



**ART** Autorità  
di Regolazione  
dei Trasporti

# Regulatory measures

## ACCESS CHARGES FOR THE USE OF RAIL INFRASTRUCTURE

Presentation to the press

**18 November 2015**

# Legislative Framework

The **EU's Fourth Railway Package** is composed of:

- a «**technical pillar**»: **safety** and **interoperability**
- a «**political pillar**»: **governance** and **market access**



**ART's Decision No 96/2015**  
of 13 November 2015

- ☐ **Decree-Law 201/2011 – art. 37 – Law establishing the Authority**
- ☐ **Directive 2012/34/EU** of 21 November 2012, establishing a **single European railway area** («**Recast**»)
- ☐ **Legislative Decree No 112 of 15 July 2015**, implementing **Directive 2012/34/EU** (and repealing Legislative Decree No 188/2003)

# Regulatory measures

**Decision No. 96 of 13 November 2015:**

**ART sets the criteria for the determination – by the IM Rete Ferroviaria Italiana (RFI) – of access charges for the use of national rail infrastructure.**

Just **4 months** after the transposition into Italian legislation of **Directive 2012/34/EU - «Recast» - on a single European railway area (Legislative Decree No 112/2015)**, ART implements the principles contained therein.

# Regulated activities

## Minimum Access Package (MAP)

Right of a railway undertaking to operate on the national rail network.

It includes:

- **path** allocation;
- use of **lines** and stations;
- **control** and **regulation** of **train movements**



A **charge** shall be paid by the rail undertaking to the **Infrastructure Manager(RFI)**

## Other services

These are **additional services** with respect to the Minimum Access Package, such as for example:

- use of **station areas** for **ticket offices** and **customer care**
- access to **freight terminals**, **maintenance facilities** and other technical **facilities**
- **traction current**
- **shunting** services
- access to **telecommunication networks**



A **charge** shall be paid by the rail undertaking to the **operator of the relevant service facility**

# Regulated activities

Services referred to in art. 13 of the Legislative Decree transposing Directive 2012/34/EU

## MAP

### Paragraph 1: Minimum Access package

- Request for capacity
- Use of capacity
- Use of infrastructure
- Control and regulation of train movements
- Use of electrical supply equipment
- Necessary information

## Other services

### Paragraph 2: Facilities and Services with right of guaranteed access

- Passengers' stations
- Freight terminals
- Marshalling  
Train formation
- Light maintenance  
facilities
- Other technical facilities
- Port facilities
- Relief facilities
- Refuelling facilities

