

# PRIME

Platform of Rail Infrastructure  
Managers in **Europe**

## **PRIME Subgroup on Implementing Acts: Overview**

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# State of play

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<b>ACT</b>	<b>STATUS</b>
<b>Services Facilities</b>	Final stage
<b>Energy Metering</b>	Early Stage - under discussion
<b>Economic equilibrium test</b>	Early Stage - under discussion

# EU legislation on Energy metering

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## THE ISSUE

In order to incentivize the rail system in adopting measures to increase the energy efficiency and cut the costs of train operations, the Commission has proposed to discuss between IMs the issue of invoicing traction current based on consumption metered on board of the locomotives and regenerated into the network.

More specifically, infrastructure managers are expected to play a key role in providing settlement systems for traction current, on which then the invoice is based.

# EU legislation on Energy metering

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## OBJECTIVE

Discussing the best practices in the different countries (% of fleet equipped with metering systems, role of IMs as energy distributors in the electricity market vs rail service market) and assessing if there is a need for EU legislation or soft measures (guidance note?) to commit Member States/ Infrastructure Managers to implement Settlement Systems within a reasonable time and to operate them giving RU the right to see their traction current invoiced on the basis of consumed data.

## PRELIMINARY OUTCOMES

PRIME members considered there is no need for additional EU legislation since member states already have a legal requirement (EU Regulation 1301/2014) to implement Settlement Systems maximum two years after the closing of the open points in the ENE TSI and LOC&PAS TSI. The vote in RISC is expected for January 2018, which leaves two years for implementing the settlement system, ie. January 2020.

Based on the existing practice, PRIME members pointed out however the need to incentivize all RUs to equip their fleets with on board metering systems since existing legislation places such an obligation only on new and refurbished trains.

# Implementing Act on the Economic Equilibrium test

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## THE ISSUE

Article 11 of Directive 2012/34/EU, as amended by EU Directive 2016/2370, regulates the limitations to the rights of access to passenger services on routes covered by one or more public service contracts in case the economic equilibrium of a public service contract in question would be compromised.

A preliminary proposal of implementing act on the procedure and criteria to be followed for the application of art.11 has been drafted by Commission and submitted to the consideration of the PRIME IA subgroup.

# Implementing Act on the Economic Equilibrium test

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## OBJECTIVE

Having a first discussion on the draft IA and assessing in particular the role of IMs in the process for testing the economic equilibrium of a new passenger service



IMs are among those entities who may request an economic equilibrium test

Under request of the Regulatory Body, IMs shall provide information regarding the relevant lines or sections where the new passenger service is expected to run

# Implementing Act on the Economic Equilibrium test

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## PRELIMINARY OUTCOMES

Although the involvement of IMs in the process seems to be minor, some concerns were raised on the potential indirect impact on the IMs' ability to maximize the allocation of available capacity .

IMs were invited by Commission to issue comments on this first draft and further consultation is planned to be organized in the next future.

IA expected to be adopted by end 2018.