courtesy translation – only the Italian text is authentic

Address by President Nicola Zaccheo

Senate of the Republic
7 September 2022

Distinguished Guests, Ladies and Gentlemen,

I wish to thank the President of the Senate for hosting us today in this magnificent hall. I also thank the representatives of Parliament and the Government, the civil and military authorities, all those attending today in person and those following us remotely.

The 9th Annual Report of the Authority

The address I am presenting today, in which I report to Parliament on the activities carried out by the Transport Regulation Authority, covers the period from 6 August 2021 to 15 June 2022. My fellow Board members, Carla Roncallo and Francesco Parola, with whom I have the honour of representing the Authority's Board, join me in these opening greetings.

***

The context: the end of the state of emergency

During the period covered by this Annual Report, the epidemiological emergency, which had so profoundly affected the previous two years, gradually subsided, culminating in the long-awaited end of the state of emergency.

The recovery in traffic volumes and passenger movements compared with 2020, although overall levels remained significantly below those recorded in 2019, is particularly evident in the aviation sector, where published data show a significant increase in traffic volumes since April 2022.
Overall, traffic volumes are recovering, although more precise data for the different modes of transport are still awaited. We hope that these will confirm the trend towards a rapid return to pre-pandemic levels.

However, the effects of the health emergency were not limited to the contraction of demand for public and collective transport services, but also had significant effects on citizens' habits and on the way mobility is perceived as a whole, accelerating processes already under way that will lead to radical economic and social changes.

The role of the Authority in the ecological and digital transition

Furthermore, in recent years, the transport sector has seen a growing drive towards the integration of public and private services, driven by the development of technological platforms. This trend has been accompanied by growing environmental awareness and recognition of the impact of transport-related activities on the environment and climate. This growing awareness has, in turn, been reflected in the strategic initiatives launched by the European Union since December 2019 with the European Green Deal, aimed at achieving climate neutrality in Europe by 2050.

The mobilisation of substantial public financial resources in response to the pandemic crisis has provided an opportunity for EU and national policymakers to rethink economic policies and the planning of objectives for the coming decades, a process that fundamentally concerns the very concept of mobility. In this context, it is therefore urgent to revisit and further develop the reflections undertaken in recent years on the impact of the digital and ecological transitions on transport regulation and, conversely, on how regulation can facilitate or support these transitions. These issues have acquired renewed relevance in light of the ongoing energy crisis.

We have therefore decided to devote the first part of the Annual Report to these "new forms of mobility", examining both the role of the Authority's regulation in supporting the ecological transition and developments relating to digital platforms, while reviewing the main regulatory measures adopted in these areas to date. This part also includes forward-looking reflections on possible future scenarios, to which I will return at the end of this address.

NRRP and mobility

The National Recovery and Resilience Plan (NRRP) forms part of this context and, within the framework of the EU strategic initiatives mentioned above, sets out specific objectives for mobility, particularly through investments and reforms aimed at developing a modern, digitalised infrastructure system suited to the specific characteristics of Italy.

In this respect, it is worth highlighting that ART's regulatory activity has, in some respects, anticipated certain measures under the NRRP, promoting the ecological transition in the transport sector through the adoption of regulatory measures with positive environmental externalities.

Through its regulatory activities, the Authority is ready to support the implementation of the reforms, including the pursuit of environmental sustainability and digital transition objectives, which are common to all areas covered by the Plan, with a view to achieving effective integration of different modes of transport: multimodal integration for passengers and intermodal integration for freight.

Reiterating a point I made in last year's Address to Parliament, I hope that the strengthening of antitrust enforcement and sectoral regulatory powers envisaged by the NRRP for ART (and the other national regulatory authorities) will be viewed in this light, while preserving their structural and functional independence. Let me take this opportunity to emphasise the fundamental importance of ensuring, particularly at this point in history, the full independence of independent administrative authorities, in the interests of all, and of rejecting any attempt to limit their autonomy.

* * *

The Annual Report

Let me now turn to the main activities carried out by the Authority during the reporting period, which are described in detail in the full version of the Annual Report.

Access to infrastructure

Airport infrastructure

Turning first to the regulation of access to infrastructure, in response to the uncertainty and economic instability caused by the COVID-19 pandemic, the Authority had already taken action in May 2021 to support the airport sector by adopting Decision No 68/2021. Under that Decision, the entry into force of the new airport charging models, approved by Decision No 136/2020, was deferred to 1 January 2023.

