

PRIME

Transition Taskforce Capacity

PRIME Plenary

Vienna, 28th November 2024

Mandate Transition Taskforce Capacity

Expected deliverables of the task force are the following:

- I. Identifying responsibilities of ENIM as set out in the proposal for a regulation
– presented in interim report in June (back-up)
- II. Identifying decision making processes within the European Network of Infrastructure Managers (ENIM)
- III. Identifying responsibilities and tasks attributed by ENIM to the Network Coordinator, as set out in the proposal –
presented in interim report in June (back-up)
- IV. Defining the decision-making process between ENIM and the Network Coordinator
- V. Reviewing the internal governance/statutes of ENIM
- VI. A proposal to revise the rules and procedures of PRIME accordingly

Work done in this TF is based on the text of the original proposal of EC. IM will have to align with the outcome of the legislative process

Transition Taskforce Capacity

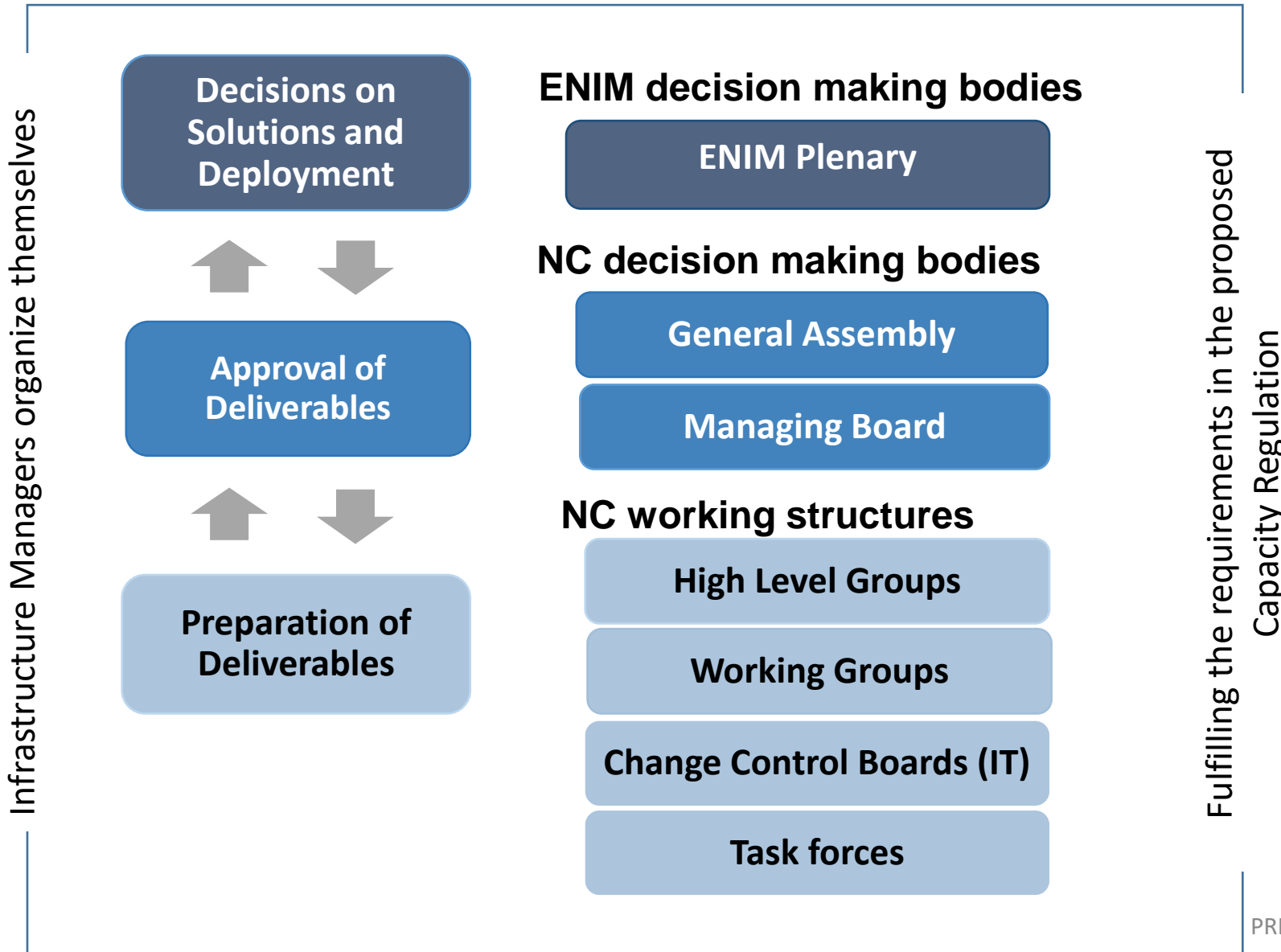
- 22 PRIME Members participating
- Biweekly meetings since 10th January 2024

