

# 21st Florence Rail Forum. Towards International Passenger Corridors

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# The EU regulatory framework

## Regulatory elements of the charging system

**From a regulatory point of view there is no difference in terms of charging system between international and national services**

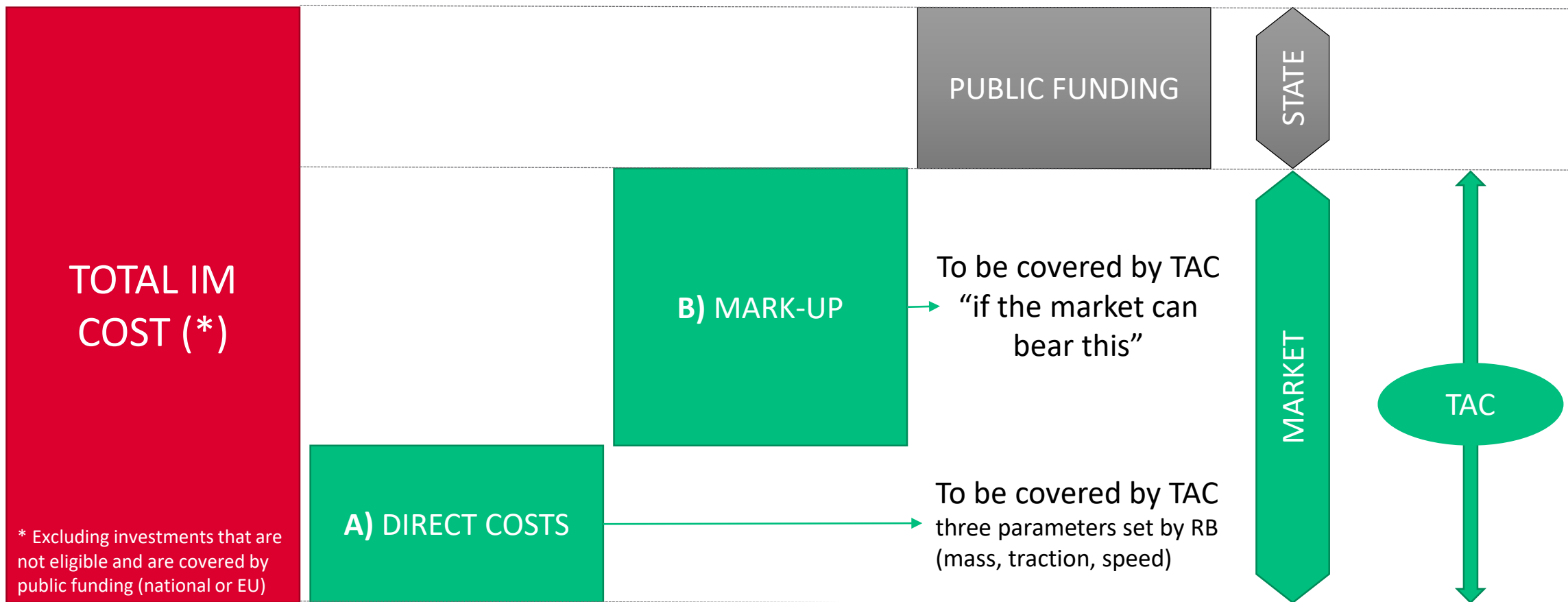
Directive 2012/34 tasks infrastructure managers to set the charges.

- «The charges for the minimum access package and for access to infrastructure connecting service facilities shall be set at the cost that is directly incurred as a result of operating the train service.» (art 31.3 Principles of charging)
- «In order to obtain full recovery of the costs incurred by the infrastructure manager a Member State may, if the market can bear this, levy mark-ups on the basis of efficient, transparent and non-discriminatory principles, while guaranteeing optimal competitiveness of rail market segments.» (art 32.1 Exceptions to charging principles)
- An independent Regulatory body (RB) should oversee the efficient management and fair and non-discriminatory use of rail infrastructure. (art 56 Functions of the RB)

Commission Implementing Regulation (EU) 2015/909 provides the modalities for the calculation of the cost that is directly incurred as a result of operating the train service and the details on how infrastructure managers should calculate their direct costs.

