

AIRPORT CHARGES REGULATORY MODELS

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PART I GENERAL BACKGROUND

I.1 DEFINITIONS

For the purpose of the application of this airport charges regulatory act, the following terms and expression shall have the following meaning:

1. **Airport:** any land area specially designed for aircraft landing, take-off and movements, including the associated facilities which it may involve for traffic purposes and aircraft operations, as well as the facilities that are necessary to provide assistance to commercial air services.
2. **Base year:** last year for which approved financial statements are available, as drafted according to statutory requirements and certified by an auditing company, on the basis of which the airport managing body may draw up certified analytical accounting data; in the event of a declaration of emergency by the competent Authorities, should the base year not be representative of the ordinary airport management, for the purpose of drawing up the proposal for the review of airport charges, the Authority shall assess, on the basis of substantiated reasons: (i) the appropriate adjustments to the associated regulatory accounting, that are made and illustrated by the managing body, and certified by an auditing company, or (ii) the adoption of the regulatory accounting relating to the previous year.
3. **Bridge year:** year between the base year and the first year of the regulatory period, in which the airport managing body fulfils the obligations concerning the preparation and presentation to the users of the proposed review of the airport charges system or of the amount of all charges levied by the airport managing body; in case of adoption of the regulatory accounting relating to the year preceding the base year referred to under 2, for the purpose of the construction of the charge two bridge years are taken as a reference.
4. **Airport activities (also aviation or regulated activities):** services provided by the managing body in return for the payment of airport charges as defined in this regulatory act, and of the payments subject to charging regulation based on legislative provisions, as listed under Measure 54.3.
5. **Ancillary activities (also non-aviation or unregulated activities):** any commercial service that is not listed in the airport activities, which is provided by the airport managing body within the airport area, even though it is produced outside this area, to the users of the managed airport, and to passengers or other entities, for which the managing body may exercise control on the access to the infrastructure.
6. **Incentive activities:** any economic benefit that is granted by the airport managing body to an airport user — either directly or indirectly through entities that may be referred to the user, as they are controlled directly or indirectly by the user, or by virtue of qualified contractual relationships that are aimed, *inter alia*, at: opening new routes, increasing aviation traffic on existing routes, developing airport and/or air traffic of the managing body.
7. **Non-relevant activities:** any activity carried out by the managing body, other than airport activities, ancillary activities and incentive activities.
8. **Commercial aviation:** any aircraft operation involving the carriage of passengers, cargo and mail against remuneration. Scheduled and chartered flights fall into this category.
9. **General aviation:** traffic other than commercial air transport. This category includes, *inter alia*, the activities of flying clubs, flight schools, small private planes, and advertising, aerial photography and aerial surveying services, airborne spraying, transport of external cargo. For the purpose of the application of this regulatory act, the activity of air taxis falls into this category, too¹.

¹ In this respect, reference is made to clarifications made by:

- information note no 2014-003 issued by ENAC on 25 June 2014 reading as follows: “Air taxi activity, while being an expression of commercial transport in the relationship between aircraft operator and customer, for the purpose of the relationship with aeronautical functions and ground infrastructure interacts with the same modes of a so-called general aviation flight”;

10. **User Committee:** Committee set up by the managing body pursuant to article 8 of legislative decree no. 18 of 13 January 1999, which any aircraft using airport services is entitled to join directly or through representative organizations.
11. **Programme contract:** agreement referred to in Article 704 (4) of Navigation Code, Article 7 of ministerial decree no 521 of 12 November 1997 and CIPE² Decision no 65 of 24 April 1996, concluded between ENAC and airport managing body, which governs, in the context of the concession and, as a general rule, on a four-year basis³, the commitments assumed by the airport managing body in order to ensure the infrastructure development and maintenance as well as adequate levels of security and service.
12. **Convention:** agreement concluded between ENAC and airport managing body, which regulates the parties' rights and obligations, arising from the award to the airport managing body of the concession for management, maintenance and use of the assets that are part of the airport area.
13. **Directive:** Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges
14. **Airport charges:** levies collected for the benefit of the airport managing body and paid by the airport users for the use of facilities and services, which are exclusively provided by the airport managing body and which are related to landing, take-off, lighting and parking of aircraft, and processing of passengers and freight; (article 2 (4) of Directive 2009/12/EC), including the use of centralized infrastructure and assets for common and exclusive use (article 72 (1) (d) of Decree-law no. 1 of 24 January 2012, converted into Law no 27 of 24 March 2012).
15. **ENAC:** National Civil Aviation Agency (*Ente Nazionale per l'Aviazione Civile*), established by Legislative decree no 250 of 25 July 1997, which carries out activities related to technical regulation, certification and supervision in the field of civil aviation, under the guidance, supervision and control of the Ministry of Infrastructure and Transport.
16. **Certified regulatory accounting dossier:** set of accounting formats and additional documents annexed thereto, that are drawn up by the airport managing body based on the principles and criteria set out in this regulatory act.
17. **Airport managing body:** body which, in conjunction with other activities or not as the case may be, has as its objective under national laws, regulations or contracts the administration and management of the airport or airport network infrastructures and the coordination and control of the activities of the different operators present in the airports or airport network concerned (Article 2 (2) of Directive 2009/12/EC).
18. **Annual factor of productivity improvement \tilde{X}_t :** percentage factor of adjustment (according to the price cap formula) of the operating charge component allocated for each year of the regulatory period, as resulting from the consultation procedure, taking into account the overall rate of efficiency improvement X^* (see below 22).
19. **Movement:** aircraft take-off or landing at an airport. In the counting of airport traffic, the arrival and departure of the same aircraft gives rise to two movements.
20. **Charges for legislative requirements:** specific charges to be paid by the airport managing body to the Government or other entities identified in advance by law, in accordance with pre-determined

- Regulation on the award of State-owned airports for general aviation, issued by ENAC on 22 December 2016, providing that, "in this respect, for the purpose of this Regulation, the activities which can be carried out on those airports include private, school, aerial work and aviation flights, including air taxi flights, and therefore excludes any scheduled or chartered flights".

² Inter-ministerial Committee for Economic Planning (TN).

³ For airport managing bodies referred to in Article 17 (34a) of Decree-law no 78 of 1 July 2009, the relevant programme contracts are characterised by a period longer than four years and by the breakdown into five-year regulatory periods or sub-periods.

procedures and time limits, that result from legislative obligations relating to the award of the management of the airport infrastructure concerned.

21. **Passengers:** passengers departing from or arriving at an airport. A passenger using a national connection gives rise to a passenger-unit departing from the airport of origin and a passenger-unit arriving at the airport of destination, while in an international connection it shall give rise to a single traffic unit at the national airport.
22. **Overall rate of potential improvement of production efficiency X^* :** overall rate of production improvement established by the Authority, by applying the econometric model referred to in ANNEX 10.
23. **Regulatory period:** period of application of the measures provided for in this regulatory act for setting the charge dynamics, that extends over a four-year period, in line with the provisions of Article 704 of Navigation Code; where specifically provided for in the agreements or contracts concluded by ENAC with the airport managing body, the regulatory period shall be 5 years.
24. **Regulatory Financial Plan (RFP):** unified model of regulatory planning and charge determination that the managing body, on the basis of the template in ANNEX 13, (i) draws up before the expiry of the regulatory period for the purpose of the airport charges review procedure, on the basis of the charging structure adopted for regulated charges⁴; (ii) updates each year, for the purpose of the annual monitoring of quality and investments.
25. **Airport Development Plan or Master Plan:** technical and urban planning tool for airport infrastructure development, usually stretching over a period of 10-15 years, on the basis of the estimated air traffic growth, so as to ensure the maintenance of operational safety and quality standards of the service provided to users;
26. **Action Plan:** document drawn up by the airport managing body for the period of the programme contract including: (i) traffic forecasts; (ii) investment plan; (iii) economic and financial plan.
27. **Investment Plan:** all the investments which the airport managing body commits to implement under a programme contract, pertaining to a regulatory period in accordance with the schedule laid down — for design, processing and entry into operation of each activity — in the time schedule table submitted by the airport managing body and technically approved by ENAC.
28. **Quality and environmental protection plan:** plan of quality and environmental protection indicators pertaining to a regulatory period, that is technically approved by ENAC, for which the airport managing body commits to achieve improvement targets;
29. **Notional items (NI):** positive or negative notional charge components, aimed at ensuring gradual developments of the charge, also to avoid systemic imbalances, including the lack of coordination between the cash flows generated by the airport management and the financial needs for the implementation of new investments.
30. **Price cap:** method used to determine and update charges, that identifies an upper threshold to the dynamics of the operational charge component (as defined in Measure 18), for each year of the regulatory period, and a realignment thereof, by applying the annual factor of productivity improvement \tilde{X}_t .
31. **Airport network:** group of airports that is designated as such by the Ministry of Infrastructure and Transport according to the guidelines referred to in ministerial decree no 401 of 26 November 2016, which is entrusted to an airport managing body, that can be authorized by the supervisory authority to introduce a common and transparent airport charges system to be applied to the entire network.

⁴ The structure may include a breakdown of the charge for individual services provided by the managing body, by pooling thereof, or by basket of charges.

32. **Airport area:** with regard to the airport infrastructure, system of “air side”⁵ and “land side”⁶ areas that are open to the public, regardless of their ownership.
33. **Service Level Agreement (SLA):** agreement that identifies the level of service to be provided to airport users by the airport managing body against the charges levied, pursuant to Article 78 of Decree-law no 1/2012.
34. **Airport system:** group of airports serving the same city or urban area, within the meaning of Article 74 of Decree-law no 1/2012, in respect of which the supervisory authority may allow the application of a common and transparent charging system, in compliance with EU legislation, by informing the European Commission, the Ministry of Infrastructure and Transport and the Ministry of Economy and Finance, provided that each airport complies with the transparency obligations laid down in Article 77 of Decree-law no 1/2012.
35. **IATA season:** period of reference for air traffic planning⁷. As a rule, each year, the summer season runs from the introduction of summer time in EU countries (last Sunday in March), the winter season from the return of winter time (last Sunday in October).
36. **Service unit:** specific unit charge standard for each regulated charge.
37. **Airport user:** any natural or legal person that is responsible for the carriage of passengers, mail and/or freight by air, to and from the airport concerned.
38. **Takeover value:** value that is determined according to the provisions of Article 703 of Navigation Code that, upon the natural expiry of the concession, the incoming concession holder is required to pay to the outgoing concession holder.
39. **WLU:** Work Load unit or cargo unit, i.e. a passenger or 100 kg of cargo or mail.

1.2 SCOPE OF APPLICATION

1. Pursuant to the provisions of Articles 71 to 82 of Decree-law no 1/2012⁸ transposing Directive 2009/12/EC into domestic legislation, the present regulatory act on airport charges (hereinafter: regulatory act) is applicable to national airports, open to commercial traffic, with specific charging measures and separate procedural and operational requirements, depending on whether:
 - 1.1. they had more than 1 million annual passenger movements, assessed on the basis of the average annual passengers carried over the last two years for which data are available⁹ (0 - Model A);

⁵ The *air side* area is the airport area (aircraft runways, taxiways and aprons, service and access roads, parts of terminal buildings, other buildings) within the customs areas and/or security checkpoints.

⁶ The *land side* area is the airport area (service and access roads, parts of terminal buildings) outside the customs areas and/or security checkpoints.

⁷ <https://www.iata.org/policy/slots/Documents/calendar-coordination-activities.pdf>

⁸ Article 10 of Law no 3 of 7 November 2019 replaced Article 73 of Decree-law no 1/2012, as follows:
“Article 73 (National supervisory authority). — 1. The Transport Regulation Authority, that was set up pursuant to Article 37 of Decree-law no 201 of 6 December 2011, converted, with amendments, into Law no 214 of 22 December 2011, shall carry out the functions of the national supervisory authority referred to herein, including with regard to the programme contracts referred to in Article 17 (34-a) of Decree-law no 78 of 1 July 2009, converted, with amendments, into Law no 102 of 3 August 2009. The Authority shall implement these functions with the human, material and financial resources that are available in its budget, without new or increased public expenditure”.

⁹ For the purpose of the total average incoming and departing traffic, reference is made to the annual statistics published on ENAC’s website and, where not available, to those published on Assaeroporti’s website.

- 1.2. they had passenger movements equal to or less than 1 million per year, assessed on the basis of the average annual passengers carried over the last two years, for which data are available¹⁰ (0 - Model B);
- 1.3. they established an airport network within the meaning of Article 74 (1) of Decree-law no 1/2012, or build an airport system within the meaning of Article 74 (3) (0 — Principles and criteria for the regulation of airport networks and systems);
2. Without prejudice to the exercise of the Authority's powers under Article 37 (2) (a) of Decree-law no 201/2011, the measures provided for in this regulatory act do not apply to:
 - a) the charges levied to remunerate en route and terminal air navigation services, as referred to in Commission Regulation (EC) No 2019/317 of 11 February 2019;
 - b) the charges levied to remunerate ground handling services, as referred to in Annex (A) to legislative decree no 18 of 13 January 1999 implementing Council Directive 96/67/EC of 15 October 1996 on free access to the ground handling market at Community airports;
 - c) the charges levied to finance the assistance to persons with disabilities and persons with reduced mobility (PRM) as laid down in Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006¹¹.
3. For managing bodies that are required to draw up a recovery plan, in accordance with Article 14 of legislative decree no 175 of 19 August 2016, the application of this regulatory act shall be subject to the submission of the plan by the managing body to the Authority, for the purpose of carrying out the assessments within the Authority's remit.

I.3 PURPOSE

1. In compliance with the provisions of Directive 2009/12/EC and in line with Article 37 of Decree-law no 201/2011, this regulatory act pursues the following aims:
 - a) defining certain key issues in the relations between the airport managing body and the users, especially with regard to the proper functioning of the airport charges system and their setting;
 - b) enhancing the regular consultations between the airport managing body and the users to be held at least once a year, unless otherwise agreed in the existing multi-annual agreements between the managing body and the users;
 - c) pre-determining the consultation procedures aimed at ensuring transparency and proper description and identification of the different positions expressed by the airport managing body and the airport users.
2. This regulatory act is designed so as to ensure that airport charges comply with the principles set out in Article 80 (1) of Decree-law no 1/2012.

I.4 GENERAL PRINCIPLES

1. The airport charges models for the setting of airport charges are characterised by the following:

¹⁰ *Ibid.*

¹¹ ENAC is the body responsible for implementing Regulation (EC) No 1107/2006 on charges levied to finance the assistance provided to persons with disabilities and persons with reduced mobility (PRM) in accordance with the provisions of Ministerial Decree No 107/T of 24 July 2007.

- a) identification out of a defined regulatory period not exceeding 5 years, under the terms specified in paragraph I.1 (23) (Definitions);
 - b) identification of the mandatory procedure for regular consultation between the airport managing body and the airport users or the representatives or associations of airport users in relation to operation of the airport charges system, amount thereof and quality of the service provided;
 - c) differentiation of activities that are:
 - c.1) directly subject to charge regulation;
 - c.2) ancillary;
 - c.3) incentive;
 - c.4) not relevant;
 - d) application of the *price cap* methodology to the operational charge component, as set out in Measure 18 ;
 - e) efficient management and optimal use of existing capacity;
 - f) establishment of the regulatory accounting system and setting out of accounting separation obligations.
2. The methods for setting airport charges, in accordance with the above mentioned airport charges models A and B, are illustrated, respectively, in 0 e 0 of this regulatory act, together with the relevant costing and pricing criteria, where the conditions are met, to be applied *ex ante* (for each regulatory period) for the preparation of the regulatory financial plan, and for the *ex post* adjustment of airport charges following the annual monitoring.
3. The principles and criteria for the charge regulation of airport networks and systems which adopt a common and transparent airport charges system, as well as the relevant procedural and operational requirements, are set out in 0 of this regulatory act.

PART II MODEL A — AIRPORTS WITH TRAFFIC OVER 1 MILLION PASSENGERS

II.1 PROCEDURES FOR THE REVIEW OF AIRPORT CHARGES

Measure 1 Scope

1. Pursuant to the provisions of Articles 71 through 82 of Decree-law no 1/2012 transposing Directive 2009/12/EC into domestic legislation, Model A is applicable to national airports, open to commercial traffic, with a traffic over one million passengers per year, as assessed on the basis of the average total annual passengers carried in the last two years, for which data are available¹².

Measure 2 Procedures for the review of airport charges

2.1 Purpose

1. Pursuant to Article 76 (3) of Decree-law no 1/2012, each airport managing body shall carry out a regular consultation of airport users, on the functioning of the airport charges system, the amount of these airport charges and the quality of the service provided. Such consultation shall be held at least once a year and the Authority shall be informed accordingly.
2. In accordance with Article 76 (2) of Decree-law no 1/2012, any proposal to modify the system or the amount of charges is subject to the obligation to consult airport users, and is therefore subject to the procedure set out in the measures of this Model A.

2.2 Launch of consultation procedure

1. Without prejudice to the provisions of paragraph 4, the ordinary consultation procedure for the review of airport charges (hereinafter also: procedure) shall be initiated by the airport managing body in the last year of each regulatory period, that is taken as bridge year for the following regulatory period, and in any event no later than 4 months before the planned date of application of the new level of charges.
2. The consultation shall be carried out in accordance with the time-limits laid down in this Model A, in line with the procedures set out below.
3. The Authority shall ensure the compliance with the measures of Model A and, where appropriate, take the necessary steps to restore the relationship that are to be maintained between managing body and users.
4. The consultation for the review of the airport charges system or of the amount of such charges may also be launched during the existing regulatory period:
 - a) by the airport managing body, in case of technical approval of the action plan by ENAC, that requires to bring the length of the regulatory period in line with that of the plan, or in other cases provided for by the law, agreements and contracts;
 - b) by a qualified majority of airport users, i.e. carriers' representatives including at least 2/3 of the total WLU achieved in the last year for which data are available¹³. In this case, the request to launch the consultation, which shall be properly substantiated and documented, shall be submitted to the airport managing body, for the appropriate follow-up, and to the Authority;
 - c) by the airport managing body and/or by a qualified majority of airport users as identified in accordance with (b), for reasons that may be attributed to declarations of emergency by the competent authorities.

¹² See footnote 9.

¹³ See footnote 12.

5. The Authority may prescribe the launch of the consultation procedure for justified reasons including, in particular, the following cases:
 - a) failure to launch the consultation procedure by 1 July 2022, for those managing bodies whose existing airport charges were fixed without prior mandatory consultation of airport users, as provided for in Articles 76 (2) and (3) and 80 (1) (b) of Decree-law no 1/2012;
 - b) technical approval of the action plan by ENAC;
 - c) failure to launch the consultation procedure by the managing body, following a request by a qualified majority of airport users, as referred to under 4 (b).

2.3 Notification to the Authority of the proposal for the review of airport charges

1. The airport managing body shall notify the Authority its intention to submit to consultation a proposal for the review of airport charges, in accordance with the format under ANNEX 1, at least 20 days before the scheduled date for the launch of the user consultation procedure, that is indicated in the notice.
2. The notice, that is addressed to the Authority's certified e-mail, shall be accompanied by a full copy of the documentation drawn up by the managing body in support of the proposal, in accordance with the provisions under Measure 3 .
3. The Authority will publish the notice on its website, thereby formalising the launch of the procedure for the review of airport charges.
4. Any agreement that may be concluded between managing body and users concerning the review of airport charges shall be ineffective in the event of failure to notify the proposal.

2.4 Consultation on the proposal for the review of airport charges

2.4.1 Opening and communication

1. Upon publication of the notice on the Authority's website, the managing body, on the scheduled date, will launch the consultation procedure on the proposed review of airport charges with the users concerned, i.e. those that are already operating at the airport and those that, on the date of publication of the notice by the Authority, have already formalised aviation activities in the airport as of the first year of the regulatory period that is subjected to consultation.
2. The managing body shall give formal notice, by certified email, to the Authority, airport users and their associations concerning the following:
 - a) opening of the consultation on the proposal for the review of airport charges;
 - b) access procedures to the information folder to be submitted by the managing body in support of the proposal, as illustrated under Measure 3 . On the date of opening of the consultation, the information folder shall be accessible to users on a dedicated section of the managing body's website, with restricted access upon registration of each user, within 48 hours of the time of the registration;
 - c) procedures whereby the users may request clarifications in the period between the opening of the consultation and the public hearing referred to in Measure 2.4.2;
 - d) scheduled date and start and end time of the first hearing of users;
 - e) reasons for the proposed review.
3. The documentation made available by the managing body is confidential and cannot be disclosed by airport users.

4. For the purpose of optimising the conduct of the hearings referred to in Measure 2.4.2, on the basis of the information folder published by the managing body and at least 5 days in advance of the date of the hearing, the users may submit to the managing body — and to the Authority for information — written comments and/or detailed queries on specific subjects.

2.4.2 Public hearings

1. The first public hearing of users shall be convened by the managing body at the same time as the consultation is opened and shall not take place earlier than 30 days of the date of the release of the information folder to be submitted by the managing body in support of the proposal for review of the airport charges.
2. Users may participate in the hearings, with voting rights, either individually or as member of an association. The participation through an association shall be communicated by certified email to the managing body in accordance with the terms of the notice referred to in measure 2.4.1. In order to ensure the widest possible participation in the hearing, users may participate by telematic link.
3. In order to seek substantial agreement, the managing body may convene additional public hearings. The date of each additional hearing shall be set and minuted at the preceding hearing and communicated to the users concerned as referred to in Measure 2.4.1, according to the same procedures as for the first hearing.
4. Unless otherwise agreed between the parties, any additional hearing involving a revised airport charges proposal or the submission of new documents shall not take place earlier than 10 days from the previous hearing; this documentation, including any revised airport charges proposal, shall be therefore received by the parties concerned at least 5 days before the hearing.
5. In order to facilitate the conduct of the consultation and its supervision by the Authority, the hearings shall be structured in order to deal with each single issue, and allow users to express, in a clear and analytical manner, any possible reasoned comments thereupon. Among the topics to be dealt with during the hearings, the managing body takes into account the comments received in application of the provisions under Measure 2.4.1 (4).
6. The hearings shall be open to airport users and their associations and to other stakeholders with specific interests in the airport management. The right to vote shall be reserved only to persons with a written proxy by the legal representative of the airport user. The proxy shall be received by the airport managing body within the scheduled starting time of the hearing, unless otherwise agreed between the parties.
7. In order to ensure the widest possible participation, and with a view to considering the interests of all airport users, the managing body shall ensure adequate participation of general aviation operators in the consultation.
8. With a view to reaching an agreement on the managing body's overall proposal and for the purposes set out under 9 and 10, representativeness of each user shall be determined on the basis of the traffic volumes that were recorded in the last two IATA seasons prior to the consultation, by excluding from the calculation those users that, based on documentary evidence, appear to have concluded their airport operations for the IATA seasons following those mentioned; this shall be made as a percentage of the transported WLU.
9. The necessary share of participants for the agreement to be considered valid shall exceed 15% of the WLU referred to under 8. Should this threshold not be reached, the managing body shall fulfil the requirements set out in Measure 4 , by representing the failure to reach the quorum to convene.
10. The necessary and sufficient share of consent to declare that substantial agreement has been reached shall exceed 50% of the WLU referred to under 8 that are represented at the hearing. If a single airport

user holds more than 50 % of the aforesaid WLU, the agreement is considered to be reached if a share is exceeded equal to the most represented user, increased by 10% of the remaining users.

11. During the hearing, the managing body shall minute the positions expressed by the users and record and store any documents that may be presented by users in support of their positions. The minutes shall include the names of the participating users and their signatures, as well as the proxies exercised by the delegates in the name and on behalf of individual users.
12. The minutes of each public hearing shall be signed by all participants, if possible, by the end of the hearing, at the time notified in advance by the managing body. Should this be not possible, and upon appropriate justification, the signature shall take place within the following two working days, including by electronic means, by completing and sending the form under ANNEX 12 by certified email (together with an identity document and a copy of the minutes, that is signed by each participant on each page), after the managing body has sent a copy of the minutes (in non-editable format) to each participating user. Should a participating user not sign the minutes within this deadline, this will be considered an implicit approval of the position expressed at the hearing, as recorded in the minutes. In the event of disagreement on the minutes, any audio recording of the hearing as carried out by the managing body is authentic.
13. A user that has not taken part, or, having taken part, has not made any comments or voting against, may not apply for a dispute resolution against the final proposal that was adopted by the managing body in accordance with the procedure laid down in Model A.

2.4.3 Suspension of the consultation procedure

1. Without prejudice to the need to ensure a timely completion of the procedure, in special cases and for exceptional and substantiated needs, the airport managing body may address to the Authority a request for suspension of the procedure for a period not exceeding 60 days.
2. The Authority shall assess the request, in compliance with the principles of cost-effectiveness and efficacy of the administrative action.
3. The Authority reserves the right to terminate the consultation procedure where, in the case of a suspension, the managing body does not provide to re-open the consultation within the time limit referred to under 1, or where, during the period of suspension, the managing body transmits to the Authority the certified regulatory accounting referred to in 0 relating to the bridge year.