Regulatory Fitness Evaluation of Decision No 136/2020

In recent months, the Authority has launched the Regulatory Fitness Evaluation (RFE) provided for under the above-mentioned Decision No 68/2021, to assess the extent to which the objectives of the existing regulatory framework have been achieved, determine whether the framework remains appropriate, including in light of changes in market conditions, and identify any necessary amendments to Decision No 136/2020. I would like to emphasise that this is the first RFE conducted by ART since its establishment (ART being, it should be recalled, the most recently established independent regulatory authority). The current Board has decided to make systematic use of both a thorough Regulatory Impact Assessment (RIA) before introducing new regulatory measures and a Regulatory Fitness Evaluation when considering updates to existing regulatory decisions.

Following the completion of the RFE, with the adoption of Decision No 42/2022, the Authority initiated proceedings for a comprehensive revision of the airport charging models. A public consultation was therefore launched on the draft regulatory measures, allowing interested parties to submit comments and proposals on the document, which had also undergone a Regulatory Impact Assessment. The consultation has recently concluded, and the contributions received were subsequently discussed at a stakeholder hearing held before the summer break.

Finally, during the period under review, the Authority initiated close cooperation with the Italian Civil Aviation Authority (ENAC) regarding the charging models applicable to four of the five airports (Fiumicino, Ciampino, Malpensa and Linate) governed by specific programme contracts (so-called “in derogation”), with a view to extending ART’s regulatory powers to these airports.

Motorway infrastructure

Regarding access to motorway infrastructure, ART’s toll-setting system provides, *inter alia*, for efficiency and quality targets to be incorporated into the mechanisms for adjusting tolls, as well as for verification of actual investments against planned investments, with both elements directly affecting annual toll adjustments. To date,

however, the administrative procedures for incorporating the economic regulatory framework established by the Authority have been completed for only three of the 23 concessions for which ART has established the toll-setting system (Asti-Cuneo, SATAP A4 Torino-Milano and ASPI).

Approval procedures for motorway concession agreements

This situation is also due to the complexity of the approval procedures for updates to economic and financial plans and revisions to motorway concession agreements, which involve numerous public institutions besides ART, including the Interministerial Committee for Economic Planning and Sustainable Development (CIPESS), which issues its opinion within 30 days, after consulting the Advisory Unit for the Implementation of Guidelines on the Regulation of Public Utility Services NARS). The updates or revisions are then approved by an interministerial decree issued jointly by the Ministry of Sustainable Infrastructure and Mobility (MIMS) and the Ministry of Economy and Finance (MEF). The decree is subsequently subject to prior review by the Court of Auditors to verify its accounting regularity.

Furthermore, in some cases, the exercise of these responsibilities is significantly staggered over time, making it difficult to distinguish the intentions and outcomes of the actions taken by the various parties involved in different capacities (awarding authorities, supervisory bodies and ART).

By way of example, in relation to the contractual relationship with ASPI, the Authority issued its opinion on 14 October 2020, CIPESS adopted its Decision concerning the third amendment on 22 December 2021, and the interministerial decree dated 22 February 2022 was registered by the Court of Auditors on 17 March 2022. In the coming months, the Authority will exercise its supervisory powers, with its customary rigour and thoroughness, in relation to all the acts adopted in the course of these proceedings and, in any event, when examining the proposal for the annual toll

adjustment, which the motorway concessionaire may submit to MIMS by 15 October.

Procedural simplification

In my view, it would be appropriate to consider simplifying the above procedure, also in light of the objectives set out in Measure M1C2-11 in the Annex to the Council Implementing Decision approving the assessment of Italy's NRRP, which provides for the achievement, through the 2022 and 2023 annual competition laws and within strict implementation deadlines, of targets and objectives in the "transport/motorways" sector. In this respect, for example, the role of NARS in these proceedings could be reconsidered, taking into account its institutional functions as a technical body responsible for providing advice and support to CIPESS on charges and the regulation of public utilities in sectors not subject to regulation by a dedicated sectoral authority. Since ART is the competent sectoral regulatory authority, these overlapping responsibilities should probably be addressed through legislative intervention.