# Financial equilibrium of the IM

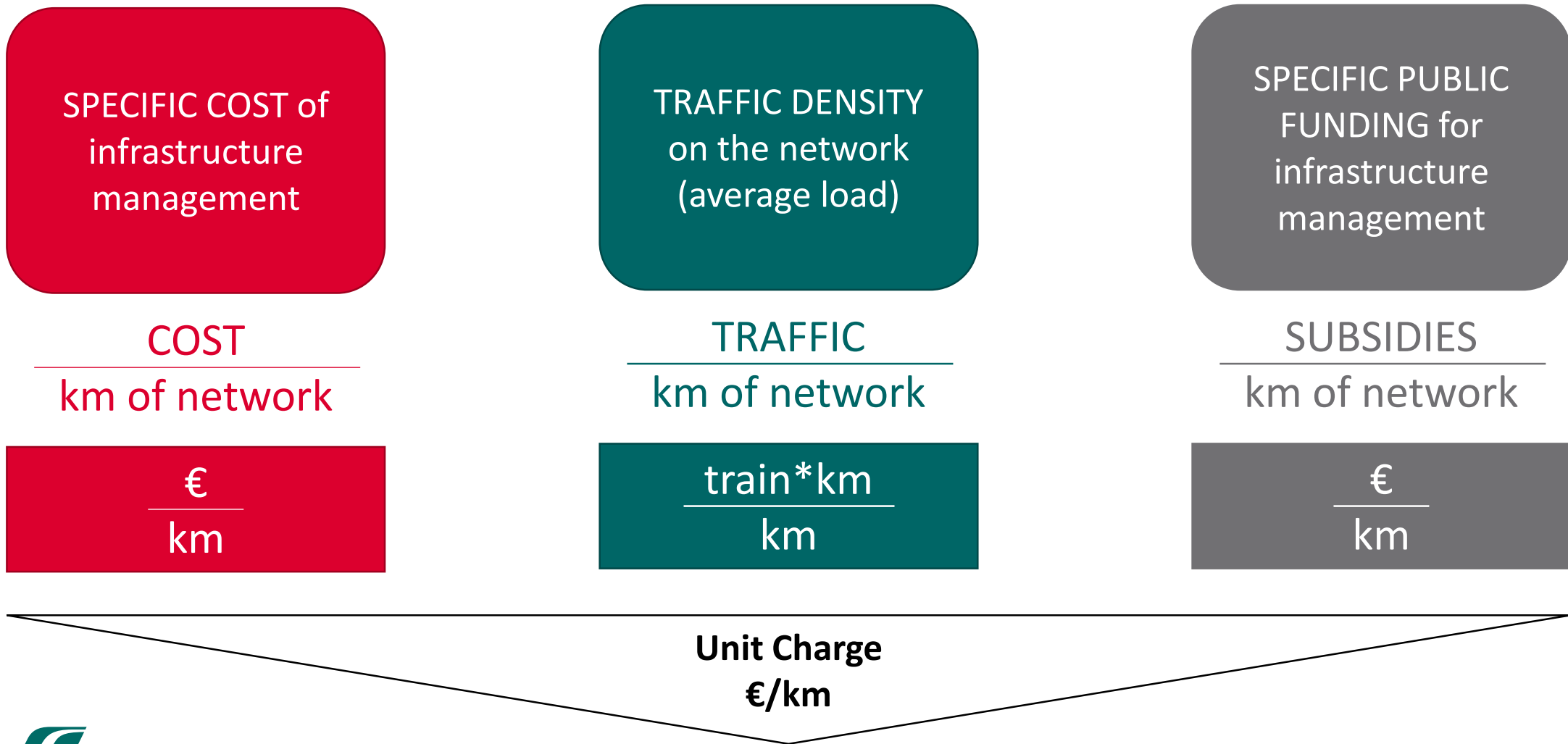
Direct costs, mark-up and public funding influence each other



