

Network Statement 2011

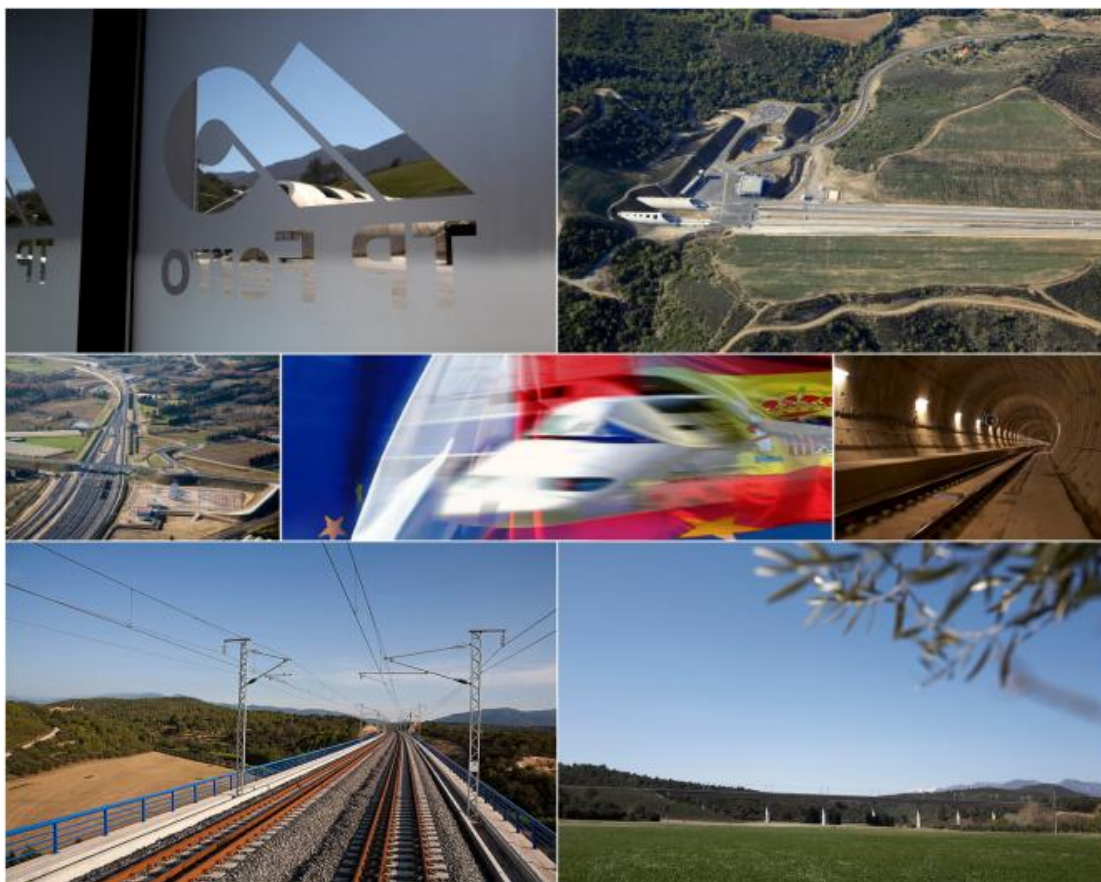


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ABBREVIATIONS

- **NS :** Network Statement
- **IS :** International section
- **RU :** Railway undertaking
- **IM:** Infrastructure manager
- **IGC :** Intergovernmental committee in the IS,
Licensors and authority for international section, and
reference body
- **CODEX:** Tripartite operating committee formed by
TP Ferro, ADIF and RFF
- **RID:** International regulations for carriage of dangerous goods
- **OSS :** One stop shop -



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GENERAL INFORMATION

- 1.1 Introduction**
- 1.2 Objective of the Network Statement**
- 1.3 Structure of the Network Statement**
- 1.4 Legal framework**
- 1.5 Legal status**
- 1.6 Description of the I.S.**
- 1.7 TP Ferro Powers**
- 1.8 TP Ferro Directory**
- 1.9 Validity**
- 1.10 Complaints**
- 1.11 Intergovernmental Committee**
- 1.12 Relations with Adjacent and International RU**

GENERAL INFORMATION

1.1 INTRODUCTION

This Network Declaration (from now on **DR**) document has been written and published in compliance with the provisions of the Concession Agreement awarded to TP Ferro Concessionaire, SA (hereinafter TP Ferro) by the Kingdom of Spain and the French Republic, in paragraph 13.2, and in compliance with Directive 2001/14/EC, and its legal transposition in the Kingdom of Spain and the French Republic (from now on the **Grantor** states), under which all information necessary must be provided for the use of access rights, ensuring transparency and non-discriminatory access to rail infrastructure to all companies qualified to apply for this type of service.

TP Ferro is the concessionaire of the new high speed line between Spain and France for a period of 53 years. This concession, approved by the Kingdom of Spain and the French Republic in 2003 and initialled by the concession agreement on 17 February 2004 (BOE 175, 21/07/2004), authorizes TP Ferro to act as Rail Infrastructure Manager, in accordance with Directive 2001/14/EC and as provided in the applicable legal standards and specifications in the territory of both Granting states, in the "**International Section**" covered by the concession.

1.2 OBJETIVE OF THE NETWORK STATEMENT

This document is intended to provide general information on TP Ferro rail infrastructure, serving as a reference document for companies that want to use that infrastructure. More detailed documentation on the network operated by TP Ferro is available to the applicant companies.

1.3 NETWORK STATEMENT STRUCTURE

This Network Statement is composed of a total of 6 chapters, with the following breakdown:

- Chapter 1: General information about TP Ferro.
- Chapter 2: Description of the conditions of access.
- Chapter 3: Technical description of the network.
- Chapter 4: Description of procedures and types of capacity offered.
- Chapter 5: Additional Services.
- Chapter 6: Applicable charges.
- Annexes.

1.4 LEGAL FRAMEWORK

The basic legal framework is based on the provisions in the Concession Contract; in the Regulations and Directives of the European Union (with particular reference to Directives 2001/12/EC, 2004/51/EC, 95/18/EC; 2001/13/EC, 2004/49/EC) and their transposition into the national law of both Grantor states.

1.5 LEGAL STATUS

The **DR** shall be binding on all national and international Railway Undertakings (from now on **RU**) who wish to use the infrastructure in the International Division (from now on **IS**) for the provision of rail transport services, and on TP Ferro regarding the rights and obligations arising from it.