Measure 3 Information provided by airport managing bodies and air carriers

3.1 Information provided by the airport managing body to users

3.1.1 Consultation document

1. The airport managing body shall draw up the "*Consultation document*" (hereinafter also: Document), including in English. The document illustrates the proposed review of airport charges and other regulated fees, as well as the issues of interest for users that are aimed at reaching an agreement on the proposed changes to the airport charges system or to the amount thereof.
2. The document shall include at least the following information:
 - a) length of the regulatory period or estimated date of its entry into force, taking into account the need to make publicise the charges and fees at least two months before their entry into force, in accordance with Article 6.2 of the Directive;
 - b) explanation of the proposed review of the airport charges, its rationale and main impact on existing fees and charges;

- c) list of airport charges and fees in force on the date on which the consultation is opened, in computer-editable format;
- d) proposed dynamics of airport charges and fees for the regulatory period, in computer-editable format, with evidence in a separate table of the charges for monopoly ground handling services and of the consideration for the assistance to passengers with reduced mobility;
- e) description of the methodology used to calculate the airport charges as provided for in this Model A, highlighting the main parameters applied;
- f) explanation, and appropriate reasons for the values proposed by the airport managing body, with reference to each year of the regulatory period, for the annual factor of productivity improvement \tilde{X}_t referred to under Measure 1 .

This value is chosen by the managing body on the basis of the assumed value of the overall rate of potential efficiency improvement X^* elaborated by the Authority, taking into account the provisions of Measure 1 (3).

For this purpose, the managing body shall request the Authority, at least 30 days before the launch of the user consultation referred to in this Measure is notified, to provide the value of the above total percentage of potential efficiency improvement X^* . This value shall be provided within 20 days of receipt of the request;

- g) description of the proposed thresholds for traffic risk sustainability, with clarification of Y, W parameters (in percentage points referred to the accrued WLU compared to those estimated *ex ante*), for the purposes of applying the traffic risk mitigation system under Measure 28 ;
- h) description of cost allocation criteria and methods, for each regulated product and for all non-regulated products, relating to the measures included in the plan referred to under Measure 3.1.3;
- i) description of any proposals for simplification and bundling of regulated products, that are made on the basis of the provisions of Measure 23 of this Model A;
- j) description of any proposal for baskets of charges, that are made on the basis of the provisions of Measure 24 , by highlighting the following: (i) reasons for the baskets; (ii) criteria for the charge modulation of single products; (iii) unit charges arising from the application of the basket, as they result before and after the charge modulation;
- k) description of any proposals for breakdown of charges, operated on the basis of the provisions of Measure 22 of this Model A;
- l) description of expected incremental charges in the regulatory period, under legal and regulatory provisions;
- m) description of use of any notional items, in accordance with the provisions of Measure 17.5;
- n) description of commercial margin treatment referred to in Measure 19 .

3. The managing body shall make available to users, together with the Document, the following supporting documents:

- a) list of the services and infrastructure provided in the base year in return for the collected charges and fees, that are subject to regulation (cf. reference in ANNEX 8);
- b) overview of the regulatory accounting in the base year, in computer-editable format, showing the overall structure of the eligible costs and the revenues of each individual regulated product, - before the application of any proposals for bundling, basket and/or unbundling of services -, as well as of the products relating to the ancillary activities jointly considered, with separation of eligible costs and revenues for general aviation, in the case of services or infrastructures that are dedicated to general aviation, or differentiation of charges;

- c) explanatory report on the airport management for the 5 years ending with the base year, highlighting any changes in the activities, as well as the following data:
 - traffic development, based on a classification that is consistent with the parameters considered to determine the unit level of charges in the charge proposal;
 - changes in (operating and capital) costs for regulated products;
 - changes in the staff number in the managing body;
- d) explanatory report of the traffic development forecasts in the regulatory period, drawn up in accordance with the provisions of measure 3.1.2, together with an overview table, in computer-editable format, of the service units provided for each year of the regulatory period and for each regulated product;
- e) upon ENAC's technical approval, investment plan that the managing body intends to carry out in the years of the regulatory period, that is drawn up in accordance with the provisions of Measure 3.1.3. The plan shall be accompanied by appropriate information on: (i) nature of (public/private) funding sources, (ii) expected results of the most significant investment projects and of any technological innovations introduced by the plan, having regard to their effects on airport capacity and the service standards provided to users; (iii) expected impact of traffic on the use of the main infrastructure and related sub-systems (e.g. stands, gates, loading bridges, security checks, etc.); (iv) with reference to the amounts for each operation, allocation to each regulated product and to all non-regulated products, in computer-editable format; (v) appropriate information on the regular dialogue with users referred to in Measure 3.1.3 (6);
- f) upon ENAC's technical approval, quality and environmental protection plan, that is drawn up in accordance with the provisions of Measure 3.1.4 and is accompanied by appropriate detailed information on the indicators identified and their target values, to be achieved in the regulatory period;
- g) report on airport system capacity, and on the levels of service (LoS) of major airport infrastructure and facilities, that are in place in the base year and foreseen for the regulatory period. It is recommended that the relevant assessment is carried out in accordance with the methodology developed by IATA, in cooperation with ACI, as published in the latest available edition of the *"Airport Development Reference Manual"*;
- h) information on the policy concerning the provision of contributions to the aviation activity, as specified in Measure 57 ;
- i) for the purpose of assessing representativeness in the consultation, details of the relevant traffic units transported in the last two IATA seasons preceding the consultation, broken down by each airport user, in computer-editable format;
- j) proposed agreement (*Service Level Agreement*) referred to in 0.

3.1.2 Traffic forecasts

1. The managing body shall provide users with traffic forecasts for each year of the regulatory period, in addition to the preliminary data for the bridge year, broken down by homogeneous traffic categories, in line with the parameters assumed for the purpose of determining the unit charges.
2. The above traffic forecasts should be drawn up:
 - a) in line with the traffic data considered for airport development planning;
 - b) taking into account the developments expressed by the sectoral bodies of reference (Eurocontrol, IATA, ...);

- c) taking into account the communications received by users pursuant to the provisions under measure 3.3.
- 3. In support of traffic forecasts, the managing body shall produce an explanatory report concerning:
 - a) forecasts made;
 - b) statistical/forecast sources used;
 - c) any forecasting models used;
 - d) reasons for any misalignments with respect to the developments referred to under paragraph 2 (b);
 - e) any exceptional and non-repetitive events that lead to discontinuity in the ordinary airport traffic development.
- 4. In the context of the annual consultation, the managing body shall present to the users and the Authority any update of the traffic forecasts for the remaining years of the regulatory period, that are drafted according to the same principles referred to under paragraphs 1 through 3. The need for updates should be linked to existing significant discontinuities compared to the *ex-ante* situation.

3.1.3 Action plan

- 1. For the purpose of the review of airport charges, with reference to the regulatory period and in line with the expected traffic development referred to under Measure 3.1.2, the managing body shall submit to the airport users appropriate information covering all items of the Action plan that has been drafted in accordance with the agreements with ENAC, so as to allow the airport users, during the consultation, to express their views and counter-proposals, in accordance with Article 76 (4) of Decree-law no 1/2012.
- 2. The communication of the information included in the plan is also intended to allow the monitoring of infrastructure costs and upgrading of airport facilities, including in terms of cost effectiveness¹⁴.
- 3. The plan is aimed at promoting, in the general interest and for the purpose of ensuring a proper use of resources, an optimal and efficient sizing of the airport capacity, and at facilitating access to infrastructure and promoting technological innovation, that are also intended to optimise service activities.
- 4. The information on the action plan - that shall be consistent with the airport planning tools approved by ENAC, without prejudice to ENAC's competences concerning its content, shall ensure adequate transparency at least regarding the following:
 - a) description of each scheduled work and related costs, disaggregated for complex works, and of current and future capacity of the airport infrastructure with separate identification of extraordinary maintenance works.
 - b) time-schedule of the works to be carried out in the regulatory period, indicating the timeline of the different stages of design, contract, construction, final acceptance and estimated date of entry into operation of the finished works;
 - c) information on any operating or capital grants that is provided directly or indirectly by public entities for the actions included in the plan;
 - d) results expected from the proposed activities, with regard to their impact on the quality of services delivered to users and on environmental protection.

¹⁴ Directive 12/2009/EC: Recital (14):

5. In providing evidence of the already achieved level of use of the infrastructure and of the impact of the planned activities on future airport capacity, the information concerning the plan shall consider the traffic forecasts and their composition and development by type and route.
6. In order to ensure that the action plan submitted to consultation is as far as possible consistent with the users' expectations concerning the actions planned, including as regards the operational and service functionality of both planned or already operating infrastructures, the airport managing body shall promote regular discussions with the airport users and other operators carrying out air transport related activities, at least on an annual basis, by minuting their positions, as well as before the general planning for medium-term airport development is finalised.
7. In compliance with the existing legal framework and with the general principles of transparency and non-discrimination, the drafting of the plan shall consider possible modifications and customisations that are requested and/or necessary for specified traffic sectors.
8. Costs borne by the airport managing body for the execution of activities included in the plans submitted to ENAC, net of any financing granted by public entities, shall be included in the charge for the years of the regulatory period according to the procedures laid down under Part II.2 of this model A, only if these activities have already been technically approved by ENAC.
9. The plan highlights, among the planned investments, those for which the managing body proposes incentives for their implementation or pre-financing.

3.1.4 Quality and environmental protection plan

1. For the purpose of the consultation procedure, the managing body shall submit to the airport users the quality and environmental protection plan, that is drawn up in accordance with the provisions of the agreements with ENAC, so as to allow airport users to express their views and counter-proposals during the consultation.
2. The plan referred to under 1, in accordance with the criteria laid down by ENAC with particular reference to the service charter and without prejudice to the Authority's responsibilities in respect of its content, shall ensure adequate transparency at least with regard to the following:
 - a) quality and environmental protection indicators, their associated weights and improvement targets proposed by the managing body for the regulatory period, which the latter commits to comply with;
 - b) qualitative and environmental factors that determined the choice of each target;
 - c) description of measures and resources to be employed to achieve the targets, also with reference to the planned annual deadlines;
 - d) indication of any investments in infrastructure, facilities and technologies, that are provided for in the action plan, which are instrumental to the achievement of the quality and environmental protection targets set forth therein;
 - e) incremental impact of the provision under letter **Errore. L'origine riferimento non è stata trovata.** on production efficiency and environmental protection.
3. The quality and environmental protection indicators, their associated weights and improvement targets proposed by the managing body for the regulatory period and contained in the plan shall be used for the purpose of the incentive/penalty system referred to under Measure 27, only if they obtained ENAC's technical approval, including as a result of any changes following the consultation.

3.2 Information folder by the managing body to the Authority

1. In order to allow the checks on the correct application of this Model A, together with the transmission of the documents to the users, the managing body shall send to the Authority, in computer-editable format, the following data and information:
 - a) regulatory accounting for the base year, that is drawn up in accordance with the measures under 0 including all the worksheets provided for therein and any additional worksheets connected thereto, with active formulas and possible reconstruction and verification of calculation procedures;
 - b) accompanying report to the accounting referred to under a) that, in addition to giving evidence of the reconciliation with the financial statements, provides an appropriate description of the key criteria for the construction of the regulatory accounting, with the associated methods for cost allocation for all the reported activities, and of the reconciliation criteria;
 - c) worksheets relating to the construction and updated evaluation of the net invested capital (hereinafter: NIC) in the base year, with active formulas and possible reconstruction and verification of the calculation procedures, with separate evidence of the following:
 - list of assets used in the production process, operating in the base year, with indication of the historical cost, net of government contributions, and their net book value;
 - time series of any deflator that may have been used for the revaluation of depreciable assets operating in the base year, as provided for by measure 11.4 of this Model A;
 - rates used for the depreciation of the different asset categories, as set out in the provisions of this Model and indicated in Table 1, and updated evaluation of the relevant fund;
 - development, in the period of reference, of the NIC, as identified above, and of depreciation of tangible and intangible fixed assets;
 - works in progress allowed in the base year, including their book value and development over the period of reference;
 - balance of payables/liabilities in the base year, with development over the period of reference;
 - percentages and criteria for NIC allocation to each activity reported;
 - d) input data for estimated costs of investments as technically approved by ENAC (depreciation and return on invested capital), for the works that are expected to enter into operation in the regulatory period, and/or for the works that are in progress in the same period, together with summary tables of the costs to be taken into account for setting the parameter of the components and coefficients under Measure 26 , allowing for reconstruction and verification of calculation procedures, including, where applicable, the economic and financial planning documents submitted to ENAC;
 - e) input data for incremental costs arising from laws or regulatory provisions adopted in the regulatory period and summary tables for the calculation, as described in Measure 1 , with possibility of reconstruction and verification of calculation procedures;
 - f) regulatory financial plan, that is drawn up on the basis of the template provided in ANNEX 13 for each regulated product, for bundling of regulated products and with reference to baskets of charges, in the form of worksheets allowing for reconstruction and verification of calculation procedures, pertaining to the dynamics in the regulatory period of reference, compared to the base year, in accordance with the provisions of this Model;

- g) worksheets for the calculation of sub-classifications of individual charges/fees compared to the average unit value, in accordance with the provisions of Measure 22 of this Model, allowing for reconstruction and verification of calculation procedures;
 - h) in case of application of baskets of charges, in accordance with the provisions under Measure 24 of this Model, all the necessary information to enable the verification of the impact provided for therein, allowing for reconstruction and verification of calculation and simulation procedures;
 - i) any other item contributing to defining the regulated charges and fees (e.g. notional items, if proposed), allowing for reconstruction and verification of calculation procedures;
 - j) number of staff in the base year, in terms of FTE, showing the number of permanent and fixed-term units, as well as adequate information on any extraordinary changes in the staffing plan provided for in the regulatory period;
 - k) any necessary information to check the adequacy of the annual rate of potential efficiency improvement X^* provided by the Authority to the operator in accordance with the procedures laid down in Measure 3.1.1 (2) (f), including, where applicable, the economic financial plan provided in the *Action Plan*.
2. The Authority reserves the right to request additional information from the managing body, if this is deemed necessary for the exercise of its responsibilities.

3.3 Information folder by the carrier

1. In addition to the information already supplied during the meetings concerning IATA summer and winter seasonal scheduling, airport users are required to report to the airport managing body, at its written request prior to the launch of the consultation procedure for the review of airport charges, appropriate information on:
- a) traffic forecasts in the regulatory period;
 - b) forecasts on composition and intended use of air fleet;
 - c) planning of its airport activity in the regulatory period, in terms of needs and development;
 - d) reporting of any shortcomings related to capacity, functionality and existing airport facilities, which are considered to significantly affect the overall airport functionality, the operational security and the standards of services provided to passengers, luggage, aircraft and freight;
 - e) any proposals for differentiation/sub-classification of regulated charges.
2. Information provided according to this paragraph shall be treated pursuant to the existing legislation on commercial and industrial confidentiality.

Measure 4 Outcome of the consultation

4.1 Conclusion of the procedure and follow-up

4.1.1 Conclusion of the procedure

1. With regard to the commitments proposed by the managing body in the *Consultation Document* and its annexes, through the consultation procedure, the managing body and the users seek an agreement on the review of the airport charges and, taking into account ENAC's competences, on the associated levels of quality and environmental protection. The managing body may seek an agreement with the users on the postponement of the date of entry into force of the new airport charges as well.

2. In accordance with Article 78 (3) of Decree-law no 1/2012, in the same consultation procedure, the managing body and the airport users seek an agreement (*Service Level Agreement*) that, on the basis of the proposal referred to in Measure 3.1.1 (3) (j), in line with the principles set out in 0, identifies the level of service to be provided by the airport managing body in return for the collected charges.
3. At the latest within 80 days from the launch of the consultation procedure, as laid down in Article 1 (11-a) of Decree-law no 133 of 12 September 2014, converted into Law no 164 of 11 November 2014, as amended, taking into account the positions expressed by the users on individual issues, as discussed and minuted, the managing body shall draw up the final proposal on the level of airport charges and related commitments — with evidence in a separate table of the charges for monopoly ground handling services and of the charges for assistance to passengers with reduced mobility. The managing body shall publish the final proposal on its website, declare that the procedure is officially closed and simultaneously notify thereof:
 - a) the airport users;
 - b) the Italian associations of carriers and airport managing bodies, for information.
4. At the same time, through the format under ANNEX 6, the managing body shall submit to the Authority the final proposal, together with:
 - a) full copy of the minutes of the hearings and the annexes thereto;
 - b) full copy of the additional documentation produced by the managing body and users during the procedure;
 - c) any update of the information under Measure 3.2, compared to that initially submitted;
 - d) if available, documents certifying ENAC's technical approval of the plans.
5. Where no consensus threshold is achieved in the consultation procedure to state that an agreement was reached, the managing body shall attach to the above final proposal a report explaining the grounds for the proposal and stating the reasons why the views expressed by the users could not be accepted.

4.1.2 In case of agreement

1. In the case of agreement between the airport managing body and airport users on the proposed review of charges, together with the communications under Measure 4.1.1, the managing body shall provide for the transmission by certified email of the new airport charges, and of the relevant date of entry into force, to the parties that are in charge of updating IATA ticketing systems at Italian travel agencies, without prejudice to the provisions of Article 6 (2) of Directive 2009/12/EC.

4.1.3 In case of non-agreement or failure to reach the quorum to convene

1. In case of non-agreement between the airport managing body and airport users on the proposed review of charges, or in case of failure to reach the quorum to convene referred to under paragraph 9 of Measure 2.4.2:
 - a) the users participating in the consultation may apply to the Authority for dispute settlement, in accordance with the deadlines and procedures laid down in Measure 6.3;
 - b) in order to provide for transmission by certified e-mail of the new level of airport charges and of the relevant date of entry into force to the parties that are in charge of updating IATA ticketing systems at Italian travel agencies — without prejudice to Article 6.2 of Directive 2009/12/EC — the managing body shall wait:
 - i. 20 days of the date of publication of the final proposal on the managing body's website, where no requests for dispute resolution have been addressed to the Authority (and, for information, to the managing body);

- ii. 30 days of the date of publication of the final proposal on the managing body's website, where, within 20 days of that date, the Authority (and the managing body for information) have received requests for dispute resolution, but within the following 10 days the Authority has declared they are not receivable.

4.1.4 Verification by the Authority

1. Within 40 days of receipt of the final proposal referred to in Measure 4.1.1 (4), the Authority shall:
 - i. initiate the verification procedure on the correct application of the measures referred to in this Model, by determining that the new charging system does not prevent the optimal use of the infrastructure and of its capacity, allows for adequate protection of passengers' rights and is not discriminatory or restrictive of competition;
 - ii. publish on its website and inform the managing body of the outcome of the above verification.
2. The outcome of the verification referred to under 1 above cannot be positive if:
 - a) the managing body has not provided evidence of full reconciliation of the regulatory accounting data in the base year with the relevant financial statements;
 - b) the managing body has not applied, in the construction of the charge, the rate of return on invested capital referred to under Measure 13 ;
 - c) the managing body has not applied, in the construction of the charge, the planned inflation rate referred to under Measure 16 .
3. The positive outcome of the verification referred to under 1 may be subjected by the Authority to the application of duly justified remedial measures by the managing body.
4. With respect to the potential impact of the airport charges system, the Authority considers that the imposition of the remedies referred to under 2 may be associated with an obligation to re-open the consultation between the managing body and the users, in order to verify the agreement on the proposed amended charges.
5. Upon implementation of the remedial measures which may be imposed by the Authority, the managing body, within the deadline set by the Authority, shall prepare and submit a proposal to modify the charge, that is accompanied, if appropriate, by documentary evidence proving that the consultation referred to under 4 has been re-opened.
6. Following the receipt of the proposal for charges review referred to under 5, the Authority shall verify the application of the remedial measures and publish the results on its website.
7. Where the application of such remedies would affect the level of charges for the regulatory period, the managing body shall make the necessary changes and any ensuing (positive or negative) adjustments in the manner laid down by the Authority appropriate requirements, or referred by the Authority to the parties.

Measure 5 Annual consultation and monitoring of quality and investment

5.1 Annual Information Document

1. Unless otherwise agreed in the consultation, the managing body shall annually provide the airport users and their associations with appropriate information on the elements that have contributed to setting the dynamics of airport charges and fees for the current regulatory period.
2. From the first year of the regulatory period, the managing body shall publish on its website and transmit to the Authority, at the latest 90 days before the scheduled date of entry into force of the charges and

fees for the following year (and, therefore, usually by the 1st of October of each year of the regulatory period), the *Annual Information Document*, containing the following information, in editable format:

- a) any update of the time schedule of the investments that are included in the charge, as previously verified by ENAC, in respect of the remaining years of the regulatory period as from the current year;
- b) any urgent and immediate measures which, while not being yet included in the charge, but being technically approved by ENAC, shall be carried out in the remaining years of the regulatory period as from the current year;
- c) status of the investments included in the charge (with separate evidence of the investments entered into operation and of the works in progress, all being differentiated into amounts relating to airport, ancillary, incentive and non-relevant activities) and of the related timetable, with details of:
 - i. what was agreed and verified by ENAC in each year, starting from the bridge year and until the year before the current year;
 - ii. what was prior agreed by the managing body for the current year, based on final data referred to at least 8 months;
 - iii. any update, on the basis of (a) and (b), of what is expected *ex ante* for the remaining years of the regulatory period starting from the current year.
- d) update of annual incremental level of operating costs, with reference to (i) assets entered into operation in the year before the current year, (ii) entry into force in the same year of new laws and regulations planned *ex ante*, or other, that were not planned *ex ante*;
- e) level of quality and environmental protection indicators laid down in the year before the current year and assessed by ENAC, compared to the target values for the same year as included in the *Quality and environmental protection plan* approved by ENAC;
- f) update of the coefficients for setting the charge adjustments referred to in Measure 26 (γ_t and α_t) and Measure 27 (ε_t), compared to the estimated values for the regulatory period;
- g) pre-final WLU and production volumes of service units for the current year, in line with the parameters used to determine the unit level of charges;
- h) proposed level of charges, calculated based on the evidence referred to above, for the remaining years of the regulatory period starting from the year following the current year;
- i) deviation of the value that was estimated by the managing body in the previous annual information document and the final value, with reference to the year preceding the current year, in respect of:
 - i. status of the investments included in the charge (as verified by ENAC);
 - ii. operating costs relating to the assets entered into operation;
 - iii. operating costs relating to the entry into force of new laws and regulations planned *ex ante*, or other that were not planned *ex ante*;
- j) description of the treatment of the commercial margin referred to in Measure 19 ;
- k) date on which the annual hearing of airport users is convened.

5.2 Annual hearing of airport users

1. The managing body shall convene a public hearing of airport users and their associations to be held not earlier than 10 days following the date of publication of the Annual Information Document, and usually by the 30th of October.
2. The managing body shall draw up the minutes of the hearing referred to under 1, which shall also include its assessments of any written comments that may be presented by the airport users within 5 days prior to the scheduled date of the meeting.
3. At the end of the hearing, the managing body shall promptly publish on its website the applicable charges for the new year, with notification, by certified email, to the parties that are in charge of updating IATA ticketing systems at Italian ticket agencies, without prejudice to the provisions of Article 6 (2) of Directive 2009/12/EC.
4. The managing body shall also send the minutes of the hearing to the Authority, as well as to the users or associations that participated in the hearing or provided written comments on the *Annual Information Document*.

5.3 Monitoring of investments

1. For the purpose of the proposal referred to under Measure 5 , paragraph 2 (h), the managing body shall submit to the Authority, by the 1st of October of each year of the regulatory period, a statement signed by its legal representative — pursuant to Presidential Decree no 445 of 28 December 2000 — certifying the state-of-the-art as at the 31st of August for each investment planned for the year and included in the charge for the regulatory period, as well for the associated operating costs.
2. In the same statement, the managing body shall substantiate the investment progress and the operating costs associated therewith which, based on reliable estimates, may be accounted for by the 31st of December of that year.
3. For the purpose of the above paragraphs, the managing body shall in particular certify, in respect of each investment planned for the current year of the Action plan, the amount of the assets entered into operation and the balance between incremental work in progress and work in progress that was cancelled due to the entry into operation of the assets.
4. In addition, for the actual annual costs to be calculated with parameter $\Delta T_{igv,t+1}$ (as referred to in Measure 1), the managing body shall submit to the Authority, no later than the 1st of October of each year of the regulatory period, a statement by its legal representative — pursuant to Presidential Decree No 445/2000 — certifying the cost discontinuities that already occurred on the 31st of August and those that, on the basis of reliable estimates, will be accounted for by the 31st of December of the same year.
5. If it is found that the data provided by the managing body are not true, the Authority may provide for arrangements to recover the amounts unduly received by the managing body, which shall be refunded to the users, together with the associated interest as calculated on the basis of the rate of return on debt capital that is set by the Authority for regulated products.

5.4 Monitoring of quality of services and environmental protection

1. Following the annual consultations carried out in each year of the regulatory period, as regulated under Measure 5.2, subject to verification of the correct application of this Model, the Authority reserves the right to acquire any additional information that is deemed necessary for the appropriate checks so as to properly quantify the applicable parameter ε_t for the following year.

5.5 Recalculation of notional items

1. Together with the information requested under Measures 5.2, 5.3 and 5.4, the managing body shall carry out, and provide evidence thereof to the Authority, the recalculation of the notional items referred to in Measure 17.5, for the remaining years of the regulatory period, starting from the year following the current year, in order to ensure that the principle of economic and financial neutrality is maintained.

