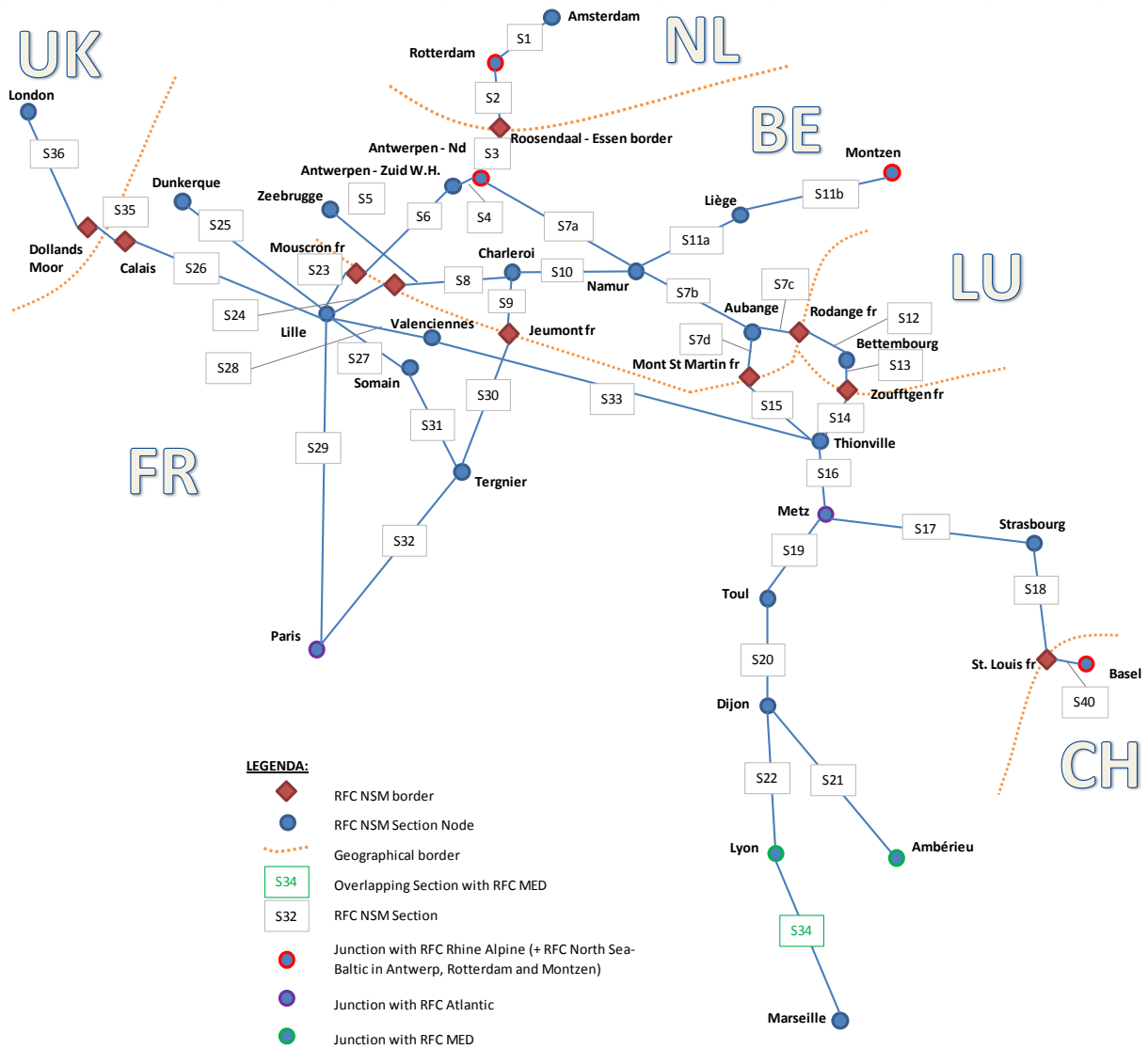
All PaPs have standard common parameters to suit the major part of the path requests.

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 2<sup>nd</sup> Monday in January (eleven months before the timetable change) and can be requested until the 2<sup>nd</sup> Monday in April (path request deadline). Capacity requests for the annual timetable have to be placed until that date to the C-OSS.

A catalogue of PaPs will be published by the C-OSS in preparation of each timetable period. This PaP catalogue for the annual timetable year can be found on our corridor website (<http://www.rfc-northsea-med.eu/en/pages/capacity>).

The following graphic schematically shows the routing of RFC North Sea-Mediterranean for timetable 2017.





All PaPs on RFC North-Sea-Mediterranean are published in PCS with a number of operational points which may differ from these shown on the schematic map. These operational points can differ from PaP to PaP, and in principle PaP sections can be left/entered via these operational points or can be used as an origin/destination of the request. The only exceptions are the border points, which can't be used as origin/destination of the request, because these are all run through points. Also, for the Basel SBB yards, the following condition applies:

Stopping time in border shunting yard of Switzerland	Max 2h	<p>The stopping time in a shunting yard at the Swiss borders (Basel SBB RB and Chiasso) is limited to a maximum of 2 hours. Requests which go over this limit will be handed over immediately to SBB Infrastructure and will be treated as national request.</p> <p>The feasibility remains reserved. Such stays are subject to charges</p>
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### 3.3.2 Late Path requests

Late requests refer to capacity requests placed within the timeframe from May until beginning of October concerning the annual timetable, to the C-OSS, and is as such part of the annual timetable process.

The offer consists of a re-publication or an updating of the remaining – non-booked – PaPs for late path requests, which 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) and path requests during this timeframe are not permitted.

### 3.3.3 Reserve Capacity

Reserve Capacity consists of remaining capacity in the running timetable dedicated to international ad-hoc freight trains along the corridor.

The IMs/ABs of the corridor have decided to create a reserve capacity - Article 14.5 of the Regulation (EU) 913/2010 - based on PaPs to allow a quick and optimal answer to the requests. Reserve capacity on RFC North Sea-Mediterranean will be a collection of several sections along the corridor.

Reserve capacity may consist either of non-requested PaPs and/or PaPs constructed out of remaining capacity by the IMs after the allocation of the overall capacity for the Annual Timetable. RC will be published in form of PaPs in PCS and listed on the website from Mid-October (2 months before timetable change) until 30 days before the running day of the train. After this deadline, requests will have to be addressed to the concerned IMs/ABs.

### 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.

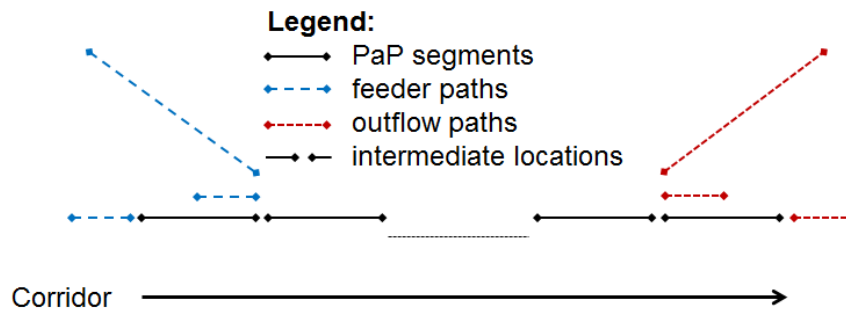
A feeder/outflow path refers to any path/path segment prior to reaching an operational point on the corridor (feeder path) or any path/path segment after leaving the corridor at an operational point (outflow path).

Feeder and outflow paths will be constructed on request in the concerned PCS-dossiers by following the national path allocation rules. The communication of the offer will be executed by the C-OSS within the same timeframe as the communication of the requested PaPs.

It must be noted that requesting a connecting path between two PaP sections is possible, but because of the difficulty for IMs to link two PaP sections, a suitable offer might be less likely (also known as a 'sandwich PaP'<sup>2</sup>).

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<sup>2</sup> For more info see chapter 3.5.2



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 may request PaP sections of different RFCs in one PCS dossier. Each C-OSS remains responsible for its PaP sections, but the applicant might direct any questions to one of the involved C-OSS, who will coordinate with the other concerned C-OSS when needed.

PaPs between different RFCs might be harmonised. These PaPs can be recognised by having the number of the different RFCs in the PaP ID (for example RFC26PaP0001 is a harmonised offer via RFC North Sea – Med (2) and RFC Mediterranean (6)). In some cases, the Network PaP priority rule might apply. This will be clearly marked in PCS and in any print out catalogue. In those cases, in the PaP ID, “PaP” will be replaced by “Net”.<sup>3</sup>

## 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>).

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, and/or connecting paths (between PaP sections)
- 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 (exceptions are possible if allowed by the concerned IM/AB e.g. when the timetable of the PaP can be respected)

Applications for PaPs placed directly at the involved IM/AB (e.g. by using national booking tools, by traditional OSS network, by reference in a PCS dossier) will be only considered by the C-OSS, when the concerned IM/AB will inform the applicant on a voluntary basis to place a correct PaP request in PCS dedicated to the C-OSS on time. PaP capacity requested only via national tools will under no circumstances be allocated.

<sup>3</sup> All information on the general PaP priority rule and the network PaP priority rule can be found in chapter 3.5.3.

PaP applications placed via other channels to the C-OSS (e.g. e-mail, fax, telephone, RNE paper template) have to be redirected to PCS. The C-OSS informs the applicant accordingly and provides basic support for using PCS. The C-OSS is not entitled to open PCS dossiers for the applicant.

The C-OSS confirms the receipt of the path application and announces its further treatment.

### 3.5 Handling of capacity requests

The C-OSS receives and collects all path requests for PaPs placed via PCS.

#### 3.5.1 Leading tool for the handling of capacity requests

Applicants placing requests at the C-OSS must use PCS. Within the construction process of feeder and outflow paths and tailor made paths, the national tool may show additional information to the applicant.

The following matrix shows for each step of the process which tool is considered as the leading tool.

	Contract	Application	Pre-allocation	Draft offer	Final offer	Acceptance applicant	Modification/ Cancellation
<b>Leading tool</b>	National tool	PCS	e-mail	PCS	PCS	PCS	National tool
<b>Additional tool</b>			(PCS)	(National tool)	(National tool)	(National tool)	PCS

#### 3.5.2 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. In those cases, 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 2<sup>nd</sup> 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.

Any PaP request placed to the C-OSS via PCS is made under the responsibility of the applicant(s). Nevertheless, 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 involved C-OSS will check the capacity request together to provide a harmonised response via PCS. This means that 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.

