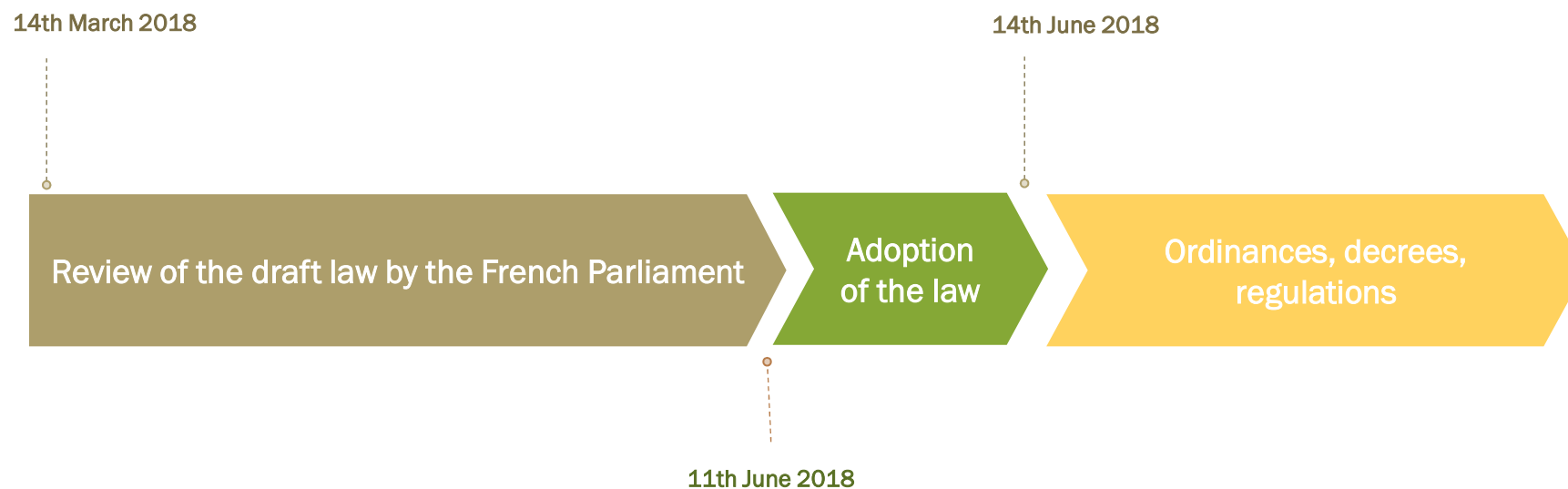




The French rail reform: Perspectives from the French Regulator

Presentation for the Rail Forum Europe

The draft law on a « New deal for rail » was published in the French Official journal on 27 June 2018



Role of regulator

Remaining of previous main missions

- **Binding opinions regarding:**
 - Access fees to railway infrastructure
 - Access fees to facility services (stations, maintenance centers, marshalling yards, etc.)
- **Non binding opinions regarding:**
 - Access conditions to railway infrastructure
 - Access conditions to facility services

New missions

- Data transfert to PTAs in the context of tendering processes for PSO services
- Application of exemptions regarding PSO services
- Economic Equilibrium Test (Commercial services/PSO services)

Changes regarding the French railway incumbent

- ① Maintaining a vertically integrated group composed of the infrastructure manager (SNCF Réseau), the railway undertaking (SNCF Mobilités) and a holding (SNCF)

- ② An enhanced role for the infrastructure manager and additional guarantees of independence
 - Stations management is transferred from the RU to the infrastructure manager
 - Crisis management is transferred from the holding to the infrastructure manager
 - ARAFER's role

- ③ Progressive reduction of the monopoly of SNCF Mobilités
 - Until December 2020, monopoly for domestic railway passengers services (PTA have the ability to allocate PSO services through tendering process from December 2019)
 - From December 2010 (« open access ») until December 2023 : monopoly remains only for PSO services (depending on PTA)
 - From December: end of monopoly.