Measure 6 Supervisory activities

6.1 General principles

1. In accordance with Article 71 of Decree-law no 1/2012, the Authority shall exercise the supervisory functions referred to in Directive 2009/12/EC, including the dispute resolution procedures referred to in Article 11 (6) and (7).
2. These functions are exercised in respect of national airports open to commercial traffic, including those which, pursuant to Article 73 of Decree-law no 1/2012, as amended by Article 10 of Law No 37/2019, are covered by the programme contracts referred to in Article 17 (34-a) of Decree-law no 78/2009.
3. In particular, pursuant to Article 80 of Decree-law no 1/2012, the Authority verifies that, in setting the airport charges imposed on airport users for the use of infrastructure and services provided at the airports by the managing body on an exclusive basis, the following principles are applied:
 - a) cost-orientation, transparency, relevance, reasonableness;
 - b) consultation of airport users;
 - c) non-discrimination;
 - d) orientation, in accordance with the principles referred to under a), towards the EU average airport charges that are applied in other airports with similar characteristics in terms of infrastructure, traffic and standards of service provided.
4. The Authority shall also carry out the regulatory and supervisory tasks conferred onto it by Article 37 of Decree-law 201/2011.
5. In the exercise of its supervisory tasks, the Authority shall:
 - a) apply the provisions of Article 80 (2), (3), (4), (5), (6) of Decree-law no 1/2012;
 - b) order the cessation of any conduct that is contrary to the regulatory models adopted;
 - c) request to provide information and documents that are necessary for the performance of its tasks;
 - d) assess, in accordance with the procedures and time limits laid down in Articles 6 and 11 of Directive 2009/12/EC, complaints, requests and reports submitted by airport users concerning the compliance with the charging system by airport managing bodies, including in relation to disputes that may arise within the framework of the regular consultations between managing bodies and users;
 - e) adopt sanctioning proceedings, as provided for in Article 37 (3) (i) and (l) of Decree-law 201/2011.

6.2 Consultation between airport managing body and airport users

1. The Authority identifies in the direct consultation between the airport managing body and the airport users, as well as in the hearings of managing bodies and users the key tools for appropriately setting the airport charges system and improving the level of service rendered, in line with the airport development planning. In this context, the Authority shall:

- a) promote the regular consultation between managing bodies and users, by ensuring this is carried out at least once a year, as well as at the time of the review of airport charges;
 - b) launch the consultation procedure, where the operator fails to meet the deadlines laid down in this Model, or when it does not follow up on additional requests advanced by airport users for other unexpected needs, as compared to the ordinary cases covered in this Model.
6. The supervision may also be exercised by the Authority through direct participation in the consultation or by promoting discussion on specific issues.
7. In particular, the Authority shall verify that the principles and criteria set out in this Model are correctly applied by the managing bodies, with regard to:
- a) drafting of analytical accounting reports and certification thereof;
 - b) calculation of the initial level of airport charges and other regulated charges, and their dynamics over the regulatory period;
 - c) procedures and timing of regular and annual consultation with users.
8. The consultation procedure may be cancelled by the Authority, where the exercise of its supervision showed:
- a) significant infringements of the procedure laid down in this Model;
 - b) serious untruthfulness of the information provided to users and/or by users against evidence of existing documents or information, in particular with respect to the accounting report presented by the managing body and referred to the base year of the regulatory period.
9. The Authority shall ensure that the agreement reached between the managing body and the users as a result of the consultation, as regards the charges and the conditions of access to airport infrastructure and services, is complied with by the parties during the regulatory period. This supervision is carried out also through the annual monitoring activities that are provided for and regulated in this Model A.
10. The Authority shall also ensure that the guidelines and conditions imposed by the Authority's decision following the dispute resolution procedure referred to in Measure 6.3 of this Model, as well as the remedial measures provided for in Measure 4.1.4 (2), are timely implemented over the regulatory period.

6.3 Dispute resolution in case of non-agreement on airport charges

6.3.1 Application for dispute resolution

1. In the event of failure to reach an agreement on a decision concerning airport charges made by the managing body, users may address the Authority, within 20 days of publication of the final proposal on the managing body's website, as referred to in Measure 4.1.1 (3), by filing, by certified e-mail, a reasoned and documented application for dispute resolution, that is addressed also to the counterparties for information, in accordance with ANNEX 9.
2. In the case of presentation of the application referred to in paragraph 1, the system or level of charges which is covered by the final proposal shall not be effective until the Authority has delivered its final decision; where ART's final decision is formalised after the date laid down for the application of the new charges, pending this application, the charges payable to the managing body shall remain those in force during the consultation.
3. In order to be receivable, the application shall:
 - a) include the information and documents requested in the format under ANNEX 9;

- b) be submitted by a party that has participated in the consultation and that, during the consultation, has expressed its views - and had them minuted - on the proposal submitted by the airport managing body;
 - c) contain the specific reasons for its disagreement on the proposal, for which an action by the Authority is requested.
4. Within 10 days of receipt, the Authority shall provide for dismissal of the applications that are not receivable pursuant to the preceding paragraphs, as well as of those that are clearly unfounded as they do not meet the factual and legal requirements, or are openly instrumental to the postponement of the entry into force of the system or level of airport charges. Any dismissal shall be communicated to the managing body and to the applicants.

6.3.2 Initiation of dispute resolution procedure

1. The Authority shall verify that the application is receivable and, within 10 days of its receipt, it shall inform the parties by certified email of the initiation of the dispute resolution procedure.
2. The notice shall include the following:
 - a) date on which the application was submitted;
 - b) subject of the procedure;
 - c) office where to access the documents;
 - d) person in charge of the procedure;
 - e) deadlines by which the interested parties may produce memorandums and documents;
 - f) closing date of the procedure in accordance with Article 11 (7) of Directive 2009/12/EC.
3. Together with the notice referred to above, the Authority shall send to the party concerned a copy of the application that has been lodged, including its annexes that are not yet available to the party.
4. If it is deemed necessary, the Authority may:
 - a) request the parties to supplement the information by providing written reports on specific issues or additional documents, with an explicit warning of the penalties that may be imposed in case of non-reaction or untrue communications;
 - b) convene a hearing with the parties, in order to obtain their positions or other useful information for the preliminary examination of the procedure.

6.3.3 Access to documents

1. The documents that are lodged or acquired during the procedure shall, as a rule, be accessible to the parties to the procedure.
2. By filing an application setting out the confidentiality reasons for the protection of its legal position, the party concerned shall request, at the time they are filed or, for documents acquired *ex officio*, within five days of the notice of the relevant preliminary inquiry, that certain documents, in full or in part, be excluded from access.
3. By a substantiated decision, the Authority shall balance the transparency and confidentiality requirements in accordance with the exercise of the right of defence.

6.3.4 Preliminary decision

1. Within four weeks of the date of receipt of the application, the Authority shall adopt a preliminary decision on the entry into force of the airport charges, unless a final decision is made on the dispute within the same period.
2. Pending the adoption of the preliminary decision by the Authority, and in any case until the date set for the entry into force of the new charges, the charges payable by the managing body shall be those in force during the consultation.

6.3.5 Decision on the dispute

1. The dispute resolution procedure shall be settled by a decision of the Authority within four months of the date of receipt of the application. For justified grounds related to the preliminary examination, the deadline may be extended by two months.
2. The Authority's decision shall:
 - a) state the relevant reasons;
 - b) pursue the objectives set out in Article 80 of Decree-law no 1/2012 and Article 37 of Decree-law 201/2011, as amended and supplemented;
 - c) be oriented towards restoring the compliance of the level or system of airport charges with the principles and criteria underlying these regulatory measures and/or removing access conditions that the Authority considers as restricting or hindering competition or discriminating against users.
3. The decisions adopted by the Authority and the grounds thereof shall be notified to the parties concerned and published on the Authority's website.
4. The dispute resolution measure may be appealed before administrative courts.

6.3.6 Obligations of the managing body

1. On the date of entry into force set by the Authority, the managing body shall update the level or system of airport charges, taking into account the decision referred to in Measure 6.3.5.
2. The managing body shall publish on its website the new level of charges, that is set in accordance with the Authority's decision, and shall ensure the implementation of any necessary actions for the provision of information to the Authority, as well as for the transmission of the new level of airport charges and relevant date of entry into force, by certified email, to the parties that are in charge of updating IATA ticketing systems at Italian travel agencies, without prejudice to the provisions of Article 6.2 of Directive 2009/12/EC.
3. The determination of the new level of charges shall take into account any (positive or negative) balance which, from the date of entry into force referred to under 1 above, shall be recovered or repaid by the managing body to align revenues to allowed costs.
4. The above balance shall be determined by the difference between:
 - a) the revenues already accrued, as resulting from the application of the preliminary level of charges to actual traffic in the period between: (i) the date identified by the managing body for the entry into force of the new level of charges following the initial user consultation, and (ii) the date referred to in paragraph 1;
 - b) the revenues actually payable, as resulting from the application, to the same traffic and in the same period, of the level of charges resulting from the Authority's decision under Measure 6.3.5.

5. The above balance is increased by an interest rate that is consistent with the rate that is determined by the Authority for the return on debt capital for regulated products, against the late receipt of the amounts receivable and not yet received (by the airport managing body) or against the holding time of the amounts received and not receivable (by the airport users).
6. At the first annual hearing carried out in accordance with Measure 5 , and in the context of the Annual Information Document, the managing body shall provide airport users with comprehensive and documented information on the arrangements for recovery or refund of the balance as defined above.

II.2 COSTING

Part II.2 describes the costing measures to be complied with for *ex-ante* costing, to be used in the preparation of the Regulatory Financial Plan before each regulatory period.

Measure 7 General criteria for eligibility of costs

1. The eligibility of operating and capital costs for regulatory purposes, as regulated in this Model A, is subject to the compliance with the following general criteria:
 - a) relevance: costs and other negative economic components shall be considered eligible if, and to the extent that, they are related to the airport activities and additional activities referred to under Measure 8 ;
 - b) reasonableness, causality, objectivity, proportionality: costs and other negative economic components are considered eligible if, and to the extent that, it is verified that they are proportional for pre-established purposes. The proportionality is assessed on a case-by-case basis, with respect to planned targets, historical patterns and impact of multi-annual commitments in the regulatory period, as well as to the price charged for goods or services that are transferred in a comparable market transaction under comparable circumstances;
 - c) accrual basis: costs and other negative economic components are eligible if they are related to the relevant accrual period;
 - d) allocation to income statement: operating costs and other negative economic components are eligible if, and to the extent that, they are allocated to the income statement of the relevant accrual period, without prejudice to the specific eligibility criteria illustrated below;
 - e) separation: the different elements included in the individual cost items shall be reported separately;
 - f) comparable values: values reported in the regulatory accounting sheets, referred to in 0,, shall be comparable with the items included in the Regulatory Financial Plan;
 - g) verifiable data: costs indicated in the regulatory accounts, referred to in 0, shall be verifiable through reconciliation with the data from general accounting and financial statements or consolidated financial statements, in the case of activities carried out by subsidiaries.

Measure 8 Identification of relevant activities

1. For the purpose of regulating the determination of airport charges and with reference to the provisions under 0 (Measure 54) of these regulatory measures, the activities of the airport managing body shall be differentiated into:
 - a) airport activities, broken down for each service provided by the airport managing body, as referred to in 0;

- b) ancillary activities¹⁵, based on a breakdown by sub-classes referred to the main types, namely:
- (i) competitive ground-handling services;
 - (ii) ancillary activities that are directly provided by the managing body:
 - food & beverage;
 - retail;
 - other ancillary activities;
 - (iii) ancillary activities under concession to third parties:
 - food & beverage;
 - retail;
 - offices and other premises (e.g. offices for car rentals, currency exchange or tourism information offices, that are not directly managed by air carriers);
 - other ancillary activities;
 - (iv) advertising;
 - (v) parking lots;
 - (vi) other ancillary activities;
- c) air incentive activities;
- d) non-relevant activities.

Measure 9 Eligibility of operating costs

1. For the annual preparation of the analytical accounting system and for the allocation and eligibility of operating costs for regulatory purposes, the managing body shall refer to Measure 1 and Measure 8 .
2. Without prejudice to the provisions under this Measure, for the determination of the operating costs, eligible for regulatory purposes are the costs that may be entered under item *B. Costs of production* (6. for raw materials, consumables and goods; 7. for services; 8. for use of third-party assets; 9. for personnel; 11. for changes in inventories of raw materials, consumables and goods; 14. for different operating charges) of Article 2425 of Civil Code, or similar items in the case of adoption of IAS/IFRS international accounting standards.
3. The managing body drawing up the financial statements on the basis of IAS/IFRS standards shall reconcile the financial statements schemes with the accounting statements drawn up on the basis of the formats referred to in 0.
4. The following costs represent non-relevant charges, or charges that may not be allocated either to airport activities or to ancillary activities:
 - a) extraordinary costs, i.e. costs which, in the light of the criterion of relevance, are not attributable to the ordinary production process of airport activities;
 - b) costs of any kind arising from non-compliance with rules and regulations;
 - c) provisions of any kind;
 - d) financial costs;

¹⁵ Carried out directly by the airport managing body or by a company controlled by the airport managing body and included in the scope of consolidation.

- e) taxes (except for the share of the regional tax on productive activities (*Imposta Regionale sulle Attività Produttive - IRAP*) pertaining to labour cost, and local taxes)
 - f) costs which, in the light of the criterion of relevance, are not attributable to the ordinary production process of services/activities provided to airport users at the airport.
5. The amount of these cost items shall be reported in the table of reconciliation with the results of the financial statements of the year coinciding with the base year.
6. The charges borne by the airport managing body in respect of services to third parties that are directly charged thereto, shall be reported in the 'not applicable' section of the regulatory accounting formats referred to in 0, as they do not contribute to the definition of the costs that are attributable to the airport activities.

Measure 10 Eligibility of capital costs

1. For the annual preparation of the analytical accounting system and for the allocation and eligibility of capital costs for regulatory purposes, the managing body shall refer to Measure 1 and Measure 8.
2. Without prejudice to the provisions under **Errore. L'origine riferimento non è stata trovata.**, for the determination of the fixed assets to be assumed for the purpose of valuing the net invested capital, referred to under 4, eligible for regulatory purposes are the costs that may be entered under items *B-I* (1. formation expenses; 2. development costs; 3. industrial patent rights and rights to use intellectual property; 4. concessions, licences, trademarks and similar rights; 6. assets under construction and payments on account; 7. others) and *B-II* (1. land and buildings; 2. property, plant and equipment; 3. industrial and commercial equipment; 4. other assets; 5. assets under construction and payments on account) of Article 2424 of Civil Code, or similar items in the case of adoption of IAS/IFRS international accounting standards¹⁶, without prejudice to any residual value at the end of concession or useful life.
3. For the value of goodwill to be recognised (item B.I (5) of Article 2424 of Civil Code), it is necessary that the company, whose assets consist *inter alia* of airport infrastructure, has been purchased for consideration, or by transfer, merger or demerger. For the purpose of its quantification, the positive difference between (i) cost incurred for acquisition and (ii) current value of assets and liabilities as at the date of completion of the extraordinary transaction or purchase is entered as goodwill.
4. The managing body that draws up the financial statements on the basis of IAS/IFRS standards shall reconcile the financial statements schemes with the accounting statements drawn up on the basis of the formats referred to in 0.

Measure 11 Net invested capital (NIC)

11.1 General principles

1. As regards the valuation of the assets to be charged to the net invested capital (NIC) in the base year, it is possible to alternatively opt:
- a) for net current value, on the basis of the revaluation index referred to in Measure 11.4 (revalued NIC);
 - b) for net book value (accounting NIC).

In both cases, the value must be assumed net of the revaluations provided for by law, as they may have been made over the years.

¹⁶ In this respect, capital costs may also include those pertaining to instrumental goods acquired by the airport managing body through any technical tools of lease, leasing and rental, in compliance with the international accounting standard IFRS 16.

2. The choice between the two options that is made by the managing body for the first regulatory period shall be also binding for the following regulatory periods.
3. The option for revalued NIC is associated with the actual rate of return on capital; vice versa, the option for accounting NIC is associated with the nominal rate of return on capital.

11.2 Revalued NIC

1. Should the airport managing body opt for revalued NIC, the net invested capital, as identified for the base year of each regulatory period, shall consist of the following:
 - a) tangible and intangible assets at current value, that are realized by the managing body through self-financing (therefore, net of public contributions) and may be referred to the assets subject to assignment to the State at the end of the concession period – including the takeover value, that is determined in accordance with the provisions of article 703 of the Navigation Code and may have been paid to the previous concession holder; these assets are computed gross of the statutory depreciation fund and net of the technical and economic depreciation fund, also at current value;
 - b) (positive or negative) balance of receivables and payables resulting from the financial statements in the base year, that is calculated as follows:
 - accounts receivable, increased by bad debt provisions, are allocated to each (regulated, non-regulated, non-relevant, incentive) asset according to the criterion of relevance, or, alternatively, according to the driver of turnover;
 - the accounts receivable so allocated are considered within the limit of 30% of the eligible costs from airport activities for each product (as attributable to an estimated maximum payment schedule by the customers of approx. 120 days);
 - any exceeding accounts receivable of the regulated sector compared to the above limit shall be transferred onto ancillary and non-relevant products, based on the driver of turnover;
 - accounts payable are allocated to each (regulated, non-regulated, non-relevant, incentive) product according to the criterion of relevance or, alternatively, on the basis of the drivers of external direct costs, as deriving from all operating costs and depreciation that are directly allocated in the regulatory accounting schemes, net of personnel costs;
 - the relevant balance for each product is calculated after receivables and payables have been allocated as above.
 - c) works in progress (WIP) at the base year, not exceeding their book value, as resulting from the financial statements of that year and net of designs¹⁷;
 - d) fixed assets realised with public contributions, that are eligible for charging purposes in the cases, within the limits and under the conditions permitted by law, on a case-by-case basis, taking into account the past situations laid down in CIPE's Decision no 38 of 15 June 2007 and Section 4 of ENAC guidelines¹⁸.
2. Also included in the NIC at the base year are:
 - a) costs borne by the managing body for expropriation, by statutory or contractual provisions, of areas that are instrumental to air transport services, as included in the airport master plan that has been already technically approved by ENAC and by the bodies in charge of environmental and town-

¹⁷ Designs shall be included in the charge at the time of entry into operation of the relevant work.

¹⁸ For privatisations that took place prior to CIPE's Decision no 86 of 4 August 2000 and after CIPE's Decision no 38/2007.

planning assessment, pursuant to the legal procedures laid down for this purpose, and subject to the free transfer of the relevant areas to public property.

These costs shall be recognised within the limits of the fair value set through the formal assessment procedure laid down in the existing legislation, within the limits of the strictly relevant part of the products that is subject to charging regulation, to which such areas are instrumental, and amortised according to the criteria set out in Measure 12 .

- b) any measures intended to mitigate environmental impact and compliance obligations laid down in the impact assessment measures issued on the airport development plan or on a single project by the competent Ministries, as included in the cost of the work from the beginning of the construction and subject to environmental and town-planning assessment.

3. In order to properly calculate the net invested capital, for each individual service provided by the managing body and with reference to 1 and 2 above, the following formula shall apply:

$$NIC = \sum_i V_i + B_{rp} + \sum_j WIP_j + \sum_k VP_k + \sum_l EC_l + \sum_m EM_m$$

with:

| | |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NIC | NIC value in the base year; |
| V_i | current value of the i-th tangible or intangible asset that is eligible for the NIC in the base year, as referred to under paragraph (1) (a); |
| B_{rp} | balance between receivables and payables resulting from the financial statements at the base year, as referred to under (1) (a); |
| WIP_j | book value of the j-th work-in-progress (WIP) resulting at the base year from the financial statements and net of designs, as referred to under paragraph (1) (c); |
| VP_k | value of the k-th asset realised with public contributions, as referred to under paragraph (1) (d); |
| EC_l | value of the l-th charge borne by the managing body for the expropriation of areas that are instrumental to air transport services, as referred to under paragraph (2) (a); |
| EM_m | value of the m-th measure for environmental impact mitigation or compliance requirement, as referred to under (2) (b). |

11.3 Accounting NIC

1. Where the managing body does not opt for asset revaluation (accounting NIC), the NIC identified in the base year of each regulatory period is made up of the same items as above, except that:
 - a) self-financed tangible and intangible fixed assets shall be:
 - i. at their net book value in the base year of each regulatory period;
 - ii. considered gross of the statutory depreciation fund and net of the economic and technical depreciation fund, that is also at book value;
 - b) all NIC items shall not be updated every year depending on the planned inflation rate referred to under Measure 16 .

11.4 Revaluation index

1. Where the managing body opts for revalued NIC, in the base year of each regulatory period, the managing body shall update the residual value of self-financed assets, on the basis of the gross fixed capital formation index, that is published annually on the Authority's website.

Measure 12 Criteria for determination of capital costs for charging purposes

12.1 General principles

1. The following capital costs are recognised for charging purposes:
 - a) depreciation costs related to tangible and intangible, reversible and irreversible fixed assets, in accordance with the relevant depreciation rates (Measure 12.2);
 - b) cost of return on invested capital (Measure 12.3).

12.2 Depreciation costs

1. For the technical and economic depreciation of tangible assets, the useful life and ensuing technical and economic depreciation rates are calculated for each asset and are defined on the basis of best practices in the sector, by referring, in the first place, to those suggested by ICAO in the *"Airport Economics Manual"*.
2. For fixed assets for which the timing of update and/or replacement is laid down in appropriate legislation, the technical and economic depreciation rates shall be consistent with such timing. In this respect, the managing body shall provide information to users during the consultation.
3. Except in documented cases which may be put forward by the managing body on a case-by-case basis, the rates to be applied for charging purposes shall be those set out in the table below:

Table 1 — Useful life of airport assets and facilities with corresponding depreciation rates

| GROUP | USEFUL LIFE [years] | RATE [%] |
|---------------------------------------------|---------------------------|-------------|
| TANGIBLE FIXED ASSETS | | |
| Runways, aprons | 30 | 3.33 % |
| Runway facilities | 10 | 10% |
| Passenger and freight terminals | 25 | 4% |
| Light constructions | 10 | 10% |
| Baggage Handling System (BHS) | 10 | 10% |
| Loading and unloading equipment | 10 | 10% |
| Cars | 5 | 20% |
| Small and miscellaneous equipment | 10 | 10% |
| Furniture and furnishings | 10 | 10% |
| Hardware | 5 | 20% |
| Land subject to expropriation | Treatment specified below | |
| INTANGIBLE FIXED ASSETS | | |
| Research, development and advertising costs | 5 | 20% |
| Software programmes | 3 | 33.33 % |
| Other intangible fixed assets | 5 | 20% |

4. The managing body may opt for financial depreciation, if this is more favourable to users, and in any event if it is so declared and agreed upon during the consultation on the new work to be amortized.
5. For the costs incurred by the managing body for the expropriation of areas that are instrumental to air transport services, as referred to under 4, a depreciation rate is applied, after the land acquisition for public use, that is in line both with the expropriation value under the existing legislation and with the residual concession period (financial depreciation), from the date of acquisition for public use and until the entry into operation of the work, for the construction of which the land was acquired. From that date, the residual value of the land is depreciated by the same rate of the asset pertaining to the land.

12.3 Return on net invested capital

1. The costs of return on capital are determined in an amount equal to the rate of return on invested capital, referred to under Measure 13 , multiplied by the net invested capital referred to under 4, net of the relevant depreciation allowance.

Measure 13 Rate of return on invested capital

13.1 General principles

1. The return on net invested capital that is due to the managing bodies is determined by the Authority according to the method based on the weighted average cost of capital (WACC), based on the following formula:

$$R = g \frac{R_d (1 - t)}{1 - T} + (1 - g) \frac{R_e}{1 - T}$$

with:

R_d rate of return on debt;

R_e nominal rate of return allowed on equity;

g % of notional financial debt of the sector;

t "tax shield";

T income tax rate;

R nominal rate of return on capital (WACC) that is converted into real terms by applying the Fisher formula:

$$R_{real} = \frac{1 + R}{1 + \bar{P}} - 1$$

with:

\bar{P} arithmetic average of the planned inflation rates for the years of the regulatory period referred to under Measure 16 .

2. For the application of the real rate the provisions of paragraph 11.1. shall apply.

13.2 Rate of return on equity

1. The cost of equity is calculated according to the *Capital Asset Pricing Model* (CAPM) that provides for parameters such as risk-free rate (RFR), coefficient β , *Equity Risk Premium* (ERP), that is granted to the investor for a higher risk of equity investment compared to risk-free investment, and tax rate (T) to be applied to the net rate of return calculated with the CAPM model.
2. The cost of risk capital is determined according to the following relation:

$$R_e = RFR + \beta_e \cdot ERP$$

with

R_e cost of equity;

RFR risk-free rate;

β_e equity beta (measure of non-diversifiable systematic risk of equity);

ERP equity risk premium.

13.3 Rate of return on debt

1. The rate of return on debt (R_d) is what would be paid by a company based on market conditions to obtain financing. This variable, also known as cost of debt, has two components, risk free rate (RFR) and debt premium (p_d) that takes into account the default risk, which is associated with corporate rating.
2. The cost of debt can therefore be determined based on the following relation:

$$R_d = RFR + p_d$$

13.4 Variables of the rate of return on invested capital

1. WACC variables are differentiated into (i) endogenous to the company, or to all the companies considered, i.e. variables that depend wholly or partly on the economic and financial choices of the company(ies) and (ii) variables which do not depend on these choices but rather on the dynamics of national and international markets.
2. Included in the first category are financial structure (g), debt premium (p_d), beta coefficient.
3. The second category includes risk-free rate (RFR), equity risk premium (ERP) and tax rate (T). Risk-free rate and tax rate result from the cost of public debt and from the tax policies of national governments, while equity risk premium is derived from the overall performance of the market in which the company operates.
4. All variables for WACC calculation are calculated annually by the Authority on the basis of the criteria set out in this Model A and published on the Authority's website by the 30th of September each year, in order to be applied by the airport managing bodies from this date and until the following update to draw up the proposal of airport charges review, to be submitted to users upon opening of consultation, that is applicable for the entire regulatory period.