Advisory activity

The Authority's advisory activity in the motorway sector also concerned the procedure for updating the Economic and Financial Plan under the Single Agreement between ANAS S.p.A. and Società Tangenziale di Napoli S.p.A. In this context, the Authority issued an opinion for MIMS pursuant to Article 43 of Decree-Law No 201 of 6 December 2011.

Regulatory measures for oil and non-oil services

In addition to the above-mentioned activities, the Authority is, *inter alia*, responsible for "*defining model tender documents with which motorway concessionaires must comply*" when awarding contracts for services provided along the motorway network, including the distribution of fuels and lubricants and commercial and/or catering services (so-called oil and non-oil services).

Under recent national legislation, these services have been extended to include the supply of compressed natural gas (CNG), liquefied natural gas (LNG) and electric vehicle charging services, with the aim of reducing net greenhouse gas emissions, in line with the objectives set out in the European Commission's European Green Deal.

In this context, as part of its preliminary inquiries, the Authority decided last year to initiate proceedings to develop model tender notices for the services referred to above. These proceedings are still ongoing. The related public consultation attracted broad participation from trade associations and operators across the sectors concerned, from motorway concessionaires to catering companies, from oil companies to major LNG and CNG operators, as well as operators in the emerging electric vehicle charging market. Valuable contributions were also received from institutional stakeholders, acting within their respective areas of competence, in particular from the Ministry of Sustainable Infrastructure and Mobility (MIMS), the Ministry of Economic Development (MISE), the Ministry of Ecological Transition (MITE), the Italian Competition Authority (AGCM), the Italian Regulatory Authority for Energy, Networks and Environment (ARERA) and the National Anti-Corruption Authority (ANAC).

In light of the contributions received on the draft regulatory measure, ART launched a second public consultation through Decision No 53/2022, which also attracted broadest stakeholder participation.

Given the large number and complexity of the contributions received, the Authority extended the deadline for concluding the proceedings to 28 October 2022 by Decision No 89/2022.

By contrast, the proceedings concerning electric vehicle charging services were accelerated, and the related regulatory measures were approved at the Board's meeting held on 4 August 2022.

Let me emphasise the innovative nature of this proceeding, which is now nearing completion, in an area where the objectives of the Authority's regulatory action must be reconciled with environmental sustainability considerations. The Authority must therefore identify regulatory measures that support the policies pursued by national and EU legislators in achieving the objectives they have set.

Finally, I am pleased to emphasise that the Authority's economic regulation of the motorway sector has become a benchmark at EU level, as recently demonstrated by a request from the French transport regulatory authority (ART France) to learn more about and share our experience.

Railway infrastructure

Turning to railway infrastructure, a sector in which the Authority has longer experience in exercising its institutional mandate, the Authority continued its close oversight of the activities of the national infrastructure manager and regional infrastructure managers.

This mainly involved monitoring and regulatory activities relating to the Network Statement (NS), Rete Ferroviaria Italiana's (RFI) business plan, and the setting of infrastructure access charges and charges for services provided by RFI for the next regulatory period.

As regards the first area of activity, the Authority issued indications and requirements concerning RFI's 2023 Network Statement and the Network Statements of regional infrastructure managers whose networks are interconnected with the national railway infrastructure.

The issues addressed in the observations and requirements issued by the Authority, mainly addressed to RFI, concern, *inter alia*, the allocation of capacity at border stations, the renewal of framework agreements, the timing for submitting train path requests for the relevant working timetable, the criteria for attributing the causes of delays in international transport services, the transport of dangerous goods, and accessibility for persons with disabilities and reduced mobility (PRM).

With regard to the NSs of interconnected regional networks, work continued to progressively improve the regulatory and operational framework governing these networks, in order to prepare them for the development of competition in the relevant markets for transport services. These services are currently provided mainly by railway undertakings operating under local public service contracts, some of which remain vertically integrated with the respective infrastructure managers.

7 September 2022

As regards the second area of activity, concerning RFI's business plan, the Authority carefully examined the proposal submitted by RFI in March 2022 and recommended substantial improvements to its content, with a view to developing it into a more comprehensive business plan, more closely aligned with the intentions of the EU legislator. Indeed, Directive 2012/34/EU (the so-called "Recast Directive") requires the preparation of a business plan setting out, in a comprehensive and transparent manner, the prospects for industrial and commercial development over the short, medium and long term.