The agreements established between TP Ferro and the different **RU** will entail implicit acceptance of the rights and obligations contained in this Network Statement and/or its subsequent updates.

Everything related to rail safety as described in this **NS** is mandatory. However, the rules and regulations of the European Union and in both Grantor states will prevail.

1.6 R.U DESCRIPTION

The I.S. is designed for mixed rail traffic (passengers and freight), with a 1,435mm UIC gauge, double track and a total length of about 44.4 km, between Llers (Spain) and Le Soler (France), and built in full according to the technical specifications for European rail interoperability established in Directive 96/48/EC.

Annex 1 to this Network Statement specifies the geographical scope of the **IS**.

1.7 TP FERRO POWERS

According to the Concession Agreement, Directive 2001/14EC, and the applicable legal standards and specifications in both Grantor states, TP Ferro has the following powers:

- Management of Rail Infrastructure it owns;
- The control and inspection of all Rail Infrastructure in its geographical area and of rail traffic in it;
- Description of the conditions under which rolling stock is likely to use the TP Ferro rail infrastructure;
- The development and annual publication of a Network Statement;
- Capacity allocation to the different **RU** upon request;
- The preparation and publication of technical documents specific to the proper use of TP Ferro infrastructure by the RU requesting its use;
- The provision of additional services as set out in the Concession Agreement;
- The setting of charges for additional services;
- The collection of the charge established for the use of TP Ferro rail infrastructure;
- The establishment of framework agreements with the different RU that may request capacity allocation;
- Scheduling of Maintenance services;
- Ensuring the necessary cooperation to share RU capacity with the adjacent rail infrastructure managers (ADIF - RFF);

1.8 TP FERRO DIRECTORY

TP Ferro Head Offices	Ctra. de Llers a Hostalets, GIP-5107 km 1 s/n 17730 LLERS, Girona	Tel. +34 972 678 800 Fax. +34 972 51 45 30 info@tpferro.com www.tpferro.com
Operating Department	Ctra. de Llers a Hostalets, GIP-5107 km 1 s/n, 17730 LLERS, Girona	Tel. +34 972 678 800 Fax. +34 972 51 45 30
Commercial Department	Ctra. de Llers a Hostalets, GIP-5107 km 1 s/n, 17730 LLERS, Girona	Tel. +34 972 678 800 Fax. +34 972 51 45 30
Control Centre CTN Bâtiment LCP	Chemin de Balmourène 66740 MONTESQUIEU DES ALBERES, France	Tel. +34 972 678 800 Fax. +33 468 68 46 83 Perm. +33 646 391 348

1.9 VALIDITY

This **NS** will be valid from February 18, 2011 until February 17, 2012. The annual publication of the ordinary network statement is established as the last thirty (30) days before the official end of the Network Statement in force. Where necessary, appropriate updates will be drafted, proceeding to its relevant official publication. The TP Ferro Network Statement will be available on the official website of the concessionaire in a bilingual format (Spanish and French).

1.10 COMPLAINTS

In case of any possible complaints from the **RU** to TP Ferro, the provisions of the Framework Agreement signed between the parties shall apply.

They may also make complaints in writing to the Commercial Division of TP Ferro for their immediate study and internal processing.

1.11 INTERGOVERNMENTAL COMMITTEE

Under Article 5 of the of Madrid Agreement, and Title VI, clause 18 of the TP Ferro concession agreement, it corresponds to the Intergovernmental Committee to monitor, on behalf of the Grantors, all issues related to **RU** construction and operations, thereby being the reference body for all matters relating to the operation of the infrastructure covered by this document.

1.12 RELATIONS WITH ADJACENT AND INTERNATIONAL RU

TP Ferro and adjacent **RU** (ADIF and RFF) comprise the Operating Committee (CODEX) responsible for coordinating all aspects of this cross-border rail link.

Its purpose is to facilitate and optimize resources and events in order to simplify the work of RU in train path and movement reservation.

TP Ferro also became a full member of RailNetEurope in 2009. RNE members establish suitable conditions for reaching corporate agreements to promote the European rail sector from the point of view of infrastructure and to the benefit of the whole rail industry. RNE is composed of 33 rail infrastructure managers.

European infrastructure managers have signed a joint marketing agreement for the allocation of infrastructure capacity.

These managers have established a network of One Stop Shops (OSS), which act as Customer Service Points within the RNE. You can gain further information by visiting www.railneteuropa.com. To request international paths, the customer only needs to contact one of these OSS, whose mission is to fully implement the process by working in close communication with the manager involved, performing the following functions:

- Provide information and customer service on the complete catalogue of products and services provided by infrastructure managers;
- Provide any information on the conditions of infrastructure access to RNE infrastructure managers;
- Manage requests for international paths within the RNE;
- Ensure that requests are handled properly during the periods set out in the annual Service Timetable calendar
- Provide the full range of paths on international routes;

Each OSS is integrated into an international network and their purpose is to simplify procedures for the customer. It also provides information on pricing and movement of trains, including monitoring by computer. In accordance with the principle of providing a single customer dialogue point, the OSS provides effective assistance in cross-border management, using procedures that are fair, transparent and in a confidential manner:



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CONDITIONS OF ACCESS

- 2.1 General conditions of access to the I.S.**
- 2.2 Capacity application**
- 2.3 Certificates required by the I.S.**
- 2.4 Languages in the I.S.**
- 2.5 Commercial agreements**
- 2.6 Traffic regulations**
- 2.7 Dangerous good**
- 2.8 Liability and insurance**

CONDITIONS OF ACCESS

2.1 GENERAL CONDITIONS OF ACCESS TO THE I.S.

Access to TP Ferro infrastructure may be requested by all companies possessing a European Community railway license as defined in Directives 95/18/EC and 2001/13/EC.

In addition, the railway companies must obtain the appropriate safety certificate issued by the authorised bodies in Spain, the Ministry of Public Works, and France, EPSF.

2.2 CAPACITY APPLICATION

See *Chapter 4* of this **NS**.

2.3 CERTIFICATES REQUIRED BY THE R.U.

The **I.S.** will not require any special Certificate, those provided by the adjacent **I.M.** being valid provided they are according to the rules and guidelines established in Spain and France.

Consequently, this criterion will apply to the following specific sections:

- safety certificates;
- train staff;
- approval of Rolling Stock in Spain and France (locomotives, trains and wagons);

The procedures for administrative processing of this documentation will be established in the framework agreements with the different **RU** and shall be in accordance with the guidelines and procedures set out in this regard by the **IGC**.