13.5 Exogenous variables

13.5.1 Risk-free rate (RFR) and equity risk premium (ERP)

1. The *risk-free rate* (RFR) is given by the arithmetic mean of the daily gross returns of the ten-year BTP¹⁹, as identified by the Bank of Italy with reference to the twelve-month period ending in July, in accordance with the provisions under Measure **Errore. L'origine riferimento non è stata trovata.** (**Errore. L'origine riferimento non è stata trovata.**).
2. The equity risk premium (ERP) is the premium, compared to a risk-free investment, of an investment in the stock market which by its nature deals with venture capital and is therefore measured as the difference between overall return on equity market and return on risk-free financial assets.
3. The equity risk premium (ERP) is calculated on the basis of a weighted average of arithmetic and geometric mean as reported in the survey by Dimson, Marsh and Staunton (DMS), that is based on the time series approach, and also takes into account the ERP value that is estimated by other national regulatory authorities.

13.5.2 Tax rate (T)

1. Two corporate taxes are considered:
 - a) corporate income tax (IRES);
 - b) regional tax on productive activities (IRAP).

¹⁹ long-term Italian Treasury bond (TN).

2. Given the different nature of these taxes, with reference to both tax base and non-deductibility of financial charges from IRAP, the IRES rate is used for the tax shield of the financial charges, whereas the amount of both taxes is taken into account to calculate the corporate tax rate. This is a theoretical rate, as the tax bases are not the same and the regions are entitled to vary the IRAP rate.

13.6 Endogenous variables

13.6.1 Financial structure (*gearing*)

1. The financial structure provides information on the financing sources chosen by the company. The main indicator of the financial structure, used for WACC calculation, is the so-called *gearing* (*g*) that measures the ratio of total financial debt in the medium-long term (*D*) to total financing sources. The latter, in addition to medium-long term debt, also include equity (*E*), so that $g = (D / (D + E))$.
2. The value of financial debt (*D*) is to be assumed, in line with other national regulatory authorities and following international practice, on the basis of the average annual gross debt.
3. For the calculation of the return on net invested capital, the Authority adopts a *gearing* based on notional values. The gearing applied is given by the arithmetic mean of relative gearing values of each airport managing body.

13.6.2 Cost of debt

1. In order to provide certainty to airport managing bodies and carriers on the method of calculation and on an efficient return on debt, a cost of notional debt is set on the basis of the ratio of financial costs to financial debt of airport managing companies. The reference period considered is five years; account is taken of the average gross financial debt of the period with reference to financial debts, excluding intra-group entries and relations with partners. With regard to financial charges, account is taken of the income statement item "interest income and other financial charges", with reference to the financial debt considered. The cost of debt is given by the amount of risk-free rate and debt premium (the latter not exceeding 2%).

13.6.3 Beta coefficient

1. The beta coefficient generally measures the systematic, non-diversifiable risk of a listed company operating in a given market. The beta coefficient provides summary information on the company's potential profitability in the target market. The coefficient actually measures the variation in corporate performance, given a variation in the market performance (ratio of covariance of corporate performance to variance of market performance).
2. For the purpose of this Model A, the value of β_e is determined each year through the analysis of beta coefficients derived from a sample of listed companies managing national and European airports (comparables).
3. Having identified the beta equities, they shall be netted of the specific financial leverage ("delevering") in favour of a notional leverage, so as to take into account an efficient financial structure.
4. The beta assets (β_a^i) of each company considered in the sample are then derived by applying the delevering standard methodology referred to in the following formula:

$$\beta_a^i = \frac{\beta_e^i}{\left(1 + (1 - t^i) D^i / E^i\right)}$$

with:

β_a^i beta asset of i-th company;

- β_e^i beta equity of i-th company;
- t^i corporate tax rate of i-th company (tax shield);
- D^i/E^i financial leverage of i-th company, where E^i and D^i refer to the i-th company of the sample.

5. The beta asset of the sector is given by the arithmetic mean of the beta assets so obtained.
6. The average beta asset that is identified as above is then 're-levered' so as to obtain the beta equity for the sector.
7. The re-levering is carried out based on the D/E ratio obtained for gearing according to the following formula:

$$\beta_e = \beta_a \cdot \left[1 + (1 - t) \cdot \left(\frac{D}{E} \right) \right]$$

13.7 Summary table

Table 2 — WACC calculation table

| WACC CALCULATION TABLE | | |
|------------------------|----------------------------------------------------|-----------------------------------------------------|
| 1) | g | $D/(D + E)$ |
| 2) | $1-g$ | $E/(D + E)$ |
| 3) | RFR | risk-free rate |
| 4) | P_d | debt premium |
| 5) | $R_d = RFR + p_d$ | allowed cost of debt |
| 6) | ERP | equity risk premium |
| 7) | β_a | beta asset |
| 8) | β_e | beta equity |
| 9) | $R_e = RFR + \beta_e * ERP$ | cost of equity |
| 10) | t | tax shield (IRES tax rate) |
| 11) | T | total tax rate |
| 12) | $R (nom, gross) = (R_d * (1-t) * g) + R_e * (1-g)$ | nominal post-tax WACC |
| 13) | $R (nom, net) = R (nom, gross)/(1-T)$ | nominal pre-tax WACC |
| 14) | P | planned inflation rate referred to under Measure 16 |
| 15) | $R (real, net) = ((1 + R (nom, net))/(1-P)) - 1$ | real pre-tax WACC |

Measure 14 Incremental WACC

1. Under exceptional circumstances, the Authority may assess the provisional application of limited measures to increase WACC, based on specific and substantiated requests filed by the airport managing body, subject to the agreement of the awarding entity. These measures apply to investments that are related, in the context of a balanced growth of airport capacity, also to technological innovation, airport security and quality of services, pursuant to Article 71 (3) of Decree-law no 1/2012, as well as to environmental protection and reduction of negative externalities.
2. Where the managing body intends to address a request to the Authority in order to obtain a WACC increase for a specified investment, it shall prove that the investment meets at least the following conditions:
 - a) has high risk factors, including in relation to the innovation of processes and services;

- b) is not linked to statutory obligations;
- c) is supplementary to the operations that are strictly necessary to ensure the development and maintenance of infrastructure and adequate levels of security and service, in line with ENAC technical regulations.

II.3 PRICING

This Part II.3 describes the pricing measures to be complied with for the *ex-ante* setting of airport charges for each service provided by the managing body, to be used in drawing up the relevant regulatory financial plan prior to each regulatory period.

Measure 15 Targeted productivity gain from improved efficiency

1. With reference to the formula for the dynamics of the operational charge component referred to in Measure 18, \tilde{X}_t is the coefficient of annual productivity gain, covering each year of the regulatory period, as resulting from the consultation procedure.
2. The annual value of \tilde{X}_t is determined on the basis of a substantiated proposal from the managing body, taking as a reference the overall rate of potential efficiency improvement X^* provided by the Authority to the managing body, under the terms of Measure 3.1.1 (2) (f), based on the methodology set out in ANNEX 10.
3. Adequate reasons for the managing body's proposal for an annual variation of the overall potential efficiency improvement X^* , which may differ from that provided for by the Authority as drawn up in accordance with the methodology set out in ANNEX 10, are the following:
 - a) existing constraints, based on clear, objective and documented evidence, to the efficiency measures that do not ensure the achievement of the targeted improvement of production efficiency X^* ;
 - b) impairment of requirements of financial soundness laid down in the conventional and contractual agreements relating to airport management, despite the adoption of objective and documented efficiency measures.
4. The airport dataset is annually updated by the Authority in accordance with the criteria set out in ANNEX 10; therefore, the updated overall rate of potential efficiency improvement X^* is made available as from the 30th of April each year, at the request of each managing body and in accordance with the terms and conditions laid down in Measure 3.1.1 (2) (f). The rate shall be applied from this date by the airport managing body to draw up the proposal for airport charges review to be submitted to the users upon opening of the relevant consultation procedure.

Measure 16 Planned inflation rate

1. The planned inflation rate (\hat{P}) to be adopted in the different stages of calculation of airport charges, in particular, for (i) charge dynamics of the operational component referred to in Measure 18, (ii) dynamics of the construction charge component referred to in Measure 20 (iii) rate of return on invested capital referred to in Measure 13, is the rate resulting from the latest available Economic and Financial Document at the time of notification of the launch of the consultation.
2. If the planned inflation rate for the bridge year is not available in the document referred to under 1, reference is made, for the entire regulatory period, to the expected HICP inflation rate published in the

latest Economic Bulletin of the European Central Bank²⁰ that is available upon notification of the launch of the consultation.

3. Where the available data do not cover the entire length of each regulatory period, reference is made to the data of the last available year, that shall be used as an estimate for the remaining years of the regulatory period.

Measure 17 Average unit charge for each service provided by the managing body

17.1 General principles

1. For each service provided by the managing body, the average unit charge for year t is determined as the amount of three separate components, that are specified under Measures 17.2, 17.3 and 17.4, taking into account the notional items described under Measure 17.5. The average unit charge can be represented as follows:

$$T_t = T_{G,t} + T_{K,t} + T_{OC,t} \pm PF_t$$

17.2 Operational charge component

1. The operational charge component $T_{G,t}$, for each individual service provided by the managing body, and in compliance with the charge dynamics referred to in Measure 18, including the productivity gain from efficiency referred to under Measure 1, is aimed at covering the efficient operating costs, including those for ordinary maintenance and use, that are assessed on the basis of the average value of the five-year period ending with the base year, provisions for cyclical maintenance of the airport infrastructure, as estimated with reference to the base year for each regulatory period, as well as incremental operating costs that are associated with new investments and new laws and regulations.

17.3 Construction charge component

1. The construction tariff component $T_{K,t}$, for each individual service provided by the managing body, is intended to allow the recovery of capital costs (depreciation and return on invested capital referred to in Measure 12) related to tangible and intangible fixed assets, including the takeover value that may be paid to the outgoing concessionaire²¹ (given by the residual value of the investments realised and not yet depreciated, as approved by the awarding entity) and the cost of works carried out in accordance with the airport operations plan as technically approved by ENAC, including planned extraordinary maintenance.

17.4 Charge component for legislative requirements

1. The charge component for legislative requirements $T_{OC,t}$, that is not subject to the price cap dynamics and is determined *ex ante*, for each individual service provided by the managing body, subject to the requirement of financial neutrality, is aimed at recovering charges that are:
 - i. related to the airport management charge, as calculated for each year of the regulatory period based on the application of existing methodologies;
 - ii. related to the concession charge for the award of security services, as calculated for each year of the regulatory period based on the application of existing methodologies;
 - iii. intended to contribute to the fund established by Article 1 (1328) of Law no 296/2006 (2007 Finance Act) to finance airport fire services.

²⁰ <https://www.bancaditalia.it/pubblicazioni/bollettino-eco-bce/index.html>

²¹ Pursuant to Article 15 (d) of Law no 148/2017 and paragraph 575 of Law no 205/2017 (Budget Law 2018).

2. For the calculation of these charges, the managing body shall replace the final traffic volumes referred to in the relevant calculation methodology with the traffic volumes for each year of the regulatory period as estimated in the consultation document.

17.5 Notional items

1. In order to ensure gradual charge changes, it is possible to provide *ex ante*, for each year of the regulatory period and for each individual service provided by the managing body, for the inclusion of positive or negative notional items, so as to anticipate or postpone the calculation of the costs allowed with respect to the year of actual accrual, provided that the principle of economic and financial neutrality in the regulatory period is complied with²².
2. In order to ensure that economic and financial neutrality is maintained, the level of notional items, for the years from $t + 1$ to the end of the regulatory period, shall be annually recalculated on the basis of the annual adjustments referred to in Measure 1.

Measure 18 Dynamics of operational charge component

1. For each service provided by the managing body, the annual estimate of the operational charge component, in accordance with the price cap system, shall not exceed the value resulting from the following dynamics:

$$T_{G,t+1} \leq T_G \cdot \omega_t \cdot (1 + \hat{P}_{t+1} - \tilde{X}_{t+1}) + T_{i,G,t+1}$$

with:

$T_{G,t+1}$ level of operational charge component, as pre-determined by reference to year $t + 1$;

ω_t adjustment factor of the operational charge component in relation to the (positive or negative) variation of the production volumes of service units, calculated as follows:

$$\omega_t = \frac{V_t}{V_{t+1}} \cdot (1 + \frac{V_{t+1} - V_t}{V_t} \cdot \eta)$$

\hat{P}_{t+1} planned inflation rate for the year $t + 1$, as defined in Measure 16 ;

\tilde{X}_{t+1} annual factor of productivity improvement allocated to each year of the regulatory period, as resulting from the consultation procedure, in accordance with the arrangements laid down in Measure 1 ;

η value of elasticity coefficient of operating costs with traffic variation, that is determined in the first application as the average of the values reported in the table under paragraph 8.4.3 of Annexes A1, A2 and A3 to ART Decision no 92/2017 of 6 July 2017²³, weighted by the

²² Zeroing of total notional items, that is obtained by deducting the corresponding amounts at the nominal rate of return on capital referred to in Measure 13 .

²³ For prompt reference, please find here below the relevant table:

| Cost | Elasticity η |
|---------------------------|-------------------|
| Cost of labour | 0.35 |
| Consumables | 0.30 |
| Maintenance | 0.20 |
| Cleaning | 0.25 |
| Utilities | 0.15 |
| Third-party services | 0.25 |
| Overhead expenses | 0.20 |
| Use of third-party assets | 0.25 |

managing body on the basis of the total operating cost items in the base year that are overall allocated to the airport activities.

The above value for the cost elasticity of operating costs upon traffic variation may be updated annually by the Authority on the basis of specific analyses, taking into account, *inter alia*, the historical data provided by airport managing bodies, as well as the data from international benchmark analyses of similarly sized airports.

$T_{G,t}$ level of unit operational charge component in force in year t ;

$T_{i,G,t+1}$ unit charge, estimated in year t , resulting from any incremental charges, where the following relation applies:

$$T_{i,G,t+1} = \frac{\Delta C_{igk,t+1} + \Delta C_{igv,t+1}}{V_{t+1}}$$

with:

$\Delta C_{igk,t+1}$ share of annual incremental level of operating costs, pertaining to each regulated service provided by the managing body, relating to assets that entered into operation in year t ; in line with the system outlined in Measure 20 with regard to capital costs, the incremental operating costs linked to the entry into operation of new investments can be calculated from the year following the year of entry into operation;

$\Delta C_{igv,t+1}$ share of incremental level of operating costs pertaining to each regulated service provided by the managing body, relating to the entry into force in year t of new laws and regulations planned *ex ante*, or to the entry into force of further laws and regulations, that were not planned *ex ante*;

V_{t+1} production volumes of service units of each service provided by the managing body, as planned *ex ante* and related to year $t + 1$, as reported in the traffic forecasts and in the regulatory financial plan.

In particular, for $t = 0$ in respect of each regulatory period (i.e. year corresponding to the bridge year), it is assumed:

$$T_{G,ap} = \left(T_{G,ab} \cdot \frac{V_{ab}}{V_{ap}} \right) \cdot (1 + \Delta V_{ap} \cdot \eta) \cdot (1 + P_{ap}) + \frac{\Delta C_{igk,ap} + \Delta C_{igv,ap}}{V_{ap}}$$

with:

$T_{G,ab}$ level of unit operating charge component, that is pre-established by reference to the base year, calculated as follows:

$$T_{G,ab} = \frac{C_{G,ab}}{V_{ab}}$$

with:

$C_{G,ab}$ level of operating costs with reference to the base year;

V_{ab} final production volumes relating to the service units of each service provided by the managing body, related to the base year, as reported in the traffic forecasts and in the regulatory financial plan;

| | |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| V_{ap} | production volumes of the service units of each service provided by the managing body, as planned <i>ex ante</i> and referred to the bridge year, as reported in the traffic forecasts and in the regulatory financial plan; |
| ΔV_{ap} | expected change in the production volumes of service units between base year and bridge year, that is compared to the production volumes in the bridge year and calculated as follows: |
| $\Delta V_{ap} = \frac{V_{ap} - V_{ab}}{V_{ab}}$ | |
| η | value of elasticity coefficient of operating costs upon traffic variation, that is determined in accordance with the provisions of this Measure; |
| P_{ap} | planned inflation rate referred to in Measure 16 for the bridge year; |
| $\Delta C_{igk,ap}$ | share of incremental level of operating costs relating to each service provided by the managing body, as estimated in the bridge year compared to the base year, relating to the assets under construction in the base year and included in the action plan, that entered into operation in the base year; |
| $\Delta C_{igv,ap}^{It}$ | share of incremental level of operating costs relating to each service provided by the managing body, as estimated in the bridge year compared to the base year, relating to the entry into force of new laws and/or regulations. |

Measure 19 Treatment of margin from ancillary activities

19.1 General principles

1. Subject to the application of the transparency criteria referred to in Measure 19.2, the application of the *dual till* system is allowed; under this system the managing body shall determine the extent and arrangements whereby the margin resulting from ancillary activities can be taken into account in the construction of the charge.

19.2 Definition of the margin from ancillary activities

1. The margin (M_{aa}), generated by the ancillary activities referred to in Measure 8 (b), is determined by the difference between the amount of revenues and expenses resulting from those activities, as shown in the regulatory accounting schemes referred to in 0.
2. The airport managing body shall provide airport users, within the consultation document (cf. Measure 3.1.1 (2) (n)) with detailed information concerning:
 - a) quantification of margin (M_{aa}) with reference to the base year;
 - b) its pro-rata use (financing of investments, air traffic incentive activities, any other to be specified), with reference to both the base year and — in forecasting terms — each year of the regulatory period.
3. The airport managing body shall provide airport users, in the context of the annual information document (cf. Measure 5.1 (2) (i)) with detailed information concerning:
 - a) quantification of margin (M_{aa}) with reference to the year prior to the current year;
 - b) its pro-rata use (financing of investments, air traffic incentive activities, any other to be specified).

Measure 20 Dynamics of construction charge component

- For each regulated service provided by the managing body, the construction cost in the base year shall be determined as follows:

$$C_K = C_a + C_{rc}$$

with:

C_a depreciation costs related to NIC, as defined in Measure 12 ;

C_{rc} costs of return on capital related to NIC, as defined in Measure 12 .

- The annual estimate of the construction charge component, in the case of option for revalued NIC, is based on the following formula:

$$T_{K,t+1} = \frac{C_{a,t+1} + C_{rc,t+1}}{V_{t+1}}$$

with:

$C_{a,(t+1)}$ depreciation costs, referred to year $t + 1$, related to NIC;

$C_{rc,(t+1)}$ costs of return on capital, referred to year $t + 1$, related to NIC;

V_{t+1} production volumes relating to the service units of each regulated service provided by the managing body, as planned *ex ante* and referred to year $t + 1$, as reported in the traffic forecasts and in the regulatory financial plan.

- The level of the components $C_{a,(t+1)}$ and $C_{rc,(t+1)}$ derives from the application of the relevant criteria (described in Measure 12) to the NIC, as calculated on the 1st of January each year, as follows:

$$C_{a,t+1} = \sum_{j,t+1} V_{j,t+1} \cdot a_j$$

$$C_{rc,t+1} = NIC_{t+1} \cdot R_r$$

with:

$V_{j,t+1}$ reference value for the calculation of technical and economic depreciation related to asset j , pertaining to fixed assets included in the NIC, as referred to under Measure 11.2 (1) (a), that is allowed for depreciation in year $t + 1$;

a_j rate of economic and technical depreciation that is assumed by the managing body for the same asset j ;

NIC_{t+1} NIC value as at the 1st of January of year $t + 1$, that is determined as specified below;

R_r real rate of return on invested capital (WACC).

- The dynamics of NIC, whose components are defined under Measure 11.2 (3), during the regulatory period, shall be determined as follows:

$$NIC_{t+1} = (NIC_t - C_{a,t} + I_t) \cdot (1 + \hat{P}_t)$$

with:

NIC_{t+1} NIC value as at the 1st of January of year $t + 1$;

NIC_t NIC value as at the 1st of January of year t ;

$C_{a,t}$ depreciation costs, referred to year t , pertaining to fixed assets included in the NIC, as valued as at the 1st of January of year t ; the annual share of investments planned for year t does not determine depreciation in the same year;

- I_t annual share of investments planned for year t , with reference to the works covered by the investment, as reported in the Action Plan;
- \hat{P}_t planned rate of inflation for year t that is determined in accordance with the arrangements laid down in Measure 16 ;

5. The annual estimate of the construction charge component, in the case of option for accounting NIC, is based on the same formulas referred to above, subject to the adjustments specified below.

The level of the component $C_{rc,t+1}$ is determined as follows:

$$C_{rc,t+1} = CIN_{t+1} \cdot R$$

with:

R nominal rate of return on invested capital (WACC).

The NIC dynamics in the regulatory period shall be determined as follows:

$$CIN_{t+1} = (CIN_t - C_{a,t} + I_t)$$

Measure 21 Dynamics of charge component for legislative requirements

1. For each regulated service provided by the managing body, the annual estimate of the charge component for legislative requirements is the value resulting from:

$$T_{OC,t+1} = \frac{C_{oc,t+1}}{V_{t+1}}$$

with:

- $T_{OC,t+1}$ level of charge component for legislative requirements, that is pre-determined by reference to year $t + 1$;
- $C_{oc,t+1}$ annual share of legislative requirements that is attributable to each regulated service provided by the managing body, as defined under Measure 17.4;
- V_{t+1} production volumes related to the service units of each regulated service provided by the managing body, as planned *ex ante* and referred to year $t + 1$, as reported in the traffic forecasts.

Measure 22 Sub-classification of charges

1. On the basis of the unit average charge for each regulated service provided by the managing body, referred to in Measure 17 , for each year of the regulatory period, the managing body, in accordance with the services provided by the airport managing body referred to in Measure 54.3 and at equal total revenue, determines the airport charges for all sub-classifications of each service or aggregation/basket of services, as defined below.
2. Subject to user consultation, the managing body may adopt sub-classifications of charges to enable a better use of the airport capacity, or for purposes of environmental protection, including, for example:
- a) peak/off peak charges,
 - b) summer/winter charges;
 - c) separate charges for aircraft tonne classes,
 - d) separate charges for type or class of goods for exclusive use;
 - e) separate charges for aircraft noise or air pollution classes;

- f) separate charges for terminals.
- 3. The adoption of sub-classifications and charge exemptions by the managing body, as provided for in the existing legislation, remains unaffected.
- 4. For each regulated service provided by the managing body, or any aggregation thereof, resulting from the application of the pricing systems specified below, the calculation of the average unit charge for each year of the regulatory period, may be followed by a charge modulation or sub-classification by the managing body, taking into account that, for the average unit charge for year t , the following relation shall apply:

$$T_t = \frac{\sum_{i=1}^n (p_i^t \cdot q_i^t)}{\sum_{i=1}^n q_i^t}$$

where p_i^t , and q_i^t are, respectively, the unit charges and production volumes of service units, that are estimated *ex ante* and relate to the quantities belonging to the i -th of n classes of charge sub-classification or modulation for each regulated service provided by the managing body or aggregation thereof, in year t .

- 5. For each component described above (charges and volumes), adequate evidence shall be provided to the Authority for the purpose of the verification of compliance of the managing body's charging proposal.

Measure 23 Bundling of regulated services provided by the managing body

- 1. With a view to promoting the rationalization of the system of airport charges, the managing body may submit to consultation the bundling of the regulated services provided, where they are targeted to homogeneous user categories.
- 2. The regulated services, that are bundled as referred to under 1, shall be jointly subject to the charge construction systems provided for under the measures in Part II.2 and Part II.3.

Measure 24 Basket and modulation of charges

- 1. When drafting the charging proposal, the managing body may apply the charging basket through:
 - a) the combination of a number of regulated services supplied, to be submitted together with the charge construction systems provided for under the measures referred to in Part II.2 and Part II.3;
 - b) the following modulation of the unit charges pertaining to each regulated service supplied, to be carried out by:
 - ensuring compliance with the principles laid down in Article 80 (1) of Decree-law no 1/2012;
 - annually ensuring compliance with the principle of economic neutrality;
 - pursuing a reasonable rebalancing of the charges of the regulated services included in the basket, by adopting an efficient pricing system that reflects different elasticities of the underlying demand, including for the purpose of an alignment with EU average airport charges as applied in airports with similar infrastructure features.
- 2. The adoption of the basket can be aimed at:
 - a) optimising airport capacity management;
 - b) ensuring gradual changes in the unit prices provided for in the regulatory period;
 - c) safeguarding investment efficiency;

- d) encouraging airport competition.
3. If it intends to adopt a basket system, during the consultation the managing body shall:
- provide clear evidence of the airport charges deriving from the application of the basket, as resulting before and after the charge modulation;
 - provide each user, upon request, with all the information necessary to assess the impact of the charge modulation on its traffic volumes;
 - provide the Authority with all the necessary information to analyse the impact of the adoption of the baskets of charges. In particular, the Authority shall verify the following:
 - compliance with the principles laid down in Article 80 (1) of Decree-law no 1/2012;
 - compliance with the principle of economic and financial neutrality within the time period considered as a whole;
 - impact on market segments, based on benchmarks by aircraft type. This includes, but is not limited to, the impact on passenger segment (low cost, full service) and cargo.
 - impact on the optimal use of the infrastructure and on the managing body's operating efficiency;
 - environmental and qualitative impact.

II.4 MONITORING AND ANNUAL ADJUSTMENT OVER THE REGULATORY PERIOD

This Part II.4 describes the monitoring measures to be complied with for the annual adjustment of airport charges.

