



ASSOCIATION FRANÇAISE DES GESTIONNAIRES
D'INFRASTRUCTURES FERROVIAIRES INDÉPENDANTS

OPEN LETTER AHEAD OF THE TRANSPORT COUNCIL IN JUNE

Safeguarding future private investments in rail : the 4th railways package is now at a crossroad

A week ahead of the Transport Council, French Independent Rail Infrastructure Managers call on Member States to demonstrate a real ambition with regards the political pillar of the 4th railway package, both on governance and competition issues. Taking into consideration the importance of the legal and economic framework to drive investments and economic development, Private Rail infrastructure Managers call European Institutions to keep the package together and to push for a quick agreement on the political pillar. After decades of talks and backwards moves, it is now the right time to achieve a genuine European single railway area.

The outcome must now be fair and efficient organisation within the rail sector in order to prevent any undue adverse conditions and a level playing field for private infrastructure managers. Some key provisions are needed in this perspective:

- **Clear principles of governance**, especially for vertically integrated structures hosting both roles of infrastructure manager and railways companies. There must be a **clear obligation for the infrastructure Manager to act impartially** when potential conflicts of interests or discriminations may arise. Specific attention should be given to traffic management, especially in case of disrupted situations, to maintenance planning, and to network development decisions in particular interoperability related investments.
- **2019 as the deadline to open commercial services to competition**. Independent rail infrastructure Managers also call, regardless of the date, which will finally be decided, for a **complete opening of the market starting in 2019 at the latest**, through **mandatory experimentations** prior to definitive opening date, in particular on high-speed line services in countries where this is appropriate. Such an experimentation period would help identify more concretely potential barriers and pitfalls, which may arise on open-access services.
- A demonstrated understanding and a **clear recognition of the Public-Private Partnership model**. The PPP long-term scheme will continue to drive the accomplishment of structuring infrastructures, only if Institutions and legislations really protect, over the long term, initial agreements (tariff structures in particular) thus allowing complete cost recovery and reimbursement of the investment raised **including a reasonable return on capital invested**, such return being the counterpart of the risk profile that has been accepted by the long term investors.

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

Contact: Pauline d'Héré, Delegate General : Pdhere@agifi.org; +33 (0) 1 48 01 47 45



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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, Synerail 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.