It is possible to request a PaP by creating one dossier for the whole timetable year even including periods of unavailability due to infrastructure works. Via PCS, it is possible to request the same

timetable of the PaP for days which are not available in the PaP. PCS can create this automatically when required by the applicant. The concerned IM/ABs will try to construct a path as close as possible to the PaP timetable. In this case, the timetable offer by the C-OSS via PCS will contain an offer with a master timetable (covering the entire period requested) and subsidiary timetables where needed (containing the PaP sections and/or tailor made sections for days/sections on which the PaP is not available).

In special cases, the applicant might receive the substitute path offer at a later stage directly from the concerned IM or no offer at all if there is no substitute possible. This will not cancel the entire request.

- **Requests with special cases**

- *Jumping-PaP request:*

It is possible to combine several PaP-sections including a spatial jump / time leap in one request/PCS dossier (e.g. RFC02PaP0082 from Rotterdam to Metz combined with RFC02PaP0049 from Metz to Lyon). Such a request will however only be accepted as long as the timetable remains logical. This does not have any impact on the calculation of the priority in case of conflicting requests, because this request will in any case be considered as one request.<sup>4</sup>

- *Multi-Corridor request:*

It is possible to combine several PaP-sections on different corridors in one request / PCS dossier, e.g. RFC02PaP0001 from Antwerp to Basel in combination with RFC01PaP0003 from Basel to Novara). This request will be treated as one request and for the calculation of the priority rule in case of conflicting requests all involved PaP sections will be taken into account.

- *Sandwich PaP request*

This refers to the situation when Applicants request corridor capacity in the following order:

- ✓ PaP section
- ✓ Tailor-made request (sandwich-section)
- ✓ PaP section

These requests will be taken in consideration as follows:

- 📌 If the planning is asked to be started at the origin of the request;

The C-OSS pre-allocates the PaP-sections from origin until the sandwich-sections. All sections after the sandwich-section will not be pre-allocated but treated as tailor made. This will have an impact on the priority calculation.

- 📌 If the planning is asked to be started at the destination of the request:

The C-OSS pre-allocates the PaP-sections from the destination of the request until the sandwich-sections. All sections between the origin and the sandwich-sections will not be pre-allocated but treated as tailor made. This will have an impact on the priority calculation.

- 📌 If the planning is asked out of the middle of the request:

The C-OSS pre-allocates the longer part of the PaP-sections either before or after the sandwich-section. All other sections will not be pre-allocated but treated as tailor made. This will have an impact on the priority calculation

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<sup>4</sup> All information on the general PaP priority rule and the network PaP priority rule can be found in chapter 3.5.3.

- **Path Register**

The C-OSS establishes and maintains a path register for all incoming PaP applications in PCS containing a dossier number, the name of the applicant, the requested PaP section, the requested number of running days and specifying the follow-up activities of the C-OSS concerning the concrete path request. This is available to the concerned IM/AB at any time and in a simplified form allowing business confidentiality to all concerned applicants upon request.

### 3.5.3 Priority rules in capacity allocation

#### 3.5.3.1 Generalities

In the event of conflicting requests for PaPs placed until X-8 (2<sup>nd</sup> 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 the following criteria are met:

- The conflict is only on a single rail freight corridor;
- Suitable alternative pre-arranged paths are available.

The C-OSS addresses the involved applicants and proposes a solution. If these 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 use the consultation procedure (because of a high number of conflicts 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 running days on which a PaP is requested
- $K$  = The priority value

All lengths are counted in kilometres.

The priority is calculated according to this formula:

$$\begin{aligned} 1^{st} \text{ step: } & L^{PAP} \times Y^{RD} = K \\ 2^{nd} \text{ step} & (L^{PAP} + L^{F/O}) \times Y^{RD} = K \end{aligned}$$

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 running days on which a PaP is requested ( $Y^{RD}$ ).

- If the requests cannot be separated in this way, the priority value (K) is calculated using the total length of the complete path ( $L^{PAP} + L^{F/O}$ ) multiplied by the number of running days on which a PaP is requested (YRD) in order to separate the requests.
- If the requests cannot be separated in this way, the following procedure applies:
  - 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:

$$\begin{array}{ll}
 1^{\text{st}} \text{ step:} & K = L^{\text{NetPAP}} \times Y^{\text{RD}} \\
 2^{\text{nd}} \text{ step:} & K = (L^{\text{NetPAP}} + L^{\text{OtherPAP}}) \times Y^{\text{RD}} \\
 3^{\text{d}} \text{ step:} & K = (L^{\text{NetPAP}} + L^{\text{OtherPAP}} + L^{\text{F/O}}) \times Y^{\text{RD}}
 \end{array}$$

K = Priority value

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

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

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

$Y^{\text{RD}}$  = Number of running days on which a PaP is requested.

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” ( $L^{\text{NetPAP}}$ ) multiplied by the number of running days on which a PaP is requested ( $Y^{\text{RD}}$ )
- 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 ( $L^{\text{NetPAP}} + L^{\text{OtherPAP}}$ ) multiplied by the number of running days on which a PaP is requested ( $Y^{\text{RD}}$ ) 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 ( $L^{\text{NetPAP}} + L^{\text{OtherPAP}} + L^{\text{F/O}}$ ) multiplied by the Number of running days on which a PaP is requested ( $Y^{\text{RD}}$ ) 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 2017, the Rail Freight Corridor North Sea-Mediterranean will offer PaPs with the Network-PaP Priority Rule on the following corridor sections:

Antwerpen – Thionville – Basel (continuation on the Rhine-Alpine Corridor to Italy)  
Bettembourg – Basel (continuation on the Rhine-Alpine Corridor to Italy)

The principal aim of these Network PaPs is to allow an optimal use of the offered PaP capacity in a non-discriminatory matter. The Network PaPs are described in annex 2.

#### 3.5.3.2 *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 via e-mail and via PCS.

#### 3.5.3.3 *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 via e-mail and via PCS beginning of May.

Additionally he will be offered an 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, operational 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 2<sup>nd</sup> Monday in April). Feeder and/or outflow paths may have to be adapted as a consequence.

#### 3.5.3.4 *Late path request and reserve capacity*

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

### 3.5.4 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 the May publication on.

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

The C-OSS forwards the requested Feeder/Outflow paths to the concerned IM/AB at the latest until the second Friday after the deadline for placing requests for elaboration of a timetable offer fitting to the PaP already reserved (pre-allocated). Questions occurring during the path elaboration process (e.g. concerning feeders/outflows or connections between RFCs) may be discussed and arranged between the concerned IM/AB and applicant bilaterally.

At the RNE deadline for Draft Timetable (X-5), the C-OSS communicates the draft timetable offer for every request concerning a pre-allocated PaP to the applicant via PCS on behalf of the IM/AB.

The C-OSS monitors the observations placed by the applicant on the draft timetable offer for the PaP in PCS. This however only concerns justified observations related to the original path request - whereas modifications to the original path requests are handed over to the concerned IM/AB for further exclusive treatment in the late path request process (without further involvement of the C-OSS).

### 3.5.6 Final offer phase

At the RNE deadline (X-4), the C-OSS communicates the final timetable offer for every valid PaP request (including feeder/outflow sections) to the applicants via PCS on behalf of the concerned IM/AB and informs the applicant that the contracts of use of railway infrastructure must be concluded between the IM/AB and the applicant based on the national network access conditions. If, for operational reasons the publication via national tools is still necessary (e.g. ensuring documents for train drivers), the IM/AB have to ensure that there are no differences with the PCS publication.

The applicant must check the final offers and may accept or reject these.

The applicant shall accept the final timetable offer within five working days by setting the green light in PCS.

Dossiers switched harmonised to the Active timetable will follow the normal PCS process. Further treatment is ensured by the national IMs/ABs directly (not by C-OSS).

Partial offers will only be provided if requested specifically by the applicant, and after the explicit explanation of options and consequences by the C-OSS.

### 3.5.7 Late path request phase

Requests for remaining PaPs (i.e. placed after the 2<sup>nd</sup> 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.

### 3.5.8 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 30 days before the actual train run.

The C-OSS receiving the request via PCS will check the consistency of the request and inform 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 applicant, 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 30 days before the 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.

### 3.5.9 Exceptional transports and Dangerous Goods

Trains transporting Dangerous Goods or Exceptional Transports will be considered as such according to the national rules of each IM.

When the capacity requested by the Applicant is to be used for the transport of dangerous goods, it shall be so declared in the PCS dossier, and the Applicant shall guarantee the fulfilment of all requirements and rules governing such transport in each involved IM, to safeguard the safety of others and of infrastructures.

## 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. This modification has to be requested via the original PCS dossier.

### 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. The withdrawal has to be requested via the original PCS dossier.

#### 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 on withdrawal

<b>Country:</b>	<b>Condition:</b>
The Netherlands	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: <ul style="list-style-type: none"> <li>- 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</li> <li>- are cancelled by means of the first change sheet.</li> </ul> This amount is remitted if an applicant or railway undertaking, during the timetable allocation process or via the first change sheet, cancels less than 1% of its applied paths.
Belgium	Administration fee needs to be paid
Luxembourg	Free of charge
France	Free of charge
Switzerland	<ul style="list-style-type: none"> <li>- Normally no fees</li> <li>- Exception on congested lines starting 1<sup>st</sup> of January 2017: cancellation fee by following the rules described in the table in chapter 3.6.4 for Switzerland, if the draft offer has been received at least 5 days before or in case of conflicts if the applicant has been informed 5 days ahead.</li> </ul>
UK	Free of charge
Eurotunnel	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 30 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.

