

Railway Infrastructure Access Charging Methodology

Art. 1. - The public railway infrastructure access charge, hereinafter called the IAC, shall represent the amount paid by the railway undertaking, hereinafter called the RU, for the access to the railway infrastructure within the minimum access package for the traffic of the RU's trains in accordance with the provisions of art.13 of the Law no. 202/2016 on the integration of the Romanian railway system into the single European railway area.

Art. 2. - The calculation and levying of the IAC for the public railway infrastructure managed by the National Railway Company „C.F.R.” – S.A., hereinafter called CFR SA, shall be the responsibility of CFR SA in its capacity as the railway infrastructure manager, in accordance with the provisions of art. 29(1) of the Law no. 202/ 2016 .

Art. 3. - The IAC shall be applied in a non-discriminatory way for all the RUs for similar transport conditions, in accordance with the provisions of art.29(3) of the Law no. 202/ 2016 .

Art. 4. – The IAC calculation methodology shall be based on the following charging elements:

- a) distance run by the train;
- b) gross train tonnage;
- c) traffic type: freight or passenger;
- d) traffic route;
- e) category of the traffic section and its electrification systems for supplying traction power.

Art. 5. - The IAC shall be calculated and applied for each circulated train, on the basis of the charging elements set down at art. 4. On the railway lines equipped with electrification systems, IAC include the costs of the electrical equipment only for trains with electric traction. For solitary locomotive movement it will be considered the type of traffic that generates the lowest level of IAC.

Art. 6. - The traffic sections of the public railway infrastructure shall be divided per categories on the basis of the technical characteristics of each section (maximum speed admitted by the line), in accordance with Table no. 1 – Classification of Traffic Sections below:

Table no. 1 – Classification of Traffic Sections

| Category of traffic section | Speed regime (km/h) | |
|---|---------------------|-----|
| | from | to |
| A | 121 | 160 |
| B | 91 | 120 |
| C | 51 | 90 |
| D | 0 | 50 |
| I For lines with narrow gauge | - | - |

Art. 7. – (1) The list of the categories of traffic sections shall be prepared by CFR and is included in the contract of activity of CFR concluded with the Ministry of Transports.

(2) The list specified at Paragraph (1) shall be updated each year by the additional acts to the previously mentioned contract activity .

Art. 8. - The charge for each line category shall be established in accordance with the provisions of the art. 31(3) the Law no. 202/ 2016, by taking account of the direct cost resulting from the train operation which shall be distributed according to the type of traffic freight or passenger, as follows:

a) costs depending on the used train path, representing the costs of managing the traffic on the public railway infrastructure lines;

b) costs depending on the gross weight of the train, representing public railway infrastructure maintenance and operation costs.

Art. 9. - (1) The charging elements applicable for the establishment of the IAC shall be the ones included in Table 2 – IAC Basic Charging Elements, as follows:

Table 2 – IAC Basic Charging Elements

| IAC basic charging elements | Basic charge | | | | |
|---|---|-------------|-------------|-------------|-------------|
| Charging elements depending on train tonnage | Charge per train-km depending on tonnage (LEI/ train-km) | | | | |
| Category of traffic section | A | B | C | D | I |
| Electrified sections | <i>Ttse</i> | <i>Ttse</i> | <i>Ttse</i> | <i>Ttse</i> | <i>Ttse</i> |
| Non-electrified sections | <i>Ttsn</i> | <i>Ttsn</i> | <i>Ttsn</i> | <i>Ttsn</i> | <i>Ttsn</i> |
| Minimum tonnage | <i>Tmin</i> | <i>Tmin</i> | <i>Tmin</i> | <i>Tmin</i> | <i>Tmin</i> |
| Tonnage factor | <i>Ft</i> | <i>Ft</i> | <i>Ft</i> | <i>Ft</i> | <i>Ft</i> |
| Charging elements depending on distance | Charge per train-km depending on distance (LEI / train-km) | | | | |
| Category of traffic section | A | B | C | D | I |
| Traffic | <i>Tc</i> | <i>Tc</i> | <i>Tc</i> | <i>Tc</i> | <i>Tc</i> |

The charging elements included in the table have the following meaning:

Ttse – the charge for the use of the electrification equipment for each category of electrified sections; it does not include the value of traction power;

Ttsn – the charge depending on the tonnage for each category of non-electrified sections;

Tmin – the gross train tonnage starting from which the tonnage factor is applied;

Ft – the tonnage factor represents a correction coefficient to be applied to the gross train tonnage;

Tc – the traffic charge depending on the distance for each section category.

(2) The IAC value for a train circulating on a traffic route shall be calculated as the sum of the charges for each distance run on a traffic section (section IAC), depending on its section category, by using the following formula:

$$IAC = \sum \text{section IAC}$$

| | | |
|--|-------------------------------|----------------------------------|
| The National Railway Company "CFR" SA | CFR Network Statement 2020 | December 15, 2019 Version 9.0 |
| Country: Romania | Annex 20 | Page: 3 |

Where : section IAC = tonnage IAC + traffic IAC

and:

- tonnage IAC - the railway infrastructure access charge for a traffic section category depending on the distance covered and the existence of the electrification system, as well as on the weighted train tonnage, shall be calculated with the help of the formula:

$$\text{tonnage IAC} = \text{Km} \times \text{Ttsn} [1 + (\text{Gross tonnage} - \text{Tmin}) \times \text{Ft}]$$

where:

Km = the number of km covered on the traffic section;

Ft = 0 for the trains with a gross tonnage below Tmin;

Gross tonnage = the gross tonnage of the train according to the form „Wagon Display”, inclusively of the locomotives in action or the tonnage of the locomotives or self-propelled units for the traffic without hauled rolling stock.

- traffic IAC - the charge for the traffic management depending on the distance covered shall be calculated with the help of the formula:

$$\text{traffic IAC} = \text{Km} \times (\text{Tc} + \text{Ttse})$$

where :

Km = the number of km covered on the traffic section;

Ttse – will be applied for the line sections equipped with electrification systems only for trains with electric traction.

Art. 10. – The value of the basic charging elements shall be established by CFR SA for each traffic section category and per traffic type – freight or passenger – and shall be specified in the CFR Network Statement.

Art. 11. - (1) The IAC shall be calculated by CFR SA with the help of its own IT systems on the basis of the data supplied by the specific train traffic monitoring systems.

(2) The detailed report of the circulated trains shall be submitted, on a monthly basis, to each RU for analysis, agreement and approval in accordance with the conditions set down in the Access Contract mentioned in the Government Emergency Ordinance no. 12/1998, republished, with its further amendments and supplements.

Art. 12. - The train paths allocated to the RU and the IAC calculation methodology shall be set done in the Access Contract.

Art. 13. - (1) If, the IAC calculation IT system mentioned at art. 11, paragraph (1) is not available, the IAC shall be calculated at the level of the statistical average value of the last 3 months of traffic for each RU, starting from the date when the IT system is declared unavailable.

(2) The IT system shall be declared unavailable by CFR SA, by notifying the RU and the management of the Ministry of Transport and Infrastructure, if the unavailability exceeds 10 days.