Finally, the third area of activity concerned the setting of railway infrastructure access charges and charges for related services for the 2022–2026 regulatory period, including the so-called Minimum Access Package (MAP) and services other than those included in the Minimum Access Package (extra-MAP services). In this respect, also with a view to mitigating the effects of the continuing high degree of market uncertainty following the health emergency, the Authority, through Decision No 43/2022, deferred the deadline for submitting charging proposals by one year. Accordingly, the proposals will be drawn up in 2023 and will cover the 2024–2028 regulatory period.

Regulatory Fitness Evaluation of Decision No 96/2015

In this context, the Authority's Board decision (Decision No 17/2022) to initiate proceedings for a Regulatory Fitness Evaluation of the measures introduced by Decision No 96/2015 is particularly significant. The RFE aims to assess the effects of these regulatory measures during the first regulatory period (2016–2021), analyse the economic context of the sector and its evolution (including the impact of the epidemiological emergency), and examine opportunities for efficiency improvements using key performance indicators (KPIs) relating to network management. These findings will be used to identify and develop any necessary amendments to Decision No 96/2015.

Furthermore, the effects of the substantial investments envisaged under the NRRP by 2026 will be examined, in terms of both improving and increasing railway infrastructure capacity.

Port infrastructure

Turning to access to port infrastructure, the Authority has undertaken monitoring activities concerning the measures adopted in relation to concessions and authorisations for carrying out port operations. These activities have been supported by cooperation with the Customs and Monopolies Agency (ADM) on the development of two IT platforms for tracking freight.

I would like to emphasise the importance, for the completion of the Authority's regulatory framework in the port sector, of ensuring that all Port System Authorities enter data concerning State-owned maritime concessions (under Article 18 of Law No 84/1994) into the Maritime State Property Information System (SID – Maritime Portal). This will provide the Authority with the information needed to undertake further regulatory activities, including a Regulatory Fitness Evaluation (RFE) of the measures introduced by Decision No 57/2018, with a view to their possible revision.
To this end, a fact-finding survey is also expected to be launched in the coming months to gather stakeholders' views before introducing any new regulatory measures.

As regards oversight of compliance with Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports, within the scope of the Authority's responsibilities, it should be emphasised that the effective exercise of these powers must be accompanied by appropriate enforcement and sanctioning powers. The necessary legislative measures have yet to be adopted.

Access to bus terminals

As regards access to bus terminals, over the past year the Authority focused on monitoring and verification activities across all Italian regions to identify the bus terminals

falling within the scope of Decision No 56/2018. The objective was to ensure that the required management tools were put in place and that the regulatory measures were adequately communicated to carriers and users, particularly with regard to existing architectural barriers, signage, the availability of information, reception and assistance services, with particular attention to the needs of persons with disabilities and reduced mobility, as will be discussed in greater detail below.

The regulation of services

The regulation of public transport services, whether local, regional or national, is one of the Authority's core activities. The Authority is responsible for overseeing the efficiency of public service provision, the cost-effectiveness of service management, the conditions for participation in fair and non-discriminatory procedures for awarding public service contracts, and the sustainability of fares. These responsibilities are exercised within a framework of progressively improving service quality, ensuring that the pursuit of efficiency and competition does not come at the expense of service quality but instead contributes to the protection of users.

From planning to the implementation of public service contracts

Accordingly, the Authority's measures are aimed at regulating all the steps necessary to achieve these objectives. In particular, during the planning phase preceding the award of road and rail transport services, ART defines the criteria for identifying public service areas. These areas are then specified in greater detail when the award procedures are launched. At this stage, the following are also established: service quality levels and the corresponding compensation, the size and nature of the lots and, in the case of direct or in-house awards of regional rail transport services, the criteria for preparing economic and financial plans and plans for achieving regulatory objectives.

In this regard, the measures adopted by the Authority during the reporting period have been subject to extensive monitoring, extending beyond mere compliance

checks to provide guidance and support to awarding authorities and other competent bodies through the issuance of opinions and observations designed to promote more efficient use of public resources, ultimately benefiting citizens.