With respect to:

- a) Safety certificates;
- b) Rail staff qualification
- c) The approval of rolling stock to be able to move in adjacent RFF and ADIF networks;

TP Ferro will proceed to validate the acceptance of rolling stock and railway staff, under the express condition that they meet all technical and safety criteria related to the **I.S.**

These criteria are particularly applicable for example in:

- The on board signalling system that must be ERTMS L1
- The train-ground communication system that must be GSRM
- The traction mode and its compatibility with the presence of an 8.3 km tunnel
- The traction mode and its tractive power and speed in the **I.S.** range
- On board staff training certification with respect to specific **I.S.**

The technical conditions for acceptance of rolling stock can be provided on prior request by the **R.U.**

2.4 LANGUAGES IN THE I.S.

The TP Ferro Control Centre has the ability to communicate with trains in two (2) languages: Spanish and French.

Drivers of trains running on the International Section must have sufficient knowledge of Spanish and French.

This knowledge will be recognized through certificates of proficiency in each language to be issued by the appropriate authority in accordance with regulations in force.

Communications between the train and the control post in the International Section will generally be in Spanish. However, in case of emergency or if a specific agreement is established between the control post operator and the driver, French may also be used.

In this respect, international standard qualifications of each RU equivalent to level B1 will be accepted, according to the tables and definitions of European Language Levels.

2.5 COMMERCIAL AGREEMENTS

Commercial agreements between TP Ferro and the different **RU** interested in using TP Ferro infrastructure will each be based on contracts to provide service that will serve as the legal environment for commercial relations between the parties. The applicable Charges are described in *Chapter 6* of this **NS**.

2.6 TRAFFIC REGULATIONS

All rail companies likely to use the network infrastructure maintained by TP Ferro will have to take into account the different traffic regulations set by both **IM** adjacent to the **IS**. Specifically, ADIF in Spain and RFF in France.

The IS also establishes the following order of priority in the applicable provisions relating to railway traffic regulations:

- The technical specifications for interoperability (**TSI**) prepared in the implementation of European Directive 2008/57/EC of 17 June 2008.
- Other texts with European standard in EN state, and in ENV, prENV and draft states if their application is required by the Granting State.
- International regulations for passenger traffic (RIC), freight (RIV), intermodal traffic (RICO) and dangerous goods (RID).
- Any other new standard in the European Union or the Grantor States applicable to rail safety that may arise in the lifetime of this **NS**.
- The Manual of Operation and Safety Regulations in force in the I.S.
- The regulations set out in the table below and/or their subsequent updates:

Applicable Rules and Regulations	TGV Train sets S > 250 km/h	Fast Motor Coaches S 200 < 250 km/h	Passenger Train S 200 < 250 km/h	Freight Train S > 100 km/h
High Speed Rolling Stock TSI	2002 / 735 / EC dated May 30, 2002	2002 / 735 / EC dated May 30, 2002	2002 / 735 / EC dated May 30, 2002	
Conventional Freight Rolling Stock TSI			2002 / 735 / EC dated May 30, 2002	2006 / 861 / EC dated July 28, 2006
Energy TSI	2002 / 733 / EC dated May 30, 2002	2002 / 733 / EC dated May 30, 2002	2002 / 733 / EC dated May 30, 2002	
Control and Command TSI	2002 / 731 / EC dated May 30, 2002	2002 / 731 / EC dated May 30, 2002	2002 / 731 / EC dated May 30, 2002	
Tunnel TSI				
European Standards EN; ENV and prENV				
National Standards / Spain - France				
International regulations / RIC (Passenger Traffic) – RIV (Freight traffic) – RICO (Intermodal Traffic) – RID (Dangerous Goods by Rail)				
UIC Leaflets				
TP Ferro Concesionaria, S.A. Operating Safety Regulations				

If the **TSI** do not cover any criteria, the order will be:

1. TSI
2. EN;
3. National Standards;
4. UIC Leaflets;
5. TP Ferro Operating Safety Regulations;

2.7 DANGEROUS GOODS

The movement of dangerous goods in the **I.S.** will be governed by regulations for the «International Transport System for Dangerous Goods by Rail» (**RID**). Trains carrying dangerous goods must be clearly identified.

The passage of such trains should be expressly declared by the railway companies responsible for their operation to the TP Ferro PCL (Local Control Post) to ensure, in case of disaster, the distribution of all information requested by the emergency services.

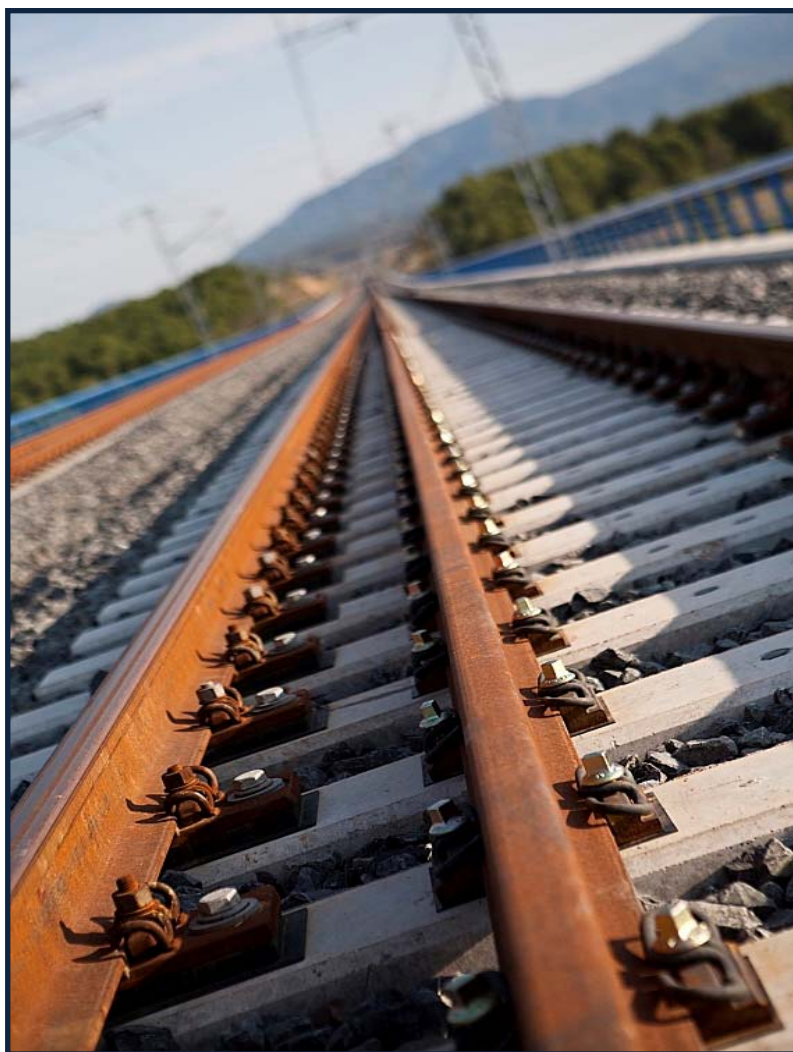
As long as the **RID** requirements are applied, the Pertús tunnel does not pose any limitation for the transit of dangerous materials.