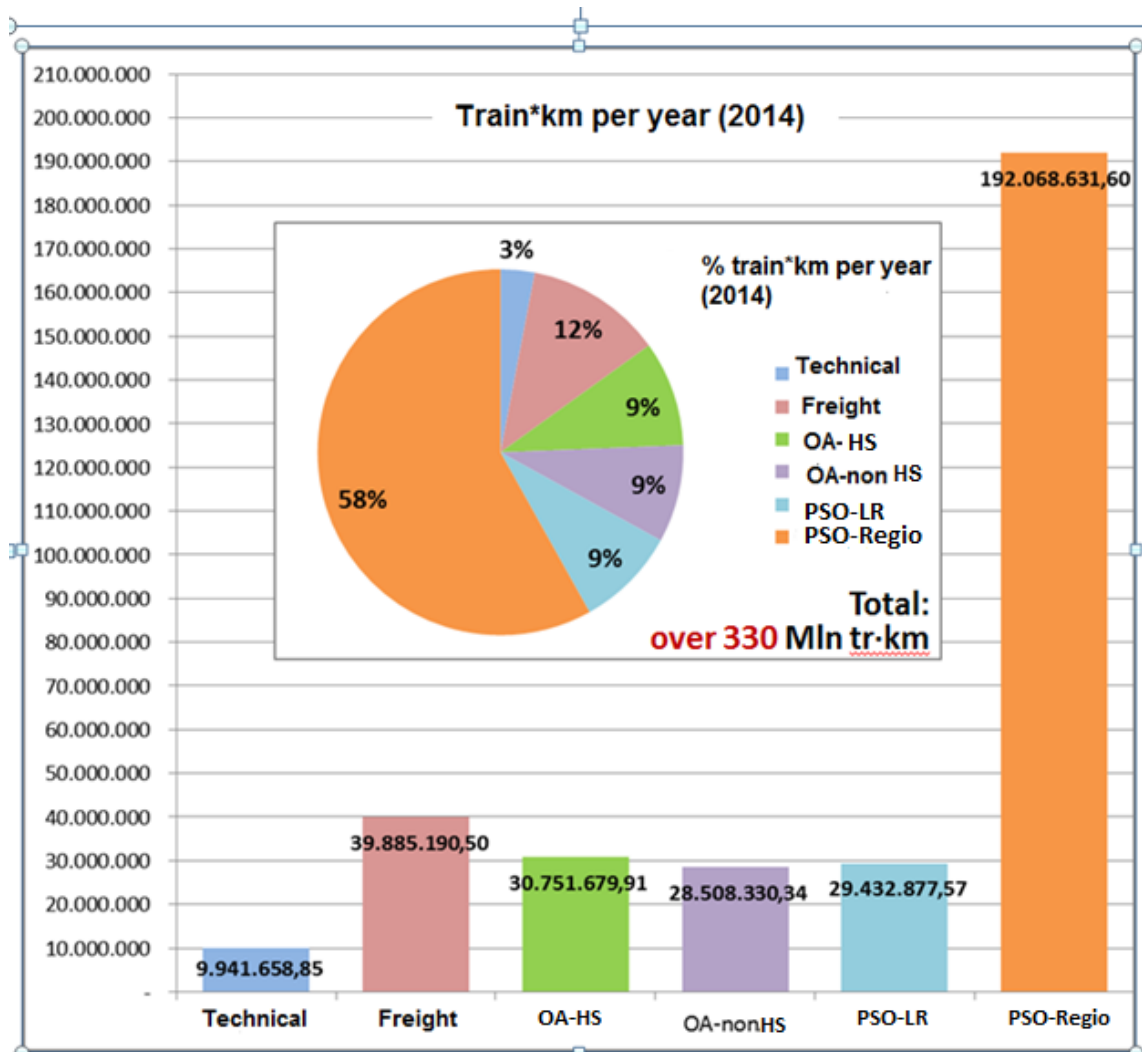
### Paragraph 9: Additional services

- Traction current
- Pre-heating
- Water refilling
- Control of transport of  
dangerous goods
- Assistance in running  
abnormal trains
- Shunting services

### Paragraph 10: Ancillary services

- Telecommunication  
network
- Supplementary  
information
- Technical inspection
- Ticketing
- Heavy maintenance