Measure 25 Adjustment of average unit charge as a result of annual monitoring

- For each regulated service provided by the managing body, the average unit charge referred to under Measure 17, as determined *ex ante* pursuant to the measures in Parts II.2 and II.3, is adjusted following the annual monitoring procedure laid down in Measure 5, with respect to (i) quality of services, (ii) implementation of investments and (iii) actual occurrence of incremental charges following the entry into force of new laws and/or regulations, as follows:

$$T_{t+1}^* = T_{G,t+1}^* + T_{K,t+1}^* + T_{OC,t+1}$$

where, in particular:

$$T_{G,t+1}^* = T_{G,t+1} \cdot (1 + \varepsilon_t) + \Delta T_{igk,t+1} + \Delta T_{igv,t+1} + \Delta T_{Rigk,t+1} + \Delta T_{Rigv,t+1}$$

$$T_{K,t+1}^* = T_{K,t+1} + \Delta T_{K,t+1} + \Delta T_{RK,t+1}$$

with:

| | |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| $T_{G,t+1}^*$ | level of operational charge component, as calculated in year t and actually applicable by the managing body for year $t + 1$; |
| $T_{K,t+1}^*$ | level of construction charge component, calculated in year t and actually applicable by the managing body for year $t + 1$; |
| $T_{G,t+1}$ | level of operational charge component that is determined <i>ex ante</i> with reference to year $t + 1$, as referred to in Measure 18 ; |

| | |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ε_t | positive or negative coefficient of adjustment of operational charge component, calculated in year t and deriving from the application of the reward/penalty systems with respect to the assessment of the service quality referred to in Measure 27 ; |
| $\Delta T_{igk,t+1}$ | deviation, having regard to the effect of improved efficiency, between (i) actual value of the charge sub-component for incremental charges, relating to the <i>assets</i> – that are the subject of the work in progress in the base year and of the action plan - calculated from the year following that of entry into operation ²⁴ and (ii) the corresponding value as estimated <i>ex ante</i> ; |
| $\Delta T_{igv,t+1}$ | deviation, having regard to the effect of improved efficiency, between (i) actual value of the charge sub-component for incremental charges, relating to the entry into force of new laws and/or regulations ²⁵ , and (ii) the corresponding value as estimated <i>ex ante</i> ; |
| $\Delta T_{Rigk,t+1}$ | adjustment linked to the deviation that may be found between the pre-final data provided by the managing body (by the 1 st of October of year $t - 1$, referred to under Measure 5.3) and the final data reported (as a result of ENAC's validation on the investments, referred to under measure 5.2), with reference to the operating costs linked to the entry into operation of new investments; this adjustment shall be calculated by taking into account the interest calculated on the basis of the nominal rate of return provided for in Measure 13 ; |
| $\Delta T_{Rigv,t+1}$ | adjustment linked to the deviation that may be found between the pre-final data provided by the managing body (by the 1 st of October of year $t - 1$, referred to under measure 5.3) and the final data reported, with reference to the operating costs relating to the entry into force of the new laws and regulations in year t ; this adjustment shall be calculated by taking into account the interest calculated on the basis of the nominal rate of return provided for in Measure 13 ; |
| $T_{K,t+1}$ | level of construction charge component, determined <i>ex-ante</i> by reference to year $t + 1$, as referred to in Measure 20 ; |
| $\Delta T_{K,t+1}$ | level of (positive or negative) additional construction charge component, calculated in year t and related to the application of the system referred to in Measure 26 , with respect to the implementation of investments, which takes into account the share of investments actually made compared to those planned, and any related penalties; |
| $\Delta T_{RK,t+1}$ | adjustment linked to the deviation that may be found between the pre-final data provided by the managing body (by the 1 st of October of year $t - 1$, referred to under Measure 5.3) and the final data reported (as a result of ENAC's validation on the investments, as referred to in Measure 5.2), with reference to the implementation of investments; this adjustment shall be calculated by taking into account the interest calculated on the basis of the nominal rate of return set out in Measure 13 . |

Measure 26 Charge adjustment related to realised investments

- With regard to the charge adjustment formula referred to in Measure 1 above, the component $\Delta T_{K,(t+1)}$ consists of two sub-components, as follows:

²⁴ This charge sub-component is calculated as the ratio of the relevant incremental costs to the production volumes of the service units of the year of reference. The actual value, compared to that estimated *ex ante*, may differ due to the non-entry into operation of the corresponding planned works.

²⁵ This charge sub-component is calculated as the ratio of the relevant incremental costs to the production volumes of the service units of the year of reference. The actual value, compared to that estimated *ex ante*, may differ due to the actual entry into force of new laws and/or regulations as planned *ex ante*, or to the entry into force of other legal provisions that were not planned *ex ante*.

$$\Delta T_{K,t+1} = \Delta T_{I,K,t+1} + H_{K,t+1}$$

2. These sub-components meet several objectives:

- the first sub-component ($\Delta T_{I,K,t+1}$) is related to the amount of unrealised investment and is calculated as follows:

$$\Delta T_{I,K,t+1} = -(1 - \alpha_t) \cdot T_{K,t+1}$$

with

$$\alpha_t = \sum_{a=1}^t (I_{R,a}) / \sum_{a=1}^t (I_{P,a})$$

where:

$T_{K,t+1}$ level of charge construction component, as determined *ex ante* with reference to year $t + 1$;

α_t share of actually realised investments, accumulated up to year t , compared to the amount of planned investments in the same period;

$I_{R,a}$ amount of costs allowed for charging purposes, for year $t + 1$, relating to actually realised investments, including any takeover value paid to the outgoing concessionaire, or costs of approved works that have been already executed and not yet amortized upon expiry of the previous concession;

$I_{P,a}$ amount of costs allowed for charging purposes, for year $t + 1$, relating to *ex ante* planned investments, including any takeover value paid to the outgoing concessionaire, or costs for approved works that have been already executed and not yet amortized upon expiry of the previous concession;

- the second sub-component ($H_{K,t+1}$) is the applicable penalty where the delay in making the investments is attributable to the managing body, in order to discourage their postponement, and shall be determined as follows:

$$H_{K,t+1} = -(\gamma_t \cdot R) \cdot |\Delta T_{I,K,t+1}|$$

where:

γ_t share of unrealised investments due to the managing body's liability as assessed by ENAC, accumulated up to year t , compared to total unrealized investments in the same period;

R rate of return on invested capital (WACC).

3. With regard to work in progress, it is further provided that, in the event of late entry into operation of a planned work (i.e. beyond the threshold set for a year), the return on capital relating to the relevant work in progress shall be suspended.
4. With reference to the adjustment component $\Delta T_{RK,t+1}$ referred to in Measure 1, that is linked to the deviation that may be found between the pre-final data provided by the managing body (by the 1st of October of year $t - 1$, referred to under Measure 5.3) and the final data reported (as a result of ENAC's validation on the investments, referred to in Measure 5.2), the following relation shall apply:

$$\Delta T_{RK,t+1} = R \cdot (\Delta T_{K,t+1} - \Delta T_{KC,t+1})$$

with:

$\Delta T_{KC,t+1}$ level of positive or negative additional construction charge component, calculated in year $t + 1$, based on the available final data for year t .

Measure 27 Reward/penalty system for assessment of service quality and environmental protection

27.1 General principles

1. For each regulated service provided by the managing body, the parameter for quality and environmental protection operates on the charge dynamics according to the following equation:

$$\varepsilon_t = f \cdot q_t + (1 - f) \cdot a_t$$

with:

ε_t parameter that considers the achievement or non-achievement of quality and environmental protection objectives in year t ;

q_t, a_t parameters that measure the achievement of the annual quality and environmental protection objectives in year t ; their value is determined by applying the methodology under Measure 27 ;

f weight for the quality target, which is assigned a value of 0.5.

2. In order to determine the charge parameters q_t and a_t , representing the achievement of quality and environmental protection objectives, it is necessary to:
 - a) define analytical quality and environmental protection indicators;
 - b) attribute to each of them a weight, considering that the weights of the indicators of each group (quality — environmental protection) should be 1;
 - c) build the synthetic indicators of quality Q_t and environmental protection A_t (referred to in Measure 27.4) in order to determine the values to be assigned to the parameters q_t and a_t .

27.2 Quality indicators

1. Quality analytical indicators shall be selected by the managing body, in agreement with ENAC and, in any case, among those upon which the managing body may exercise control.
2. The indicators should preferably be selected among those which can be measured in physical terms, giving priority to the indicators expressed in terms of “delivered quality” compared to those in terms of “perceived quality” (collected through surveys), and excluding those whose identification involves “Yes/No” evaluations, i.e. presence or absence of resources (e.g.: website, facilities for PRM, etc.).
3. Quality indicators can be differentiated into indicators of user comfort and indicators related to the overall airport functionality (understood as the ability to manage traffic efficiently), which in turn positively impact on the first.
4. Selected indicators, weights that are appropriately associated with each of them, and target values assumed for the regulatory period shall take into account the information arising from the consultation referred to in Measure 4 .

27.3 Indicators of environmental protection

1. In order to encourage the managing body to reduce the environmental externalities related to the airport activity, the environmental indicators that are subject to monitoring constitute a commitment of the managing body to improve the environmental impact of the awarded airport infrastructure every year.
2. The environmental indicators are normally identified by the managing body, in agreement with ENAC, as indicated in the document on environmental protection indicators (*Indicatori di tutela ambientale*)

issued by the latter. This document identifies the airport environmental objectives on account of the relevant national policies, including with reference to the commitments made in international fora.

3. Selected indicators, weights that are appropriately associated with each of them, and target values assumed for the regulatory period shall take into account the information arising from the consultation, and ensure in all cases the consistency with the environmental legislation and policies covering the national airport network.
4. An overall weight is assigned to each target indicator, depending on its environmental and social significance, on the estimated size of the investment required to achieve the objective, and on the airport concerned.
5. Target indicators are selected based on the following criteria:
 - a) compliance with actual needs for improvement of the airport concerned and priority connection to issues representing major environmental deficiencies, so that, over the years, the system can also be a means of standardising the environmental performance of the Italian airport network;
 - b) significance with regard to the environmental performance of individual airport structures, in order to represent a real opportunity for improving the ecological level of the airport concerned;
 - c) balance with respect to the size of the airport concerned and to the charge increase that may be granted for target achievement;
 - d) relevance to the environmental requests of local institutions and associations.

In addition, the targets considered by ENAC to improve and standardise the environmental protection of the national airport network may be taken as objectives of environmental improvement, that are common to all airports and will be included regardless of the managing body's proposals.

6. In any event, the targets shall constitute an improvement compared to the thresholds that may be laid down in national, regional or local legislation. Compliance with these thresholds shall be demonstrated by providing appropriate documentation.

27.4 Determination of synthetic indicators of quality and environmental protection

1. A reward/penalty scheme is planned on the basis of the year-to-year deviation from synthetic target indicators of quality (**Oq**) and environmental protection (**Oa**), that are separately set and correspond to the weighted averages of the respective analytical indicators, taking into account that the incremental costs resulting from their achievement are computed in advance in the charge dynamics.
2. Negative deviations are considered as representing circumstances which, where they are not due to force majeure or to the managing body's liability, require a greater impact on the charging system. The penalties resulting from these negative deviations will therefore be doubled compared to the rewards resulting from positive deviations.
3. The application of the scheme implies charge variations that should be applied equally to each regulated service provided by the managing body, with a variable value ranging between -2% and +1 %.
4. Preliminary to the determination of the synthetic target indicators is the identification of each analytical indicator of quality and environmental protection. This is aimed at assessing the level of quality and environmental protection achieved in the base year, so as to tailor the targets accordingly.
5. The improvement targets (**Oq** and **Oa**) are set — *ex ante* and for each year — in terms of increasing the value of the individual analytical indicators of each set, compared to the value in the base year, taking into account the “state-of-the art” resulting from the identification referred to above.
6. In the case of indicators relating to new works or base-year values equal to zero, the first target value other than zero, as set out *ex ante* during the regulatory period, shall be assumed as base-year value.

7. In order to avoid that base-year values close to zero and negligible deviations may imply an overall leverage effect, in such cases the calculation of the deviation percentage shall be made by calculating the values of the base year and the target values by using the complement reference value as a unit of measurement.
8. The achievement of target indicators for the regulatory period shall be verified annually on the basis of the synthetic indicators of quality and environmental protection A_t and Q_t , that are determined as follows:

$$Q_t = \sum_j (Iq_{j,t} \cdot Pq_j) \quad A_t = \sum_j (Ia_{j,t} \cdot Pa_j)$$

with:

$Iq_{j,t}$ value of j-th quality analytical indicator achieved in year t, as a percentage change of the value of the indicator in the base year;

Pq_j weight of j-th quality analytical indicator;

$Ia_{j,t}$ value of j-th analytical environmental protection indicator achieved in year t, expressed as a percentage change of the value of the indicator in the base year;

Pa_j weight of j-th environmental protection indicator.

9. The synthetic indices referred to under 7, in order to allocate the corresponding values to parameters q and a, shall be compared with the synthetic quality (Oq) and environmental protection (Oa) target indicators, calculated *ex ante* for each year of the regulatory period based on the following formulas:

$$Q_{0,t} = \sum_j (Oq_{j,t} \cdot Pq_j) \quad A_{0,t} = \sum_j (Oa_{j,t} \cdot Pa_j)$$

with:

$Oq_{j,t}$ target of j-th quality analytical indicator (Iq) set for year t, expressed as a percentage change of the value of the indicator in the base year;

$Oa_{j,t}$ The target of j-th environmental protection analytical indicator (Ia) set for year t, expressed as a percentage change of the value of the indicator in the base year.

10. The reward/penalty scheme shall be laid down by:
- a) identifying, for each year t, the deviation thresholds S_{qt} and S_{at} , to be applied to the synthetic target indicator (for quality and environmental protection, respectively) that is assigned for the same year, by assuming for those parameters a value equal to the difference between the same synthetic indicator per year t and that for year (t - 1), as follows:

$$S_{qt} = Q_{0,t} - Q_{0,(t-1)} \quad S_{at} = A_{0,t} - A_{0,(t-1)}$$

- b) comparing the values Q_t and $Q_{0,t}$ (quality), as well as A_t and $A_{0,t}$ (environmental protection), respectively;

- c) the value to be attributed to each parameter q and a is derived from the following table:

| Value Q_t | Value q |
|------------------------------------|------------------------------------------|
| $Q_t \leq Q_{0,t} - S_{qt}$ | - % |
| $Q_{0,t} - S_{qt} < Q_t < Q_{0,t}$ | from -2 % to 0 (linear interpolation) |
| $Q_{0,t} < Q_t < Q_{0,t} + S_{qt}$ | from 0 to + 1% (linear interpolation) |
| $Q_t \geq Q_{0,t} + S_{qt}$ | + 1% |

| Value A_t | Value a |
|------------------------------------|-------------------------------------------|
| $A_t \leq A_{0,t} - S_{at}$ | -2 % |
| $A_{0,t} - S_{at} < A_t < A_{0,t}$ | from -2 % to 0 (linear interpolation) |
| $A_{0,t} < A_t < A_{0,t} + S_{at}$ | from 0 to + 1 % (linear interpolation) |
| $A_t \geq A_{0,t} + S_{at}$ | + 1 % |

The impact of parameter ε_t on the dynamics of each regulated payment will be derived from the formula under Measure 1 .

Measure 28 Traffic risk sustainability

1. Starting from the regulatory period following the first application of this Model A, if the variation of the final WLU resulting at the end of the expired regulatory period is positive and lies beyond a predetermined threshold of +Y%, 50 % of the average annual amount of the increased revenue, as attributable to the WLU exceeding the threshold of Y%, shall be entered in the accounts and set aside in a fund for the implementation of infrastructure works at no cost for users, that applies to the new regulatory period or is used, for the last regulatory period, to decrease any takeover value.
2. This increased revenue shall be calculated as the difference between:
 - the revenue from the charge in force in each year, as applied to the actual traffic volumes achieved;
 - the revenue from the charge in force in each year, as applied to the traffic volume planned *ex ante* that is increased or decreased by +Y% (threshold revenue).
3. As regards the last year of each regulatory period, the traffic data as at the 30th of June and the estimated traffic data as at the 31st of December, based on the best available estimates, are taken into consideration.
4. Where during the regulatory period the annual deviations of the final WLU are higher than a threshold $\pm W\%$, the parties may request, on the basis of the new traffic estimates, the immediate adjustments of the charge parameters under Measure 1 , in respect of the remaining years of the current period.
5. The values of thresholds Y% and W% are set in the consultation procedure.

Measure 29 Adjustment of charge modulation as a result of annual monitoring

1. As a result of the application of the annual adjustment provided for under Measure 1 , the managing body is required to adjust the level of charges for all sub-classifications or charge modulations in respect of each regulated service provided by the managing body or of aggregation/basket thereof, in accordance with a criterion of direct proportionality with the corresponding average unit charge of reference.

PART III MODEL B — AIRPORTS WITH TRAFFIC EQUAL TO OR LESS THAN 1 MILLION PASSENGERS

III.1 PROCEDURES FOR THE REVIEW OF AIRPORT CHARGES

Measure 30 Scope

Pursuant to the provisions of Article 76 (6) of Decree-law no 1/2012, Model B is applicable to national airports, open to commercial traffic, with a traffic equal to or less than one million passengers, assessed on the basis of the average total annual passengers carried over the last two years, for which data are available²⁶.

Measure 31 Simplified procedure for the review of airport charges

31.1 Launch of the procedure

1. The simplified procedure for the review of airport charges may be promoted:
 - a) by the airport managing body, in case of technical approval of the action plan by ENAC, that requires to bring the length of the regulatory period in line with the length of the plan or, in other cases provided for by law, agreements and contracts;
 - b) by a qualified majority of airport users, i.e. carriers' representatives including at least 2/3 of the total WLU achieved in the last year for which data are available²⁷. In this case, the request to launch the consultation, which shall be properly justified and documented, shall be submitted for follow up to the airport managing body, and to the Authority;
 - c) by the airport managing body and/or by a qualified majority of airport users as identified in accordance with (b), for reasons that may be attributed to declarations of emergency by the competent authorities.
3. The Authority may prescribe the launch of the simplified procedure for the review of airport charges for justified reasons including, in particular, the following cases:
 - a) failure to launch the simplified procedure for the review of airport charges by 1 July 2022, for those managing bodies whose existing airport charges were fixed without prior mandatory consultation of airport users, as provided for in Articles 76 (2) and (3) and 80 (1) (b) of Decree-law no 1/2012;
 - b) technical approval of the action plan by ENAC;
 - c) failure to launch the consultation procedure by the managing body, following a request by a qualified majority of airport users, as referred to in 4 (b).

31.2 Timing

1. The airport managing body shall notify to the Authority that it intends to submit to consultation a proposal for the review of airport charges, in accordance with the format under ANNEX 5, at least 20 days before the scheduled date of the launch of the user consultation procedure, that is indicated in the notice. The consultation procedure shall be initiated by the managing body at the latest 120 days before the scheduled date of entry into force of the new charging level, without prejudice to the information requirements set out under 8.
2. The notice, that shall be sent to the Authority's certified e-mail address, shall be accompanied by full copy of the documentation drawn up by the managing body in support of the proposal, in accordance with the provisions under Measure 31.3.

²⁶ For the purpose of identifying the average total traffic (arrivals and departures), reference is made to the data communicated by the managing body in the regulatory accounts, referred to in O., in respect of passengers carried by commercial air services. Where not available, reference will be made to the data published on ENAC's website or, alternatively, to those published on the website of Assaeroporti, concerning the commercial total amount.

3. On the date of opening of the consultation, this documentation shall be accessible to airport users and their associations, in a dedicated section of the managing body's website, with restricted access upon registration of each user.
4. The Authority will publicise the notice received on its website, thereby formalising the launch of the procedure for the review of airport charges.
5. The modification of airport charges is ineffective in the event of failure to notify.
6. Based on the documentation published by the managing body, users may submit written observations and detailed queries to the managing body and, for information, to the Authority, in the following 25 days following the launch of the consultation, by certified e-mail.
7. Within 80 days at the latest, but at least 30 days after the consultation is launched, taking into account the positions expressed by users on individual issues, the managing body shall draw up the final proposal for the level of airport charges and other regulated fees, highlighting in a separate table the charges for ground handling services under a monopoly and the fees for assistance to passengers with reduced mobility. The managing body shall publish the proposal on its website and officially declare that the consultation is closed, by giving simultaneous communication thereof to:
 - a. airport users;
 - b. for information, carriers' associations and airport managing bodies.
8. At the same time, through the format referred to in ANNEX 7, the managing body shall submit to the Authority the above-mentioned final proposal together with the documentation referred to in Measure 31.4.
9. Forty days after sending the documentation referred to in paragraph 8, the managing body provides for the transmission of the new airport charges, together with the relevant date of entry into force, by certified email, to the parties that are in charge of updating IATA ticketing systems at Italian travel agencies, in accordance with the time limits provided for in Article 6.2 of Directive 2009/12/EC.

31.3 Documentation required for launch of the procedure

1. The airport managing body shall draw up the "Consultation document" (hereinafter also: document), including in English. The document illustrates the proposal for the review of airport charges and other regulated fees, as well as the issues of major interest for airport users.
2. For the purpose of drafting the document, in accordance with the general principles laid down in Part I.4, the managing body shall:
 - request the Authority, at least 30 days before the launch of the user consultation is notified, to provide the KPI values for both the relevant infrastructure and the average values for all the airports referred to in Model B, that are useful to determine the annual factor of productivity improvement \tilde{X}_t . The Authority shall provide these values within 20 days of receipt of the request;

For this purpose, the Authority shall identify a set of KPIs for the airports referred to in Model B, that are updated every year on the basis of the technical and economic data provided by the managing body in the regulatory accounts referred to in Part V.2. The updated KPI values shall be made available, as of the 30th of April of each year, at the request of each managing body, in order to be used by the latter, from that date, to draft the proposal for the review of airport charges that shall be submitted to users upon opening of the relevant consultation.

The list of KPIs provided to the managing body shall include, but is not limited to, the indicators set out in the table under ANNEX 11.

- identify the rate of return on invested capital, on the basis of the variables that are published every year by the Authority, in accordance with Measure 13.4. As to the possible temporary application of limited measures of WACC increase, the provisions of Measure 14 shall apply.

3. The document shall contain at least the following information:

- a) estimated date of entry into force of airport charges and other regulated fees;
- b) description of the proposal for the review of airport charges and other regulated fees, of its rationale and main impact on existing fees and charges;
- c) comparison of the airport charges and fees proposed by the managing body:
 - i. level of airport charges and fees in European airports with similar infrastructure characteristics, traffic and service standards;
 - ii. level of airport charges and fees in neighbouring airports;
- d) list of existing and proposed airport charges and fees, in computer-editable format;
- e) description of methodology applied for airport charges calculation;
- f) description of annual efficiency target proposed by the airport managing body, that is applicable throughout the regulatory period, with relevant impact on operating costs and list of KPIs referred to in ANNEX 11 as provided by the Authority;
- g) description of any proposal for simplification, bundling and sub-classification of each service provided by the managing body;
- h) list of the services and infrastructure provided in the base year in return for the collected fees and charges, that are subject to regulation (see reference ANNEX 8);
- i) overview of the regulatory accounting in the base year, in computer-editable format, showing the overall structure of allowed costs and revenues of each regulated service provided by the managing body, as well as of the non-regulated products jointly considered;
- j) upon ENAC's technical approval, *Investment plan* the managing body intends to implement, accompanied by appropriate detailed information as to the indicators identified and the relevant target values;
- k) upon ENAC's technical approval, *Quality and environmental protection plan*, accompanied by appropriate detailed information as to the indicators identified and the relevant target values;
- l) *Traffic forecasts* drawn up in line with the developments reported by the organizations operating in the sector (Eurocontrol, IATA);
- m) information on the policy concerning the provision of contributions to air transport activities, as specified in Measure 57 (0);
- n) any proposal for *Service Level Agreement* referred to in 0;
- o) description of compliance with the principles laid down in Measure 31.5 (1);
- p) expected date of the following user consultation.

31.4 Documentation required for the Authority's verifications

- 1. Following the closure of the consultation procedure, the managing body shall send to the Authority the final proposal of airport charges and regulated fees, which shall be accompanied by:
 - a) full copy of the additional documentation produced by the managing body and the airport users during the procedure;

- b) updated information under Measure 31.3, if any, compared to the information as initially submitted;
- c) comments by users;
- d) documentation produced by the managing body to justify the acceptance or refusal of user comments.

31.5 Verifications by the Authority

1. Within 40 days of receipt of the final proposal referred to in Measure 31.4, the Authority:
 - i. taking into account the connection of the rights to the criterion of the effective value of the goods used by airport users, shall initiate the procedure for verification of the compliance with the following principles:
 - a) transparency, relevance, reasonableness;
 - b) consultation of airport users;
 - c) non discrimination;
 - d) orientation of the rights to the European average airport charges levied in airports with similar characteristics in terms of infrastructure, traffic and service standards;
 - e) cost orientation, including through the preparation and submission to the Authority of an industrial plan aimed at ensuring the achievement of the economic equilibrium within a reasonable time frame.
 - ii. shall publish on its website, and inform the managing body of, the outcome of the above verification.
2. For the purpose of the Authority's verifications, the cost orientation may refer to the set of regulated services provided by the managing body rather than to the individual regulated service.
3. As for the treatment of commercial margins, the dual-till charging system is applicable.
4. The positive outcome of the verification referred to under 1 may be subjected by the Authority to the application of duly justified remedial measures by the managing body.
5. With respect to the potential impact of the airport charges system, the Authority considers that the imposition of the remedies referred to under paragraph **Errore. L'origine riferimento non è stata trovata.** may be associated with an obligation to reopen the consultation between the managing body and the users, so as to verify the agreement on the proposed charging as amended.
6. Upon implementation of the remedial measures which may be imposed by the Authority, the managing body, within the deadline set by the Authority, shall prepare and submit an amended charging proposal, that is accompanied, if appropriate, by documentary evidence proving that the consultation referred to under paragraph **Errore. L'origine riferimento non è stata trovata.** has been re-opened.
7. Following the receipt of the amended charging proposal referred to under **Errore. L'origine riferimento non è stata trovata.**, the Authority shall verify the application of the remedial measures and publish the results on its website.
8. Where the application of such remedies affects the level of charges for the regulatory period, the managing body shall make the necessary changes and any subsequent (positive or negative) adjustments in the manner laid down by the Authority, or referred to the parties by the Authority.