2.8 LIABILITY AND INSURANCE

All railway companies likely to use the I.S. shall comply with the assurances required by both Grantor countries regarding liability and insurance related to the use of railway infrastructure and resulting damage.

The different companies that wish to use TP Ferro railway infrastructure will be responsible for the necessary adjustments or amendments to the agreement to ensure the amounts and conditions of Liability coverage in the specific inclusion of the I.S. in the rail networks used by the railway undertaking.

Any company that does not meet this criterion may not have access to the network operated by TP Ferro.



3

DESCRIPTION OF THE NETWORK

- 3.1 Introduction
- 3.2 Description of the line
- 3.3 Links with other networks
- 3.4 The Pertús tunnel
- 3.5 Signalling systems
- 3.6 Power supply system
- 3.7 Movement of trains and rolling stock
- 3.8 Control points
- 3.9 Types of rolling stock accepted
- 3.10 Maximum – minimum speeds
- 3.11 Gauge
- 3.12 Tracks
- 3.13 Maximum effort
- 3.14 Traction allowed
- 3.15 Train length

3.3 LINKS WITH OTHER NETWORKS

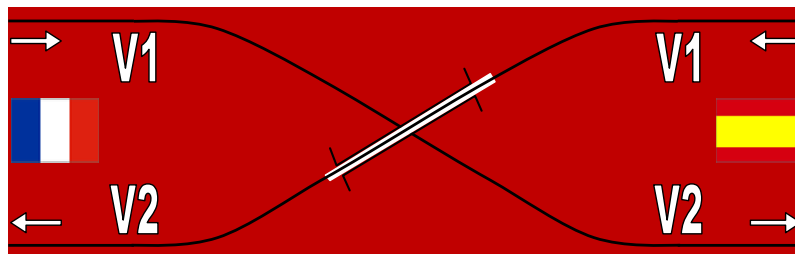
TP Ferro infrastructure will be connected to the ADIF Spanish railway network at its southern end, near Figueres and to the RFF French railway network at its northern end, near Perpignan.

Annex 2 shows both points of connection with international railway networks.

- Main Lines

The two main lines are equipped with track circuits and are numbered "V1" and "V2".

The **I.S.** has a peculiarity: since it is the Spanish railway network link (on which the trains run on the right) with the French railway network (on which the trains run on the left), a change of parity is needed that will allow trains to be on the right running side when they reach each of the two adjacent networks in normal traffic situations. This change takes place through a flying junction with the following principle.



3.4 THE PERTÚS TUNNEL

The I.S. includes a bi-tube tunnel of 8.3 km between Spain and France.

Tunnel orientation is North-South. The Northern Mouth of the tunnel is located in the municipality of Montesquieu des Albères in France. The Southern Mouth is located in Spanish territory in the municipality of La Jonquera.

The tunnel has two tubes, one for each track. The two tubes are connected, every 200m, through 41 communication galleries for emergency evacuation and 4 technical galleries for housing tunnel facilities

Annex 3 shows a typical section of one of the tubes.

The main demands of traffic and safety in the Pertús tunnel, due to the «tunnel condition», are:

- The safety distance between trains in the same direction is set at 8,500m.
- Passenger trains will require 3 + 1 staff on board (Assistants + driver) responsible for assistance efforts and coordination of train evacuation in case of incidents.

3.5 SIGNALLING SYSTEMS

The **I.S** uses the ERTMS/ETCS Level 1 signalling system. In case of an incident with ERTMS Level 1 failure, and in the absence of any other safety system on the **IS** such as ASFA, TVM, KVB or LZB, trains movements are through a telephone block system.

Locomotives that do not have the ERTMS Level 1 onboard system will be admitted through specific studies to determine the effects on operating safety and operation mode.

The KVB signalling system has been installed on crossovers with the conventional RFF rail network. The transition between the ERTMS and the KVB takes place dynamically without stopping in both directions.

3.6 POWER SUPPLY SYSTEM

The **I.S.** is powered by an overhead contact line, having a rated voltage of 25,000 VAC 50 Hz. The entire line is powered from a substation located near Perpignan - Le Soler. The substation has **internal** redundancy with two (2) different connections. However, in the absence of the Santa Llogaia substation planned for the future, the power supply on the line does not have **external** redundancy.

The catenary is currently located at a height of 5,300 mm and in the future it may be raised to a height of 5,600 mm to adapt it to the "rolling motorway" (AF) gauge in the future if necessary.

The catenary equipment allows normal train operation under traction and braking, and the line voltages must satisfy the power TSI in the attached chart.

Minimum voltage	Rated voltage	Maximum voltage
19 KV	27.5 KV	29 KV
Minimum frequency	Rated frequency	Maximum frequency
49.5 Hz	50Hz	50.5 Hz

Both the auxiliary wire and the contact wire voltage is automatically compensated.

There is a neutral zone (for phase separation) in the **I.S.** and a 25 kV and 1.5 kV buffer zone in the transition to the RFF French network. There is 1,500 kVDC voltage on the crossover with the conventional RFF rail network.

Annex 6 shows the general single track electrification diagram on the IS.

3.7 MOVEMENT OF TRAINS AND ROLLING STOCK

Even though the privileged traffic directions are already established, the **IS** has the same signalling in both traffic directions. The 2 lines have wrong way running, i.e. trains can run in both normal and reversed directions.

3.8 CONTROL POINT

Train traffic on the **I.S.**, power, tunnel safety facilities and other monitoring systems installed on the line are managed from the Local Control Post (LCP) located at the northern mouth of the tunnel in France.

The LCP has internal redundancy (redundant servers and local operating posts for traffic and power). However, in the absence of the Central Control Post (CCP) planned for the future, monitoring of the line does not have **external** redundancy.

3.9 TYPES OF ROLLING STOCK ACCEPTED

The **I.S.** has been designed and built according to the TSI in force.