# Market dimension: traffic



## Technical

Empty runs  
Test Trains



## Freight



## OA-HS

Open Access  
High Speed

## OA-nonHS

Open Access  
Traditional



## PSO-LR

Public Service  
Long Distance



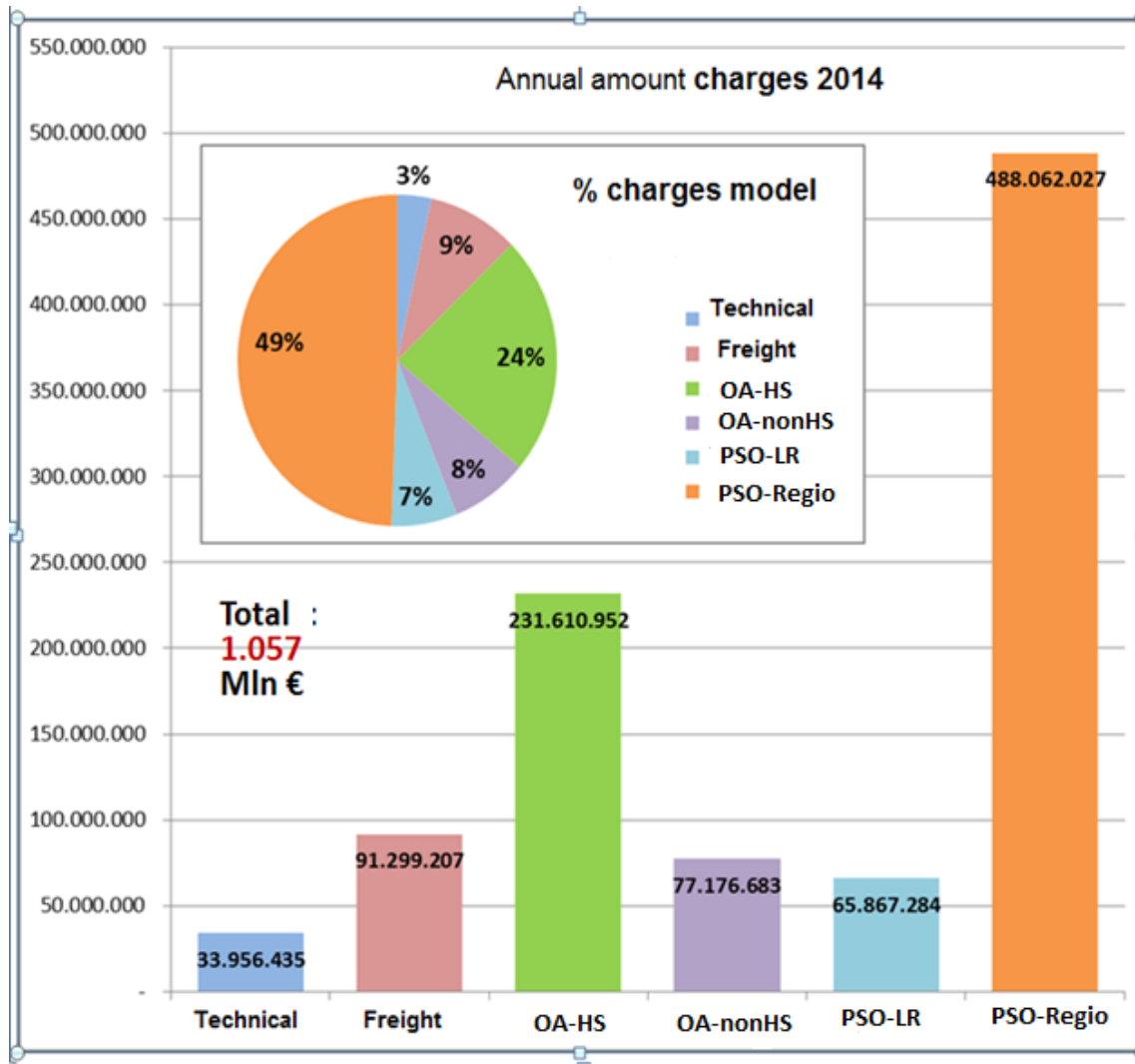
## PSO-Regio

Public Service  
Regional





# Market dimension: traffic revenues



**Technical**  
Empty runs  
Test Trains



**Freight**



**OA-HS**  
Open Access  
High Speed

**OA-nonHS**  
Open Access  
Traditional



**PSO-LR**  
Public Service  
Long distance



**PSO-Regio**  
Public Service  
Regional



# A more efficient system

In compliance with the new legal framework, **Decision 96** ensures:

- ❑ full **independence** of the **Infrastructure Manager** (RFI) from rail undertakings and from the State granting the concession
- ❑ certainty for **Rail Undertakings** that charges are **efficiency**-oriented, also through new rules on **cost allocation** and **accounting separation**
- ❑ **Flexibility** allowed to the **Infrastructure Manager** (RFI) **for levying charges**, by means of appropriate **tools for differentiation**, so as to encourage **traffic growth**, especially on low-traffic routes



# Key points of the new regulation

**Regulatory period**  
five years

**Perimeter of relevant costs** (Direct, Indirect, Specific) and related valorisation

**Efficiency**  
of operating costs  
and **volume growth**

Identification of the  
most relevant  
**supply and demand**  
**segments**

Definition of the  
**procedures for the**  
**determination of**  
**charges** starting from  
specified costs

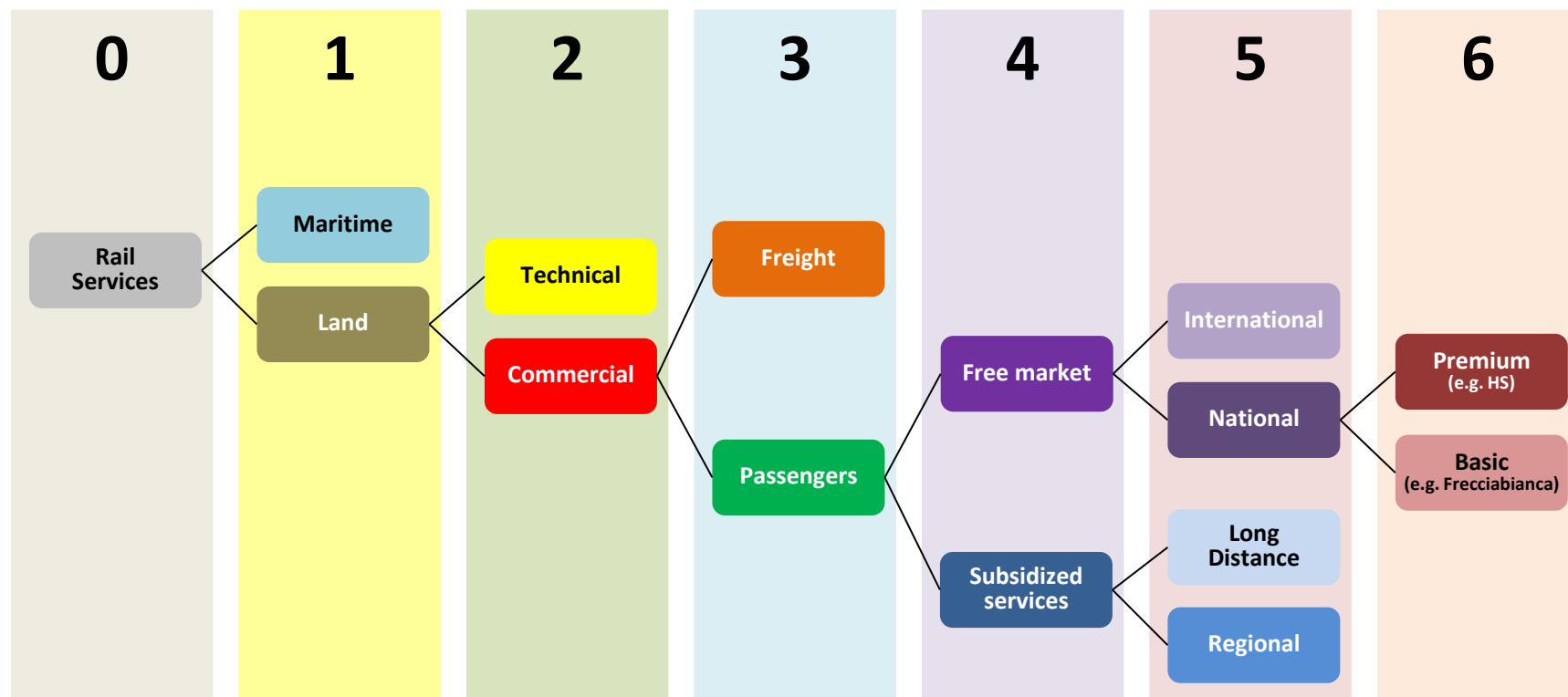
**Verification procedures**,  
by the Authority, as to  
the **correct application**  
of the criteria adopted