Measure 32 Dispute resolution

32.1.1 Application for dispute resolution

1. The majority of airport users, i.e. representatives of carriers including at least 50% of the WLU achieved in the last year for which data are available, may address the Authority, within 10 days of publication of the final proposal by the managing body, by filing a reasoned and documented application against the managing body's proposal of airport charges and regulated fees.
2. In the case of submission of the application referred to in paragraph 1, the system or level of charges provided for in the final proposal shall not be effective until the Authority has delivered its final decision.
3. In order to be receivable, the application shall:
 - a) include the information and documents requested in the format under ANNEX 9;
 - b) be submitted by the users that made written remarks pursuant to the provisions under Measure 31.2 (5);
 - c) contain the specific reasons for disagreement on the proposal, for which an action by the Authority is requested.
4. Within 10 days from receipt, the Authority shall provide for dismissal of the applications that are not receivable pursuant to the preceding paragraphs, as well as of those that are clearly unfounded as they do not meet the factual and legal requirements, or are openly instrumental to the postponement of the entry into force of the airport charges system or level. Any dismissal shall be communicated to the managing body and to the applicants.

32.1.2 Launch of dispute resolution procedure

1. The Authority shall verify that the application is receivable and, within 10 days of its receipt, it shall inform the parties by certified email of the initiation of the dispute resolution procedure.
2. The notice shall include the following:
 - a) date on which the application was filed;
 - b) subject-matter of the procedure;
 - c) office where the documents may be examined;
 - d) person responsible for the procedure;
 - e) deadlines by which the interested parties may produce memorandums and documents;
 - f) closing date of the procedure.
3. Together with the notice referred to above, the Authority shall send to the party concerned a copy of the application that has been received, including its annexes that are not yet available to the party.
4. If it is considered necessary, the Authority may:
 - a) request the parties to supplement the information by providing written reports on specific issues or additional documents, with an explicit warning of the penalties that may be imposed in case of non-reaction or untrue communications;
 - b) convene a hearing with the parties, in order to obtain their positions or other useful information for the preliminary examination of the procedure.

32.1.3 Access to documents

1. The documents that are lodged or acquired during the procedure shall, as a rule, be accessible to the parties to the procedure.
2. By filing an appropriate application setting out the reasons for confidentiality pertaining to the protection of its legal position, the party concerned is responsible for requesting, at the time when the above reasons are filed or, for documents obtained *ex officio*, within five days of communication of the notice of preliminary inquiries, that certain documents, in full or in part, be excluded from access.
3. By substantiated decision, the Authority shall balance the needs of transparency with those of secrecy and confidentiality in compliance with the exercise of the right of defence.

32.1.4 Provisional decision

1. Within four weeks of the date of receipt of the application, the Authority shall adopt a provisional decision concerning the entry into force of the airport charges, unless a final decision is made on the dispute within the same period.
2. Pending the adoption of the provisional decision by the Authority, and in any case until the date set for the entry into force of the new charges, the charges payable by the managing body shall be those in force during the consultation.

32.1.5 Decision on the dispute

1. The dispute resolution procedure shall be settled by a decision of the Authority within four months of the date of receipt of the application. For justified needs related to the preliminary inquiry, the deadline may be extended by two additional months.
2. The Authority's decision shall:
 - a) state the relevant reasons thereof;
 - b) pursue the objectives set out in Article 80 of Decree-law no 1/2012 and Article 37 of Decree-law no 201/2011, as amended;
 - c) be oriented towards bringing the level of charges or the charging system into line with the principles and criteria of these regulatory measures and/or removing access conditions that the Authority considers as restricting or hindering competition or discriminating against users.
3. The decisions adopted by the Authority and the reasons therefor shall be notified to the parties concerned and published on the Authority's website.
4. The dispute resolution measure may be appealed before the administrative courts.

32.1.6 Obligations of the managing body

1. Upon the date of entry into force set by the Authority, the managing body shall update the level or system of airport charges.
2. The managing body shall publish on its website the new level of airport charges, that is set in accordance with the Authority's decision, and shall ensure the implementation of any necessary actions for the provision of information to the Authority, as well as for the transmission of the new level of airport charges and of the relevant date of entry into force, by certified email, to the parties that are in charge of updating IATA ticketing systems at Italian travel agencies, without prejudice to the provisions of Article 6.2 of Directive 2009/12/EC.

PART IV REGULATORY PRINCIPLES AND CRITERIA FOR AIRPORT NETWORKS AND SYSTEMS

This Part sets out the principles and criteria to be adopted for the implementation of a common and transparent charging system to be applied to an airport network or system, consisting of an aggregation of airports.

IV.1 AIRPORT NETWORKS: PROCEDURES FOR THE REVIEW OF AIRPORT CHARGES

Measure 33 Scope of application

1. Pursuant to the provisions of Articles 71 to 82 of Decree-law no 1/2012 transposing Directive 2009/12/EC into domestic legislation, and, in particular, with reference to Article 74 (2), the principles and criteria set out in this 0 are applicable to an airport network (hereinafter also referred to as network) consisting of a group of airports that is designated as such by a Member State and is managed by the same airport manager.
2. The principles and criteria set out in this 0 are designed to ensure that the charges applied to the users of the airport network comply, in accordance with the principles laid down in Article 80 (1) of Decree-law no 1/2012, with the objectives of territorial cohesion indicated for “airport networks” under recital 5 of Directive 2009/12/EC.

Measure 34 Procedure for requesting the application of a common and transparent airport charging system to the whole network

1. The manager of an airport network in the Italian territory, that is designated as such by a decree of the Minister of Infrastructure and Transport, in agreement with the Minister of Economy and Finance, upon the opinion of the Joint Conference, may submit to the Authority a request for authorisation to introduce a common and transparent airport charging system that is applicable to the whole airport network. The request shall be filed in accordance with the format under ANNEX 2, by specifying, in particular, the “main airport” of the network, i.e. the airport which, among the network airports, has recorded the highest traffic volume (in terms of annual passengers); this is assessed *ex post* on the basis of the average annual passengers carried over the last two years, for which data are available²⁸.
2. Following the request referred to under 1, the Authority acquires from the competent Ministries the preliminary findings underlying the network designation, which are necessary both to authorise the introduction of a common and transparent charging system on the whole network, in accordance with Article 74 (2) of Decree-law No 1/2012, and to verify the compliance with the relevant model of the associated airport charges proposal.

Measure 35 Procedure for the review of airport charges

1. The provisions under Measure 2 on “Procedures for the review of airport charges” illustrated in Model A shall apply. These measures shall apply to the managing body of the airport network and involve the users of this network.

²⁸ For the purpose of collecting the average total traffic, on arrival and departure, reference is made to the data reported by the managing body in the regulatory accounting, as referred to in 0, in respect of the passengers carried on commercial air services. Where these are not available, reference is made to the statistics published on ENAC’s website concerning the passengers carried on commercial air services, or to those published on Assaeroporti’s website concerning total commercial services.

Measure 36 Information provided by airport managing body and air carriers

36.1 General principles

1. The provisions of Measure 3 concerning “Information provided by airport managing bodies and air carriers in Model A shall apply. These measures shall apply to the managing body of the airport network and involve the users of this network.
2. In particular, the methods of application referred to in the following paragraphs of these regulatory measures shall apply.

36.2 Information to be provided by the managing body to users

36.2.1 Consultation document

1. All the information in the “*Consultation document*” referring to the airport network and related to:
 - levels and timeline of airport charges and fees;
 - description of any proposals for simplification and bundling of the regulated services as provided;
 - description of any proposal for basket of charges;
 - description of any proposals for sub-classification of charges;
 - list of the services and infrastructure provided in the base year in return of the collected fees and charges, that are subject to regulation;
 - action plan to be implemented by the managing body throughout the regulatory period;
 - quality and environmental protection plan;
 - report on airport capacity, and on the level of service (LoS) of the main airport infrastructure and facilitiesshall be specified for each airport, so as to ensure compliance with the principle of transparency laid down in Article 77 of Decree-law no 1/2012.
2. Any residual information compared to the information under Measure 3.1.1 (2) and (3) shall be provided at the network level.

36.2.2 Traffic forecasts

1. Traffic forecasts shall be presented both for each individual airport and for the airport network as a whole.

36.2.3 Action plan

1. The Action Plan shall be drawn up for each individual airport, together with a summary for the airport network as a whole.

36.2.4 Quality and environmental protection plan

1. The quality and environmental protection plan shall be submitted for each individual airport, together with a summary for the airport network as a whole.

36.3 Information to be provided by the carrier

1. All information shall be submitted for each individual airport, together with a summary for the airport network as a whole.

Measure 37 Outcome of the consultation

1. The relevant provisions under Measure 4 concerning “Outcome of the consultation” in Model A shall apply. These measures shall apply to the managing body of the airport network and shall involve the users of the network.
2. The final proposal on the level of airport charges and related commitments shall be submitted by the network managing body for each airport.

Measure 38 Annual monitoring of quality and investment**38.1 General principles**

1. The provisions under Measure 5 concerning “*Annual consultation and monitoring of quality and investment*” illustrated in Model A shall apply. These measures shall apply to the managing body of the airport network.

38.2 Monitoring of investment

1. The required documents shall include detailed information for each airport together with a summary for the airport network as a whole.

38.3 Monitoring of quality

1. The required reporting shall include detailed information for each airport together with a summary for the airport network as a whole.

Measure 39 Supervisory activities

1. The provisions of Measure 6 under Model A concerning “Supervisory activities” shall apply.

IV.2 AIRPORT NETWORKS: COSTING

1. All the measures set out in Part II.2 “*Costing*” of Model A shall apply at the level of each airport concerned, with the specificities referred to under Measure 1 .

Measure 40 Rate of return on invested capital

1. As the financial management is unified (one managing body of the network), the rate of return on net invested capital, that is determined by the method of the weighted average cost of invested capital (WACC), is the same for all airports of the network, as resulting from the application of Measure 13 .
2. As regards the possible temporary application of limited measures to increase WACC, the provisions of Measure 14 shall apply.

IV.3 AIRPORT NETWORKS: PRICING

All the measures set out in Part II.3 “*Pricing*” of Model A shall apply at the level of each airport concerned in accordance with the specific features set out in the following measures (Measure 1 through Measure 45).

Measure 41 Targeted productivity gain from improved efficiency

1. With reference to the formula for the review of airport charges referred to in Measure 18, \tilde{X}_t is the single coefficient of annual productivity gain for the airport network that is applicable in each year of the regulatory period to each airport of the network.
2. The annual value of \tilde{X}_t is determined on the basis of a substantiated proposal by the managing body, taking as a reference the overall rate of potential efficiency improvement X^* for the airport network, which is determined as an average of the X^* of each airport that is part of the network, as weighted on the basis of the relevant operating costs that are allowed in the base year.
3. For the calculation of the weighted average of X^* for all the network airports falling within the scope of Model A referred to in 0, the X^* value provided by the Authority shall be used separately for each airport of the network, in accordance with the methods referred to under Measure 3.1.1 (2) (f), on the basis of the methodology set out in ANNEX 10. Where the network includes airports falling within the scope of Model B, as referred to in 0, the managing body, in the framework of the consultation, is required to provide reasons for the productivity improvement which is regarded as sustainable, taking account of the KPIs provided by the Authority.
4. The value of the elasticity coefficient of operating costs with traffic variation (η), which is a single one for the airport network, is the average of η values of each airport that is part of the network, as weighted on the basis of the relevant operating costs that are allowed in the base year. In this respect, if the network includes an airport falling within the scope of Model B, as referred to in 0, a value of $\eta = 1$ shall apply thereto.

Measure 42 Treatment of the margin arising from ancillary activities of the network

1. With regard to Measure 19 of Model A, the treatment of the margin resulting from the ancillary activities shall be applied by the managing body taking into account all the airports constituting the network.

Measure 43 Modulation of charges for the network

1. Having defined and reported in the consultation, the average unit charge for year t for each of the single regulated services rendered and for each airport (as described under Measure 17 of Model A) of the airport network, the airport managing body (in line with the services provided by the airport managing body under Measure 54.3) may propose during the consultation a modulation of the charges for the airports that are part of the network, by applying a system to mutualise the costs between the airports, by means of appropriate notional items transferring part of the revenue pertaining to each of the regulated services that are rendered.
2. The network managing body may therefore provide *ex ante*, for each year of the regulatory period, for each regulated service that is rendered and for each airport, for the use of positive or negative notional transferring items²⁹, provided that the principle of economic and financial neutrality within the regulatory period³⁰ and overall at the level of the airport network is complied with.
3. In order to ensure that economic and financial neutrality is maintained, the level of notional items, for the years from $t + 1$ to the end of the regulatory period, shall be recalculated every year on the basis of the system of annual adjustment provided for under Measure 1.

²⁹ The sign is determined by the type of transfer: since the system applies to revenue, it will have a negative sign in the case of donor airports and a positive sign in the case of recipient airports.

³⁰ Zeroing of the total value of the notional items, that is obtained by discounting the corresponding amounts at the nominal rate of return on capital referred to under Measure 13.

4. The network managing body shall provide users with adequate qualitative and quantitative information concerning the purposes which, in line with relevant ministerial guidelines as outlined in Measure 1, the network managing body intends to pursue with the modulation of charges proposed in the consultation.
5. In any case, the inter-airport modulation proposed by the network managing body for each regulated service rendered shall comply with the following constraint: in order to ensure the economic and financial neutrality of the system, the revenue resulting from the application of airport charges to the entire network, as discounted over the entire regulatory period and determined on the basis of the above-mentioned costing and pricing criteria and in correlation with traffic volume forecasts, shall be equal to the total corresponding revenue of each airport that is discounted over the entire regulatory period and determined on the basis of the modulation referred to in this measure.
6. For the purpose of the modulation of charges, the network managing body shall determine *ex ante* the transferring notional items for each regulated service rendered ($PFT_{t,i,j}$), whether positive or negative, that each *i*-th airport receives/pays in year *t* to the *j*-th airport, on the basis of the decisions of the managing body.
7. The Authority reserves the right to assess the charges of the network airports and the related transferring notional items $PFT_{t,i,j}$, as determined following the consultation, in order to verify their reasonableness in accordance with the principle of cost containment for users.
8. In order to provide adequate transparency of the system of airport charges modulation, the network managing body shall also provide, in the stage of consultation for the review of airport charges, and on the basis of the following table, annual reports to provide evidence, for each regulated service rendered, of both the total transferring notional items that each airport shall annually pay to/receive from the network, and of the total transferring notional items that each airport shall annually pay to/receive from any other airport of the network:

Table 3 — Annual report of notional items between network airports for each service rendered

| Airport | Airport 1 | Airport 2 | ... | Airport | Total $PFT_{j,i}$ |
|-------------------------------------|---------------------------------|---------------------------------|-----|---------------------------------|---------------------------------|
| Airport 1 | 0 | $PFT_{1,2}$ | | $PFT_{1,m}$ | $PFT_{1,2} + \dots + PFT_{1,m}$ |
| Airport 2 | $PFT_{2,1}$ | 0 | | $PFT_{2,m}$ | $PFT_{2,1} + \dots + PFT_{2,m}$ |
| ... | | | | | |
| Airport n | $PFT_{n,1}$ | $PFT_{n,2}$ | | 0 | $PFT_{n,1} + PFT_{n,2} + \dots$ |
| Total $PFT_{i,j}$ | $PFT_{2,1} + \dots + PFT_{n,1}$ | $PFT_{1,2} + \dots + PFT_{n,2}$ | | $PFT_{1,m} + PFT_{2,m} + \dots$ | |

9. On the basis of the annual average unit charge for each regulated service provided by each network airport, that has been re-determined on the basis of the requirements set out under (5), the network managing body, in accordance with the services provided by the airport managing body referred to under Measure 54.3 and at equal total income, shall determine the airport charges pertaining to all categories of sub-classifications or charge modulation related to each regulated service rendered or bundling/basket thereof as defined below.
10. For each regulated service that is provided by the managing body and for each airport - or any bundling thereof, resulting from the application of the following pricing systems set out below - the calculation of the average unit charge of reference for each year of the regulatory period shall be followed by the modulation or sub-classification of the charge, if any, to be carried out by the network managing body,

taking into account that, for the average unit charge $T_{t,i}$ of i-th airport for the year t, the following relation shall apply:

$$T_{t,i} = \frac{\sum_{k=1}^l (p_k^t \cdot q_k^t)}{\sum_{k=1}^l q_k^t}$$

where p_k^t and q_k^t are unit charges and production volumes of service units, respectively, as estimated *ex ante* and relating to the quantities belonging to the k-th of l categories of sub-classification or charge modulation related to each regulated service rendered by the managing body or bundling thereof, in year t.

11. For each of the above-mentioned components (charges, volumes and transferring notional items) adequate evidence shall be provided to the Authority for the purpose of the compliance test on the managing body's proposed charges.
12. In any case, the Authority reserves the right to verify that the overall average of modulated charges of the network airports, that is weighted on the basis of the traffic volumes of each airport and discounted, is aligned with the overall average of the charges calculated under Model A of the network airports, which is also weighed on the basis of the traffic volumes of each airport and discounted.

Measure 44 Bundling of regulated services provided by the managing body

Measure 23 "*Bundling of regulated services provided by the managing body*" of Model A shall apply at the level of each airport concerned.

Measure 45 Basket and Modulation of charges

Measure 24 "*Basket and modulation of charges*" of Model A shall apply at the level of each airport concerned.

IV.4 AIRPORT NETWORKS: MONITORING AND ANNUAL ADJUSTMENT

1. All measures set out in Part II.4 "*Monitoring and annual adjustment over the regulatory period*" of Model A shall apply at the level of each airport concerned.

IV.5 AIRPORT SYSTEMS: PROCEDURES FOR THE REVIEW OF AIRPORT CHARGES

Measure 46 Scope of application

1. Pursuant to the provisions of Articles 71 through 82 of Decree-law no 1/2012 transposing Directive 2009/12/EC into domestic legislation, as amended by Article 10 of Law no 37/2019, and with reference to Article 74 (3), the principles and criteria set out in this 0 shall apply, for reasons of traffic distribution³¹, to each airport system (hereinafter also system).
2. For the application of a common charging system to the airports included in the airport system it is necessary to file a request to the Authority as referred to under Measure 47 , in accordance with the format under ANNEX 3.

³¹ Recital 6 of Directive 2009/12/EC: "*For reasons of traffic distribution Member States should be able to allow an airport managing body for airports serving the same city or conurbation to apply a common and transparent charging system. Economic transfers between these airports should comply with relevant Community law.*"

Measure 47 Request for application of a common and transparent airport charging system

1. The request referred to under **Errore. L'origine riferimento non è stata trovata.** (2) shall be accompanied by the necessary documents to enable the Authority to verify, for the purpose of the application of a common and transparent charging system to the airports serving the same city or urban area, the compliance with the criteria set out in article 80 of Decree-law no 1/2012, with reference to the traffic distribution objectives to be achieved.
2. The Authority, having carried out the verifications within its remit, shall inform the European Commission, the Ministry of Infrastructure and Transport and the Ministry of Economy and Finance of the authorised application of a common and transparent charging system.
3. In case of a positive assessment of the request by the Authority, the managing body of the airport system shall initiate the procedure referred to under Measure 48 through Measure 52 for the review of the airport charges to be applied to the airport system, by filing an application to launch the user consultation in accordance with the format set out in ANNEX 4.

Measure 48 Procedure for the review of airport charges

1. The provisions concerning the airport networks under Measure 35 *“Procedure for review of airport charges”* shall apply. These measures shall apply to the managing body of the airport system and shall involve the users of this system.

Measure 49 Information to be provided by the managing body and the carriers

1. The provisions concerning the airport networks under **Errore. L'origine riferimento non è stata trovata.** *“Information to be provided by the managing body and the carriers”* shall apply. These measures shall apply to the managing body of reference of the airport system and shall involve the users of such system.

Measure 50 Outcome of the consultation

1. The provisions concerning the airport networks under Measure 37 *“Outcome of the consultation”* shall apply. These measures shall apply to the managing body of the airport system and shall involve the users of this system.

Measure 51 Annual monitoring of quality and investment

1. The provisions concerning the airport networks under Measure 38 *“Annual monitoring of quality and investment”* shall apply. These measures shall apply to the managing body of the airport system and shall involve the users of such system.

Measure 52 Supervisory activities

1. The provisions concerning the airport networks under Measure 39 *“Supervisory activities”* shall apply.

IV.6 AIRPORT SYSTEMS: COSTING

1. All measures set out in Part IV.2 *“Airport networks: Costing”* shall apply to the airport system.

IV.7 AIRPORT SYSTEMS: PRICING

1. All measures set out in Part IV.3 *“Airport networks: Pricing”* shall apply to the airport system.

IV.8 AIRPORT SYSTEMS: MONITORING AND ANNUAL ADJUSTMENT

1. All measures set out in Part IV.4 *“Monitoring and annual adjustment over the regulatory period”* with regard to airport networks shall apply to airport systems.

PART V REGULATORY ACCOUNTING

V.1 GENERAL BACKGROUND

Measure 53 Regulatory accounting reporting

1. Every year, within 30 days of the date of approval of the financial statements, the airport managing body shall prepare and submit to the Authority the regulatory accounting consisting of the accounting formats referred to under Measure 55.2, by providing evidence of the total reconciliation with the financial statements.
2. This obligation applies to companies established both in Italy and abroad.
3. The airport managing body drawing up the financial statements on the basis of IAS/IFRS principles is required to comply with the provisions under Measure 9 (33).
4. The airport managing body carrying out airport, ancillary and incentive activities, as defined under Measure 56.1 (3), and keeping relations with subsidiaries, shall draw up the accounting formats by applying the criteria and principles for the preparation of the consolidated financial statements.
5. The accounting formats referred to in Measure 55.2 (f) shall be certified by the entity in charge of the audit of the airport managing body.
6. On the a.m. formats, the Authority reserves the right to request additional information, which the managing body is required to provide by the deadline specified by the Authority.

Measure 54 Accounting separation

54.1 General principles

1. Accounting separation is the necessary tool to achieve transparency and a proper allocation of airport management costs to services. Starting from its analytical accounting, the airport managing body shall draw up the accounting formats provided for under this regulatory act, in accordance with the following principles.
2. The data shall be verifiable through the presentation of the general accounting documentation and shall be systematically collected, as a rule, from the very beginning of the time period.
3. The income statement and balance sheet items of each activity carried out in the airport area shall be identified by dividing them into four classes:
 - airport activities, broken down for each service provided by the airport managing body referred to in Measure 54.3;
 - ancillary activities, according to a breakdown by sub-classifications relating to the main types, namely:
 - a) competitive ground handling services;
 - b) ancillary activities that are directly supplied by the managing body:
 - i. food & beverage;
 - ii. retail;
 - iii. other ancillary activities;
 - c) ancillary activities that are rendered under sub-concession to third parties:
 - i. food & beverage;
 - ii. retail;

- iii. offices and other premises (e.g. for car rentals, foreign exchange or tourism information, that are not directly managed by air carriers);
 - iv. other ancillary activities;
 - d) advertising;
 - e) parking lots;
 - f) other ancillary activities;
 - incentive activities (referred to in 0);
 - non-relevant activities.
4. The managing body is required to provide the Authority, in addition to the breakdown of costs and revenues by each existing billing centre in the base year, with evidence of the commercial margin achieved in the base year from the exercise of ancillary activities.
5. At the same time, the managing body shall provide the Authority with *ex post* annual communication of the detailed incentives provided, as defined under Measure 57 , by specifying, for each incentive:
- a) recipient of the incentive;
 - b) incentivised traffic;
 - c) type of each incentive, whether direct³² or indirect³³;
 - d) amount of the incentive;
 - e) delivery mode (e.g. contributions, subsidies, discounts or other economic benefits).
6. Non-relevant activities are the residual part of the reconciliation with the financial statements.

54.2 Allocation criteria

1. For regulatory accounting purposes, the income statement and balance sheet items may be relevant:
- (a) directly and exclusively for a specific activity;
 - (b) for a number of activities, in this case to be allocated based on specific drivers;
 - (c) for all activities (including overhead expenses), in this case to be allocated based on aggregate drivers.
2. The concessionaire shall provide for direct and exclusive allocation of the income statement and balance sheet items that may be allocated objectively and exclusively to specific activities.
3. The allocation to each of the income statement and balance sheet items which are relevant for a number of activities should be made as objectively and analytically as possible, based on drivers chosen on the basis of their suitability to measure the consumption of resources or the intended use of the assets in the context of a specific activity.
4. As a rule, and in the absence of other equally transparent and objective criteria, the pro-rata allocation for each activity shall be based on one or more of the following parameters listed in the table below:

³² 'Direct' means intended for the airport user.

³³ 'Indirect' means intended for a subsidiary or connected to the airport user.