Organized in 4 Subgroups:

Subgroup	Leader
Tasks and decision process	Alfred Pitnik, Linda Thulin
Scenarios	Oliver Sellnick
Internal Relations	Stefano Castro
External Relations	Jakub Dufek

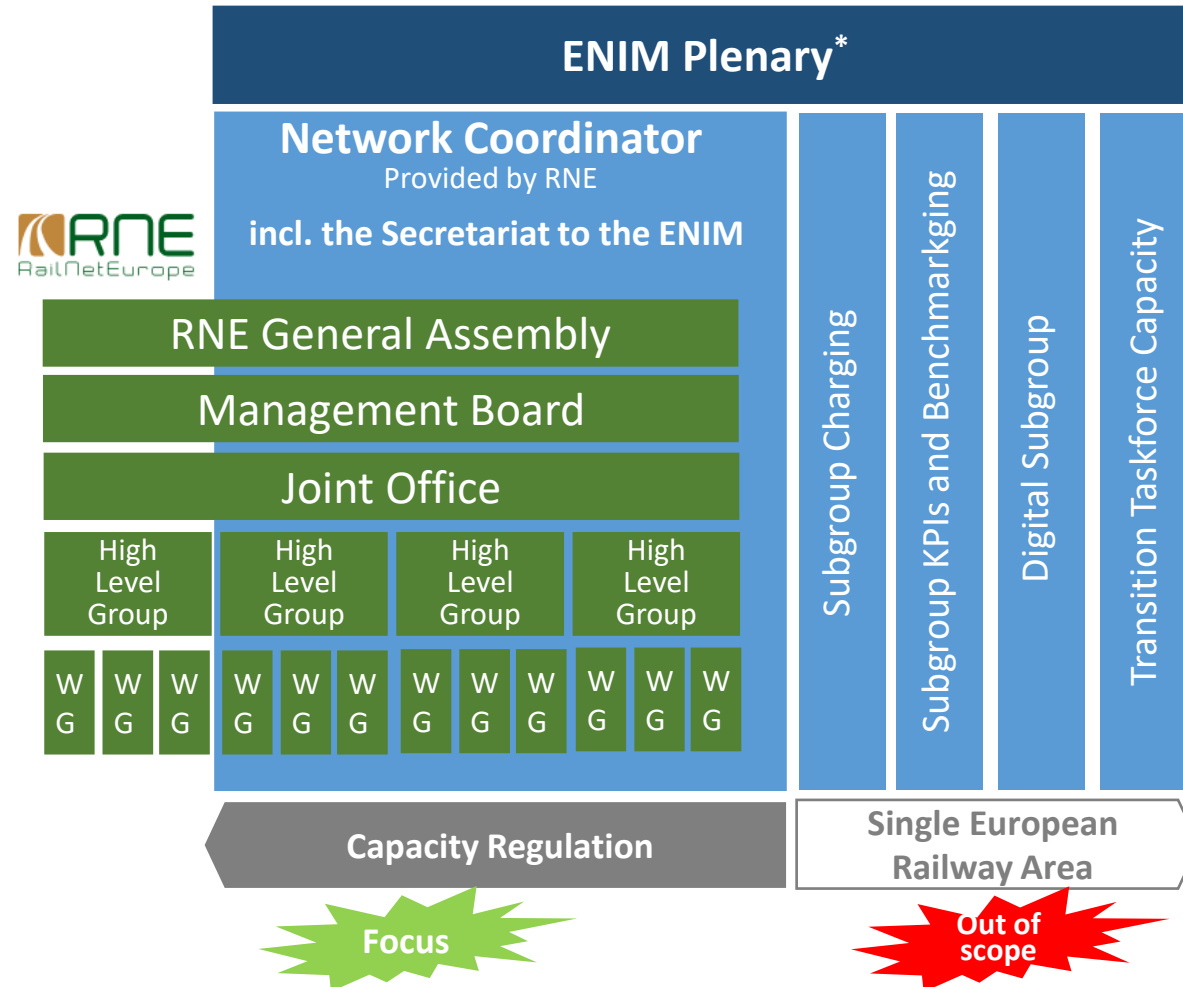
- The Task Force provides PRIME Plenary with this recommendation for decision