The **I.S.** does not therefore any special features that modify access rules for rolling stock that complies with the standards set forth in the TSI.

However, in order to ensure traffic safety and the integrity of the infrastructure, TP Ferro may impose restrictions on the acceptance of rolling stock used for the carriage of freight on extraordinary occasions.

3.10 MAXIMUM – MINIMUM SPEEDS

The speeds in the infrastructure maintained by TP Ferro are summarized in the following table:

TYPE OF TRAIN	MAXIMUM SPEED	MINIMUM SPEED
High Speed passenger trains	200 km/h	120 km/h
Freight Trains equipped with ERTMS L1 (*)	140 km/h	80 km/h
Freight Trains not equipped with ERTMS L1 (*)	100 km/h	80 km/h
Isolated locomotives equipped with ERTMS L1	160 km/h	60 km/h
Isolated locomotives not equipped with ERTMS L1	100 km/h	60 km/h
Special Transport	According to the case I	According to the case

(*) The acceptance of locomotives that do not comply with the minimum speed will be through specific joint studies with the adjacent networks (ADIF and RFF) to determine the effects of the IS capacity, with an absolute minimum speed of 60 km / h.

3.11 GAUGE

The kinematic gauge that must be respected corresponds to UIC 505-1 and 506 standards and the Rolling Stock TSI 2002/735/EC. Annex 4 shows a diagram of the gauge.

3.12 TRACKS

The **I.S.** track gauge is the standard gauge (UIC) of 1,435 mm.

Gradients and maximum lengths:

- Maximum gradient: 1.8% along 1,944m with a minimum radius of 15,000m and a maximum cant of 60mm; this section is outside, except for 200m in the tunnel.
- Maximum gradient of 1.8% along 3,077m on straight track.

- Maximum length with gradient: 1.09% along 6,420m with a minimum radius of 8,333m and a maximum cant of 110mm; this section is in the tunnel.

3.13 MAXIMUM EFFORT

The **I.S.** is a D4 class line. The static mass for each axle must always be equal to or less than 22.5 tons and the mass per unit length less than or equal to 8.0 t/m.

3.14 TRACTION ALLOWED

The **IS** allows Diesel and Electric traction that comply with the technical specifications defined by TP Ferro.

Electric traction is, under any circumstances, the most appropriate and preferred for traffic conditions, speed and environmental protection.

Diesel traction must comply with the directive 97/68/EC of 16 December 1997 on the approximation of the laws of Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery.

The acceptance of locomotives that do not comply with this standard will involve specific studies to determine in particular the effects of movement inside the tunnel and of the potential obligation of inhibiting opacimeters and fire detection.

3.15 TRAIN LENGTH

The maximum commercial length allowed by the **I.S.** is:

- Passenger Train: 400 metres \pm 1%)
- Freight Train: 750 metres.

The RU are responsibility for checking the maximum length allowed in the adjacent networks.



4

CAPACITY ALLOCATIONS

- 4.1 Introduction**
- 4.2 Capacity application conditions**
- 4.3 Required documentation**
- 4.4 Capacity application forms**
- 4.5 Capacity application types**
- 4.6 Train path application procedure**
- 4.7 Agreed adjustments**
- 4.8 Train path confirmation procedure**
- 4.9 Capacity application procedure**
- 4.10 Criteria for priority and types of traffic**
- 4.11 Coordination with RFF and ADIF networks**
- 4.12 Timetable availability**

CAPACITY ALLOCATION

4.1 INTRODUCTION

Capacity allocation by TP Ferro reflects the principle of equality between the different users of the **I.S.**, and in compliance with international standards for interoperability and European Directive 2001/14/EC.

In case of force majeure or emergency, TP Ferro may as the infrastructure manager unilaterally amend, alter or cancel the capacity allocated.

4.2 CAPACITY APPLICATION CONDITIONS

The following may make requests to TP Ferro for capacity:

- RU with Community licences in force in accordance with Directive 2001/14/EC and applicable legal transposition in the territory of both Granting States.
- Public authorities in Granting States with powers in rail transport (rail transport regulatory body).

4.3 REQUIRED DOCUMENTATION

Companies wishing to make a capacity reservation application to TP Ferro, must:

- Have previously signed with TP Ferro the Framework Partnership Agreement. (If the agreement is not signed, capacity reservations will be accepted but not officially confirmed until the Framework Agreement is finally signed).
- Document the persons authorized to perform that procedure.
- Confirm an official address to which TP Ferro can write for official communications.
- Confirm other communication channels in operation between the parties (phone, fax, email, etc.).
- Submit the corresponding documentation and guarantees to TP Ferro, in accordance with the laws in force in both countries for capacity reservations that include the transport of dangerous goods.

4.4 CAPACITY APPLICATION FORMS

All capacity applications must be processed to TP Ferro through the "Pathfinder" system. In the absence of this computer system and as an exception, the RU may request the capacity reservation in writing to the Commercial Division of TP Ferro.

4.5 CAPACITY APPLICATION TYPES

TP Ferro offers the **RU** different capacity types: standard service, special service and emergency service.

Standard Service: the standard service defines paths having a regular frequency and scheduled throughout the year.

Special services are those paths made available to customers in response to their specific needs. They do not require annual scheduling and are adapted to customers' business needs.

Emergency Service: these are paths that can be requested by customers without needing prior reservations or being consistent with special situations.

4.6 TRAIN PATH APPLICATION PROCEDURE

The TP Ferro capacity application procedure is:

Standard and Special Services

In case it is not possible to use the "Pathfinder" computer system, the **RU** can make the train path reservation request by sending the corresponding train path application form and all required documentation to the TP Ferro Commercial Department by registered letter with acknowledgment of receipt within the limits set by TP Ferro and detailed in the **NS**.

Once the application is received (in any authorized mode), the request will subsequently be included in the TP Ferro internal computer system, issuing the corresponding acknowledgment of receipt to the applicant within 2 working days following receipt.

A minimum notice of at least 7 days prior to the train path time requested is established to be able to proceed with their application.

Emergency Train Paths

Given the short notice with which a capacity application may be made, this type of application may be made directly to the TP Ferro Operating Department:

- | | |
|-----------------------|-----------------|
| 1) Via official Email | 3) By telephone |
| 2) By Telegram | 4) By Fax |

4.7 AGREED ADJUSTMENTS

Once the corresponding train path applications have been made, TP Ferro will establish direct contacts with the **RU** to make the necessary adjustments to optimize the allocation of train paths or to solve possible conflicts in schedules.

