

# **RESULTS of the PUBLIC CONSULTATION on a RAIL FREIGHT ORIENTED NETWORK**

## **Framework of the consultation**

The consultation was conducted over an 8-week period, from 11 June to 5 August 2008. It was announced on the web site of DG TREN, and in several press articles. It was also pointed out by e-mail to more than 300 people in the sector.

There were 118 answers, including 23 individuals (citizens).

## **The respondents' structure**

Answers come from all the sectors, relatively evenly

Ministries and regulators	19 responses
Rail operators	20
Infrastructure	16
Logistics	7
Transport facilities	6
Customers	5
Terminals	2
Ports	2
Public transport services	2
Others	16
Citizens	23

## **Topics of the consultation**

The consultation first addressed the problems of rail freight transport. Two questions (1.1 and 1.3) asked to classify the obstacles to its development on one hand and the fields to be improved on the other hand.

One question (1.5) had as its subject the political, legislative and financial appreciation of the actions of the Commission.

Three groups of questions (2, 3, 4) then covered the advisability or otherwise of certain options relating to the creation of the corridors and their governance, and the terminals.

The respondents were then asked in 4 groups of questions (5, 6, 7, 8) to consider the impact of a series of measures envisaged by the Commission, concerning the rules for path allocation, the process of path allocation, the traffic management in case of disturbances, and transparency with quality added.

All these questions were closed, additional comments being possible for certain subjects.

Two open questions covering the Regulation, and additional points to be specified, finished the consultation.

### Question 1.1: Classification of ' Obstacles to the development of rail freight' <sup>1</sup>

	61 responses
E: non adaptation to actual logistical needs	641 points
B: infrastructure not adapted to freight	604
G: insufficient reliability	598
C: charging of infrastructure use by different modes/lack of internalization of external costs	550
A: intramodal competition underdeveloped	516
F: unsatisfactory customer approach	478
D: too costly	441
H: others	413

#### *Other obstacles ( 71 comments)*

Lack of interoperability (31 times), insufficient network capacities (10 times), cross-border operations and higher passenger priority (8 times), are the most quoted.

Insufficiency of terminals and access (4 times), lack of quality and flexibility, difficulties with single wagon load, lack of price transparency and of capacity reservation, barriers to market access, and excessive influence of the historical operators (3 times), lack of available equipment and lack of co-operation between IMs and MSs (2 times) are also quoted on more than one occasion.

### Question 1.3 Classification of 'Areas of improvement' <sup>2</sup>

	61 answers
E: removal of physical bottlenecks	638
F: interoperability of equipment and personnel	507
D management of mixed traffic (passengers and freight)	489
A: non-discriminatory access	473
C co-operation between infrastructure managers	470
B availability of intermodal services (terminals)	449
G: other	278

#### *Other fields to be improved (49 comments)*

Hope in IT-Tools and ERTMS (9 times), better quality of infrastructure, corridor approach (5 times), availability of old and new rolling stock, level playing field (4 times), and creation of more flexibility for adhoc path requests (3 times), are also mentioned on more than one occasion.

<sup>1</sup> The answers were weighted by giving 8 points whenever the criterion was mentioned in 1st place, 7 points when mentioned in 2nd place, 1 point when mentioned in 8th place.

<sup>2</sup> The answers were weighed up by giving 7 points whenever the criterion was mentioned in 1st place, 6 points when mentioned in 2nd place... 1 point when mentioned in 7th place.

### **Question 1.5 The actions of the Community**

The political action of the Community is satisfactory (13%<sup>3</sup> completely in agreement and 47% relatively in agreement); and the legislative action is appreciated slightly better (20% completely in agreement and 55% relatively in agreement). There is disagreement with the financial policy of the Community (39% completely opposed, 28% relatively opposed).

### **Question 2 Creation of the Corridor**

The creation of the corridors must be mandatory (57%<sup>4</sup>) rather than on a voluntary basis (43%).

These corridors must be made up to meet the needs of the market, rather than according to more political definitions. Thus the criteria to be taken into account<sup>5</sup> for their creation must be based on market needs (84%) and existing and envisaged volumes (68%). ERTMS corridors can be used as a base for 40% of responses. More political approaches are less desired, such as all of the TEN network (25%) or at least one corridor by Member State, on proposal by the Member State (16%).