Maritime cabotage services

The Authority's regulatory framework has also had positive effects on the liberalisation of maritime cabotage services, a process that began in 2021 and continued in 2022 with the launch of procedures for awarding services to ensure territorial continuity with the islands on routes that had benefited from public subsidies in previous decades. During the reporting period, the Authority continued to identify ongoing award procedures and existing public service contracts, while also regularly monitoring the functioning of the market. Further award procedures were also launched following these monitoring activities.

Of particular note is the application of the Authority's regulatory framework by the Region of Sardinia to an award procedure that, owing to the international nature of the route concerned, did not fall directly within the scope of the Authority's regulatory measures. This reflects an acknowledgement of the value of the Authority's regulatory framework even beyond its formal scope of application.

Public Service Contracts

As a result of the application of the Authority's regulatory framework across road, rail and maritime public transport, new public service contracts (PSCs) now include efficiency and quality targets, effective monitoring and control mechanisms, mandatory obligations to disclose information to the awarding authority and the public, appropriate user protection measures, including compensation arrangements, and flexibility mechanisms in response to changes in demand and market conditions.

7 September 2022

Local Public Transport

Turning to local public transport (LPT), in view of the continuing pandemic emergency and its impact on the sector, the Authority issued opinions providing guidance to the administrations concerned on the need to take into account, *inter alia*, the effects of the health emergency on transport demand and to continue monitoring developments in order to promptly identify changes in users' behaviour.

Sustainable mobility and multimodal integration

As already mentioned, LPT is particularly well suited to testing models of sustainable mobility and multimodal integration, both of which are, as is widely recognised, key priorities on the agendas of the Italian Government and EU institutions.

The introduction of innovative mobility systems, particularly for short urban journeys, and the growth of shared mobility services supported by digital applications call for a reassessment of the role of local public transport (LPT) services in meeting mobility needs.

Guidelines on taxi services

Non-scheduled public transport services are closely linked to multimodal integration. In recent months, the Authority addressed this sector through the adoption of Decision No 46/2022, a measure of particular significance. Following consultation with all relevant stakeholders, the Authority adopted the "*Guidelines on the adaptation of taxi services for regions and local authorities*". The guidelines aim to provide methodological support to regional and local authorities by establishing a common regulatory framework applicable across the country.

The measures provide operators with greater flexibility in setting fares, while taking account of social inclusion. The systematic monitoring of service provision and quality, as required by the guidelines, will also help to standardise procedures for issuing authorisations and facilitate the benchmarking analyses needed to assess service performance.

I believe that these guidelines offer solutions to the issues raised with the Government in connection with the 2021 Annual Competition Bill (*D.D.L. Concorrenza*), prior to the removal of Article 10 from the draft, including, among others, consumer protection, technological platforms, new forms of mobility and the environmental sustainability considerations mentioned earlier.

User and passenger rights

Let me turn to the protection of passengers' and users' rights, an area identified by the current Board as one of its multiannual strategic priorities at the beginning of its term of office.

The Authority exercises the powers conferred upon it by its founding decree and carries out supervisory functions as the national enforcement body responsible for ensuring the proper application of EU regulations on passenger rights in rail, bus, maritime and inland waterway transport. The Authority also exercises ex ante regulatory powers to define the minimum rights, including entitlements to compensation, that users may claim from infrastructure managers and service providers.

The fact-finding inquiry into the definition of minimum rights for motorway users

During the reporting period, the Authority was the first regulatory body in the EU to initiate, through Decision No 59/2022, a significant regulatory proceeding involving a fact-finding inquiry aimed at gathering information to support the definition of the minimum rights that users may claim from motorway concessionaires and operators of motorway service areas. The consultation, which was open to all relevant stakeholders, has recently concluded. The corresponding regulatory measures will be adopted by the Authority following an assessment of all contributions received.

Advisory activity

In addition to its regulatory and enforcement activities, ART also provided advice in proceedings concerning unfair commercial practices falling within the competence of the Italian Competition Authority (AGCM), pursuant to the Consumer Code. In the period under consideration, the Authority issued opinions to the AGCM concerning infringements of consumer rights in maritime and motorway transport.