Table 4 — List of possible drivers for pro-rata allocation

| Indirect allocation | drivers |
|---------------------|---------------------------|
| Cleaning | Gross sq.m. |
| Utilities | Gross sq.m. ³⁴ |
| Maintenance | Man hours |
| Depreciation | Gross sq.m. |

5. The income statement and balance sheet items which are attributable to the overall activities of the concessionaire, and those that, based on manifest, objective and substantiated reasons, cannot be otherwise allocated to the different activities on the basis of relevant and objective drivers (e.g. number of staff assigned to each activity), are allocated to the activities referred to under Measure 8 in proportion to the costs that have been previously allocated directly and on a pro-rata basis, subject to substantiated and documented exclusions with reference only to the activities other than those referred to under (a) and (b) of the aforementioned Measure 8.
6. The Authority reserves the right to verify the reasonableness, suitability and objectivity of the adopted allocation criteria, based on the documentation provided in this respect by the airport managing body.

54.3 Services provided by the airport managing body

1. Within the framework of the current national legal framework, the charges, taxes and fees that are subject to charging regulation are the following:
 - a) landing and take-off charges;
 - b) aircraft parking and hangar charges;
 - c) passenger boarding charges;
 - d) freight loading and unloading charges;
 - e) charges for security services:
 - security check operations of departing and in-transit passengers;
 - x-ray or other screening of hand baggage;
 - x-ray or other screening of hold baggage, freight and courier postal items;
 - f) any fees for use of centralised infrastructure, including e.g.:
 - baggage handling system management (BHS);
 - technical management of loading bridges for passenger boarding and landing or other indivisible systems of passenger transport;
 - management of aircraft power supply, air conditioning and heating centralised systems
 - management of aircraft centralised de-icing systems;
 - management of centralised IT systems (public information, announcements, airport system, CUTE, etc.);
 - management of static fuel distribution centralised system;
 - management of water treatment plants and on-board waste;
 - management of centralised systems for storage and washing of catering materials;
 - g) any charges for use of common facilities, including e.g.:

³⁴ If no metering and accurate accounting systems of the utilities pertaining to each activity are available.

- airside aprons;
 - service and access roads to aprons;
 - aircraft short-term parking areas;
 - hall, passenger access and movement areas;
- h) any fees for use of facilities for exclusive use, including e.g.:
- outdoor areas;
 - indoor areas;
 - operating rooms;
 - offices, warehouses, changing rooms;
 - check-in desks;
- i) ground handling charges, if operated under a monopoly³⁵;
- j) charges for assistance to passengers with reduced mobility³⁶.

2. Ancillary activities include:

- a) any activity provided by the airport managing body to airport users which is not listed in the regulated services, such as, as a general rule, all activities of a purely commercial nature; for the purpose of determination of the margin, they include the services that imply any localisation or monopoly rent for the airport managing body, arising from the exclusive use of the airport area also for commercial purposes and the restricted access of third competitors to the airport area;
- b) activities that are instrumental to air transport and are carried out by the airport managing body on a fully competitive basis with third parties.

V.2 REGULATORY ACCOUNTING SYSTEM

Measure 55 List of documents

55.1 General principles

1. The annual certified regulatory accounting dossier which the operator is required to provide to the Authority consists of the accounting schemes referred to under Measures 55.2 and 55.3.

55.2 Accounting schemes

1. The accounting schemes shall be drawn up in computer-editable format and be digitally signed, on the basis of formats established by the Authority, be made available within 30 days of the date of approval of the financial statements and consist of the following editable electronic sheets:
- a) overview of characteristic parameters of the terminal (“general”);
 - b) consolidated overview of detailed traffic data for general and commercial aviation (“traffic”);
 - c) overview of quantitative data retrieval with technical description of the characteristic parameters

³⁵ Referred to in Annex (A) to legislative decree no 18 of 13 January 1999 implementing Council Directive 96/67/EC of 15 October 2006 on access to the ground handling market at Community airports.

³⁶ Assistance provided to persons with disabilities and persons with reduced mobility (PRM) as referred to in Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006.

- of the airport (“technical”);
- d) overview of quantitative data retrieval on service and environmental quality (“quality”);
 - e) overview of actual vs planned investments and ordinary maintenance (“investments, maintenance”);
 - f) overview of regulatory accounting and reconciliation with annual financial statements, based on cost/revenue centres and income statement and balance sheet items (“Income statement and balance sheet accounts”);
 - g) detailed overview of income statement and balance sheet items relating to centralised infrastructure and goods for exclusive use (“centralised infrastructure, GEU”);
 - h) detailed overview of income statement and balance sheet items relating to individual terminals, if subject to modulation of charges;
 - i) detailed overview of income statement and balance sheet items relating to incentive activities (“incentives”);
 - j) list of drivers used for indirect allocation to cost and revenue centres (“indirect allocation drivers”);
 - k) detailed overview of airport capacity data;
 - l) overview of incentive and traffic development policies.

55.3 Regulatory accounting methodology and reporting

1. The managing body shall draw up a document specifying the procedures for regulatory accounting reporting.
2. In particular, the document shall include at least the following:
 - a) description of logical model of the analytical accounting system with evidence of the methodology to allocate the income statement and balance sheet items to cost centres in compliance with accounting separation (e.g. full costing, ABC, etc.);
 - b) description of system environment/architecture used for the management of cost centres;
 - c) detailed indication and description of accounting methodologies of the adopted income statement items, updated evaluation criteria, allocation criteria, allocation criteria and drivers used, with reference to each item specified in the regulatory accounting;
 - d) accounting separation criteria adopted in the identification of cost and revenue centres indicated in the regulatory accounting schemes, accompanied by explanatory comments and descriptions of services included, underlying assets, and any changes in methodology or perimeter compared to the previous year;
 - e) description of intra-group items with evidence of the methodology for updated evaluation and consolidation criteria;
 - f) detailed information on incentives, as specified under Measure 57 (8) of this document.
3. The document on regulatory accounting methodology and reporting shall be accompanied by a “*Report on the verification of the outcome of the regulatory accounting system*”, that is drawn up by an independent audit firm and attests the compliance of the above-mentioned document with the provisions of 0.

Measure 56 Overview of regulatory accounting

56.1 General principles

1. The quantities that are referred to in the overview under 55.2 (f) are identified here below.

56.2 Cost/revenue centres

1. The cost/revenue centres, which are represented in the columns of the spreadsheet in the overview referred to under 55.2 (f), are related to the type of activity carried out by the airport managing body, as follows:

- ▶ airport activities:
- charging centres:
 - passenger boarding charges;
 - landing and take-off charges;
 - aircraft parking charges;
 - freight loading and unloading charges;
 - security check hand baggage;
 - security check hold baggage;
 - centralised infrastructure;
 - goods for exclusive use;
 - goods for common use;
 - assistance to persons with reduced mobility;
 - ground handling assistance on an exclusive basis;

- ▶ ancillary activities:
- competitive ground handling;
- ancillary activities directly supplied by the managing body:
 - food & beverage;
 - retail;
 - other ancillary activities;
- ancillary activities under sub-concession to third parties:
 - food & beverage;
 - retail;
 - offices and other premises;
 - other ancillary activities;
- advertising;
- parking lots;
- other ancillary activities;

- ▶ incentive activities
- ▶ non- relevant activities.

56.3 Technical and economic components

1. On the other hand, the economic components, which are represented in the lines of the a.m. spreadsheet, are related to the necessary level of knowledge, by the Authority, for the verifications falling within its remit concerning the compliance with the relevant economic regulatory model:

► Value of production:

- revenues from sales and services;
- change in inventory of work in progress, semifinished goods [...] and finished goods
- change in contract work in progress;
- internally generated fixed assets;
- other income and revenue, with evidence of grants related to income and grants for expenditure on property, plant and equipment;

► Cost of production

- for raw materials, consumables and goods, with evidence of cleaning, ordinary maintenance;
- for services, with evidence of cleaning, ordinary maintenance and utilities;
- for use of third-party assets;
- for staff, with evidence of cleaning, ordinary maintenance and administration;
- changes in inventories for raw materials, consumables and goods;
- miscellaneous operating charges, with details of concession fees, safety and fire services;
- asset depreciation:
 - of self-financed intangible fixed assets;
 - of intangible fixed assets financed by eligible public contributions;
 - of self-financed tangible fixed assets;
 - of tangible fixed assets financed by eligible public contributions;
- devaluations;
- provisions for risks;
- other reserves;
- financial charges;

► Net Invested Capital

- fixed assets
 - relating to self-financed intangible fixed assets;
 - relating to intangible fixed assets financed by eligible public contributions;
 - relating to self-financed tangible fixed assets;
 - relating to tangible fixed assets financed by eligible public contributions;
- account receivables;
- account payables;
- work in progress;

► Other technical and economic information

- staff units (full time equivalent — FTE).
- details of utilities.
- details of consolidation.

PART VI INCENTIVES TO AIR TRANSPORT ACTIVITIES

Measure 57 Incentives to air transport activities

1. Incentive activities, as outlined under definition 6 in 0 of this regulatory act, may include marketing, sales promotion and/or tourism activities or other equivalent initiatives.
2. Irrespective of the form of provision and beneficiaries, the incentives to air transport activities may not originate costs that are attributable to airport activities and shall be reported separately in the regulatory accounting, as indicated in 0.
3. Incentives to air transport activities shall be provided by the managing body in compliance with the principles of transparency and non-discrimination and with the principles and criteria laid down in the existing applicable national and EU legislation.
4. In the consultation with users, the managing body shall make available, among the documents provided upon launching the procedure, information on the policy for the payment of contributions to the air transport activities that are planned to be implemented, in whatever form, in the regulatory period, in accordance with the relevant principles and criteria laid down in the applicable national and EU legislation. A policy consists of one or more incentive schemes, each specifying, in particular:
 - (i) type of incentive, with identification of routes to be incentivised, traffic targets or other purpose of the incentive;
 - (ii) overall duration of each incentive (annual, infra-annual or multiannual);
 - (iii) amount of contributions, subsidies or any other form of payment or economic benefit related to each incentive;
 - (iv) type of recipients of such incentives.
5. In the consultation with users, the managing body shall further provide information on:
 - (i) total amount of incentives provided by the managing body in the base year and quantification of the related WLU;
 - (ii) tourism and/or sales promotion policies and/or campaigns that are already in place on the date of the consultation and will continue during the regulatory period covered by the consultation, specifying expiry date of each incentive and type of incentive.
6. Where the managing body intends to modify the policy on the incentives to air transport activities during the regulatory period, the new incentive schemes, including the specifications referred to under 4, shall be promptly communicated to the carriers operating in the airport, and to those operating in the previous year.
7. The managing body shall make available on its website the updated information on the incentive policy to the air transport activities referred to under 4, allowing a reasonable period for carriers to submit their applications; in any case, this period shall not be less than 30 days after publication of the incentive scheme.
8. As part of the annual reporting to be provided to the Authority, as indicated in 0, the managing body shall provide details of the incentives provided to air carriers, either directly or indirectly, in the form of grants, subsidies or any other contributions. In addition, a report shall be attached to complete the information, specifying as follows:
 - i. type of each incentive, with identification of the routes incentivised, traffic targets or objectives concerning any other declared purpose of the incentive, or — in the case of incentives relating to

- marketing or tourism and/or sales promotion initiatives — a specific indication of the target for which the incentives are provided;
- ii. sources of each incentive, including their consistency with existing national and EU legislation, in particular concerning EU competition regulations and — where applicable — State aid;
 - iii. preliminary documentation — where applicable — in support of the findings, whether favourable or not, of the private economic operator principle (MEO test) in accordance with the Communication 2014/C 99/03 of the European Commission on State aid to airports and airlines;
 - iv. in compliance with the obligation of transparency and equal accessibility that is applicable to all incentive schemes for air carriers, documentation on the procedures for granting the incentives, in the form of grants, subsidies or any other payments to air carriers for the purpose of starting up and developing routes that are intended to meet and promote demand in the respective catchment areas and in the airport area, and in particular:
 - a. evidence of the website publication on the policies adopted, specifying the purpose/subject, access requirements, length and expected amount, recipient companies;
 - b. number of applications for each incentive scheme;
 - c. number of exclusions and justification for exclusions.

PART VII SERVICE LEVEL AGREEMENTS (SLA)

Measure 58 Principles and criteria for the conclusion of SLA

With regard to the negotiation of service level agreements (SLA), as referred to under Measure 4.1.1, the managing body and the users shall take into account the following general principles:

- c) service level agreements shall include systems providing for performance obligations of the managing body, taking into account, where appropriate, a minimum level of performance to be requested from users, with a view to a clear and precise allocation of responsibilities between the different actors involved in the different processes and to their effective cooperation;
- d) for each service included in the proposed SLA, the target value of the service level indicator chosen for the application of penalties may provide for a gradual efficiency improvement in the regulatory period, based on criteria of competitiveness and sustainability, compared to the current performance of the entity carrying out the service. This target value shall be expressed as a percentage and cannot, as a rule, be 100%;
- e) for the purpose of the agreement, the managing body shall provide users with any possible information on past performance in relation to the services included in the proposed SLA;
- f) the agreement shall set out the arrangements for monitoring the service level indicators contained therein, in accordance with criteria of transparency and objectivity;
- g) any settlement of the penalties, that are payable by the managing body to individual airport users on the basis of the service level agreement shall be released and independent from the settlement of the airport charges payable by the users to the airport managing body for the use of airport services.

PART VIII TRANSITIONAL AND FINAL PROVISIONS

Measure 59 Final provisions

1. This regulatory act shall apply from the 1st of July 2021, for the purpose of initiating the review procedures from this date.
2. The airport managing body is, in any case, subject to the reporting requirements laid down in Parts V and VI of this regulatory act, irrespective of the initiation of the procedure for the review of airport charges hereunder.

Measure 60 Provisions on the entry into force with regard to the programme contracts referred to in Article 17 (34a) of Decree-law no 78/2009

3. With regard to the airports governed by the programme contracts referred to in Article 17 (34) (a) of Decree-law No 78/2009, the economic regulatory measures referred to herein may be applied through the conclusion of addendums for the review of contractual arrangements or other agreement between the awarding entity and the concessionaire, in accordance with the principles set out in Articles 71 through 82 of Decree-law no 1/2012.
4. For the airports referred to in paragraph 1, the supervisory functions referred to in Article 80 of Decree-law no 1/2012 shall be exercised by the Authority as of the date of entry into force of Law no 37/2019, including with reference to the procedures for annual determination of the regulated charges and the associated dispute settlement procedures, in accordance with the modalities and terms of this regulatory act.

ANNEXES

ANNEX 1 **FORMAT: Proposal for review of airport charges — Notice of launch of consultation for airports referred to in Model A**

Autorità di Regolazione dei Trasporti
Via Nizza 230
10126 Torino

Subject: Proposal for review of airport charges — Notice of launch of user consultation

I, the undersigned ___, on behalf of the company ___, concession holder for the management of the airports ___, hereby notify the Authority that the opening of the consultation of its airport users on the proposed review of airport charges for the regulatory period ___/___ has been scheduled on ___.

For this purpose, and in accordance with the relevant Model, the company has drawn up the consultation document, including, *inter alia*, the proposed review of airport charges, and the related additional supporting documents.

This documentation is attached hereto in computer readable format, together with the necessary information for the Authority to carry out its checks on the correct application of the regulatory measures.

On the above date, the undersigned company will notify the users of the launch of the consultation on the proposed review of airport charges and will make available, with confidential online access, the consultation document and related annexes by providing users with prior notice of the public hearing that is scheduled on ___.

We hereby ask the Authority to formalise for the airport (s) of ___ the launch of the procedure concerning the review of airport charges, by giving notice of the communication received on its website.

Date ____
(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

ANNEX 2 **FORMAT: Proposal for review of airport charges — Notice of launch of consultation for airport networks**

Autorità di Regolazione dei Trasporti
Via Nizza 230
10126 Torino

Subject: Proposal for review of airport charges — Notice of launch of consultation for airport networks

I, the undersigned ____, on behalf of the company ____, concession holder for the management of the airport (s) ____, hereby notify the Authority that the opening of the consultation of its airport users on the proposed review of airport charges for the regulatory period ____/____ has been scheduled on ____.

In this respect please be informed that the main airport of the network is ____.

For this purpose, and in accordance with the relevant Model, the company has drawn up the consultation document, including, *inter alia*, the proposal of review of airport charges, and the related additional supporting documents.

This documentation is attached hereto in computer readable format, together with the information that is necessary for the Authority to carry out its checks on the correct application of the regulatory measures.

On the above date, the undersigned company will notify the users of the launch of the consultation on the proposed review of airport charges and will make available the consultation document and related annexes, with confidential online access, by providing users with prior notice of the public hearing that is scheduled on ____.

We hereby ask the Authority to formalise for the airport (s) of ____ the launch of the procedure concerning the review of airport charges, by giving notice of the communication received on its website.

Date ____
(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

ANNEX 3 FORMAT: Proposal for review of airport charges — Request for authorization to apply a common and transparent airport charging system under Article 74 (3) of Decree-law no 1/2012

Subject: Proposal for review of airport charges — Request for authorization to apply a common and transparent airport charging system under Article 74 (3) of Decree-law no 1/2012

I, the undersigned ___, with reference to the airports ___, hereby submit to the Authority the request to apply a common and transparent airport charging system to these airports in accordance with Article 74 (3) of Decree-law no 1/2012.

For this purpose, in accordance with the measures concerning the regulation of airport systems, please find hereby enclosed the traffic distribution plan of the airport system, as well as the documents referred to under the relevant models for each airport concerning, in particular:

1. *costing* models for each airport falling under the system;
2. *pricing* model to be applied to the airport system.

This documentation is attached hereto in computer readable format, together with the information that is necessary for the Authority to exercise the functions within its remit.

We hereby ask the Authority to assess this proposal and give notice thereof on its website.

Date ____
(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

ANNEX 4 **FORMAT: Proposal for review of airport charges — Notice of launch of consultation for airport systems**

Transport Regulation Authority
Via Nizza 230
10126 Torino

Subject: Proposal for review of airport charges — Notice of launch of consultation for the airport system of _____

I, the undersigned ____, with reference to the airport system of _____, as authorised by the Authority to apply a transparent and common charging system in accordance with Article 74 (3) of Decree-law no 1/2012, hereby notify the Authority that the launch of the consultation with the users of the airport system on the proposed review of airport charges for the regulatory period ____/____ has been scheduled on ____.

For this purpose, and in accordance with the relevant Model, the company has drawn up the consultation document, including, *inter alia*, the proposed review of airport charges, and the related additional supporting documents.

This documentation is attached hereto in computer readable format, together with the information that is necessary for the Authority to carry out its checks on the correct application of the regulatory measures.

On the above date, the undersigned company will notify the airport users of the launch of the consultation on the proposed review of airport charges and will make available, with confidential online access, the consultation document and related annexes by providing users with prior notice of the public hearing that is scheduled on ____.

We hereby ask the Authority to formalise for the airport system of _____ the launch of the procedure concerning the review of airport charges, by giving notice of the communication received on its website.

Date ____
(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

ANNEX 5 FORMAT: Proposal for review of airport charges — Notice of launch of consultation for airports under Model B

Autorità di Regolazione dei Trasporti
Via Nizza 230
10126 Torino

Subject: Proposal for review of airport charges — Notice of launch of user consultation

I, the undersigned ____, on behalf of the company ____, concession holder for the management of the airport ____, hereby notify the Authority that the opening of the consultation with its airport users on the proposed review of airport charges has been scheduled on ____.

For this purpose, and in accordance with the relevant Model, the company has drawn up the consultation document, including, *inter alia*, the proposed review of airport charges, and the related additional supporting documents.

This documentation is attached hereto in computer readable format, together with the necessary information for the Authority to carry out its checks on the correct application of the regulatory measures.

On the above date, the undersigned company will notify the users of the launch of the consultation on the proposed review of airport charges and will make available, with confidential online access, the consultation document and related annexes.

We hereby ask the Authority to formalise for the airport (s) of ____ the launch of the procedure concerning the review of airport charges, by giving notice of the communication received on its website.

Date ____

(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

ANNEX 6 **FORMAT: Proposal for review of airport charges — Submission for airports under Model A**

Autorità di Regolazione dei Trasporti
Via Nizza 230
10126 Torino

Subject: Proposal for review of airport charges — Submission

I, the undersigned ____, on behalf of the company ____, concession holder for the management of the airport (s) ____, hereby notify the Authority that the consultation procedure on the proposed review of airport charges for the regulatory period ____/____, as already sent on ____ by letter ref. ____ notifying the launch of the user consultation, was closed on ____.

For this purpose, and in accordance with the relevant regulatory model, the undersigned hereby submits to the Authority the final proposal that has been drawn up at the end of the procedure, together with full copy, in computer readable format, of the documents concerning the conduct of the consultation, including the minutes of the public hearings. Further attached hereto is the updated information in computer readable format, as compared to the information originally submitted, that is necessary for the Authority to carry out its checks on the correct application of the Model.

[in case of agreement]

In this respect, I hereby declare that an agreement was reached with airport users on the final proposal. Therefore, the company will publish the final proposal on ____.

[in case of non-agreement]

In this respect, I hereby declare that no substantial agreement was reached with airport users on the final proposal, as per the attached report setting out the issues on which divergent positions remain, with a statement of the reasons supporting the conflicting positions on individual issues. Therefore, the company will publish the final proposal in compliance with the terms and conditions under Measure 4 of Model A and Measure 37 on regulatory principles and criteria for airport networks and systems.

With reference to the above information and to the documents submitted together with this note, we hereby ask the Authority to carry out the activities within its remit in accordance with the regulatory airport charges model.

Date ____
(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

ANNEX 7 FORMAT: Proposal for review of airport charges — Submission for airports under Model B

Autorità di Regolazione dei Trasporti
Via Nizza 230
10126 Torino

Subject: Proposal for review of airport charges —Submission

I, the undersigned ____, on behalf of the company ____, concession holder for the management of the airport ____, hereby notify the Authority that the consultation procedure on the proposed review of airport charges for the regulatory period ____/____, as already sent on ____ by letter ref. ____ notifying the launch of the user consultation, was closed on ____.

For this purpose, and in accordance with the relevant regulatory model, the undersigned hereby submits to the Authority the final proposal that has been drawn up at the end of the procedure, together with full copy, in computer readable format, of the documents provided for in the Model. Further attached hereto is the updated information in computer readable format, as compared to the information originally submitted, that is necessary for the Authority to carry out its checks on the correct application of the Model.

With reference to the above information and to the documents submitted together with this note, we hereby ask the Authority to carry out the activities within its remit in accordance with the regulatory airport charges model.

Date ____
(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

ANNEX 8 EXAMPLE: List of services and infrastructure provided in return for charges and other fees subject to regulation

| SERVICE PROVIDED | PARAMETER | FACILITIES INFRASTRUCTURE | SERVICES |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|----------|
| Landing and take-off charges (Article 2, Law no 324/76, as amended) | Maximum tons at take-off | Runways; Taxiways and holding bays; Airport markings and signs (runways and taxiways) and related airfield lighting; —; | —; |
| Aircraft parking and hangar charges (Article 2, Law no 324/76, as amended) | Maximum tons at take-off | —; | —; |
| Passenger boarding charges (Article 5, Law no. 324/76, as amended) | Number of paying departing passengers | —; | —; |
| Freight loading and unloading charges (Decree-law no 47/74, converted by Law No 117/74) | Freight weight | —; | —; |
| Charge for security check on passengers and related cabin baggage (Article 5 (3) of Decree-law no 9/92 converted into Law No 217/92 and Ministerial Decree No 85/99) | Number of paying departing passengers | —; | —; |
| Charge for security check on hold baggage (Article 5 (3) of Decree-law no 9/92 converted into Law No 217/92 and Ministerial Decree no 85/99) | Number of paying departing passengers | —; | —; |
| Charges for the use of ▪ check-in desks: - with conveyor, - without conveyor, - for transit; - for information (Article 10 of legislative decree no 18/99) | Running time and square metre | —; | —; |
| Charges for the use of: ▪ offices; ▪ operating rooms for ground handling and air transport; ▪ operating areas for ground handling and air transport (Article 10 of Legislative decree no 18/99) | Square metre, location, type | —; | —; |

| SERVICE PROVIDED | PARAMETER | FACILITIES INFRASTRUCTURE | SERVICES |
|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|------------------------------|----------|
| Charges for fuel delivery areas (Article 10 of Legislative decree no 18/99) Provision of fuel delivery areas | Square metre | —; | —; |
| Charges for passenger assistance to disabled persons or persons with reduced mobility | Number of paying departing passengers (PRM or not) | —; | —; |
| Charges for use of passenger loading bridges (Article 10 of Legislative decree no 18/99) | Bridge by type and parking time | —; | —; |
| Charges for use of centralised facilities for storage of goods (Article 10 of Legislative decree no 18/99) | Freight weight | —; | —; |

ANNEX 9 **FORMAT: REQUEST TO THE AUTHORITY FOR DISPUTE RESOLUTION**

Note: Purpose of this format is to facilitate access to the procedures of appeal to the Transport Regulation Authority for the performance of its supervision on access conditions to airport infrastructure, operation of airport charges system, amount of charges and quality of services provided to users, pursuant to the provisions of Directive 2009/12/EC, Decree-law no 1/2012 transposing the Directive into domestic legislation, Legislative decree no 201/2011, and to the measures of the applicable charging model.

TO BE ACCEPTED THE APPLICATION SHALL BE COMPLETED IN FULL.

TO THE TRANSPORT REGULATION AUTHORITY

I — REQUEST LODGED BY

Company name, legal representative, registered office, tax number, domicile of choice, fax and certified e-mail.