# What changes



- ❑ Charges determined by RFI based on specific **criteria established by ART**
- ❑ Five-year regulatory period, with **stable and pre-determined charges**
- ❑ Charges related to relevant and efficient **costs**
- ❑ Enhanced requirements for **regulatory accounting** and **accounting separation**
- ❑ Charges based on the **type of service**, rather than on the type of network
- ❑ Charges composed by **variable components only** (euro per train·km)
- ❑ **Managerial independence** of RFI
- ❑ Annual **efficiency** targets for the IM
- ❑ **ART verifies compliance** of the charges with the criteria and **sustainability** of the charges for the market

# A new component: market segmentation

The **market** is segmented based on the main **types of service**: hence, the charge can be tailored by the Infrastructure Manager, with benefits for **end users**



# New operating leverages for RFI

Charge Component	Component description	Charging principle	Sub component	Description sub-component e modulation	Weight Limits	Variables to be considered	
A	Direct Costs	COST-BASED	A1	MASS		50% min	Classes of trainset overall mass
			A2	SPEED		50% max	Classes of path traffic speed
			A3	CONTACT WIRE		50% max	Classes of rolling stock
B	Full recovery of relevant and efficient costs of the Minimum Access Package	MARKET-BASED	B1	DEMAND SEGMENTS		50% min	Demand segmentation: Pairs
			B2	NETWORK TYPE		50% max	Supply segmentation: Network macro-types
			B3	TRAIN SLOTS		50% max	Supply segmentation: Train slots
C	Externalities	COST-BASED	C1	SCARCITY OF CAPACITY		n.a.	Type of network, slot and period
			C2	ENVIRONMENTAL EFFECTS		n.a.	Type of rolling stock
			C3	ETCS		n.a.	Type of network, type of rolling stock
			C4	REGIONAL OFFSETTING		n.a.	Territorial scope

# New classification of the network

For the purpose of an effective **network solidarity**, the criteria for classifying railway lines have been re-defined



1	<b>Metropolitan network</b> , consisting of the main national <b>metropolitan nodes</b> ;
2	<b>High-service level</b> network , consisting of high-speed/high capacity lines and lines with maximum speed for the higher rank <b>above 200 km/h</b> ;
3	<b>Medium-service level</b> network, consisting of <b>national corridors</b> (Northern Central and Southern Central), main <b>international lines</b> and other lines of the existing <b>core network</b> ;
4	<b>Basic-service level network</b> , consisting of the <b>remaining lines</b> .

# Safeguards for market protection

For the purpose of **market sustainability**, ART has established «**caps**» to the **segment average kilometric charge**, which shall not exceed those applied during 2015 for:

- ☐ **freight services**
- ☐ **regional passengers services**
- ☐ **services for «high-service level» network** (compared to the existing HS/HC charges)



# The benefits of the measures adopted

- **consistency** with European and national legislation;
- **consistent regulation** of different transport modes;
- **cost- efficiency** of network management;
- **transparency** and **multi-annual stability** of rules;
- **bottom-up** approach;
- **ease of use**;
- **Market opening**;
- correlation to the Infrastructure Manager's **efficient costs**;
- **fair** value of the Infrastructure Manager's assets