7 September 2022

Enforcement of EU Regulations on passenger rights

With reference to its supervisory functions concerning the proper application of EU regulations on passenger rights, the Authority's activities were not confined to assessing complaints and reports submitted by users or exercising its enforcement and sanctioning powers. The Authority also acted on its own initiative, encouraging regulated entities to adopt the organisational and operational measures necessary to reduce the recurrence of reported shortcomings and put an end to the conduct in question.

Critical issues concerning the sanctions system

Let me take this opportunity to draw your attention to certain critical issues concerning the sanctions system for the protection of passenger rights, which were also highlighted during two recent parliamentary hearings (on 8 February 2022, before the Parliamentary Committee for the Protection of Consumers and Users of the Chamber of Deputies; on 17 February 2022, before the 10th Standing Committee on Industry, Trade and Tourism of the Senate of the Republic, during its examination of the 2021 Annual Competition Bill).

In the Authority's view, the existing legislative decrees laying down penalties for infringements of the relevant EU Regulations need to be amended to strengthen its sanctioning powers, as the current legislative framework is wholly inadequate to ensure that penalties are effective and dissuasive.

Protection of persons with disabilities and reduced mobility (PRM)

With regard to the protection of the rights of passengers with disabilities and reduced mobility, the Authority continued to monitor the proper implementation of the regulatory measures adopted and, in October 2021, launched an initiative to collect preliminary data on the actual accessibility of information to users with disabilities across the different modes of transport. The findings will inform the development of initiatives aimed at achieving the Authority's strategic objective of strengthening the protection of PRM rights during the 2022–2023 period.

As already announced, the Authority has taken action in the railway sector by defining, through its guidance and requirements concerning the Network Statement, assistance services and services relating to the provision and management of boarding aids for PRM. According to the Authority's monitoring findings, all railway undertakings have entered into the agreements required under EU legislation to formalise the provision of these services.

The Authority also launched an initiative to identify the so-called "designated bus terminals" at which, in accordance with the provisions of the relevant EU Regulation, assistance must be provided to persons with disabilities and reduced mobility.

In this respect, the Authority requested that the Conference of Regions and Autonomous Provinces and the MIMS identify these terminals, which, under the Authority's regulatory framework, are required to prepare the Terminal Information Sheet (TIS).

Alternative dispute resolution

Finally, as part of our efforts to strengthen consumer protection, I am particularly pleased to announce (and I would like to thank Parliament and the Government in this regard) that, pursuant to Article 10 of the 2021 Annual Competition Bill, the Authority has been granted the powers to establish alternative dispute resolution (ADR) procedures between economic operators and users or consumers. This will enable ART, like other regulatory authorities, to introduce procedures that have proved particularly effective in protecting consumers.

Institutional communication

To raise users' awareness of the means available to protect passenger rights, the Authority stepped up its external institutional communication activities, which had also been identified as one of its multiannual policy and strategic objectives.

World Consumer Rights Day

As further evidence of the Board's commitment to protecting the right to mobility, on 15 March the Authority accepted an invitation from the Parliamentary Committee on User

and Consumer Protection to contribute to the event marking the 60th anniversary of World Consumer Rights Day.

As regards the Authority's operations, the contribution rate for 2022 was set at 0.6 per thousand, thus remaining, once again, below the statutory maximum. Moreover, in a departure from previous years, the minimum turnover threshold below which no contribution is payable was raised to EUR 5 million, effectively exempting smaller operators from the obligation to pay the contribution.

In 2022, as in the previous year, pursuant to Article 16 of Decree-Law No 21/2022 (the so-called "Ukraine Decree"), undertakings providing road haulage services on behalf of third parties were exempted from paying the contribution.

As I explained at the joint hearing held on 12 April before the Sixth Standing Committee (Finance and Treasury) and the Tenth Standing Committee (Industry, Trade and Tourism) of the Senate of the Republic, during the examination of the above-mentioned decree-law, the exemption from the obligation to pay the contribution might suggest that the Authority's activities are perceived merely as a burden on a sector as fundamental to the Italian economy as road haulage.

On the contrary, as expressly provided for by law, the Authority ensures, through its regulatory activities, the mobility of goods at national, local and urban levels, including in connection with railway stations, airports and ports, for the benefit of undertakings operating in the sector. The Authority's mission is to facilitate the activities of road hauliers and logistics operators.

ART has already introduced regulatory measures in this area, and I believe that more decisive action is needed, particularly at this stage, to safeguard the interests of all stakeholders.