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# National charging system

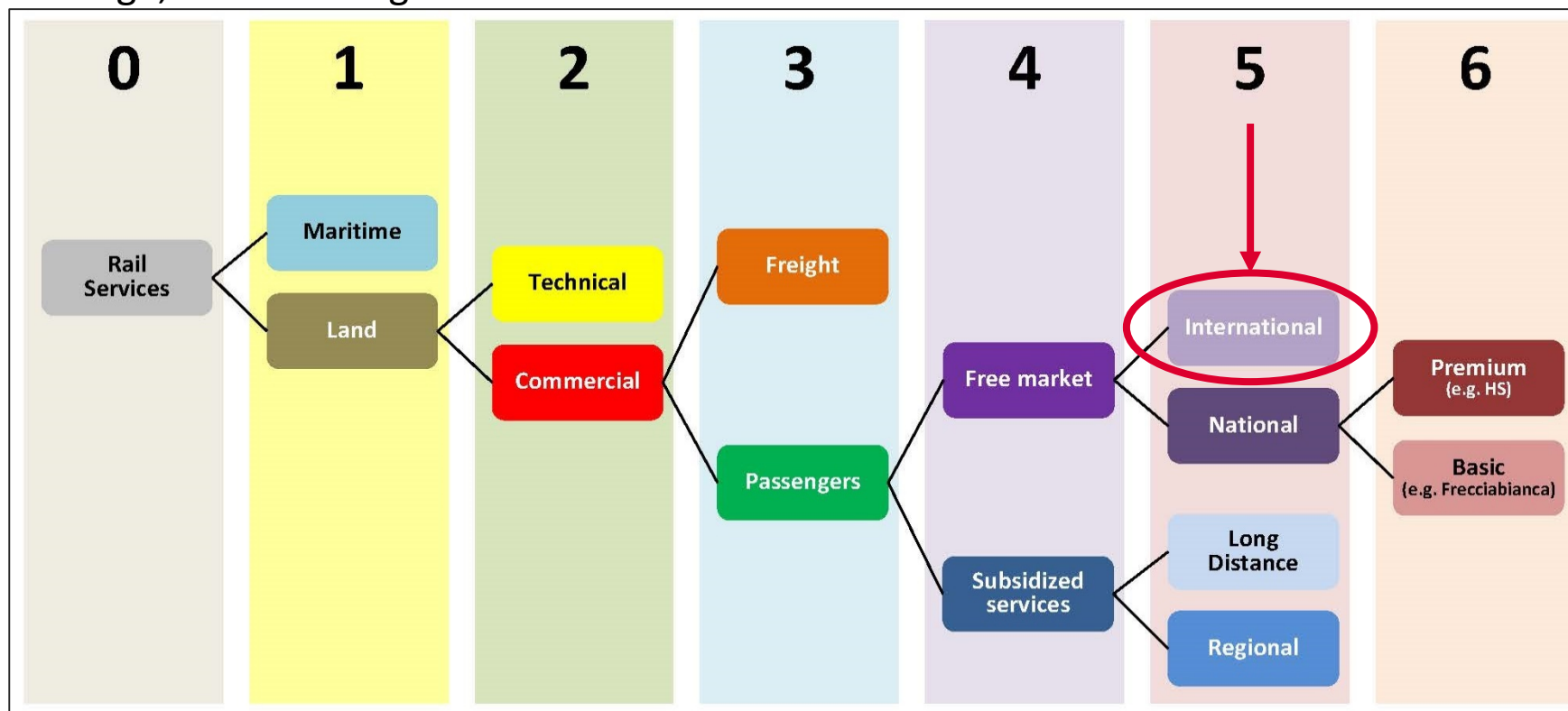
What does the average national unitary charging level depend on?