<b>Country:</b>	<b>Cancellation fees:</b>	
The Netherlands	<p>ProRail Combined Network:</p> <p>1) 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"> <li>- 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</li> <li>- are cancelled by means of the first change sheet.</li> </ul> <p>This amount is remitted if an applicant or railway undertaking, during the timetable allocation process 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>	
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 additionally</p> <ul style="list-style-type: none"> <li>• &gt; 60 calendar days before the running day</li> <li>• Between 30 and 60 calendar days before the running day</li> <li>• Between 24 h and 30 calendar days before the running day</li> <li>• &lt; 24 h before train run</li> </ul>	<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</p>	

	<p>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	<p><i>Valid 10.12.2015 – 31.12.2016</i></p> <ul style="list-style-type: none"> <li>- Cancellations 61 or more days before the day of operation</li> <li>- Cancellations 31–60 days before the day of operation</li> <li>- Cancellations between 30 days before and 17:00 on the day before the day of operation</li> <li>- Cancellations after 17:00 on the day before the day of operation</li> <li>- Cancellations of train paths for trains with intermediate stops</li> </ul> <p><i>Valid from 01.01.2017</i></p> <ul style="list-style-type: none"> <li>- Cancellations 61 or more days before the day of operation</li> <li>- Cancellations 31–60 days before the day of operation</li> <li>- Cancellations between 30 days before and 17:00 on the day before the day of operation</li> <li>- Cancellations after 17:00 on the day before the day of operation</li> <li>- Cancellation after departure of the train</li> <li>- On congested lines, special rules apply. See withdrawal or NZV Art. 19d</li> </ul>	<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> <p>20%</p> <p>50%</p> <p>80%</p> <p>100%</p> <p>200%</p>
UK	<i>To be confirmed December 2016</i>	
Eurotunnel	Reserved weekly train: should a traffic flow cease during the year, the reservation can be cancelled subject to giving 30 days' notice and the reservation fees will no longer be payable after the notice period.	

### 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	ProRail combined Network: cfr cancellation
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.)”.
UK	<i>To be confirmed December 2016</i>
Eurotunnel	100% of the reservation and access fees will be charged

### 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 and Contracting

The infrastructure usage contracts and invoicing are concluded / emitted between the IMs/ABs and the applicant on basis of national network access conditions.

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.

<b>Country:</b>	<b>Explanations:</b>
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.
UK	Path charge will be invoiced to the RU that used the path.
Eurotunnel	Path charge will be invoiced to the RU that used the path.

### 3.9 Complaints

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

## 4. Coordination of Temporary Capacity Restrictions

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 first trimester and the third trimester of the year. Only RFC North Sea-Mediterranean and infrastructure manager's representatives participate in these meetings.

#### **The first meeting is held in the first trimester of 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 in 4.3)

#### **The second meeting is held in the third trimester of each year.**

During this second meeting, infrastructure managers analyse the results of the consultation phase. They also finetune the coordination launched in March and prepare the December 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 2017 RFC North Sea-Mediterranean covers six neighbouring countries and nine border sections in total, 10 when taking into account the France-Eurotunnel-UK IM borders.

These border sections are

- Essen / Roosendaal
- Mouscron / Tourcoing
- Aubange / Mont St Martin
- Aubange / Rodange
- Bettembourg / Zoufftgen
- Mulhouse / Basel
- Blandain/Baisieux
- Erquelinnes/Jeumont
- North + South portal of Channel Tunnel

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](mailto: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](mailto: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 timetable.

According to Regulation (EU) 913/2010, international freight trains running on a PaP/RC 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.

## **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 the North Sea Mediterranean Corridor

*London/Dunkerque/Lille/Liège/Paris/Amsterdam\_Rotterdam-Zeebrugge\_/Antwerpen-  
Luxembourg-Metz-Dijon-Lyon/[Basel]-Marseille*

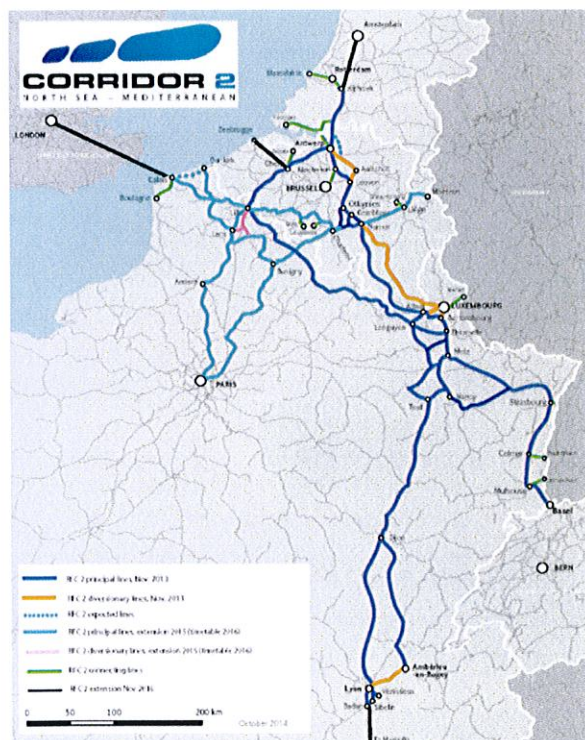
Belgium: Service de Régulation du Transport ferroviaire et de l'Exploitation de l'Aéroport de Bruxelles-National, Boulevard du jardin botanique 50 boîte 72, 1000 Bruxelles

France : Autorité de Régulation des Activités Ferroviaires et routières, 57 boulevard Demorieux CS81915, 72019 Le Mans Cedex 2

Luxembourg : Institut Luxembourgeois de Régulation, 17 rue du Fossé, 1536 Luxembourg

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

The United Kingdom: Office of Rail and Road, One Kemble Street, London WC2B 4AN



## PREAMBLE

Article 20 of the Regulation n° 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight provides that the regulatory bodies shall cooperate in monitoring the competition in the rail freight corridors and shall in particular ensure non-discriminatory access to the corridor.

The scope of regulation under this agreement is the North Sea Mediterranean Corridor, formerly named Rail Freight Corridor No. 2, established on the basis of the Regulation 913/2010.

This agreement replaces the one signed in 2013 between the Autorité de Régulation des Activités Ferroviaires (ARAF)<sup>1</sup>, the Service de Régulation du Transport ferroviaire et de l'Exploitation de l'Aéroport de Bruxelles-National, the Institut Luxembourgeois de Régulation and the Autoriteit Consument & Markt.

For the time being Switzerland is negotiating the implementation of Regulation (EU) No 913/2010 in Swiss legislation; as long as Regulation (EU) n° 913/2010 has not been duly incorporated into Swiss law, the Railways Arbitration Commission will not sign this agreement but will cooperate based on a letter of intent. 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 Regulatory Body considers it is necessary.

### **Article 1 – Principles of cooperation**

Article 20 of the Regulation (EU) No 913/2010, hereafter “the Regulation”, provides the legal basis for Regulatory Bodies to monitor the competition in the rail freight corridor to avoid discrimination.

In accordance with Article 20 of the Regulation, Regulatory Bodies are jointly responsible for monitoring the activities of the Corridor-One-Stop-Shop (hereafter the “C-OSS”) and for ensuring non-discriminatory access to the Corridor.

#### **1.1. Complaint regarding infrastructure managers and operators of service facilities**

As the territoriality principle applies, national Regulatory Bodies regulate the activity of infrastructure managers and operators of service facilities in accordance with their national provisions.

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<sup>1</sup> ARAF became Autorité de régulation des activités ferroviaires et routières (ARAFER) on 15 October 2015

The Regulatory Body concerned should inform other Regulatory Bodies involved in the Corridor upon receipt of a complaint on the Corridor.

## **1.2. Complaint regarding the C-OSS**

Owing to the multiple responsibilities for regulation the C-OSS, and in order to guarantee fast decision-making, the Regulatory Body responsible for taking a decision in the event of a complaint regarding the C-OSS will be identified as follows:

- 1) Should the Regulatory Bodies of the Corridor jointly come to the conclusion that the cause of the 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 C-OSS is legally seated (hereafter “RespRB”). The “RFC North Sea - Med”, in its capacity of representative structure of the C-OSS, is incorporated in Luxembourg<sup>2</sup>. Hence, the RespRB for the North Sea Mediterranean Corridor is the “Institut Luxembourgeois de Régulation”.

Depending on the circumstances, it is possible that more than one Regulatory Body could be involved in a matter concerning a complaint about the functioning 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 cooperation is set out below in article 2 of this Cooperation agreement.

## **Article 2 – Process of cooperation**

### **2.1. 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 C-OSS, the RB(a) acknowledges receipt.

RB(a) conducts an initial review of the complainant’s information. When the information is incomplete or insufficient, RB(a) may request the complainant to provide further information without delay in accordance with its national rules.

RB(a) informs other Regulatory Bodies situated in countries on the Corridor. Regulatory Bodies determine jointly if the cause of the complaint is related to only one single country or not.

If the Regulatory Bodies jointly come to the conclusion that the cause of the complaint is related to one single country, the competent Regulatory Body of that single country will be the responsible Regulatory Body (“RespRB” in the process

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<sup>2</sup> Luxembourg Trade and Companies Register (Registre de Commerce et des Sociétés –RCS) no D 78

below) for handling the complaint and for taking measures regarding the parties concerned.

If the Regulatory Bodies determine that the complaint is not related to one single country, the complaint shall then be handled by the competent Regulatory body of the Member state where the legal representative structure of the C-OSS is legally seated. This is the “RespRB” in the 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 with the RespRB.

The RespRB continues with the review of the complaint.

## **2.2. Review**

Proceedings are based on the 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 RespRB informs concerned parties in writing that it has received the complaint. Subsequently, it sends to these parties appropriate information, including a notification letter (in English and/or in one of the official languages of the country where the RespRB is located) inviting parties to submit comments on the complaint. Such parties may include railway undertakings, infrastructure managers, operators of service facilities, the C-OSS, other Regulatory Bodies and any other stakeholder.

The RespRB reviews all the information and comments received from all parties and, if necessary, sends further requests for information.

All Regulatory Bodies on the North Sea Mediterranean Corridor ensure that they cooperate in the investigation of the RespRB by providing all information legally available within their powers.

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

After having consulted, where applicable, the Regulatory Bodies involved, the RespRB issues a decision and informs properly (in accordance with its national legislation) and in writing the complainant, the C-OSS and, where applicable, the infrastructure manager or the operator of the service facility that is involved.

The final decision is taken no more than six weeks from receiving all relevant information (in compliance with time frame foreseen in the applicable European legislation).

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

The decision is subject to judicial review in accordance with the national legislation of the RespRB.



### Article 3 – Others

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

To this end, the Regulatory Bodies shall exchange email contact details and ensure that it is up to date.

