

FLORENCE SCHOOL OF REGULATION FLORENCE SCHOOL OF REGULATION TRANSPORT FLORENCE COMPETITION PROGRAMME law & economics

EXECUTIVE SEMINAR JOINTLY ORGANISED BY FSR TRANSPORT AND FCP

COMPETITION IN PASSENGER RAILWAYS IN EUROPE

Matthias Finger | EUI, Part-time professor and Director of the Transport Area of the FSR. EPFL, Director of the Chair of Management of Network Industries

Pier Luigi Parcu | EUI, Part-time Professor, Director of the FCP, Director of the Communications & Media Area of the FSR, Director of the CMPF

Conference Room

Villa La Fonte, Via delle Fontanelle, 18 - San Domenico di Fiesole

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■ Introduction

With the adoption of the 4^{th} Railway Package Europe is moving closer to a more competitive railway system.

The European Commission has been driving this change towards a Single European Railway Area in which European railway companies should be able to compete on largely interoperable infrastructure. But liberalization and market opening are means to an end: the competitive pressure should make the system more efficient and thereby improve the railway business and modal share overall. However, the merits of competition can only play out in the sector if undesired effects are prevented by competent regulatory authorities. In the railway sector more competitive pressure can improve efficiency but there is also need for cooperation and coordination in areas such as investment, research, innovation and capacity planning. After all, in spite of underdeveloped competition within the railway sector, significant competition for the railways comes from other transport modes namely road.

Tendering of subsidised lines will become mandatory by 2024. Open access operators will be able to offer competing commercial services on domestic long-distance routes throughout the EU from December 2020. Both railway companies and competent authorities need to prepare for this. Open access competition is currently limited to a few lines and a small set of competitors. Competitive tendering for Public Service Obligation (PSO) lines has brought down costs for some lines but the necessary institutions are not yet in place everywhere. There is currently a patchwork of different national approaches and past experiences. Yet, given the national character of the railway system regulation needs to account for different national situations avoiding the downsides of a one-size-fits-all approach. Against this background the European Commission is determined to set a level playing field and to improve enforcement of antitrust, State aid and regulatory rules in the sector.



This Executive Seminar will bring together sector representatives, railway regulators, competition regulators, and academics to discuss the state of play and future of competition in the passenger railway market.

Discussions will be structured along three questions and a concluding session:

- Challenges ahead in a competitive market how to ensure the necessary coordination?
- Which way forward for open access competition and competitive PSO tendering? How to implement the new EU legal framework?
- How can competition policy (antitrust, State aid) contribute to a better functioning of railway markets?
- Concluding Session: Which way forward for competition in Passenger Railways in Europe?

■ Programme

08.30 - 08.45	Welcome coffee
08.45 - 09.15	Introduction to the Seminar Matthias Finger EUI, FSR Transport and EPFL Pier Luigi Parcu EUI, FCP, FSR Communications & Media and CMPF Opening Address
	Henrik Mørch DG Competition, European Commission
09.15 - 10.45	Challenges ahead in a competitive market - how to ensure the necessary coordination?
	Erik Staebe DB AG Patricia Perennes, Fatma Rahil SNCF Aimée Verhulsdonck Ministry of Infrastructure and the Environment Netherlands Joe Quill Office of Rail and Road UK Roundtable discussion
10.45 - 11.00	Coffee break
11.00 - 12.45	Which way forward for open access competition and competitive PSO tendering? How to implement the new EU legal framework?
	Alberto Mazzola FS Christian Jaag Swiss Economics Barbora Mičková LEO Express Olivier Salesse Rail and Road Regulatory Authority France
12.45 12.45	Roundtable discussion
12.45 - 13.45	Lunch
13.45 -15.15	How can competition policy (antitrust, State aid) contribute to a good functioning of railway markets?
	Karsten Otte Federal Network Agency Germany Francesco Lo Passo Brattle Group Pedro Hinojo National Commission on Markets and Competition Spain Michael Schmidt SBB
	Roundtable discussion
15.15 - 15.30	Coffee break
15.30 - 17.00	Concluding Session: Which way forward for competition in Passenger Railways in Europe?
	Gunnar Alexandersson Stockholm School of Economics Tomáš Paleta Masaryk University
	Roundtable discussion with concluding remarks by academic panel: Chris Nash, Pier Luigi Parcu, Juan Montero, Matthias Finger