4.8 TRAIN PATH CONFIRMATION PROCEDURE

Once the corresponding train path application and agreed adjustment phases have been completed, TP Ferro will duly give information in writing regarding the official allocation of the service timetable or, where appropriate, the non-feasibility of these in which case the applicant may initiate the appropriate claims to review applications not accepted.

4.9 TRAIN PATH APPLICATION CALENDAR

The following table details the official calendar for TP Ferro, which is in accordance with the RailNetEurope one, for the process of filing and processing capacity reservation applications and their corresponding deadlines.

Feasibility studies

17 January	Deadline for feasibility study applications
14 March	Deadline for replying to train path applications

Initial train path applications for the annual 2012 service

10 January	Train path catalogue completion
13 December 2010 - 11 April	Train path applications submitted
13 April - 4 July	Timetable construction
20 - 23 June	RNE technical meeting
4 July	Publication of draft project for international timetable
5 July - 5 August	RU observations and comments
22 August	Deadline for final reply to RU (start of contractual allocation of train paths)

Late train path applications for the annual 2012 service

12 April	First day for submission of late applications
23 August	First day for replying to late applications
10 October	Deadline for submission of late applications
7 November	Deadline or replying to late applications

Ad-hoc train path applications during the annual 2012 service

11 October	First day for ad-hoc requests for the S.A. 2012
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Annual 2012 Service

11 December	Start of the S.A. 2012
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4.10 CRITERIA FOR PRIORITY AND TYPES OF TRAFFIC

Priority principles have been established in the allocation of capacity in the event of timetable conflict.

These criteria are:

- rail traffic safety ;
- services declared in the public interest;
- priority services provided by both Granting States;
- paths allocated and used regularly for the duration of the previous service timetable;
- system efficiency; ;

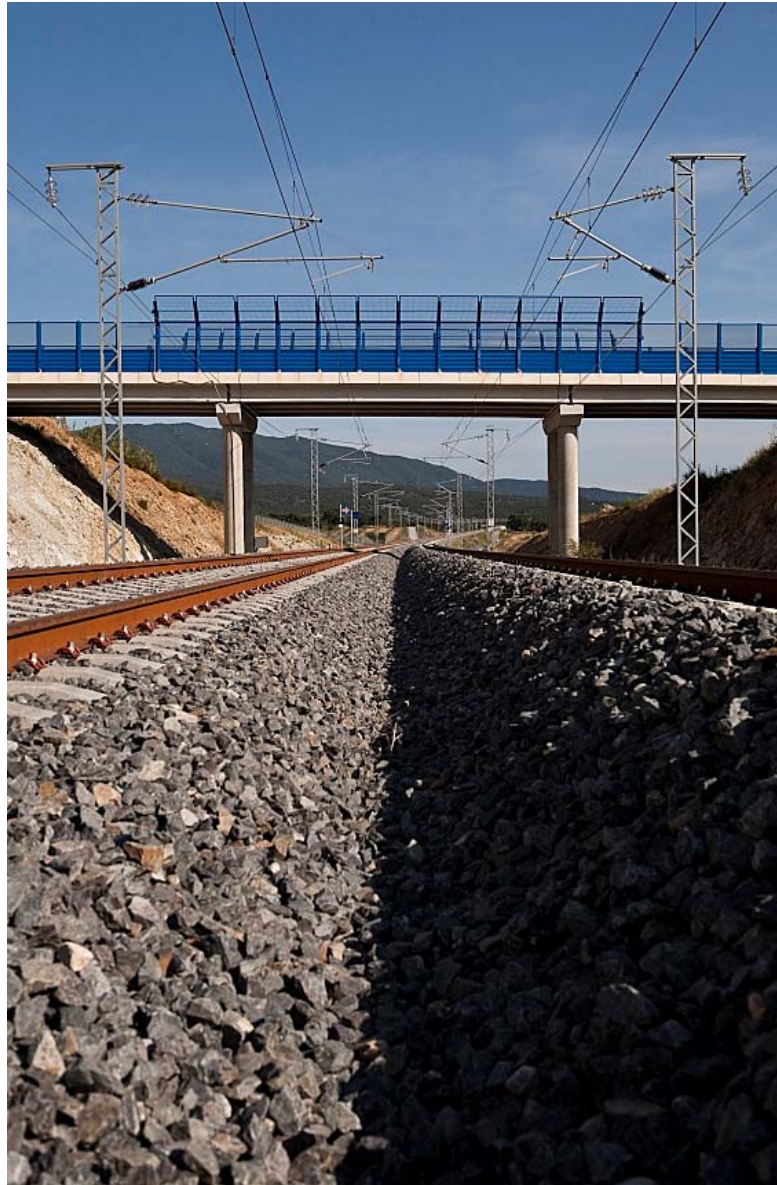
4.11 COORDINATION WITH RFF AND ADIF NETWORKS

Capacity in the **IS** is allocated in coordination with the TP Ferro, ADIF and RFF networks. Coordination is carried out in two ways:

- through the Operating Committee
- through the ADIF or RFF One Stop Shops

4.12 TIMETABLE AVAILABILITY

TP Ferro sets a regular maintenance timetable for its network between 00h00 and 05h30 daily on both lines. Consequently, no capacity may be awarded within these hours, unless specially requested by the Railway Company and studied by TP Ferro.



5

SUPPLEMENTARY SERVICES

- 5.1 Introduction
- 5.2 Basic access services
- 5.3 Additional services
- 5.4 Optional services

SUPPLEMENTARY SERVICES

5.1 INTRODUCTION

Additional services offered by TP Ferro to the **RU** are regulated by the Concession Agreement and Directive 2001/14/EC on the allocation of rail infrastructure capacity and in more detail by Annex II of this directive in establishing a list of additional services that can be offered.

TP Ferro consistently offers its customers the services outlined in this chapter of the **NS**.

5.2 BASIC ACCESS SERVICE

These services form part of access services to the TP Ferro standard infrastructure and include:

- Possibility of processing capacity applications;
- Right to use the capacity granted;
- Train control, including signalling, regulation, issue and supply of information on train movement;
- Any other information needed to use or operate the service for which capacity has been granted;
- Support in case of emergency;

5.3 ADDITIONAL SERVICES

These services include the following items:

- Use of electrical equipment for traction in areas available, as provided in *Chapter 6* of this **DR**;
- Use of track 3 at the TP Ferro maintenance base in case of emergency;
- Special control services for the transport of dangerous goods.
- Access to the telecommunication network;
- Supply of additional information necessary for the proper use of infrastructure;

5.4 OPTIONAL SERVICES

- Tracking Service

This service allows the **RU** to carry out real time monitoring through a specific website of train location at certain points of reference on the IS: The fees for this service are detailed in *Chapter 6* of this **NS**.