Staffing: need to increase the Authority's workforce

With regard to the Authority's personnel, to whom I would once again like to express my appreciation, also on behalf of the Board, for their professional skills and daily commitment, I would like to highlight the current staff shortage, which prevents ART from fully discharging its responsibilities across the broad range of sectors falling within its remit. This is particularly significant in light of the considerable increase in the number of regulated entities (following recent favourable judgments by the Council of State), the activities related to the implementation of the NRRP and the introduction of the above-mentioned simplified out-of-court procedures for user protection.

For these reasons, I trust that the Authority's staffing levels will be increased by 30 additional posts as soon as possible.

Staff policies and dialogue with trade unions

Turning to staff policies, agreements have been concluded with trade union representatives to improve the staff performance appraisal system and revise the remuneration of the Authority's staff.

Staff training

With regard to staff training, the Authority organised its first team-building and staff welfare event, an initiative of considerable social significance, providing more than 90% of its staff with training in first aid and the use of defibrillators, in accordance with Law No 116/2021, which requires such equipment to be available in public administration offices, on board means of transport and at related transport infrastructure facilities.

***

Acknowledgements

Before turning to my concluding remarks, I would like to express my sincere thanks.

I would like to thank Parliament, the Presidency of the Council of Ministers, the Council of State, the Regional Administrative Courts of Piedmont and Lazio, the State Attorney's Office, the Ministries, and the central and local government bodies with which the Authority works closely on a daily basis.

My special thanks go to the City of Turin, the *Politecnico di Torino* and the Customs and Monopolies Agency, which provide premises for the Authority, the Piedmont Region, the *Guardia di Finanza*, the *Arma dei Carabinieri*, the other independent regulatory authorities and all the institutions with which the Authority has signed cooperation agreements.

I would like to thank the members of the Board for the genuine spirit of collegiality that characterises our daily work.

I would like to thank the Secretary-General, Mr Improta, for his invaluable day-to-day support, the Legal Advisor, Councillor Pettinari, and the Legal Expert, Councillor Di Matteo, the newly appointed Guarantor of Ethics, President Claudio Zucchelli, and his predecessor, Professor Ranci, the Audit Committee, the Evaluation and Strategic Control Committee and the Advisory Board (and I would like to welcome its new member, Professor Nicita), my spokesperson, Mr Bruno, the Secretary of the Board, Mr Marchetta, and all the other experts and assistants.

My special thanks go to my Head of Cabinet, Ms Orlando.

* * *

Looking ahead: the future of mobility

Allow me to conclude this presentation of the Annual Report with some reflections on the future of mobility, a subject I referred to at the beginning of this address.

In the evolving mobility landscape, which is characterised, as extensively discussed in the Annual Report, by new patterns of interaction between supply and demand, economic regulation plays a key role in addressing the challenges posed by these emerging developments, by promoting, within the scope of its remit, the proper functioning of markets and equitable and non-discriminatory access to an adequate and

integrated system of transport infrastructure and services.

As repeatedly highlighted in the Report, this role rests on two particularly significant factors: the ecological transition and digital innovation, both of which are specifically aimed at encouraging a shift from private to collective mobility.

Maximising the benefits of major public investments and ensuring that they are realised on a broader scale requires, on the one hand, a continuous commitment to improving efficiency, innovation and service quality on the part of companies receiving public funding, in order to respond more effectively to evolving demand, and, on the other, greater mobilisation of private financial resources to complement public funding. These are precisely the issues that independent economic regulation seeks to address, in the context of the above-mentioned EU and national strategies and the growing use of digital applications in passenger and freight transport.

The provision of different combinations of transport services, increasingly integrated through digital platforms, also entails certain risks associated with the potentially non-transparent or discriminatory use of algorithms and related data to the detriment of users and operators. This calls for measures to promote the availability of data for public use, which are necessary to enable informed choices between transport modes and to support the exercise of public planning, programming and oversight functions.

The Authority, by its very nature receptive to innovation and the evolution of markets and services, is fully aware of the regulatory challenges arising from emerging relevant markets. To address these challenges more effectively, consideration should be given to extending the scope of its regulatory powers, in order to ensure, through the most appropriate instruments, effective regulation of the “mobility of the future”.