II — AGAINST

Company name, legal representative, registered office

III — DEED/CONTRACT UNDER DISPUTE

IV — SUBJECT-MATTER OF THE DISPUTE:

V — Reasons giving rise to the dispute:

(Technical, economic, legal) basis of the request

VI — FACTS

VII — PREVIOUS ATTEMPTS TO REACH AN AGREEMENT OR SETTLE THE DISPUTE

VIII — OUTCOME OF PREVIOUS ATTEMPTS TO REACH AN AGREEMENT OR SETTLE THE DISPUTE

IX — REQUESTS ADDRESSED TO THE AUTHORITY

X — DOCUMENTS ATTACHED IN SUPPORT OF THE REQUEST

(please attach only copies of supporting documents; the documents that are relevant for the discussion may be produced at the hearing)

XI — OTHER DOCUMENTS TO BE LODGED

Copy of identity document of the user concerned (mandatory)

Self-certification or personal sworn declaration

(I, the undersigned, for the purpose of Articles 46 and 47 of Presidential Decree no 445/2000, aware of the legal consequences in case of false statements in accordance with Article 76 of the above Presidential Decree, hereby declare that the information provided in this form is true). Place and date

PROXY

(The undersigned hereby delegates Mr/Ms _____, born in _____ on _____ to represent him/her at the hearing on _____, granting him/her for this purpose all the powers granted by law, including the power to reach agreements and settle disputes). Place and date

INFORMATION FOR THE PROCESSING OF LODGED DOCUMENTS

Place and Date

(signature) *

* (signature of legal representative or other duly authorised person with special power of attorney, granted by public deed or by authenticated contract)

INFORMATION ON THE PROCESSING OF PERSONAL DATA

The data provided under this FORMAT will be processed by manual, computerised or electronic tools for the purpose of dispute resolution. The information on data controller and data protection officer are available on the Authority's website. The data subject may, at any time, address the data controller in order to verify, rectify, update, delete its data or object to its processing, if it is carried out in breach of the law.

ANNEX 10 METHODOLOGY FOR SETTING EFFICIENCY TARGETS

In order to determine the overall rate of potential efficiency improvement X^* and the indicator of potential productivity improvement X_t under Measure 3.1.1 (2) (f), as referred to under Measure 1 and Measure 1, the Authority applies the Stochastic Frontier Analysis (SFA) to identify the curve of efficient operating cost, on the basis of the latest available dataset including the economic and technical data of the airport managing bodies open to commercial traffic with a traffic above 1 million passengers per year, as assessed on the basis of the average annual passengers carried over the last two years, for which data is available³⁷.

(i) Airport database

The dataset includes data from all Italian airport managing bodies that are open to commercial traffic since 2013³⁸ and is updated annually on the basis of the regulatory accounting reports and is supplemented by additional information based on ISTAT data (resident population), Assaeroporti (monthly passengers and transits), ENAC (BRI index), MeteoNetwork (weather data). The formats for the online data acquisition referred to in the regulatory accounting formats shall be those referred to in Part V.2.

(ii) SFA model adopted by the Authority

The operating cost function applied is as follows:

$$C_{it} = f(wlu_{it}, pl_{it}, po_{it}, kb_{it}, H_{it})$$

where:

- i each airport in the sample; with values ranging from 1 to N , where N is the number of the airports considered (with annual passengers exceeding 1 million, as an average of the last two years³⁹);
- T year of data collection, with $t = 1, 2, \dots, T$ where T is the number of years identified in the dataset;
- C_{it} total operating costs of i -th airport in year t that are allowed for charging purposes as referred to under Measure 9 for the services subject to regulation pursuant to Decree-law no 1/2012 for the production of regulated activities only (as referred under definition 4), net of the costs for concession fees, fire service and security. This variable is given by the amount of the following cost items:
 - cost of labour: personnel costs;
 - other operating costs: acquisition costs of other services from third parties (including ordinary maintenance and security), use of third-party assets, raw materials (including those for ordinary maintenance), other operating charges.
- pl_{it} unit price of labour (given by the cost of labour divided by the so-called full-time equivalent units (hereinafter also FTE), both values being referred to all the regulated and non-regulated activities pertaining to airport management);

³⁷ For the purpose of the average actual traffic, both inbound and outbound, reference is made to the annual statistics published on ENAC's website and, where these are not available, to those published on the website of Assaeroporti.

³⁸ The dataset includes the data requested to 42 airport managing bodies broken down by 6 types: 1. general: details of company and concession, totaling 21 variables; 2. technical, traffic- and quality-related, totaling 168 variables for each year; 3. investments, totaling 11 variables per year; 4. economic: opex and capex for cost centres represented by regulated services and other services or activities, and their reconciliation with balance sheet data, totaling 954 pieces of information per year; 5. incentives to air transport activities: information by route and company (from 2015 to 2017); 6. capacity: concerning air-side infrastructures and passenger terminals broken down by different sub-systems totaling 35 pieces of information, for 2013 and 2017 (cf. also the regulatory impact assessment (RIA) scheme, attached to the consultation document, referred to in Decision no 118/2019, section C.4). The current timeframe covers 5 years (2013-2017).

³⁹ On the basis of the airport dataset updated as at 2017, the number of airports considered is 22.

- po_{it} unit price of other inputs (given by the cost of other inputs — determined as the difference between total operating costs and labour costs, both values being referred to all the regulated and non-regulated activities — divided by the sq.m. of the airport area covering only regulated products);
- wlu_{it} output of i -th airport in a given year t , given by the number of passengers and quintals of transported goods;
- kb_{it} fixed input represented by the theoretical maximum capacity, i.e. the theoretical maximum number of movements per hour;
- H_{it} carrier containing a set of control variables of i -th airport, that are related to:
- structural variables (length of runways in use, sq.m. of runways, sq.m. of pax terminal, sq.m. of taxiways, no of gates);
 - size of demand of catchment area;
 - operational characteristics (airport system; airport with programme agreements in derogation; airport with capacity constraints; pax density on pax terminal, incidence of commercial activity);
 - characteristics of traffic flows (% international pax, % extra-EU pax, seasonality);
 - level of competition (presence vs absence of any other airport with traffic above 200,000 passengers per year, that is accessible within one hour and is not managed by the same airport managing body; concentration index, CR4, covering the first four major carriers per airport, existing AV services);
 - weather data (annual maximum daily rainfall (mm/sq.m.), annual daily cumulative rainfall, average daily maximum wind speed (km/h));
 - wildlife strike (BRI);
 - time dummies.

Further variables from ART's dataset were tested; these variables, however, were not used in the estimates due to, *inter alia*, lack of data homogeneity and/or high correlation with other variables in the specifications, but they may be included in the analyses when the dataset is updated.

The economic variables were adjusted by the effect of inflation by using the harmonised index of consumer prices (HICP), with base year 2017. Variables were normalised against the median value⁴⁰ so as to interpret the output and price coefficient as elasticity at the point of approximation. The theoretical condition of linear homogeneity (+ 1) is ensured by normalisation of costs and prices through the price of other inputs.

The variables listed above were introduced iteratively so as not to have, in the same regression, highly correlated variables and in order to better identify the cost function of the sector.

The variables and their definition are fully reported in Table 5.

The translogarithmic function is used for the form of the operating cost function, based on the following formula:

$$\ln \frac{C_{it}}{po_{it}} = \alpha + \sum_r \beta_r \ln x_{itr} + \frac{1}{2 \sum_r \delta_r \ln x_{itr}^2} + \sum_r \sum_s \gamma_{rs} \ln x_{itr} \ln x_{its} + \sum_j j_j h_{itj} + \varepsilon_{it}$$

where:

⁴⁰ The variables expressed in logs were divided by their respective median value, while, for the variables expressed as a percentage, the normalisation was carried out through subtraction of the respective median value.

- β_r coefficients reflecting the cost elasticity compared to the variables x_{itr} , measured at the point of approximation, with $r = wlu, pl, kb$;
- δ_r coefficients of quadratic terms relating to the interactions of the translog function in relation to the factors x_{itr} with $r = wlu, pl, kb$;
- γ_{rs} coefficients of the terms relating to the interactions of the translog function in relation to the factors x_{itr} with $r, s = wlu, pl, kb$ and $r \neq s$;
- j_j coefficient of control variable j (including time), with $j = 1, 2, \dots, J$, where J is the number of control variables.

The stochastic part of function ε_{it} includes both time-invariant panel models, where inefficiency, that may vary across companies, is the expression of a random variable that remains constant over time, and time-varying panel models, where inefficiency changes over time also in a differentiated manner for each company.

For the first group of models, the Authority applies the panel model by Pitt and Lee (1981), where the distribution of inefficiency u_i follows a half-normal distribution:

$$\begin{aligned}\varepsilon_{it} &= v_{it} + u_i \\ v_{it} &\sim \mathcal{N}(0, \sigma_v^2) \\ u_i &\sim \mathcal{N}^+(0, \sigma_u^2)\end{aligned}$$

The second group of time-varying panel models includes the true random effect model (Greene, 2005), where the specificities that are not observed and constant over time, outside the production process, are considered by assuming that the stochastic component includes an indexed constant factor per operator α_i , as follows:

$$\begin{aligned}\varepsilon_{it} &= \alpha_i + v_{it} + u_{it} \\ v_{it} &\sim \mathcal{N}(0, \sigma_v^2) \\ u_{it} &\sim \mathcal{N}^+(0, \sigma_u^2)\end{aligned}$$

In order to identify the cost function representing the sector, and balance the results resulting from the application of the two models, an equal number of specifications is used for Pitt and Lee model (1981) and for Greene model (2005).

The overall rate of efficiency improvement X_i^* is calculated for each airport as an average of its single distances from efficient frontiers resulting from the implementation of the different time-invariant and time-varying panel models.

As a rule, starting with the estimate of the overall rate of potential efficiency improvement X_i^* , and by assuming a five-year improvement period, the single value of potential annual productivity improvement, X_{it} , that is constant throughout the five-year period, shall be calculated in accordance with the following formula:

$$\prod_{t=1}^5 (1 - X_{it}) = 1 - X^*, X_{it} > 0$$

Table 5 — Variables used in the regressions of SFA model and their definition

| Variable | Definition | Source |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| output: WLU | <i>sum of no of pax and no of quintals of goods (loaded and unloaded)</i> | Airports |
| price of labour | <i>cost of labour/FTE, total activities of managing body</i> | Airports |
| price of other inputs | <i>cost of other inputs, total activities/sq.m. of airport area (airport area only with activities of managing body)</i> | Airports |
| fixed input: capital | <i>no of hourly max movements (adjusted for Linate)</i> | Airports |
| Structural variables | | |
| length of runways in use | <i>mt of runways in use</i> | Airports |
| runway length | <i>sq.m. of runways in use and not</i> | Airports |
| pax terminal | <i>sq.m. of pax terminal</i> | Airports |
| parking areas length | <i>sq.m. of parking areas</i> | Airports |
| taxiways length | <i>sq.m.</i> | Airports |
| gates | <i>no of gates</i> | Airports |
| Characteristics of demand | | |
| demand in catchment area | <i>province population (proxy)</i> | Airports |
| Operational characteristics | | |
| capacity constraints | <i>dummy capacity constraint (Linate, Ciampino, Naples)</i> | ART on ENAC data |
| airport under derogation | <i>dummy airport under derogation</i> | ART |
| airport part of a system | <i>dummy airport part of a system</i> | ART |
| density of use of pax terminal | <i>no of pax/sq.m. of pax terminal</i> | ART on data supplied by airports |
| impact of commercial activities | <i>commercial revenue/total income</i> | ART on data supplied by airports |
| Traffic patterns | | |
| international pax | <i>% international pax</i> | Airports |
| non-EU pax | <i>% non-EU pax</i> | Airports |
| seasonality | <i>seasonality dummy (0: no seasonality; 1: at least one month with pax > 150 % monthly average of pax per year)</i> | ART on data supplied by Assaeroporti |
| Level of competition | | |
| another airport same catchment area | <i>dummy variable (presence vs absence of any other airport with traffic above 200,000 passengers per year, accessible within one hour and not managed by the same airport managing body)</i> | ART |
| AV services | <i>dummy variable (0: no AV services; 1: AV services of provincial capital of the airport)</i> | ART |
| CR4 | <i>amount of pax traffic shares of the first 4 major carriers</i> | ENAC |
| Weather variables | | |
| average daily maximum wind speed | <i>average daily maximum wind speed (km/h)</i> | MeteoNetwork |
| maximum annual daily rainfall | <i>maximum annual daily rainfall (mm/sq.m.)</i> | MeteoNetwork |
| annual daily accumulated rainfall | <i>annual daily accumulated rainfall (mm/sq.m.)</i> | MeteoNetwork |
| Other control variables | | |
| birdstrike risk index | <i>BRI (ENAC APT — 01B, 23-12-2011)</i> | ENAC |
| time dummy variables | <i>year dummy variable</i> | ART |

ANNEX 11 KEY PERFORMANCE INDICATORS (KPI)

Table 6 — Examples of key performance indicators

| Area | Code | KPI |
|---------------------------|------|-----------------------------------------------------|
| Cost efficiency | E0 | operating costs per output unit |
| | E1 | maintenance costs per output unit |
| | E2 | maintenance costs per operating costs |
| | E3 | cleaning costs per output unit |
| | E4 | cleaning costs per operating costs |
| | E5 | utilities costs per output unit |
| | E6 | utilities costs per operating costs |
| Revenue efficiency | F1 | revenue per output unit |
| | F2 | revenue on number of employees |
| | F3 | revenue from ancillary activity per output unit |
| | F4 | total revenue per output unit |
| | F5 | total revenue on total no of employees |
| | F6 | Gross operating margin per output unit |
| | F7 | Gross operating margin on number of employees |
| | F8 | Gross operating margin on revenue |
| | F9 | Total gross operating margin on total revenue |
| | F10 | property, plant and equipment per revenue |
| | F11 | property, plant and equipment per total revenue |
| Productivity | P1 | labour costs per output unit |
| | P2 | labour costs per operating costs |
| | P3 | labour costs on number of employees |
| | P4 | operating costs on number of employees |
| | P5 | output unit per number of employees |
| | P6 | pax per no of pax movements |
| | P7 | freight per no of freight movements (full cargo) |
| Infrastructure efficiency | I1 | output unit per length of runways in use |
| | I2 | output unit per length of runways in use |
| | I3 | length of runways in use on total length of runways |

| Area | Code | KPI |
|---------------------------------------|------|-----------------------------------------------------------------------|
| | I4 | no of actual pax at peak time/max nominal seats offered per hour |
| | I5 | no of actual movements at peak time/max of nominal movements per hour |
| Environmental quality and performance | Q1 | average waiting time at security gates |
| | Q2 | average departure delay of commercial aviation movements (peak time) |
| | Q3 | average departure delay of commercial aviation movements (average) |
| | Q4 | average time of delivery of last bag |
| | Q5 | average time of delivery of first bag |
| | Q6 | taxi-out delay time (peak time) |
| | Q7 | taxi-out delay time (average) |
| | Q8 | average waiting time at check in (peak time) |
| | Q9 | average waiting time at check in (average) |
| | Q10 | gate delay compared to schedule (peak time) |
| | Q11 | gate delay compared to schedule (average) |
| | Q12 | aircraft COx emissions/no of movements |
| | Q13 | aircraft NOx emissions/no of movements |
| | Q14 | water consumption per pax |
| | Q15 | energy consumption per sq.m. of terminal |

Table 7 — Legend of KPI codes

| KPI code | Legend |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E0, E1, E3, E5, F1, F3, F4, F6, P1, P5, I1, I2 | output: passengers, tons of goods, pax movements, cargo movements, total movements, WLU, referred to air transport activities as a whole (commercial and general aviation) |
| E1, E2 | maintenance costs: total operating costs related to maintenance process, carried out in-house and/or by sub-contractors, including costs of labour and raw materials, related to the activities referred to under Decree-law no 1/2012 |
| E0, E2, E4, E6, P2, P4, | operating costs: total operating costs allowed for charging purposes relating to the activities under Decree-law no 1/2012, net of costs for concession fees, fire and security services. |
| E3, E4 | cleaning costs: total operating costs for cleaning, carried out in-house or by sub-contractors, including costs of labour and raw materials, relating to the activities under Decree-law no 1/2012 |
| E5, E6 | utilities cost: total utilities costs, relating to the activities referred to under Decree-law no 1/2012 |
| F1, F2, F8, F10 | revenue: revenue derived from the activities referred to under Decree-law no 1/2012 |
| F2, F7, P3, P4, P5 | number of employees: FTE for the activities referred to under Decree-law no 1/2012 |
| F3 | revenue from ancillary activities: i.e. revenue relating to ancillary activities |

| KPI code | Legend |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| F4, F5, F9, F11 | total revenue: total revenue from the activity of the managing body |
| F5, | total number of employees: total FTE |
| F6 | gross operating margin: income relating to the activities referred to under Decree-law no 1/2012 arising from operational management excluding interest, taxes, amortisation and depreciation of assets |
| F8, F9 | total gross operating margin: income related to all the activities of the managing body arising from operational management except interest, taxes, asset amortisation and depreciation |
| F10, F11 | property, plant and equipment: they include self-financed tangible and intangible assets |
| P1, P2, P3 | labour costs: total costs of personnel employed for the activities referred to under Decree-law no 1/2012 |
| I1 | metres of taxiways: total length of pre-determined routes of an aerodrome for aircraft taxiing to connect parts of the aerodrome |
| I2, I3 | length of runways in use: sum of lengths of runways in use |
| I3 | total runway length: total length of runways in use and not |
| I4 | no of actual pax at peak time: maximum passenger nos recorded in the hour of the 95 th percentile: after ordering the single hours of airport operation — on an annual basis — in terms of total number of movements (so that the 1 st hour represents the busiest one), the value of the hour representing 5% of the operation is assumed as a basis for calculation (e.g. if the latter is 24h-365d = 8760 h/year, it is the 8760-5% = 458 th hour) |
| I4 | max no of nominal seats offered per hour: maximum permissible number of seats offered/hour that is theoretically possible for the airport terminal, taking into account the mix of fleet and services other than passenger transport (related to the maximum number of nominal movements per hour) |
| tSI5 | number of actual movements at peak time: number of maximum movements recorded in the hour of the 95 th percentile: after ordering the single hours of airport operation — on an annual basis — in terms of total number of movements (so that the 1 st hour represents the busiest one), the value of the hour representing 5% of the operation is assumed as a basis for calculation (e.g. if the latter is 24h-365d = 8760 h/year, it is the 8760-5% = 458 th hour) |
| I5 | maximum number of nominal movements per hour: maximum permissible number of movements/hours that is theoretically possible for the airport, based on the following: <ul style="list-style-type: none"> - number and location of runways, taxiways and aprons - average time of runway occupancy - arrival and/or departure order - simultaneous presence of aircrafts on runway - separation distances between two flights for airspace use - fleet mix in terms of aircraft type - approach, landing and take-off operating procedures - any additional capacity constraints |
| Q1 | average time at security gates: calculated based on passenger's waiting time in minutes to reach radiogenic controls (from entering the queue to positioning hand luggage on baggage belt), as measured throughout the year* |
| Q2 | average departure delay of commercial aviation movements (peak time): delay in minutes compared to scheduled departure time |
| Q3 | average departure delay of commercial aviation movements (average): delay in minutes compared to scheduled departure time |
| Q4 | average delivery time of last bag: calculated based on the average delivery time in minutes of last bag measured throughout the year* |
| Q5 | average delivery time of first bag: calculated based on the average delivery time in minutes of first bag measured throughout the year* |
| Q6 | taxi-out delay time (peak time): taxiing departure delay in minutes compared to unimpeded taxiing time measured throughout the year* |
| Q7 | taxi-out delay time (average): taxiing departure delay in minutes compared to unimpeded taxiing time measured throughout the year* |

| KPI code | Legend |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Q8 | average check-in waiting time (peak time): calculated based on the passenger's average waiting time in minutes to reach check-in desks, measured throughout the year* |
| Q9 | average check-in waiting time (average): calculated based on the passenger's average waiting time in minutes to reach check-in desks as measured throughout the year* |
| Q10 | gate departure delay compared to scheduled time (peak time): calculated based on the average delay in minutes compared to scheduled departure time* |
| Q11 | gate departure delay compared to (average) scheduled time: calculated based on the average delay in minutes compared to scheduled departure time* |
| Q12 | aircraft COx emissions: total annual emission |
| Q13 | aircraft NOx emissions: total annual emission |
| Q14 | water consumption: cu.m. of yearly water consumption |
| Q15 | electricity consumption: kW of yearly electricity consumption |

* cf. Airports Council International (ACI), 'Guide to Airport Performance Measures', February 2012.

ANNEX 12 FORMAT: PERSONAL SWORN DECLARATION

Subject: Personal sworn declaration (Article 47 of Presidential Decree No 445 of 28 December 2000, as amended)

I, the undersigned ____, born at ____ on ____, resident in ____, no ____, tax code ____, being aware of the criminal penalties referred to in Article 76 of Presidential Decree No 445 of 28 December 2000, as amended, in case of false statements, and of the loss of the benefits that may have been obtained on the basis of false statements, as referred to in Article 75 of the aforementioned Presidential Decree; pursuant to Presidential Decree no 445/2000, as amended, on its own responsibility

HEREBY DECLARE

that the statements in the attached document, that has been sent by the airport managing body ____, and are referred to the undersigned, correspond to those expressed at the hearing held on ____ in ____.

I finally declare that I am informed in accordance with - and for the purposes of - Article 13 of Legislative decree no 196 of 30 June 2003, that the personal data collected will be processed, including by means of IT tools, only in the context of the procedure which this declaration is intended for.

Place ____

Date ____

(signature)

(Pursuant to - and for the purposes of - Article 38 of Presidential Decree No n45 of 28.12.2000, as amended, this declaration is signed and sent together with copy of the declarant's identity document, to the competent office by fax, by post or electronically, as provided for in Article 65 of Legislative decree no 82 of 7 March 2005.)

ANNEX 13 REGULATORY FINANCIAL PLAN TEMPLATE

| DATE AND FLAGS | | | | | | | | | | | |
|-----------------------------------------------------------------|----------|-------------------|-----|-----|------|--------|---|---|---|---|-----|
| Dates | | | | | | | | | | | |
| Year | year | | NPV | SUM | Base | Bridge | 1 | 2 | 3 | 4 | (5) |
| REGULATORY FINANCIAL PLAN | | | | | | | | | | | |
| General inputs | | | | | | | | | | | |
| Planned inflation | | | | | | | | | | | |
| Rate of efficiency improvement | | | | | | | | | | | |
| Rate of return on invested capital (WACC) | | | | | | | | | | | |
| Traffic volumes and initial charge | | | | | | | | | | | |
| Total production volumes | [tbd] | T * | | | | | | | | | |
| Average regulatory period | | | | | | | | | | | |
| Average unit charge | EUR/km | | | | | | | | | | |
| CHARGE COMPONENTS | | | | | | | | | | | |
| OPERATING CHARGE COMPONENT (TEUR) | | | | | | | | | | | |
| Total allowed operating costs (including ancillary activities) | EUR' 000 | A | | | | | | | | | |
| Extra-revenue from ancillary activities (deduction) | EUR' 000 | B | | | | | | | | | |
| Net allowed total operating costs | EUR' 000 | C = A + A + B | | | | | | | | | |
| Unit operating charge component | EUR' 000 | I | | | | | | | | | |
| Incremental operating costs from new investments | EUR' 000 | A " | | | | | | | | | |
| Incremental operating costs from new laws and regulations | EUR' 000 | A "' | | | | | | | | | |
| Incremental unit operating charge component | EUR' 000 | I' | | | | | | | | | |
| Total unit operating charge component | EUR' 000 | I' | | | | | | | | | |
| Total costs relating to operating charge component | EUR' 000 | | | | | | | | | | |
| CONSTRUCTION CHARGE COMPONENT (TEUR) | | | | | | | | | | | |
| NIC | | | | | | | | | | | |
| Works executed and not amortised of previous concession | EUR' 000 | J | | | | | | | | | |
| Reversible fixed assets as at 1/1 | EUR' 000 | K | | | | | | | | | |
| Work in progress as at 1/1 | EUR' 000 | L | | | | | | | | | |
| Residual value at end of concession | EUR' 000 | M | | | | | | | | | |
| Total construction net invested capital | EUR' 000 | N = J + K + L + M | | | | | | | | | |
| NIC annual amortisation | EUR' 000 | O | | | | | | | | | |
| NIC annual remuneration | EUR' 000 | P | | | | | | | | | |
| Total costs relating to construction charge component | EUR' 000 | Q = O + P | | | | | | | | | |
| Pure unit construction charge component | EUR' 000 | R = Q/T* | | | | | | | | | |
| Traffic revenue per construction charge component | | | | | | | | | | | |
| CHARGE COMPONENT FOR LEGISLATIVE REQUIREMENTS (TEUR) | | | | | | | | | | | |
| Total costs relating to charge component for additional charges | EUR' 000 | U | | | | | | | | | |
| Unit charge component for additional charges | EUR' 000 | V = U/T* | | | | | | | | | |
| Notional items (TEUR) | | | | | | | | | | | |
| Annual notional items | EUR' 000 | S | | | | | | | | | |
| CHARGE STRUCTURE | | | | | | | | | | | |
| AVERAGE UNIT CHARGE without notional items | | | | | | | | | | | |
| Linearised total average charge | | | | | | | | | | | |
| Annual change % average unit charge | | | | | | | | | | | |
| Estimated traffic revenue (without notional items) | | | | | | | | | | | |
| Estimated total costs | | | | | | | | | | | |
| AVERAGE UNIT CHARGE with notional items | | | | | | | | | | | |
| Initial average unit charge | | | | | | | | | | | |
| Annual percentage charge change | | | | | | | | | | | |
| Average unit charge evolution | | | | | | | | | | | |
| Estimated traffic revenue (with notional items) | | | | | | | | | | | |