

ERFA position on the Recast and the 4th Railway Package

1. Our views about the freight transport

- **For ERFA, the objective is to**
 - Finally assure a lean, seamless and efficient cross-border rail freight traffic
 - Speed up the opening and competition process
 - Assure non-discriminatory open access on the networks and to services facilities
 - Avoid cross-subsidies
 - Avoid dominant position and competition distortion
- **To reach faster this objective, we need as soon as possible a clearer legislative frame assuring:**
 - The total independence of the Infrastructure Manager (IM) gathering all the essential functions for the preparation and the real-time operations of the traffic. Case by case we can of course accept justified exceptions.
 - A well optimized freight corridors organization (easier by the IM's total independency) according that the corridors policy and its financial instruments have to prevail on the national railways models or structures.
 - Flexible and non-discriminatory access to paths
 - Totally open access to rail related services (independently managed)
 - Transparency and harmonization for the tariffs (based on average cost incl. maintenance charges)
 - Compensation systems for energy costs
 - A “customer oriented” IM allowing the Railways Undertakings (RU) – as direct stakeholders – being implicated in the preparation and real-time operations and an application to the IM of key performance indicators discussed, agreed and followed also by the RUs
 - Totally independent, arbitral and efficient Regulatory Bodies on 3 levels:
 - Field level (regularly taking the initiative of visit on the field)
 - National level (power of market investigation / fast instruction of complaints)
 - International level (possibility of appeal, complaints on interoperability dis-functioning, excess requests from foreign NSA,)

The role of the Regulatory Body is to contribute to a fluidization of the market and the operation and to control it. What concerns the field and the National level, there is a need to act faster.
 - A reinforcement of the ERA role on the discretionary behavior of NSAs and integrating and simplifying the interoperability and the safety requests.

2. Our view about the passenger transport

- To concentrate on the opening of the following services
 - Access to the stations (same approach as for the marshaling and shifting yards)
 - Access to a central ticketing sale system
 - Access to the passenger train parking areas (tricky situation due to higher occupancy level of the parking tracks than for freight transport)
- To take care of an efficient separation between freight and passenger activities