



ASSOCIATION FRANÇAISE DES GESTIONNAIRES
D'INFRASTRUCTURES FERROVIAIRES INDÉPENDANTS

OPEN LETTER AHEAD OF THE NEXT TRILOGUE – GOVERNANCE TEXT

European decision-makers must seize the last chance to achieve a genuine European Single Railway Market that consumers and companies are calling for

Despite the undeniable efforts of several European MEP's and other European decision-makers during the trilogues on the political pillar of the 4th railway package, the current compromise still demonstrates a poor ambition for the rail sector, with no clear choices in favour of an efficient governance and no strong commitment in favour of an urgent opening of the European rail market. Taking into consideration the importance of the legal and economic framework to drive investments and economic development, Private Rail infrastructure Managers call Member States to make a last and decisive move to achieve a genuine European single railway area.

- Fair competition offers better services and tariffs for millions of rail infrastructure users in Europe. Likewise, only a rational and regulated competition will enable rail to grow. Developing the rail sector beside road and air, also paves the way to an important reduction of our global carbon footprint. A well-functioning rail market is also decisive to foster European growth.
- After decades of talks and backwards moves, the opening to competition should not remain a general principle, eroded in reality by numerous exemptions. In particular, the existence of **public service contracts** should not be a mean to **artificially impair the implementation of open-access services on commercial lines, when such services are relevant**. The entering of an alternative operator should not be restricted when it makes sense from an economic perspective and when it contributes *in fine* to enhance the quality of the service provided to the users. AGIFI Members believe in the National Regulators capacities to provide accurate analysis of the cost/advantage of such new services for the sector.
- Clear **principles of governance**, especially for vertically integrated structures hosting both roles of infrastructure manager and railways companies, should be defined more clearly. There must be an **imperious obligation for the infrastructure Manager to act impartially** when potential conflicts of interests or discriminations may arise. Independence of the infrastructure manager should be more clearly guaranteed **in case of disrupted situations**, or for **decisions related to network development and upgrading** in particular interoperability related investments.

The achievement of a genuine rail open market with clear, transparent and non-discriminatory rules is of critical importance for rail infrastructure managers. Any failure to achieve it will durably question long-term private investors ambition and capacities to further invest in rail infrastructure in Europe where needs are yet tremendous.

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ANNEX

AGIFI's members are developing several sections of the French network for an amount of 13 billion euros.



The Bretagne-Pays de la Loire HS Line consists in an extension of the Paris - Le Mans HS Line from Le Mans to Rennes. Operation of the line will start in spring 2017. Once the line is completed, journey time between Paris and Rennes will be under 1h30. The partnership contract signed with RFF in July 2011, gives ERE the responsibility to design, finance, build, and maintain the new HSL for 25 years.



Eurotunnel, concessionaire of the cross Channel Fixed Link until 2086, is a rolling motorway used by 2.5 million cars and 1.4 million trucks every year. High-speed passenger trains and rail freight trains also run through the Channel Tunnel.



LISEA is the concession company in charge of the High Speed Line between Tours and Bordeaux (the HSL SEA) through the Concession Contract signed with SNCF Réseau (ex RFF) on June, 16th of 2011. Once the line is completed (operations will start in July 2017) journey time between Paris and Bordeaux will be 2h05. According to the concession agreement signed with SNCF Réseau in June 2011 LISEA is in charge of the conception, financing, construction, maintenance and operation of the HSL for 50 years (until 2061).



Oc'Via holds the partnership contract for the Nîmes-Montpellier bypass, which will be completed end of the year 2017 and which will link Paris and Montpellier in less than 3 hours. According to the partnership contract signed with SNCF Réseau in June 2012, Oc'via is in charge of the conception, financing, construction and maintenance of this link for 25 years (until 2037).



Synérail is in charge of the GSM-Rail project. According to the partnership contract, signed with SNCF Réseau in 2010, Synérail is in charge for 15 years of the financing, conception, construction, maintenance, and operation of the deployment of the GSM-Rail on 14 000 km of the French Rail Network.