June 2016,

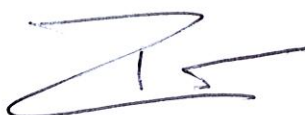
For Service de Régulation du Transport ferroviaire et de l'Exploitation de l'Aéroport de Bruxelles-National,

Serge DRUGMAND



For Autorité de Régulation des Activités Ferroviaires et routières

Pierre CARDO



For Institut Luxembourgeois de Régulation

Jacques PROST



For Autoriteit Consument & Markt

Johan Keetelaar



For the Office of Rail and Road

Daniel BROWN



## Annex 2: Network PaPs TT2017

### North – South

From	fixed time at origin	reference France	reference Lux	reference Belgium	Basel SBB RB D		fixed time at destination	To	Net PaP ID
	Dep.				Arr.	Dep.			
Antwerp	02:18	MMBA07	/	62451	15:25	16:27	21:20	Domo II	RFC21Net0353
Antwerp	19:46	MMBA00	/	62667	10:25	11:20	16:48	Chiasso Sm	RFC21Net0153
Bettembourg	12:58	BTBA12	BTBA12	/	20:11	21:12	02:47	Chiasso Sm	RFC21Net0363

### South – North

From	fixed time at origin	Basel SBB RB G		reference Lux	reference Belgium	reference France	fixed time at destination	To	Net PaP ID
		Arr.	Dep.						
Domo II	05:00	10:03	11:17	/	62668	BAMM11	23:52	Antwerp	RFC12Net0304
Chiasso Sm	22:35	03:17	04:31	BABT04	/	BABT04	12:26	Bettembourg	RFC12Net0114
Chiasso Sm	01:35	06:43	07:40	/	62678	BAMM09	03:28	Antwerp	RFC12Net0194

## **Annex 3: Framework for Capacity Allocation**

**Decision of the Executive Board of Rail Freight Corridor North  
Sea – Mediterranean (RFC2)**

adopting the Framework for capacity allocation  
on the Rail Freight Corridor

**Décision du comité exécutif du Corridor de fret ferroviaire Mer  
du Nord - Méditerranée (RFC2)**

adoptant le cadre pour la répartition des capacités sur le corridor de  
fret ferroviaire



Having regard to:

- Regulation (EU) No 913/2010 of the European Parliament and of the Council and in particular Article 14 thereof;
- Directive 2012/34/EU of the European Parliament and of the Council and in particular Chapter IV (Section 3) thereof;

Whereas:

- Directive 2012/34/EU provides the general conditions and objectives of infrastructure capacity allocation;
- Article 14 of Regulation (EU) No 913/2010 provides the particular conditions applicable in the context of rail freight corridors;
- Article 14(1) of Regulation (EU) No 913/2010 requires the Executive Board to define the framework for the allocation of infrastructure capacity on the rail freight corridor;
- Articles 14(2) to (10) of Regulation (EU) No 913/2010 establish the procedures to be followed by the Management Board, Infrastructure Managers and Allocation Bodies, with reference to the general rules contained in Directive 2012/34/EU;
- The Executive Board invites the Management Board to cooperate with the other Management Boards in order to harmonise as far as possible the time limit mentioned in Article 14(5) of Regulation (EU) No 913/2010;

Acting in accordance with its internal rules of procedure,

HAS ADOPTED THIS DECISION ON JANUARY 11, 2017:

## Chapter I

### PURPOSE, SCOPE AND CHARACTER OF THE FRAMEWORK

#### *Article 1*

1. This framework for the allocation of infrastructure capacity on the rail freight corridor (“Corridor Framework”) concerns the allocation of pre-arranged paths as defined according to Article 14(3) of Regulation (EU) No 913/2010 (“the Regulation”), and of reserve capacity as defined according to Article 14(5) of the Regulation, displayed by the Corridor One-Stop-Shop (“C-OSS”) for freight trains crossing at least one border on a rail freight corridor. It describes the key activities of the C-OSS and Management Board in this respect, and also identifies the responsibilities of the Regulatory Bodies in accordance with Article 20 of the Regulation.
2. The scope of application of the Corridor Framework is the railway network defined in the rail freight corridor implementation plan where principal, diversionary and connecting lines are designated.
3. The Executive Board may decide to allow specific rules within this Corridor Framework for networks which are applying the provisions permitted in accordance with Article 2(6) of Directive 2012/34/EU.

#### *Article 2*

The document to be published by the Management Board in accordance with Article 18 of the Regulation – hereinafter referred to as the Corridor Information Document (“CID”) – shall reflect the processes in this Corridor Framework.

## Chapter II

### PRINCIPLES FOR THE OFFER OF PRE-ARRANGED PATHS AND RESERVE CAPACITY

#### *Article 3*

1. The offer displayed by the C-OSS contains pre-arranged paths and reserve capacity. The pre-arranged paths and reserve capacity are jointly defined and organised by the IMs/ABs in accordance with Article 14 of the Regulation. In addition they shall take into account as appropriate:
  - recommendations from the C-OSS based on its experience;
  - customer feedback concerning previous years (e.g. received from the Railway Undertaking Advisory Group);
  - customer expectations and forecast (e.g. received from the Railway Undertaking Advisory Group);
  - results from the annual users satisfaction survey of the rail freight corridor;
  - findings of any investigation conducted by the Regulatory Body in the previous year.
2. The infrastructure managers and allocation bodies (IMs/ABs) shall ensure that the pre-arranged path catalogue and reserve capacity are appropriately published. Before publication of the pre-arranged path catalogue and reserve capacity, the Management Board shall inform the Executive Board about the offer and its preparation.

3. Upon request of the Regulatory Bodies and in accordance with Articles 20(3) and 20(6) of the Regulation, IMs/ABs shall provide all relevant information allowing Regulatory Bodies to assess the non-discriminatory designation and offer of pre-arranged paths and reserve capacity and the rules applying to them.

*Article 4*

The pre-arranged paths shall be handed over to the C-OSS for exclusive management at the latest by X-11<sup>1</sup>, and reserve capacity at the latest by X-2. The Management Board is required to decide whether, and if so to what extent, unused pre-arranged paths are to be returned by the C-OSS to the relevant IMs/ABs at X-7.5 or kept by the C-OSS after X-7.5 in order to accept late requests, taking into account the need for sufficient reserve capacity. The Management Board shall publish in the CID the principles on which it will base its decision.

*Article 5*

1. The pre-arranged paths managed by the C-OSS for allocation in the annual timetable and the reserve capacity are dedicated solely to the rail freight corridor. Therefore it is essential that the displayed dedicated capacity is protected between its publication in the pre-arranged path catalogue and the allocation decision by the C-OSS at X-7.5 against unilateral modification by the IMs/ABs.
2. Following the allocation decision by the C-OSS at X-7.5, an IM/AB and an applicant may agree to minor modifications of the allocated capacity that do not impact the results of the allocation decision. In that case, the modified capacity shall have the same level of protection as that applied to the original capacity.

*Article 6*

1. Certain pre-arranged paths may be designated by the Management Board for the application of the network pre-arranged path priority rule "Network PaP rule" (defined in Annex 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. These sections 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".
2. The designation of Network PaPs, in terms of origin and destination and quantity should take into account the following as appropriate:
  - scarcity of capacity;
  - the number and characteristics of conflicting requests as observed in previous years;
  - number of requests involving more than one rail freight corridor as observed in previous years;
  - number of requests not satisfied, etc. as observed in previous years.
3. Explanations for the designation of Network PaPs, the rail freight corridor sections to be covered by Network PaPs and an indicative share of Network PaPs as a proportion of all pre-arranged paths offered on the rail freight corridor shall be published in the CID.

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<sup>1</sup> X indicates the date of the timetable change; figures refer to months. Therefore X-11 is 11 months before the timetable change etc.



4. Where Network PaPs relate to more than one rail freight corridor, the Management Board shall cooperate with the Management Board(s) of the other relevant rail freight corridor(s) to engage the IMs/ABs in the designation process. If one rail freight corridor identifies a need for Network PaPs on several rail freight corridors, the other rail freight corridor(s) involved should if possible meet the request. These Network PaPs can only be designated if the Management Boards of all relevant rail freight corridors agree.

### Chapter III

#### PRINCIPLES OF ALLOCATION OF PRE-ARRANGED PATHS AND RESERVE CAPACITY

##### *Article 7*

1. The decision on the allocation of pre-arranged paths and reserve capacity on the rail freight corridor shall be taken by the C-OSS, in accordance with Article 13 of the Regulation.
2. The activities under the timetabling processes concerning pre-arranged paths and reserve capacity are set out in Annex 2.

#### III-A GENERAL PRINCIPLES RELATED TO THE FUNCTIONING OF THE C-OSS

##### *Article 8*

1. The CID to be published by the Management Board shall describe at least the competences, the form of organisation, the responsibilities vis-à-vis applicants and the mode of functioning of the C-OSS and its conditions of use.
2. The corridor capacity shall be published and allocated via an international path request coordination system, which is as far as possible harmonised with the other rail freight corridors.

#### III-B PRINCIPLES OF ALLOCATION

##### *Article 9*

1. The C-OSS is responsible for the allocation of pre-arranged paths and reserve capacity on its own rail freight corridor.
2. An applicant requesting pre-arranged paths or reserve capacity covering more than one rail freight corridor may select one C-OSS to act as a single point of contact to co-ordinate its request, but that C-OSS remains responsible for the allocation of capacity on its own rail freight corridor only.
3. Where the same pre-arranged paths are jointly offered by more than one rail freight corridor, the Management Board shall coordinate with the other Management Board(s) concerned to designate the C-OSS responsible for allocating those paths and publish this in the CID.

##### *Article 10*

1. After receipt of all path requests for pre-arranged paths at X-8 (standard deadline for submitting path requests for the annual timetable) the C-OSS shall decide on the -

allocation of pre-arranged paths by X-7.5 and indicate the allocation in the path register accordingly.

2. Requests for pre-arranged paths that cannot be met pursuant to Article 13(3) of the Regulation and that are forwarded to the competent IMs / ABs in accordance with Article 13(4) are to be considered by IMs/ABs as having been submitted before the X-8 deadline. The IMs/ABs shall take their decision and inform the C-OSS within the timescales set out in Annex VII of Directive 2012/34/EU and described in Annex 2 of this Corridor Framework. The C-OSS shall complete the processing of the request and inform the applicant of the decision as soon as possible after receiving the decision from the competent IMs/ABs.
3. The Management Board is invited to decide the deadline for submitting requests for reserve capacity to the C-OSS in a harmonised way at 30 days before the running date.
4. The C-OSS shall provide a first response to requests for reserve capacity within five working days of receiving the path request.

### III-C PRINCIPLES OF FAIRNESS AND INDEPENDENCE

#### *Article 11*

1. The C-OSS shall respect the commercial confidentiality of information provided to it.
2. In the context of the rail freight corridor, and consequently from the point of view of international cooperation, C-OSS staff shall, within their mandate, work independently of their IMs/ABs in taking allocation decisions for pre-arranged paths and reserve capacity on a rail freight corridor. However, the C-OSS staff should work with the IMs/ABs for the purpose of coordinating the allocation of pre-arranged paths and reserve capacity with the allocation of feeder/outflow national paths.