Decisions and working structure of ENIM



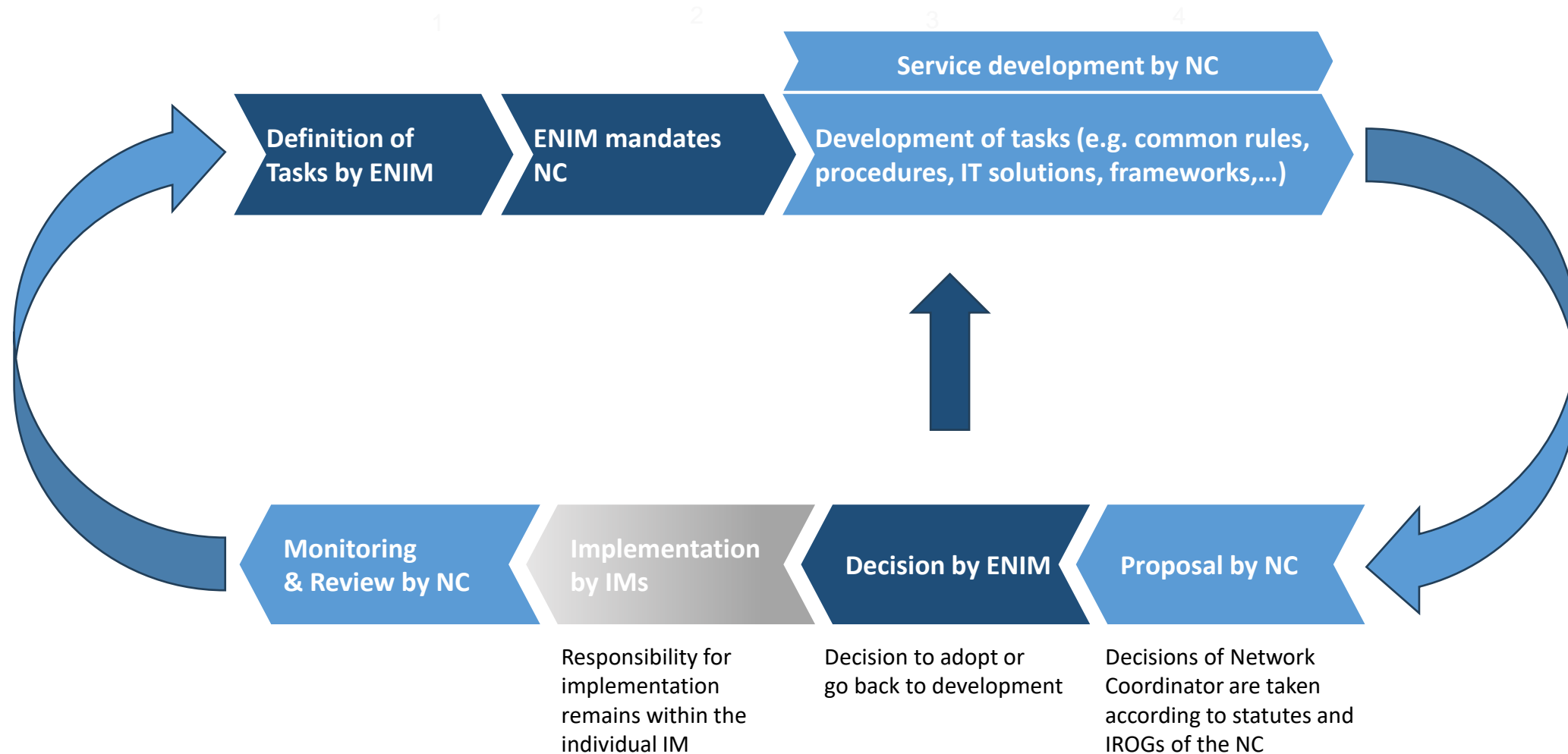
Recommendation

- One ENIM Plenary for all matters of the Single European Railway Area (SERA) and of the EU Capacity Regulation*
- The Network Coordinator provides the Secretariat to prepare ENIM's meetings, documents, decisions and opinions (as defined by Article 59 for the Capacity Relation matters)
- The Network Coordinator (NC), coordinating IMs and ABs, prepares the required work (frameworks, work programmes, etc.) and proposes it for decision to ENIM
 - Internal processes serve purely to arrive at a mature proposal to ENIM
 - The current internal structure of the anticipated (see PRIME Plenary 27 June 2024) NC is shown here as of today but cannot be determined within this PRIME Transition Taskforce



* Membership is defined differently for SERA and the (draft) EU Capacity Regulation, potentially leading to different groups of members being able to vote on SERA and capacity topics as well as to different roles of the EU Commission, being a co-chair for SERA topics and being a non-voting member for capacity issues.

Decision making process - relation ENIM and NC



Proposed structure for revised ENIM Rules of Procedure (principles) 1/4

- Point 1 - **Objectives of the ENIM**
- Point 2 - **Membership**
- Point 3 - **Financing**
- Point 4 - **Observers for tasks according to Article 7f of Directive 2012/34**
- Point 5 - **Decision-making**
- Point 6 - **Operation of the ENIM**
- Point 7 - **Plenary meetings**
- Point 8 - **Working-groups**
- Point 9 - **Network Coordinator**
- Point 10 – **External relations**
- Point 11 – **Transparency**
- Point 12 – **Annual report** (relating to work programme & implementation of Regulation & frameworks)

- **Objective**

Creation of the European decision body of Infrastructure Managers to take decisions regarding their core-business and implementation of the Capacity Regulation in a harmonized and coordinated European way, as well as tasks of the SERA-Directive

- **Membership**

- In accordance with criteria defined in proposed Capacity Regulation:
 - IMs/ABs responsible for core & extended core TEN-T Network in EU Member States; IMs/ABs responsible for core & extended core TEN-T Network in non-EU Member States if provided for in international agreements with EU
