

## PRIME Meeting no 7

19<sup>th</sup> of November 2015, Brussels

### Annex 6c

#### Debrief from PRIME Implementing Acts Subgroup

From: Stefano Castro (RFI), subgroup co-chair

*- For Information -*

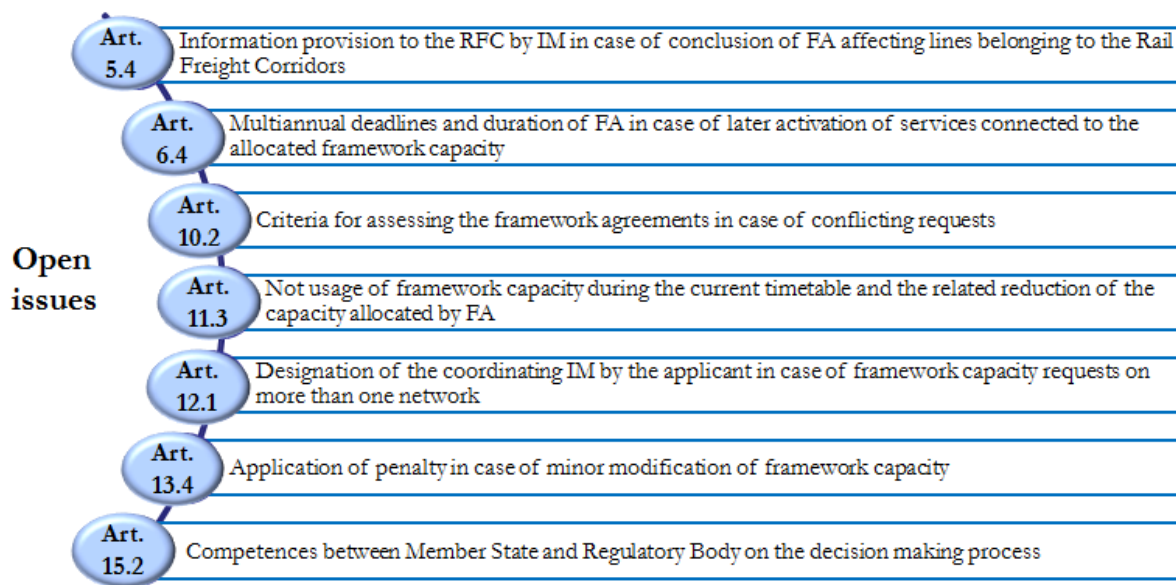
#### State of Play

<i>ACT</i>	<i>STATUS</i>
Access to service facilities and to services	Early stage of preparation
Framework Agreements	Consultation basically concluded. Potential reopening depending on SERAC vote at the beginning 2016

Concerning the Framework Agreements, since the Draft Implementing Act was not approved by the Member States during the last SERAC meeting in September, an additional meeting of the PRIME sub group was held on 29th October at CER premises.

#### Outcomes of the meeting on the Framework Agreements

During the meeting a number of open points were discussed between participating IMs (SNCF Réseau, Network Rail, Infrabel, PKP-PLK, RFI), CER, EIM and European Commission. Some proposals from the rail industry: were favorably considered by the EC and incorporated in the new text discussed at the SERAC subgroup on November 4, 2015.



<b>Opportunities</b>	<b>Threats</b>
<ul style="list-style-type: none"> <li>✓ More IM decision making power</li> <li>✓ Easing optimization of capacity use</li> <li>✓ Increase of the legal safeguard of decisions on FA by IMs, setting a list of criteria to be followed by IMs within the evaluation process</li> </ul>	<ul style="list-style-type: none"> <li>✓ Uncertainty for applicants about the allocation of long term capacity and their return on investments</li> <li>✓ Increasing complexity to processes and procedures to be followed by IMs</li> <li>✓ Rigid application of the capacity “Use it or lose it” principle</li> </ul>

**Looking Forward:**

- ✓ PRIME Subgroup on access to service facilities likely to start beginning 2016
- ✓ After adoption of the 4th Railway Package, a new wave of implementing and delegated acts expected. Depending on the progress with the legislators, PRIME's discussions could start as from the second half of 2016.
- ✓ Large participation of IMs needed