### **Question 3 Governance of the Corridor**

The current structure of the ERTMS corridors has to be developed and strong management is desired. Thus:

- the current structure is insufficient to ensure sound management of the Corridor 69%<sup>6</sup>
- an 'external and independent Corridor Co-ordinator' is necessary 76%  
for setting up the corridor
- a 'manager' has to co-ordinate the implementation of the decisions 91%
- customers should be consulted systematically before decisions are taken 61%
- the structure should be able to impose its decisions on individual members 60%

#### *Additional comments*

The extension of the existing ERTMS structures, which must be transparent, does not have to lead to bureaucracy. An entrepreneurial Vision with economic objectives must guide the corridor structure.

### **Question 4 Terminals**

The Commission proposals are very largely supported. It is necessary to:

- plan and co-ordinate a strategic terminal network along a corridor 96%<sup>7</sup>
- co-ordinate the allocation of the paths between the terminals and the network 86%
- co-ordinate the traffic between the terminals and the network 85%

The private initiative is only sufficient to develop the terminals in 22% of the expressed answers.

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<sup>3</sup> On expressed responses. 'No opinion' responses are not taken into account.

<sup>4</sup> On expressed responses. 'No opinion' responses are not taken into account.

<sup>5</sup> Several selection criteria could be mentioned.

<sup>6</sup> On expressed responses. 'No opinion' responses are not taken into account.

<sup>7</sup> On expressed responses. 'No opinion' responses are not taken into account.

### **Question 5.1 Path allocation rules**

The measures submitted by the Commission all have a positive or slightly positive impact:

- to shape capacity between passengers, freight and track maintenance: 82%<sup>8</sup>
- a timetabling system more responsive to freight needs 91%
- to build international freight paths better co-ordinated at the borders 95%
- the catalogue contains sufficient freight paths for requests in the short run 89%
- different access charges according to quality of the paths 83%
- cancellation or modification of freight paths only possible in exceptional cases 53%

#### *Other comments*

The need for independence of the path allocation is pointed out (4 times). Capacity must also be increased through investment (10 times).

### **Question 6.1 Path allocation requests**

The measures submitted by the Commission all have a positive or slightly positive impact:

- mandatory requirement to set up a One-Stop Shop for allocation of international path 82%
- mandatory use of a OSS for the requests of international path allocation 73%
- encourage the use of the existing tools (Pathfinder etc) 95%
- allow authorised applicants to apply for the whole corridor 76%

### **Question 7.1 Management of traffic in case of disturbances**

The measures submitted by the Commission all have a positive or slightly positive impact:

- to define and publish rules on re-allocation of paths in case of disturbances 91%
- to increase co-ordination between national dispatching centres 98%
- a train 'on time' remains 'on time' 87%
- to define 2 or 3 types of classes of trains subject to different priority rules 79%

### **Question 8.1 Transparency/Quality**

The measures submitted by the Commission all have a positive or slightly positive impact:

- to set up a unique 'Corridor Document' assembling info from all Network Statements 96%
- include in this document information about modalities/conditions of use of terminals 97%
- to provide, at least weekly, transparent information relating to the capacity of the corridor 86%
- to publish the capacity share for each hour of the year 84%
- to harmonise performance regimes 92%
- publication of performance indicators at corridor level 94%

### **Question 9 Co-operation between Regulatory Bodies (62 comments)**

Co-operation between Regulatory Bodies must be strengthened. They must exchange among themselves all relevant information, while complying with the confidentiality rules (38 times). In the event of a cross-border dispute, the Regulatory Bodies concerned must be involved by issuing an opinion (18 times). A body of regulation at the corridor level and even at European level is desired(11 times).

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<sup>8</sup> On expressed responses. ' No opinion' responses are not taken into account.

Regulatory Bodies should also work together in case of traffic problems and exchange 'Best Practices', within working groups for example.

### **Question 10 Level of the measures**

The proposed measures should be defined at supranational (European Union) level (22 times) and be carried out at corridor level (33 times). For some, measures must be taken immediately at corridor level and the rules defined at supranational level at a later date. Two opinions consider that these measures must be taken at national level.

### **Other comments (13 Comments)**

One infrastructure manager fears that certain long-term contractual relations could be affected by the Regulation on rail freight oriented corridors. The Corridor document must not contradict the national reference codes. The measures taken must take account of their impact on the passengers. One must resort to pragmatic solutions and exchange 'best practices'.