Open access competition

Full transposition of the 4th European Railway Package

- **From December 2020: Open access competition**
- **Limitation of Commercial services to protect PSO services**
 - Obligation for RU to state their intention to provide new commercial services
 - PTA, PSO providers and the infrastructure manager have the ability to ask the regulator to assess whether a new commercial service could affect PSO services
→ Economic Equilibrium Test carried out by the regulator. Possible limitation of prohibition of the new commercial service

Competition for the market: PSO services

From December 2019 to December 2023

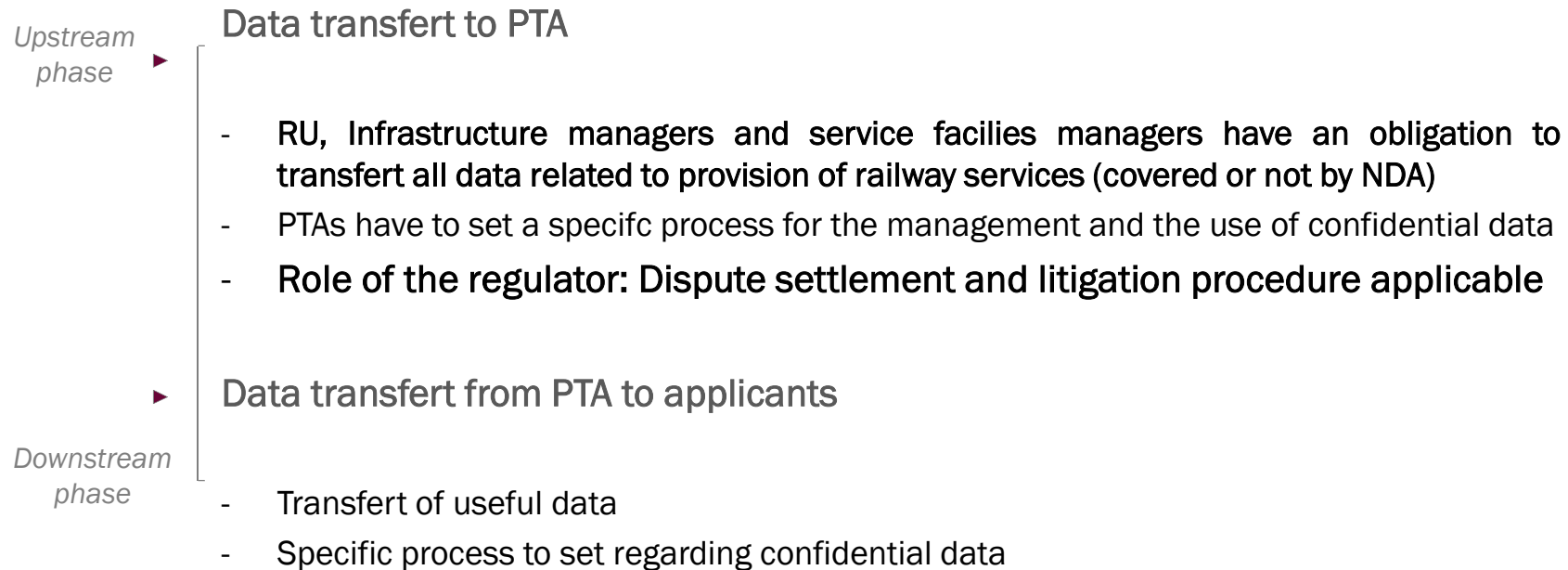
- PTA have the ability (not the obligation) to open PSO services to competition for the market through public tenders

- Remaining of PSO contracts concluded before December 2013 but limitation of their duration for 10 years.
- Transfer conditions related to rolling stock and maintenance centers: a core issue in the context of opening up competition for PSO services

From December 2023

- PTA have the obligation to open PSO services to competition for the market (public tendering).
- Possible exemptions (PSO European Regulation) after opinion of the regulation (binding and non binding when the RU is the infrastructure manager)

PSO services competition: Data access for PTA in the context of tendering processes





Thank you!