- Locomotive change service

TP Ferro offers the **RU** the possibility of performing the shunting manoeuvres necessary to change traction locomotives on specific TP Ferro maintenance base tracks. The fees for this service are detailed in *Chapter 6* of this **NS**.

- Locomotive Parking Service

Locomotives may be parked at the TP Ferro Maintenance Base for a specified period and provided that they carry out the locomotive change operations described in the section above.

The fees for this service are detailed in *Chapter 6* of this **NS**.



6

CHARGES AND FEES

- 6.1 Introduction
- 6.2 Capacity reservation
- 6.3 Applicable charges
- 6.4 Charges
- 6.5 Additional services
- 6.6 Forms of payment

CHARGES AND FEES

6.1 INTRODUCTION

TP Ferro EF may require flat-rate fees for the use of the **IS** by trains running on it.

Such charges are established in accordance with the concession agreement and in compliance with EU standards and in particular Directive 2001/14/EC of the European Parliament and the Council of 26 February 2001, national standards issued for their transposition and regulations applicable to IS.

The charges described in this Network Statement do NOT include the cost of electricity supply and consumption.

6.2 CAPACITY RESERVATION

The Capacity Reservation fee shall be considered as an advance payment of the final charge once the reserved path has been used.

If the path is not used, the reservation amount will not be refunded.

- Standard and Special service application

	Off-peak time	Medium time	Peak time
Passenger Trains	€115	€138	€231
Freight Trains	€48		
Traction Equipment	€48		

- Emergency service application

Passenger Train Capacity	€764
Freight Train Capacity	€228
Traction Equipment Capacity	€228

- Capacity application for Special Freight

Special Freight Train Capacity	€259
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6.3 APPLICABLE CHARGES

Group 1 – PASSENGER TRAINS:

“Passenger trains” are defined as those trains whose ultimate purpose is to carry passengers, regardless of possible mixed compositions thereof. The following categories are consequently defined:

- Category 1.1: Trains with a capacity of less than 300 seats.
- Category 1.2: Trains with a capacity of between 300 and 410 seats.
- Category 1.3: Trains with a capacity of between 411 and 510 seats.
- Category 1.4: Trains with a capacity of more than 510 seats.

In the event that berths exist in any group 1 category, each berth is counted as 1.4 seats in order to determine the appropriate category.

Group 2 – FREIGHT TRAINS:

“Freight trains” are defined as those trains whose ultimate purpose is to carry freight, regardless of possible mixed compositions thereof. The following categories are consequently defined:

- Category 2.1: Conventional freight trains (wagon train composition with different types)
- Category 2.2: Car transporter trains (platform train composition for the transport of vehicles)
- Category 2.3: Combined transport trains (composition of trains for the transport of containers)

The assignment to one category or another is related to the percentage of wagons assigned to the same purpose (> 0 = 60%).

Group 3 – ISOLATED TRACTION UNITS, alone or in groups.

Group 4 –SPECIAL TRANSPORT

6.4 CHARGES

These charges do not include the amount for electric power or services linked to it, which will be outlined in the framework agreements established with each RU.

The charges described in Group 2 shall apply to all those trains with a maximum length of 750 metres.

GROUP 1 – Passenger trains	Initial charges			
	Time slots	Off peak time	Medium time	Peak time
		0h30-6h30	9h00-17h00 and 20h00-0h30	6h30-9h00 and 17h00 -20h00
Category 1.1		€786.51	€950.72	€1296.42
Category 1.2		€1071.72	€1296.42	€1767.45
Category 1.3		€1331.00	€1607.56	€2195.28
Category 1.4		€1663.84	€2025.54	€2773.05

GROUP 2 – Freight trains	Initial charges
Category 2.1	€476.51
Category 2.2	€684.72
Category 2.3	€666.93

GROUP 3 – Isolated traction units	Initial charges
Single or coupled unit	€654.93

GROUP – Special Transport	A special charge will be established in each case and adapted to the specific transport needs once the corresponding feasibility studies have been conducted.
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6.5 ADDITIONAL SERVICES

- Tracking Service

Annual Tracking Service (simple type)	No charge
Annual Tracking Service (advanced type)	€12.432

- Locomotive change service

All shunting manoeuvres necessary to change locomotives	€166
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- Locomotive parking service

The coordination details of for this type of service will be outlined in the framework agreements with the different RU. Two types are established for this service:

- *Parking service timetable:*

From 00.00 to 06.00	From 06.00 to 18.00	From 18.01 to 00.00
€26 each hour or fraction	€12.4 each hour or fraction	€18,6 each hour or fraction