 - Non-member representatives of IMs in EU Member States not meeting the criteria above, upon request of the IM concerned
- Different participations in ENIM according to legal requirement either Capacity Regulation or SERA-directive
- Observers (SERA only) and other parties may be invited
- Process to integrate new members/representatives

ENIM Principles on Rules of Procedure 3/4

- **Chairing**

- Infrastructure Manager Chair & Deputy for the Capacity Regulation and SERA tasks
- IM Chair & Deputy shall be elected in 2025 to start ENIM according to the rules in place
- Chair is elected every three years, with a maximum of two periods
- Support that EC can continue as Co-chair on SERA issues.

- **Voting Rights**

- IMs/ABs responsible for core & extended core TEN-T Network in EU Member States; IMs/ABs responsible for core & extended core TEN-T Network in non-EU Member States if provided for in international agreements with EU
- One country one vote – differentiation between SERA directive and Capacity Regulation
- Decisions are taken by two third's majority

- **Responsibility of each member (Infrastructure Manager)**

- The IMs are responsible for the results and performance of:
 - the implementation of the Capacity Regulation on national and European level
 - the European Network of Infrastructure Managers and Network Coordinator
 - coordination with other Infrastructure Managers on bilateral or multilateral level through focal points

ENIM Principles on Rules of Procedure 4/4



- **Financing/providing of necessary resources**
 - IMs provide the necessary resources for development, implementation and monitoring on national and European level to fulfil their tasks under the future Regulation
 - Based on the work programme adopted by ENIM, the NC will submit annually the budget for the next year and a mid-term planning for three to five years to ENIM
 - Budget is implemented by Network Coordinator
 - The NC will report on the implementation of work programme and budget of the previous year
- **Operation of ENIM**
 - Plenary meetings
 - ENIM is supported by the Network Coordinator in its role of secretariat and organizer