### III-D PRIORITIES TO BE APPLIED BY THE C-OSS IN CASE OF CONFLICTING REQUESTS

#### *Article 12*

1. In the event of conflicting requests, the C-OSS may seek resolution through consultation as a first step, if the following criteria are met:
  - The conflict is only on a single rail freight corridor;
  - Suitable alternative pre-arranged paths are available.
2. Where consultation is undertaken, the C-OSS shall address the applicants and propose a solution. If the applicants agree to the proposed solution, the consultation process ends.
3. If for any reason the consultation process does not lead to an agreement between all parties by X-7.5 the priority rules described in Annex 1 apply.

#### *Article 13*

1. Where consultation under Article 12 is not undertaken, the C-OSS shall apply the priority rules and the process described in Annex 1 immediately.
2. The priority rules concern only pre-arranged paths and are applied only between X-8 and X-7.5 in the event of conflicting applications.

3. Once the allocation decision is made for requests received by X-8, the C-OSS shall propose suitable alternative pre-arranged paths, if available, to the applicant(s) with the lower priority ratings or, in the absence of suitable alternative pre-arranged paths, shall without any delay forward the requests to the competent IMs/ABs in accordance with Article 13(4) of the Regulation. These path requests are to be considered by IMs/ABs as having been submitted before the X-8 deadline.
4. Experience of the conflict resolution process should be assessed by the Management Board and taken into consideration for the pre-arranged path planning process in following timetable periods, in order to reduce the number of conflicts in following years.

#### *Article 14*

With regard to requests placed after X-8, the principle “first come, first served” shall apply.

### Chapter IV

#### APPLICANTS

#### *Article 15*

1. An applicant may apply directly to the C-OSS for the allocation of pre-arranged paths or reserve capacity.
2. Applicants shall accept the rail freight corridor’s general terms and conditions as laid down in the CID in order to place requests for pre-arranged path and reserve capacity. A copy of these general terms and conditions shall be provided free of charge upon request. The applicant shall confirm that :
  - it accepts the conditions relating to the procedures of allocation as described in the CID,
  - it is able to place path requests via the system referred to in Article 8,
  - it is able to provide all data required for the path requests.The conditions shall be non-discriminatory and transparent.
3. The allocation of pre-arranged paths and reserve capacity by the C-OSS to an applicant is without prejudice to the national administrative provisions for the use of capacity.
4. Once the pre-arranged path/reserve capacity is allocated by the C-OSS, the applicant shall appoint the railway undertaking(s) which will use the train path/reserve capacity on its behalf and shall inform the C-OSS and the IMs / ABs accordingly. If this appointment is not provided by the applicant by 30 days before the running day at the latest, regardless of whether it is a prearranged path or reserve capacity, the allocated path shall be considered as cancelled.
5. The CID shall describe the rights and obligations of applicants vis-à-vis the C-OSS, in particular where no undertaking has yet been appointed.

### Chapter V

#### REGULATORY CONTROL

#### *Article 16*

1. The application of this Corridor Framework on the annual allocation of capacity shall be subject to the control of the Regulatory Bodies.

2. Article 20 of the Regulation requires the relevant Regulatory Body in each rail freight corridor to collaborate with other relevant Regulatory Bodies. The Executive Board invites the Regulatory Bodies involved on the corridor to set out the way in which they intend to cooperate on regulatory control of the C-OSS, by developing and publishing a cooperation agreement defining how complaints regarding the allocation process of the C-OSS are to be filed and how decisions following a complaint are to be taken. The Executive Board also invites the Regulatory Bodies to set out the procedures they envisage for co-operation across rail freight corridors.
3. Where a cooperation agreement has been developed and published, the CID should provide a link to it.

## Chapter VI

### FINAL PROVISIONS

#### *Article 17*

The Management Board shall inform the Executive Board on an annual basis, using the indicators identified in Annex 3, of the quantitative and qualitative development of pre-arranged paths and reserve capacity, in accordance with Article 9(1)c and 19(2) of the Regulation. On this basis, the Executive Board shall evaluate the functioning of the Corridor Framework annually and exchange the findings with the other rail freight corridors applying this Corridor Framework. The Regulatory Bodies may inform the Executive Board of their own observations on the monitoring of the relevant freight corridor.

#### *Article 18*

1. The Executive Board has taken this Decision on the basis of mutual consent of the representatives of the authorities of all its participating States, in accordance with the provisions of Article 14(1) of the Regulation. This Decision is legally binding on its addressees and shall be published.
2. This Corridor Framework replaces any previous Corridor Framework. It shall come into force for the timetable period 2017.
3. Changes to this Corridor Framework can be made but only after consultation with the Management Board and with all rail freight corridors' Executive Boards and Regulatory Bodies.

#### *Article 19*

1. The priority rule and the process described in Annex 1, which are based on frequency and distance criteria, shall be evaluated by the rail freight corridor in the second half of 2018. This evaluation shall be based on a general assessment undertaken by the rail freight corridor taking into account its experience in terms of allocation.
2. In addition in order to broaden the scope of the above evaluation, the Management Board may decide to define and carry out an ex-post evaluation to measure the importance for society and the efficient use of the network under the allocation process for solving conflicting requests.
3. If the rail freight corridor undertakes this additional ex-post evaluation it shall, by the end of 2016, develop a model that can be applied for analytical purposes to the allocation for timetable periods 2018 and 2019. It shall also inform the other rail freight corridors, and

make its evaluation and model available to the other rail freight corridors for their consideration.

4. In accordance with the results of the evaluation of the priority rule, as described above, any potential modification would take effect for the timetable period 2020 and onwards.

*Article 20*

A reference to this Corridor Framework will be included in the CID and in the network statements of the IMs/ABs.

*Article 21*

This Decision is addressed to the IMs/ABs and the Management Board of the rail freight corridor.

Vu :

- Le règlement (UE) n° 913/2010 du Parlement européen et du Conseil et notamment son article 14 ;
- La directive 2012/34/UE du Parlement européen et du Conseil et notamment son chapitre IV (section 3) ;

Considérant que :

- La directive 2012/34/UE établit les conditions et les objectifs généraux de la répartition des capacités de l'infrastructure ;
- L'article 14 du règlement (UE) n° 913/2010 établit les conditions particulières applicables dans le cadre des corridors de fret ferroviaire ;
- L'article 14 (1) du règlement (UE) n° 913/2010 exige que le comité exécutif définisse le cadre pour la répartition des capacités de l'infrastructure sur le corridor de fret ferroviaire ;
- Les articles 14 (2) à (10) du règlement (UE) n° 913/2010 établissent les procédures à suivre par le comité de gestion, les gestionnaires de l'infrastructure et les organismes de répartition en faisant référence aux règles générales établies dans la directive 2012/34/UE ;
- Le comité exécutif invite le comité de gestion à coopérer avec les autres comités de gestion afin d'harmoniser autant que possible le délai mentionné à l'article 14 (5) du règlement (UE) n° 913/2010 ;

Agissant conformément à son règlement intérieur,

A ADOPTÉ LA PRÉSENTE DÉCISION LE 11 JANVIER 2017 :

## Chapitre I

### OBJET, CHAMP D'APPLICATION ET NATURE DU CADRE

#### *Article 1*

1. Le présent cadre pour la répartition des capacités de l'infrastructure sur le corridor de fret ferroviaire (« cadre du corridor ») porte sur la répartition des sillons préétablis tels que définis conformément à l'article 14 (3) du règlement (UE) n° 913/2010 (« le règlement ») et de la réserve de capacités telle que définie conformément à l'article 14 (5) du règlement, attribués au guichet unique du corridor (« C-OSS » pour « Corridor One-Stop Shop » en anglais) pour les trains de marchandises traversant au moins une frontière sur un corridor de fret ferroviaire. Il décrit les principales activités du C-OSS et du comité de gestion à cet égard. Il identifie également les responsabilités des organismes de contrôle conformément à l'article 20 du règlement.
2. Le champ d'application du cadre du corridor est le réseau ferroviaire défini dans le plan de mise en œuvre du corridor de fret ferroviaire où sont désignées les lignes principales, les itinéraires de contournement et les lignes de connexion.
3. Le comité exécutif peut décider d'autoriser des règles spécifiques au sein du présent cadre du corridor pour les réseaux qui appliquent les dispositions autorisées en vertu de l'article 2 (6) de la directive 2012/34/UE.

#### *Article 2*

Le document qui doit être publié par le comité de gestion en vertu de l'article 18 du règlement – ci-après dénommé le document d'information du corridor (« CID » pour « Corridor Information Document » en anglais) – reflète les procédures du présent cadre du corridor.

## Chapitre II

### PRINCIPES RELATIFS A L'OFFRE DE SILLONS PRÉÉTABLIS ET A LA RÉSERVE DE CAPACITÉS

#### *Article 3*

1. L'offre affichée par le C-OSS comprend des sillons préétablis et une réserve de capacités. Les sillons préétablis et la réserve de capacités sont définis et organisés conjointement par les GI/ORC conformément à l'article 14 du règlement. En outre, ils tiennent compte, le cas échéant :
  - des recommandations du C-OSS sur base de son expérience ;
  - du feedback des clients relatifs aux années antérieures (émanant par exemple du Groupe consultatif des entreprises ferroviaires) ;
  - des attentes et des prévisions des clients (formulées par exemple par le Groupe consultatif des entreprises ferroviaires) ;
  - des résultats de l'enquête annuelle de satisfaction des utilisateurs du corridor de fret ferroviaire ;
  - des résultats de toute enquête menée par l'organisme de contrôle au cours de l'année précédente.
2. Les gestionnaires de l'infrastructure et les organismes de répartition des capacités (GI/ORC) veillent à ce que le catalogue des sillons préétablis et la réserve de capacités soit publié de façon appropriée. Avant la publication du catalogue des sillons préétablis et

de la réserve de capacités, le comité de gestion informe le comité exécutif de l'offre et de son élaboration.

3. À la demande des organismes de contrôle et conformément à l'article 20 (3) et 20 (6) du règlement, les GI/ORC fournissent toutes les informations pertinentes permettant à ces organismes d'évaluer le caractère non-discriminatoire de l'offre de sillons préétablis et de la réserve de capacités, de sa conception ainsi que des règles qui les régissent.