- *Daily parking service:*

From 00.00 to 06.00
€98

6.6 FORMS OF PAYMENT

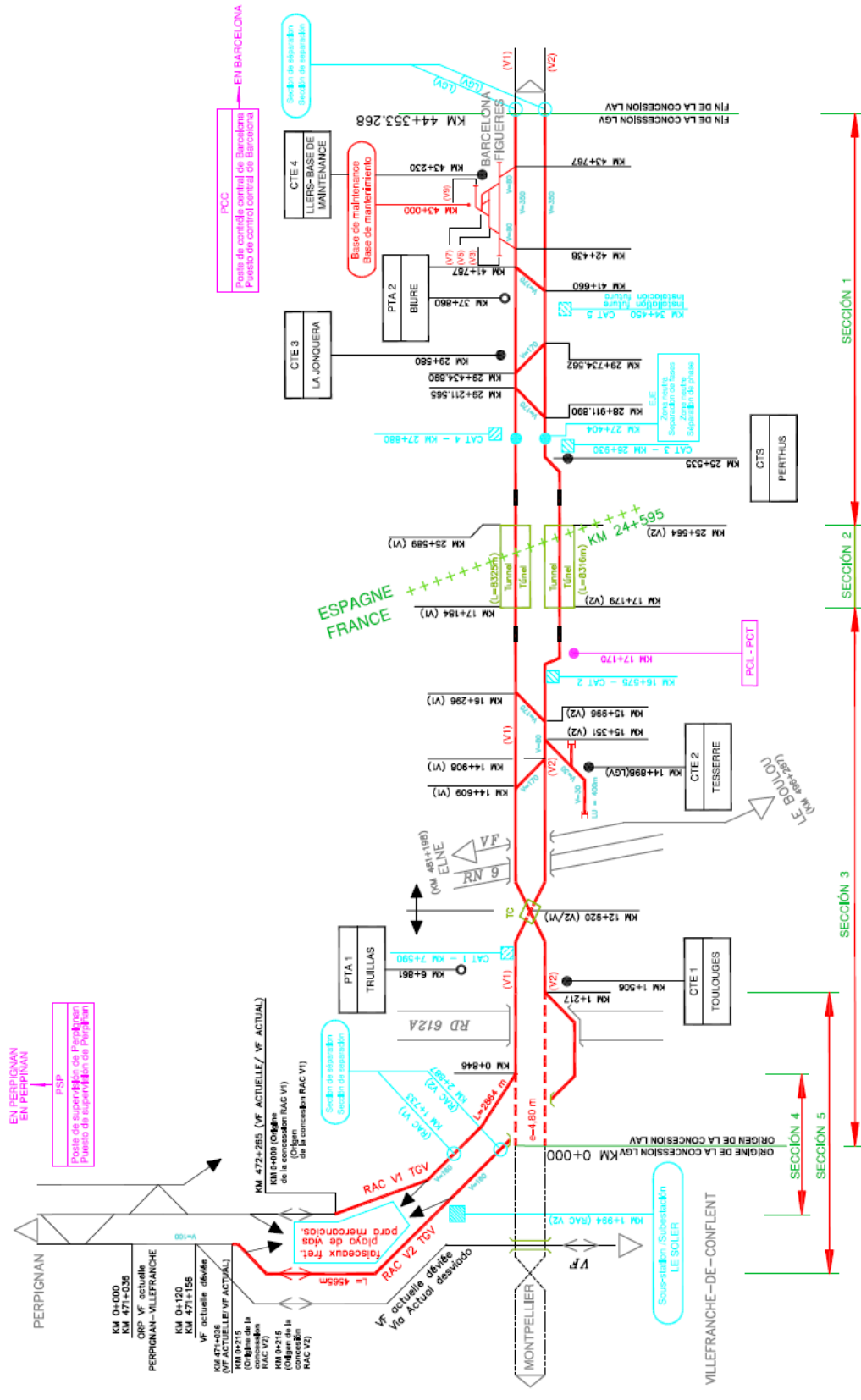
The means of payment are established on a monthly basis, although other means may be considered in the framework agreements with the different **RU**.

Annexes

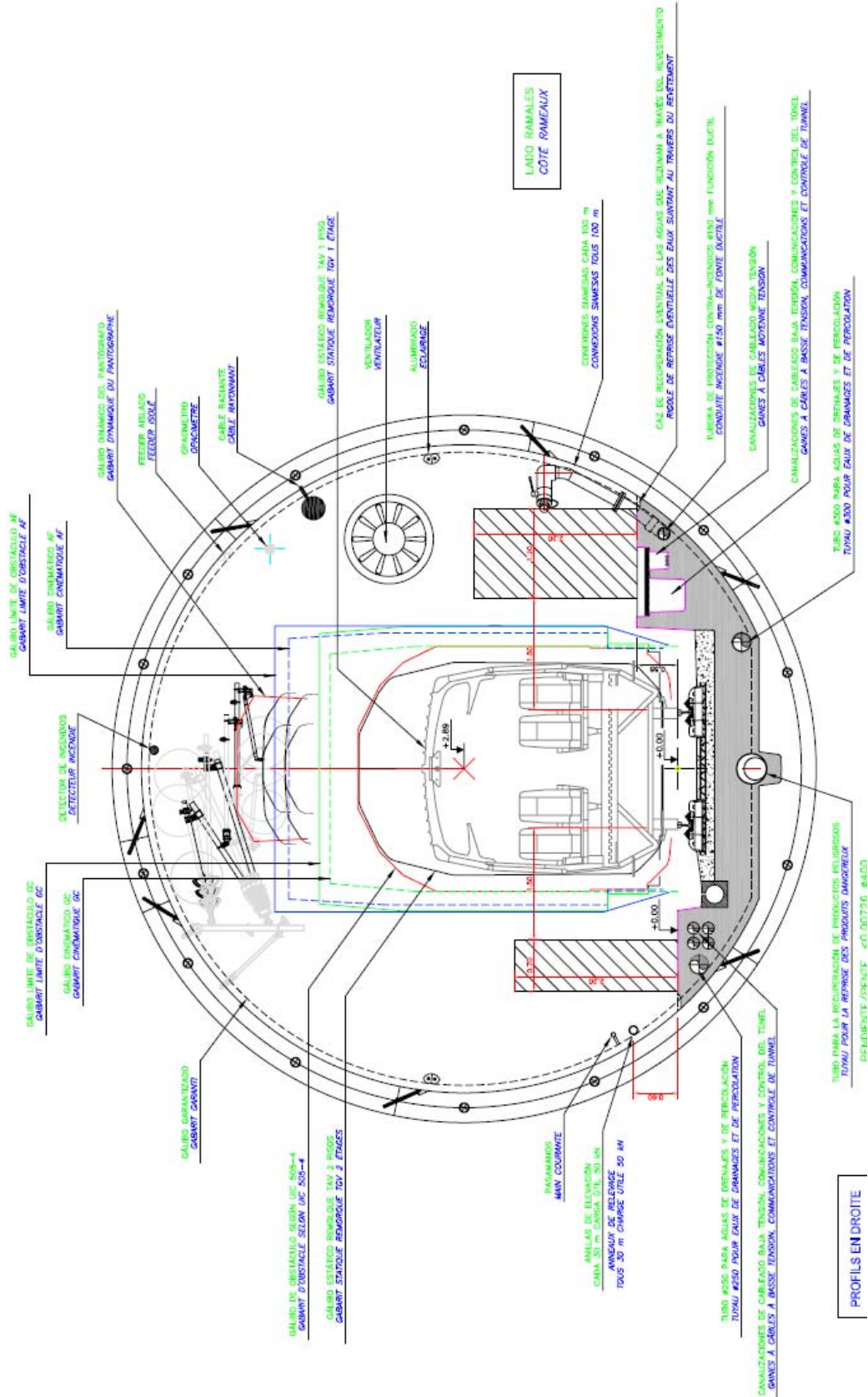
ANNEX 1



ANNEX 2



TRAMO DE EJECUCIÓN FUTURA
TRONÇON D'EXECUCION FUTURE



ANNEX 5