ENIM External Relations

- **Strategic Dialogue**
 - Also within ENIM Plenary on invitation as designed in Task Force 3
 - Continuity ensured by ENIM chair(s) supported by the secretariat ensured by NC
 - Mainly concern: European Commission and Coordinators under the TEN-T Regulation, ERA, member states, IMs of third countries, associations of applicants (work programme, performance reviews)
 - Advisory group for open consultation to be initiated by ENIM - if no applicant body will be in the legal text
- **Working Relationship**
 - Main topics: European Frameworks (cross-border Traffic Management, capacity, performance review), ENIM's opinion/recommendation, work programme, Transport market study,
 - All the consultation to be done via NC to ensure high level of organization and documentation
- **NC to organize a communication channel open to feedback from any relevant stakeholder**

Back-up

Considered documents

- “Capacity Regulation”
[Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation \(EU\) No 913/2010](#)
- “SERA Directive”
[Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area \(recast\)](#)
- “TEN-T Regulation”
[2024/1679 REGULATION \(EU\) 2024/1679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations \(EU\) 2021/1153 and \(EU\) No 913/2010 and repealing Regulation \(EU\) No 1315/2013 -](#)
- “RFC-Regulation”
[Regulation \(EU\) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight –](#)
- PRIME Rules of Procedure
- RNE Statutes and IROG's
- SERAC & RISC Rules of Procedure

ENIM Tasks

- Adopt European framework for capacity management (i.e. guideline for harmonised implementation of the Regulation)
- Issue recommendations/opinions to improve consistency of IM strategic planning documents
- European transport market study
- Input to EC for TSI amendments / CM&TM IT (in cooperation with EU Rail JU)
- Establish single interface or common system (TSI compliant) to manage cap. Allocation in a single place and operation
- Guidelines for information exchange btw. SFOs and IMs on cap. in service facilities
- Adopt European framework for coordination of cross-border traffic, disruption and crisis mgt.
- Cooperate with TEN-T coordinators on performance review
- Adopt and review European framework for performance review
- Prepare and publish annual European performance review report (incl. Section of perf. Review body)
- Cooperate with Performance review body
- Deal with IM cooperation/coordination cases where no outcome can be reached in first instance
- Guidelines for consultation of interested parties (CM, TM, Performance Mgt.)
- Adopt common structure for network statement (taking into account „European frameworks for...“ & common schedule for NS consultation)
- Participate in EU Rail System Pillar steering group and deployment group

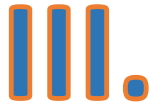
Network Coordinator Tasks

- Secretariat of ENIM preparing ENIM meetings, decisions and opinions
- Contribute to preparing „European frameworks on ...“
- Contribute to operational coordination btw. IMs, incl. e.g. Consensual conflict resolution for multi-network requests
- Identify national rules, procedures, tools hampering multi-network rail services
- Act as IM contact point for potential requests for capacity, information and contact points for incidents + TCRs
- First contact point for stakeholders outside rail sector, providing contacts to IMs and other relevant stakeholders
- Contact point of ENIM for stakeholders, e.g. for launch of new cross-border services, support for ad hoc activities in crisis situations
- Collect information on network disruptions, assess effectiveness of incident mgt, consult stakeholders, report to ENIM + perf. Review body
- Support ENIM in consultation activities (CM, TM, performance review)

Work in progress by the IMs under the coordination of RNE



Task division between ENIM ↔ Network Coordinator (NC)