#### *Article 4*

Les sillons préétablis sont transmis au C-OSS à des fins de gestion exclusive au plus tard à X-11<sup>2</sup>, et la réserve de capacités au plus tard à X-2. Le comité de gestion est tenu de décider si, et dans l'affirmative, dans quelle mesure, les sillons préétablis non utilisés doivent être rendus par le C-OSS aux GI/ORC pertinents à X-7.5 ou s'ils doivent être conservés par le C-OSS après X-7.5 en vue d'accepter les demandes tardives, eu tenant compte de la nécessité d'une réserve de capacités suffisante. Le comité de gestion publie dans le document d'information du corridor les principes sur lesquels il base sa décision.

#### *Article 5*

1. Les sillons préétablis gérés par le C-OSS pour la répartition des capacités dans l'horaire de service annuel et la réserve de capacités sont exclusivement dédiés au corridor de fret ferroviaire. Il est par conséquent essentiel que la capacité dédiée affichée soit protégée entre sa publication dans le catalogue des sillons préétablis et la décision de répartition des capacités par le C-OSS à X-7.5 contre toute modification unilatérale par les GI/ORC.
2. À la suite de la décision de répartition des capacités par le C-OSS à X-7.5, un GI/ORC et un candidat peuvent convenir de modifications mineures de la capacité attribuée qui n'affectent pas les résultats de la décision de répartition. Dans ce cas, la capacité modifiée offre le même niveau de protection que celui dont bénéficiait la capacité initiale.

#### *Article 6*

1. Certains sillons préétablis peuvent être identifiés par le comité de gestion en vue de l'application de la règle de priorité en matière de sillons préétablis « réseau » dite règle « Network PaP » (définie à l'annexe 1) visant à faire mieux coïncider la demande de trafic et l'utilisation optimale de la capacité disponible, en particulier pour les demandes de capacité impliquant plus d'un corridor de fret ferroviaire. Cette règle de priorité peut s'appliquer à des sections de sillons préétablis connectés entre eux au sein d'un seul ou à travers plusieurs corridors de fret ferroviaire. Ces sections sont conçues pour promouvoir l'utilisation optimale des capacités disponibles de l'infrastructure sur les corridors de fret ferroviaire. Un sillon préétabli pour lequel la règle de priorité « Network PaP » s'applique est appelé « Network PaP ».
2. L'identification des « Network PaP », en termes d'origine, de destination et de quantité doit tenir compte, le cas échéant, de ce qui suit :
  - La rareté de la capacité ;
  - le nombre et les caractéristiques des demandes concurrentes, telles qu'observées au cours des années précédentes ;
  - le nombre de demandes impliquant plus d'un corridor de fret ferroviaire, telles qu'observées au cours des années précédentes ;

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<sup>2</sup> X indique la date du changement d'horaire de service ; les termes font référence aux mois. X-11 signifie donc 11 mois avant le changement d'horaire de service, etc.



- le nombre de demandes non satisfaites, etc., telles qu'observées au cours des années précédentes.
- 3. Les explications relatives à l'identification des « Network PaP », les sections de corridor de fret ferroviaire qui doivent être couvertes par des « Network PaP » ainsi qu'une indication de la part représentée par les « Network PaP » par rapport à l'ensemble des sillons préétablis proposés sur le corridor de fret ferroviaire sont publiés dans le document d'information du corridor.
- 4. Lorsque les « Network PaP » concernent plus d'un corridor de fret ferroviaire, le comité de gestion coopère avec le(s) comité(s) de gestion des autres corridors de fret ferroviaire pertinents afin d'impliquer les GI/ORC dans leur élaboration. Si un corridor de fret ferroviaire identifie un besoin pour des « Network PaP » sur plusieurs corridors de fret ferroviaire, l'/les autre(s) corridor(s) de fret ferroviaire impliqué(s) doi(ven)t dans la mesure du possible répondre à cette demande. Les « Network PaP » en question ne peuvent être désignés comme tels que si les comités de gestion de tous les corridors de fret ferroviaire concernés en conviennent par consensus.

### Chapitre III

#### PRINCIPES DE RÉPARTITION DES SILLONS PRÉÉTABLIS ET DE LA RÉSERVE DE CAPACITÉS

##### *Article 7*

1. La décision relative à la répartition des sillons préétablis et à la réserve de capacités sur le corridor de fret ferroviaire est prise par le C-OSS, conformément à l'article 13 du règlement.
2. Les activités relatives aux sillons préétablis et à la réserve de capacités ayant lieu dans le cadre des procédures d'établissement de l'horaire de service sont décrites à l'annexe 2.

#### III-E PRINCIPES GÉNÉRAUX RELATIFS AU FONCTIONNEMENT DU C-OSS

##### *Article 8*

1. Le document d'information du corridor, qui doit être publié par le comité de gestion, décrit au moins les compétences, la forme d'organisation, les responsabilités à l'égard des candidats et les modalités de fonctionnement du C-OSS, ainsi que les conditions de son utilisation.
2. La capacité du corridor est publiée et répartie au moyen d'un système de coordination des demandes des sillons internationaux qui est, dans toute la mesure du possible, harmonisé avec les autres corridors de fret ferroviaire.

#### III-F PRINCIPES DE RÉPARTITION

##### *Article 9*

1. Le C-OSS est responsable de la répartition des sillons préétablis et de la réserve de capacités sur son corridor de fret ferroviaire.
2. Un candidat qui demande des sillons préétablis ou de la capacité de réserve couvrant plus d'un corridor de fret ferroviaire peut choisir un C-OSS pour agir en tant que point de

contact unique afin de coordonner sa demande, mais ce C-OSS demeure seulement responsable de la répartition des capacités sur son propre corridor de fret ferroviaire.

3. Lorsque les mêmes sillons préétablis sont offerts conjointement par plusieurs corridors de fret ferroviaire, le comité de gestion assure la coordination avec l'/les autre(s) comité(s) de gestion concernés pour désigner le C-OSS responsable de la répartition de ces sillons. Ils publient cette décision dans le document d'information du corridor.

#### *Article 10*

1. Après réception de toutes les demandes de sillons préétablis à X-8 (délai standard de soumission des demandes de sillons pour l'horaire de service annuel), le C-OSS décide de la répartition des sillons préétablis à X-7.5 et transcrit celle-ci dans le registre des sillons.
2. Les demandes de sillons préétablis qui ne peuvent être satisfaites en vertu de l'article 13 (3) du règlement et qui sont transmises aux GI/ORC compétents conformément à l'article 13 (4) sont considérées par les GI/ORC comme ayant été soumises avant l'échéance de X-8. Les GI/ORC prennent les décisions qui leur incombent et en informent le C-OSS dans le délai prévu à l'annexe VII de la directive 2012/34/UE et décrit à l'annexe 2 du présent cadre du corridor. Le C-OSS achève le traitement de la demande et informe le candidat de la décision prise dès que possible après avoir reçu la décision des GI/ORC compétents.
3. Le comité de gestion est invité à déterminer de manière harmonisée à 30 jours avant la date de circulation la date limite pour soumettre au C-OSS des demandes relatives à la réserve de capacités.
4. Le C-OSS fournit une première réponse aux demandes relatives à la réserve de capacités dans les cinq jours ouvrables suivant la réception de la demande.

### III-G PRINCIPES D'EQUITÉ ET D'INDÉPENDANCE

#### *Article 11*

1. Le C-OSS respecte la confidentialité commerciale des informations qui lui sont communiquées.
2. Dans le cadre du corridor de fret ferroviaire, et donc du point de vue de la coopération internationale, le personnel du C-OSS travaille, dans le cadre de son mandat, de manière indépendante par rapport aux GI/ORC dont ils proviennent, lors de la prise de décision relative à la répartition des sillons préétablis et de la réserve de capacités sur un corridor de fret ferroviaire. Cependant, le personnel du C-OSS est tenu de travailler avec les GI/ORC afin de coordonner la répartition des sillons préétablis et de la réserve de capacités avec l'attribution des sillons nationaux de pré-/post-acheminement.

### III-H PRIORITÉS À APPLIQUER PAR LE C-OSS EN CAS DE DEMANDES CONCURRENTES

#### *Article 12*

1. En cas de demandes concurrentes, le C-OSS peut, dans un premier temps, chercher une solution au problème au moyen d'une procédure de consultation si les critères suivants sont réunis :
  - Le conflit ne porte que sur un seul corridor de fret ferroviaire ;
  - Des sillons préétablis alternatifs convenables sont disponibles.

2. Lorsque la procédure de consultation est engagée, le C-OSS s'adresse aux candidats et leur propose une solution. Si les candidats s'accordent sur la solution proposée, le processus de consultation prend fin.
3. Si pour une raison quelconque, le processus de consultation ne débouche pas sur un accord entre toutes les parties à X-7.5, les règles de priorité décrites à l'annexe 1 sont d'application.

#### *Article 13*

1. Lorsque la procédure de consultation prévue par l'article 12 n'est pas engagée, le C-OSS applique immédiatement les règles de priorité et la procédure décrite à l'annexe 1.
2. Les règles de priorité ne concernent que les sillons préétablis et ne sont d'application qu'entre X-8 et X-7.5 en cas de demandes concurrentes.
3. Une fois que la décision de répartition est prise pour les demandes reçues à X-8, le C-OSS propose des sillons préétablis alternatifs appropriés au(x) candidat(s) affichant des scores de priorité plus faibles si ceux-ci sont disponibles ou, en l'absence de sillons préétablis alternatifs appropriés, transmet sans délai les demandes aux GI/ORC compétents conformément à l'article 13 (4) du règlement. Les GI/ORC sont tenus de considérer ces demandes de sillons comme ayant été soumises avant l'échéance X-8.
4. L'expérience de la procédure de résolution des conflits doit être évaluée par le comité de gestion et prise en considération lors du processus de planification des sillons préétablis pour les horaires de service ultérieurs afin de réduire le nombre de conflits au cours des années suivantes.

#### *Article 14*

En ce qui concerne les demandes introduites après X-8, le principe du « premier arrivé, premier servi » est d'application.

### Chapitre IV CANDIDATS

#### *Article 15*

1. Un candidat peut s'adresser directement au C-OSS pour la répartition de sillons préétablis ou de la réserve de capacités.
2. Les candidats sont tenus d'accepter les conditions générales du corridor de fret ferroviaire telles qu'elles sont formulées dans le document d'information du corridor pour pouvoir introduire des demandes de sillons préétablis ou de réserve de capacités. Une copie de ces conditions générales est fournie gratuitement sur demande. Le candidat confirme qu' :
  - il accepte les conditions relatives aux procédures de répartition telles que décrites dans le document d'information du corridor,
  - il est en mesure d'introduire des demandes de sillons au moyen du système visé à l'article 8,
  - il est en mesure de fournir toutes les données requises pour les demandes de sillons.

