



Directorate-General
for Energy
and Transport

● Sidings & last miles – EU point of view

House of Rail conference on “Sidings & last miles”
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Unit E.2 Rail Transport and Interoperability
Maurizio Castelletti, Head of Unit

● Overview

- The importance of private sidings & last miles for rail freight transport
- The EU rules for access and pricing
- EU rules for public financing
- Measures to further promote access to sidings & last miles

● The importance of private sidings & last miles for rail freight transport

Attempt of a definition:

● Last mile = section of rail infrastructure between the entry point to the main network and the final destination/starting point of a train (e.g. terminal in a port, maintenance workshop, siding of an industrial plant). This includes the tracks within the facility. A junction point provides the link to the main railway network.



The importance of private sidings & last miles for rail freight transport

- **Availability of and non-discriminatory access to last mile infrastructures are vital for the competitiveness of rail freight transport**
- **In particular, single wagonload traffic (i.e. 40%-50% of EU rail freight) can hardly be realised without direct access to sidings**

● The EU rules for access and pricing

Access

- Points of destination or origin are service facilities according to Annex II of Directive 2001/14/EC (e.g. terminals, (storage) sidings, maintenance depots)
- Track access to and within service facilities must be ensured for all railway undertakings on a non-discriminatory basis (Art 5(1) of Dir 2001/14).

● The EU rules for access and pricing

Pricing

● For the pricing of track access to service facilities

the general rules of Art 7 of Dir 2001/14 apply:

- Marginal cost pricing
- Scarcity charge
- Charging for environmental effects of using the infrastructure

● The EU rules for access and pricing

Reinforcing the EU access legislation in the framework of the recast of the 1st railway package

- The Commission has had indications of discrimination related to last miles (e.g. track access to terminals, or in ports)
- An external consultant currently assesses the impacts of alleviation measures such as:
 - ‘Use it or loose it’ provisions for the owner of the service facility and of the last mile
 - Explicitly empowering the regulatory bodies to act on access to and pricing of service facilities

● **EU rules for public financing**

- **Some countries (e.g. CH, AT, DE) provide funding to the owners of last mile infrastructure to build or to refurbish it.**
- **National funding schemes to be assessed under EU state aid rules**
- **Community guidelines on State aid for railway undertakings (2008/C 184/07 of 22.7.2008) apply**

● **EU rules for public financing**

- **Chapter II: Where infrastructure use is open to all potential users in a fair and non-discriminatory manner, and access to that infrastructure is charged for at a rate in accordance with Directive 2001/14, public financing of the infrastructure is considered not constituting state aid to railway undertakings (§25).**

● **EU rules for public financing**

● **Chapter VI: Where public financing of railway infrastructure constitutes aid to one or more railway undertakings, it may be authorised, e.g. on the basis of Art 73 of the Treaty, if the infrastructure meets the needs of ‘transport co-ordination’, i.e. guiding the development of the transport sector in the common interest (§26, §89).**

● Measures to further promote access to sidings & last miles

- Implementation of non-discrimination requirements for access to Last miles can be reinforced through recast of 1st railway package
- Transparency about Last miles to be enhanced through inclusion in infrastructure register (Art 35 of Dir 2008/57/EC); TSI to define details (e.g. technical characteristics, ownership, contact address)
- Enhance transparency about national safety rules for Last miles



- **Thank you for your attention!**

- **Further information on EU rail policy:**

http://ec.europa.eu/transport/rail/index_en.html