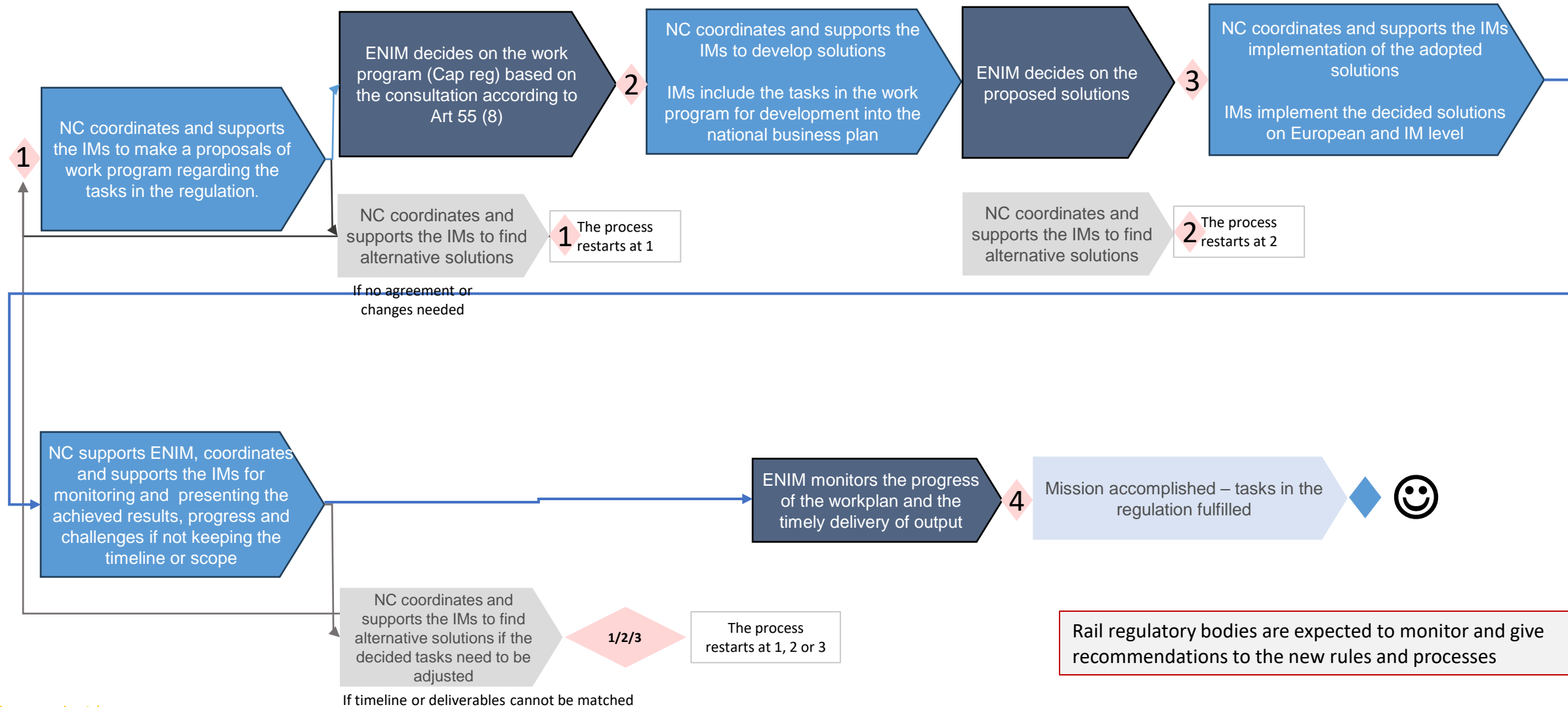


Examples of combined functioning of ENIM and the NC

Decision/Task/Responsibility	Role of ENIM	Delegation to the NC
Adopt European framework for capacity management (i.e. guideline for harmonised implementation of the Regulation) - Art 6	Decision body – adopting framework for capacity management	Developing the framework according to assignment of ENIM to NC and proposing it for adoption
Issue recommendations / opinions to improve consistency of IM strategic planning documents - Art. 14 (2) & Art 53	Assigns the task to NC and takes account of results implemented by NC	a) Development of process for improvement of strategic planning documents b) operational solving of an “idea” by applicant

Decision making process - relation ENIM and NC

IV.



Multilateral Consultation of ENIM Plenary

Stakeholders

RUs, APPLICANTS

Operational stakeholders

**Interested parties,
other stakeholders**

**Customers (of services)
& their associations**

Tasks

ENIM's opinion/recommendation
work programme
Transport market study

ENIM's opinion/recommendation
Framework for coordination of traffic management
work programme

ENIM's opinion/recommendation
Framework for coordination of traffic management
work programme

Transport market study

Interaction of ENIM plenary with other bodies

Stakeholders

Regulatory bodies

ENRRB

Member States

IM (focal points)

Performance Review Body

EU Authorities

Other (ERA, ERJU)

Tasks

Capacity supply plan

Compensation, Strategic capacity planning

Emergency measures application

Emergency measures, Coordination

Performance

work programme, performance reviews

work programme