Les conditions doivent être non discriminatoires et transparentes.

3. L'attribution à un candidat de sillons préétablis ou de réserve de capacités par le C-OSS est sans préjudice des dispositions administratives nationales pour l'utilisation de la capacité de l'infrastructure.

4. Une fois les sillons préétablis/la réserve de capacités attribués par le C-OSS, le candidat désigne les entreprises ferroviaires qui utiliseront les sillons/la réserve de capacités en son nom. Il en informe le C-OSS et les GI/ORC. Si cette désignation n'est pas communiquée par le candidat au plus tard 30 jours avant la date de circulation, qu'il s'agisse d'un sillon préétabli ou de réserve de capacités, le sillon attribué est considéré comme annulé.
5. Le document d'information du réseau décrit les droits et obligations des candidats à l'égard du C-OSS, en particulier lorsqu'aucune entreprise n'a encore été désignée.

## Chapitre V

### CONTRÔLE RÉGLEMENTAIRE

#### *Article 16*

1. L'impact du présent cadre du corridor sur la répartition annuelle de la capacité est soumis à la surveillance des organismes de contrôle.
2. L'article 20 du règlement exige des organismes de contrôle compétents pour chaque corridor de fret ferroviaire qu'ils coopèrent avec les autres organismes de contrôle concernés. Le comité exécutif invite les organismes de contrôle impliqués dans le corridor à indiquer la façon dont ils entendent coopérer en matière de contrôle réglementaire du C-OSS, en élaborant et en publiant un accord de coopération qui définisse les modalités d'introduction des réclamations relatives à la procédure de répartition de la capacité par le C-OSS et qui précise les modalités d'adoption par les organismes de contrôle des décisions y afférentes. Le comité exécutif invite également les organismes de contrôle à formuler les procédures qu'ils envisagent pour la coopération entre les corridors de fret ferroviaire.
3. Lorsqu'un accord de coopération a été élaboré et publié, le documents d'information du corridor doit contenir un lien permettant d'y accéder.

## Chapitre VI

### DISPOSITIONS FINALES

#### *Article 17*

Le comité de gestion informe le comité exécutif, sur une base annuelle, de l'évolution quantitative et qualitative des sillons préétablis et de la réserve de capacités en utilisant les indicateurs définis à l'annexe 3, conformément à l'article 9 (1) c et à l'article 19, (2) du règlement. Sur cette base, le comité exécutif évalue chaque année le fonctionnement du cadre du corridor et échange les conclusions qu'il en tire avec les autres corridors de fret ferroviaire appliquant le présent cadre du corridor. Les organismes de contrôle peuvent informer le comité exécutif de leurs propres observations découlant du suivi du corridor de fret concerné.

#### *Article 18*

1. Le comité exécutif a pris la présente décision sur la base du consentement mutuel des représentants des autorités de tous les États participants, conformément aux dispositions de l'article 14 (1) du règlement. Cette décision est juridiquement contraignante pour ses destinataires et fera l'objet d'une publication.

2. Le présent cadre du corridor remplace tout cadre du corridor antérieur. Il entre en vigueur pour l'horaire de service 2017.
3. Des modifications peuvent être apportées à ce cadre du Corridor, mais uniquement après consultation du comité de gestion et de tous les comités exécutifs et organismes de contrôle des corridors de fret ferroviaire.

#### *Article 19*

1. La règle de priorité et la procédure décrits à l'annexe 1, qui sont basés sur les critères de fréquence et de distance, feront l'objet d'une évaluation par le corridor de fret ferroviaire au cours du deuxième semestre 2018. Cette évaluation reposera sur une analyse générale effectuée par le corridor de fret ferroviaire eu égard à son expérience en termes de répartition de la capacité.
2. En outre, en vue d'élargir la portée de l'évaluation décrite ci-dessus, le comité de gestion peut décider de concevoir et d'effectuer une évaluation a posteriori afin de mesurer l'impact de la procédure de répartition destinée à répartir les demandes concurrentes sur la société et l'utilisation optimale du réseau.
3. Si le corridor de fret ferroviaire entreprend cette évaluation a posteriori additionnelle, il élabore, avant la fin 2016, un modèle qui peut être appliqué à des fins analytiques à la répartition de la capacité pour les horaires de service 2018 et 2019. Il en informe également les autres corridors de fret ferroviaire. Il met son évaluation et son modèle à disposition des autres corridors de fret ferroviaire pour leur permettre de les prendre en considération.
4. En fonction des résultats de l'évaluation de la règle de priorité, ainsi que décrite ci-avant, toute modification éventuelle entrerait en vigueur à partir de l'horaire de service 2020.

#### *Article 20*

Une référence au présent cadre du corridor est incluse dans le document d'information du corridor et dans les documents de référence du réseau des GI/ORC.

#### *Article 21*

La présente décision est adressée aux GI/ORC et au comité de gestion du corridor de fret ferroviaire.



Valerie Verzele

Member of the Executive Board for the Minister for Mobility of the Kingdom of Belgium  
Membre du comité exécutif pour la Ministre de la mobilité du Royaume de Belgique



Guillaume Brodard

Member of the Executive Board for the Secretary in charge of Transport, Oceans and Fisheries reporting to the Minister for Ecology, Sustainable Development and Energy of the French Republic

Membre du comité exécutif pour le Secrétaire d'État chargé des transports, de la mer et de la pêche auprès de la Ministre de l'écologie, du développement durable et de l'énergie de la République Française



Pierre-André Meyrat

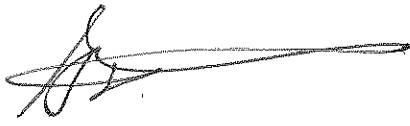
Member of the Executive Board for the Federal Councillor, Head of the Federal Department of Environment, Transport, Energy and Communications of the Swiss Confederation

Membre du comité exécutif pour la Conseillère fédérale, cheffe du Département fédéral de l'environnement, des transports, de l'énergie et de la communication de la Confédération suisse

Jeannot Poeker

Member of the Executive Board for the Minister for Sustainable Development and Infrastructures of the Grand Duchy of Luxembourg

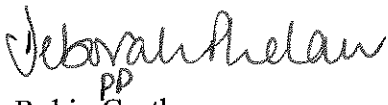
Membre du comité exécutif du Ministre du développement durable et des Infrastructures du Grand-Duché du Luxembourg



Peter Hondebrink

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Robin Groth

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## ANNEXES

1. Description of the priority rule at X-8 in the event of conflicting requests for pre-arranged paths
2. Activities within the timetabling processes concerning pre-arranged paths and reserve capacity
3. Evaluation of the allocation process

## ANNEXES

1. Description de la règle de priorité à X-8 en cas de demandes concurrentes pour les sillons préétablis
2. Activités relatives aux sillons préétablis et à la réserve de capacités ayant lieu dans le cadre des procédures d'établissement de l'horaire de service
3. Évaluation du processus de repartition des capacités.





## ANNEX 1

### **Description of the priority rule at X-8 in the event of conflicting requests for pre-arranged paths.**

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

The priority is calculated according to this formula:

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

$L^{\text{PAP}}$  = Total requested length of all PaP sections on all involved RFCs included in one dossier

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

$Y^{\text{RD}}$  = Number of requested running days for the timetable period. A running day will only be taken into account for the priority calculation if it refers to a date with a published PaP offer for the given section.

K = The rate for priority

All lengths are counted in kilometres.

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 ( $L^{\text{PAP}}$ ) multiplied by the Number of requested running days ( $Y^{\text{RD}}$ );

- if the requests cannot be separated in this way, the priority value (K) is calculated using the total length of the complete paths ( $L^{\text{PAP}} + L^{\text{F/O}}$ ) multiplied by the number of requested running days ( $Y^{\text{RD}}$ ) in order to separate the requests;
- if the requests cannot be separated in this way, a random selection is used to separate the requests. This random selection shall be defined in the CID.

#### **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:

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

K = Priority value

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

$L^{\text{Other PAP}}$  = Total requested length (in kilometres) of the PaP (not defined as “Network PaP”) on either RFC included in one dossier

$L^{F/O}$  = 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. A running day will only be taken into account for the priority calculation if it refers to a date with a published PaP offer for the given section.

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 ( $L^{NetPaP} + L^{Other PaP}$ ) 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 ( $L^{NetPaP} + L^{Other PaP} + L^{F/O}$ ) 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. This random selection shall be defined in the CID.

## ANNEX 2

### Activities under the timetabling processes concerning pre-arranged paths and reserve capacity.

Date/period	Activity
X-19 – X-16	Preparation phase
X-16 – X-12	Construction phase
X-12 – X-11	Approval and publication
X-11	Publication of pre-arranged paths provided by the IMs/ABs and identification among them of the designated Network PaPs
X-11 – X-8	Application for the Annual Timetable
X-8	Deadline for submitting path requests
X-8 – X-7.5	Pre-booking phase
X-7.5	Forwarding requests with “flexible approaches” (e.g. Feeder/Outflow) “special treatments” and requests where the applicant has neither received the requested pre-arranged path nor accepted – if applicable – an appropriate alternative pre-arranged path to IMs/ABs
X-7.5	Possible return of some remaining (unused) pre-arranged paths to the competent IMs/ABs – based on the decision of the rail freight corridor Management Board – for use during the elaboration of the annual timetable by the IMs/ABs
X-7.5 – X-5.5	Path construction phase for the “flexible approaches”
X-5.5	Finalisation of path construction for requested “flexible approaches” by the IMs/ABs and delivering of the results to C-OSS for information and development of the draft timetable
X-5	Publication of the draft timetable for pre-arranged paths – including sections provided by the IMs/ABs for requested “flexible approaches” by the C-OSS - and for tailor-made alternatives in case the applicant has neither received the requested pre-arranged path nor accepted – if applicable – an appropriate alternative pre-arranged path
X-5 – X-4	Observations from applicants
X-4 – X-3.5	Post-processing and final allocation
X-8 – X-4	Late path request application phase
X-4 – X-2	Late path request allocation phase
X-4 – X-2	Planning (production) reserve capacity for ad-hoc traffic
X-2	Publication reserve capacity for ad-hoc traffic
X-2 – X+12	Application and allocation phase for ad hoc path requests
X+12 – X+15	Evaluation phase

## ANNEX 3

### Evaluation of the allocation process

The process of capacity allocation on the rail freight corridor shall be evaluated throughout the allocation process, with a focus on continuous improvement of the working of the C-OSS. The evaluation shall take place after the major deadlines:

X-11: Publication of PaPs

X-8: Deadline for submitting path requests in the annual timetabling process

X-7.5: Deadline for treatment of PaP requests for the annual timetable by the C-OSS

X-2: Publication of reserve capacity for ad-hoc traffic

The evaluation shall be undertaken by the Management Board. Furthermore, the Management Board shall compile an annual evaluation report which includes recommendations for improvements of the capacity allocation process. The Annual report shall be addressed to the Executive Board.