# The Italian regulatory framework

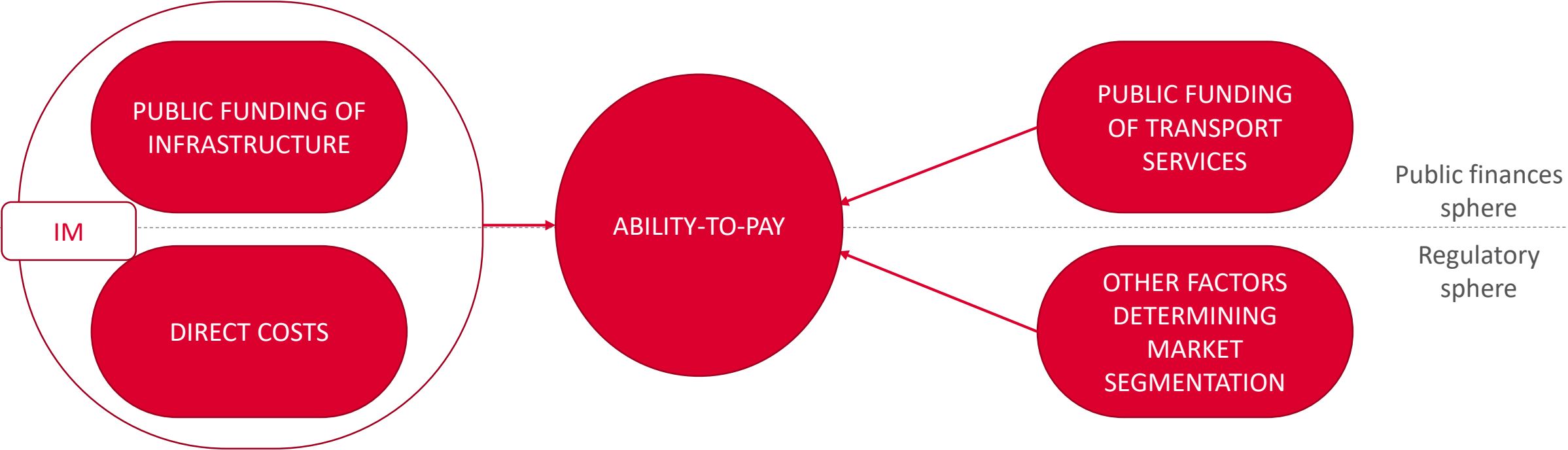
## Regulatory elements of the charging system

- Legislative Decree no 112/2015 (15 July 2015) implements the EU Directive 2012/34.
- Decision No 96/2015 (13 November 2015) of the Italian Transport Regulation Authority (RB) defines the criteria for determination of charges for access and use of the railway infrastructure.
  - Taking into account the pairs proposed by Directive 2012/34/EU, the Authority sets out, for the Minimum Access Package, the following basic structure of rail services:



# Factors influencing the ability-to-pay of RUs

Is there any flexibility?



# Current situation and future perspectives

## The COVID-19 crisis and the need to boost international rail transport

- Railways are a vital part of the EU transport sector moving towards achieving sustainable mobility.
- However, focusing on TAC, today's sustainability framework is very different from the pre- COVID-19 period, when the sustainability analysis was made.
- Like any other public transportation business, the railway sector is suffering due to the COVID-19 and even with the apparent success of the vaccines, the outlook for travel is mixed. The ability to recover in the short-term is even more uncertain for international long-distance travel, both in the business and in the leisure segments.



To be economically sustainable, international rail transport needs now, more than ever, public intervention:

- **Direct support to the infrastructure managers** to reduce TAC and/or **to operators** to cover TAC
- **“Regulatory support”** allowing **more flexibility to the infrastructure managers**, in the realm of Directive 2012/34, art. 8. In Italy, Decision No 96/2015 does not fully empower the IM to quickly react and change its commercial offer; so far the prices in the 5-years regulatory period (2016-2021) remained unchanged.

# Conclusion: Track access charges depend on political choices

How to reconcile conflicting objectives in a multi-modal perspective?