The results of the monitoring shall be published by the Management Board, and to be included in the reporting as referred to in Article 19 of the Regulation.

The following basic indicators shall at least be evaluated using the methodology outlined below:

Indicator	Calculation formula	Timing
Volume of offered capacity	Km*days offered	At X-11 and X-2
Volume of requested capacity	Km*days requested	At X-8
Volume of requests	Number of requests	At X-8
Volume of capacity (pre-booking phase)	Km*days -(pre-booking phase)	At X-7.5
Number of conflicts	Number of requests submitted to the C-OSS which are in conflict with at least one other request	At X-8

## ANNEXE 1

### Description de la règle de priorité à X-8 en cas de demandes concurrentes pour les sillons préétablis.

#### Si aucun « Network PaP » n'est impliqué dans les demandes concurrentes

La priorité est calculée selon cette formule :

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

$L^{\text{PAP}}$  = Longueur totale demandée de toutes les sections de sillons préétablis sur tous les corridors de fret ferroviaire impliqués comprises dans un dossier

$L^{\text{F/O}}$  = Longueur totale demandée de(s) sillon(s) de pré-/post-acheminement ; pour des raisons pratiques, la distance est exprimée à vol d'oiseau.

$Y^{\text{RD}}$  = Nombre de jours de circulation demandés pour la période couverte par l'horaire de service. Un jour de circulation n'est pris en considération pour le calcul de la priorité que s'il s'agit d'une date pour laquelle une offre de sillons préétablis a été publiée pour la section concernée.

K = La valeur de priorité

Toutes les longueurs sont mesurées en kilomètres.

La méthode pour appliquer cette formule est la suivante :

dans un premier temps, la valeur de la priorité (K) est calculée uniquement à l'aide de la longueur totale demandée de sillons préétablis ( $L^{\text{PAP}}$ ) multipliée par le nombre de jours de circulation demandés ( $Y^{\text{RD}}$ ) ;

- si les demandes ne peuvent pas être départagées de cette manière, la valeur de la priorité (K) est calculée à l'aide de la longueur totale des sillons complets ( $L^{\text{PAP}} + L^{\text{F/O}}$ ) multipliée par le nombre de jours de circulation demandés ( $Y^{\text{RD}}$ ) afin de départager les demandes ;
- si les demandes ne peuvent être départagées de cette manière, une sélection aléatoire est opérée. La sélection aléatoire utilisée est définie dans le document d'information du corridor.

#### Si un « Network PaP » est impliqué dans au moins une des demandes concurrentes :

- Si le conflit ne porte pas sur un « Network PaP », la règle de priorité décrite ci-dessus est d'application
- Si le conflit porte sur un « Network PaP », la priorité est calculée selon la formule suivante :

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

K = Valeur de priorité

$L^{\text{NetPaP}}$  = Longueur totale demandée (en kilomètres) des sillons préétablis identifiés comme « Network PaP » sur tout corridor de fret ferroviaire compris dans un dossier

$L^{\text{Other PaP}}$  = Longueur totale demandée (en kilomètres) des sillons préétablis (non identifiés comme « Network PaP ») sur tout corridor de fret ferroviaire compris dans un dossier

$L^{\text{F/O}}$  = Longueur totale demandée de(s) sillon(s) de pré-/post-acheminement ; pour des raisons pratiques, la distance est exprimée à vol d'oiseau.

$Y^{\text{RD}}$  = Nombre de jours de circulation demandés pour la période couverte par l'horaire de service. Un jour de circulation ne sera pris en considération pour le calcul de la priorité que s'il s'agit d'une date pour laquelle une offre de sillons préétablis a été publiée pour la section concernée.

La méthode pour appliquer cette formule est la suivante:

- dans un premier temps, la valeur de la priorité (K) est calculée uniquement à l'aide de la longueur totale demandée de « Network PaP » ( $L^{\text{NetPaP}}$ ) multipliée par le nombre de jours de circulation demandés ( $Y^{\text{RD}}$ )
- si les demandes ne peuvent pas être départagées de cette manière, la valeur de la priorité (K) est calculée à l'aide de la longueur totale des sections « Network PaP » et des autres sections de sillons préétablis ( $L^{\text{NetPaP}} + L^{\text{Other PaP}}$ ) multipliée par le nombre de jours de circulation demandés ( $Y^{\text{RD}}$ ) afin de départager les demandes
- si les demandes ne peuvent pas être départagées de cette manière, la valeur de la priorité (K) est calculée à l'aide de la longueur totale des sillons complets ( $L^{\text{NetPaP}} + L^{\text{Other PaP}} + L^{\text{F/O}}$ ) multipliée par le nombre de jours de circulation demandés ( $Y^{\text{RD}}$ ) afin de départager les demandes

Si les demandes ne peuvent pas être départagées de cette manière, une sélection aléatoire est opérée. La sélection aléatoire utilisée est définie dans le document d'information du corridor.

ANNEXE 2

**Les activités relatives aux sillons préétablis et à la réserve de capacités ayant lieu dans le cadre des procédures d'établissement de l'horaire de service**

Date/période	Activité
X-19 – X-16	Phase de préparation
X-16 – X-12	Phase de construction
X-12 – X-11	Approbation et publication
X-11	Publication des sillons préétablis fournis par les GI/ORC et identification parmi eux des « Network PaP » désignés
X-11 – X-8	Demandes pour l'horaire de service annuel
X-8	Échéance pour la soumission des demandes de sillons
X-8 – X-7.5	Phase de pré-réservation
X-7.5	Transmission aux GI/ORC des demandes avec « des approches flexibles » (par exemple pré-/post-acheminement), de « traitements spéciaux » et des demandes où le candidat n'a ni reçu le sillon préétabli demandé, ni accepté, le cas échéant, un sillon préétabli alternatif approprié
X-7.5	Retour possible de certains sillons préétablis (non utilisés) aux GI/ORC compétents – sur la base de la décision du comité de gestion du corridor de fret ferroviaire – pour utilisation par les GI/ORC lors de l'élaboration de l'horaire de service annuel
X-7.5 – X-5.5	Phase d'élaboration des sillons pour les « approches flexibles »
X-5.5	Finalisation par les GI/ORC de l'élaboration des sillons pour les « approches flexibles » demandées et transmission des résultats au C-OSS pour information et élaboration du projet d'horaire de service
X-5	Publication par le C-OSS du projet d'horaire de service pour les sillons préétablis – en ce compris les sections fournies par les GI/ORC pour les « approches flexibles » demandées – et pour les alternatives personnalisées dans le cas où le candidat n'a ni reçu le sillon préétabli demandé, ni accepté, le cas échéant, un sillon préétabli alternatif approprié
X-5 – X-4	Observations des candidats
X-4 – X-3.5	Finalisation du traitement et attribution définitive
X-8 – X-4	Phase pour les demandes tardives de sillons
X-4 – X-2	Phase de répartition pour les demandes tardives de sillons
X-4 – X-2	Planification (production) de la réserve de capacités pour le trafic ad hoc
X-2	Publication de la réserve de capacités pour le trafic ad hoc
X-2 – X+12	Phase de demande et de répartition pour les demandes de sillon ad hoc
X+12 – X+15	Phase d'évaluation



## ANNEXE 3

### Évaluation du processus de répartition

Le processus de répartition des capacités sur le corridor de fret ferroviaire est évalué tout au long du processus de répartition, en vue d'une amélioration continue du fonctionnement du C-OSS. L'évaluation a lieu après les principales échéances :

X-11 : Publication des sillons préétablis

X-8 : Échéance pour la soumission des demandes de sillons dans le cadre de la procédure d'établissement de l'horaire de service annuel

X-7.5 : Échéance pour le traitement par le C-OSS des demandes de sillons pour l'horaire de service annuel

X-2 : Publication de la réserve de capacités pour le trafic ad hoc

L'évaluation est entreprise à l'initiative du comité de gestion. En outre, le comité de gestion établit un rapport annuel d'évaluation qui comprend des recommandations pour l'amélioration de la procédure de répartition des capacités. Le rapport annuel est adressé au comité exécutif.

Les résultats du processus de suivi sont publiés par le comité de gestion et sont mentionnés dans les rapports prévus à l'article 19 du règlement.

Les indicateurs de base suivants sont au moins évalués, à l'aide de la méthodologie décrite ci-dessous :

Indicateur	Formule de calcul	Calendrier
Volume de la capacité offerte	Km*jours offerts	À X-11 et X-2
Volume de la capacité demandée	Km*jours demandés	À X-8
Volume des demandes	Nombre de demandes	À X-8
Volume de la capacité (phase de pré-réservation)	Km*jours - (phase de pré-réservation)	À X-7.5
Nombre de conflits	Nombre de demandes soumises au C-OSS qui sont en concurrence avec au moins une autre demande	À X-8

## GLOSSARY OF ABBREVIATIONS

- **AB:** Allocation Body
- **IM:** Infrastructure Manager
- **C-OSS:** Corridor One Stop Shop
- **PaP:** Pre-arranged path
- **X:** Starting date of a timetable
- **F/O:** Feeder / Outflow
- **RD:** Running days
- **RFC:** Rail Freight Corridor
- **Network PaP:** Pre-arranged path on which the “Network PaP rule” applies.
- **CID:** Corridor Information Document

## GLOSSAIRE DES ABRÉVIATIONS

- **ORC :** Organisme de repartition des capacités
- **GI** Gestionnaire de l'infrastructure
- **C-OSS :** Guichet unique du corridor («Corridor One-Stop Shop »)
- **PaP :** Sillon préétabli
- **X :** Date de début de l'horaire de service
- **F/O :** Pré-/Post-acheminement («Feeder / Outflow »)
- **RD :** Jours de circulation («Running Day »)
- **RFC :** Corridor de fret ferroviaire (« Rail Freight Corridor »)
- **Network PaP :** Sillon préétabli auquel s'applique la « règle Network PaP ».
- **CID :** Document d'information du corridor (« Corridor Information Document »)

