



CFR NETWORK STATEMENT

Prepared by:

Compania Nationala de Cai Ferate "CFR" - S.A.



REVIEWS

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1	26.08.2017	7.1	Annex 6	update	
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23	10.12.2017	7.2	Annex 4.1	Performance regime - update	
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Abbreviations

AFER	The Romanian Railway Authority
ANCOM	The National Authority for Management and Regulation in Communications
ASFR	The Romanian Railway Safety Authority
ATCS	Automatic Train Control System
BCCTF	The Central Office for Railway Traffic Coordination
CAS	Charge for Ancillary Services
CENAFER	The National Centre for Railway Qualification and Training
CFR	The Romanian Railways
CUV	Contracts of Use of Vehicles in International Rail Traffic – Appendix D to the Convention concerning International Carriage by Rail (COTIF 1999)
DS	Dangerous Substances
EDIS	Electrodynamic Interlocking Systems
EIS	Electronic Interlocking Systems
EMIS	Electromechanical Interlocking Systems
ETCS	European Train Control System
GCU	General Contract of Use for Wagons – former RIV
GD	Government Decision
GEO	Government Emergency Ordinance
GO	Government Ordinance
IAC	Infrastructure Access Charge
IM	Infrastructure Manager as defined in Directive 2012/34/EU transposed in Romania by means of Law no. 202/2016
MT	Ministry of Transport
MTI	Ministry of Transport and Infrastructure (until January 01, 2013)
NS	Network Statement
OLFR	The Romanian Railway Licensing Body
OMT	Order of the Minister of Transport
ONFR	The Romanian Railway Notified Body
OSF	Operator of Service Facility
OSS	One Shop Stop
RID	Regulation concerning the International Carriage of Dangerous Goods by Rail
RNE	Rail Net Europe
RRB	Regional Railway Branch – territorial unit of CFR
RS	Rolling Stock
RTR	Regional Traffic Regulator
RU	Railway Undertaking
SC	Safety Certificate
TC	Traction Current
TM	Traffic Manager
TR	Traffic Regulator

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1. CHAPTER 1 GENERAL INFORMATION

1.1. INTRODUCTION

This Network Statement (NS) was prepared by CFR in order to describe the services supplied by CFR to the customers who want to operate trains on the Railway Infrastructure managed by CFR.

CFR's obligations to ensure the technical and operation condition of the railway infrastructure for the safe carrying-out of the train traffic are set down in the Performance Contract concluded by CFR with the MT in accordance with the legislation in force.

This NS is meant to be a guide including the relevant information available at a certain moment. It shall be continuously updated as new information is provided.

1.2. OBJECTIVES

The NS sets out in detail the specific rules, deadlines, procedures and criteria concerning the use of the Railway Infrastructure and the Allocation of Infrastructure Capacities as well as the charging systems; this statement also contains such other information as is required to enable the Applicants to submit their requests for Infrastructure Capacity.

The NS provides any applicant who wants to operate train services on the CFR Network with a single source of relevant information. The statement is necessary in order to facilitate the access to the Railway Infrastructure on a non-discriminatory basis.

Any comments of the stakeholders regarding the structure, contents and presentation of the NS are welcomed and will be analyzed by CFR. The comments may be sent to the contact address specified in Article 1.8.

For a better orientation, there are presented in [Annex 1](#) some plans of the CFR Network according to the different elements which are referred to in the NS.

1.3. LEGAL FRAMEWORK

The NS was drafted in accordance with Law no. 202/2016 on integrating the Romanian railway system in the single European railway area, which is the transposition of Directive 2012/34/EU establishing a single European railway area, the Regulations 429/2015 and 909/2015, respectively with an extended legal framework that is presented in [Annex 25](#). CFR's specific internal operating procedures and regulations are mentioned in [Annex 7](#).

1.4. LEGAL STATUS

1.4.1. Overview

The Network Statement was designed for information and presentation purposes. Its legal status shall be only that set out in the applicable law in force.

1.4.2. State Liability

The Romanian State shall be represented by the Ministry of Transport (MT) in its capacity as the state authority in the field of transport in accordance with its tasks set out in the Government Decision on organising and functioning of the MT.

1.4.3. Appeal Procedures

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Any RU may submit to CFR a contestation against the provisions of the NS as well as in case of other issues (e.g.: contestation regarding the allocation of infrastructure capacity), if these infringe the law. In the event of a dispute, the conflicts shall be solved and the decision shall be made in accordance with the law (Law no. 202/2016, Article 46(6)), and CFR shall communicate to the RU in writing the manner of settlement within 10 working days. Moreover, the RU may also submit a contestation to the National Railway Supervision Council, an independent body set up in accordance with the provisions of the Law no. 202/2016.

1.5. STRUCTURE OF THE NS

This NS was drafted in accordance with the indicative structure of the RailNetEurope (RNE) Guide in order to present the services supplied by CFR in its capacity as the manager of the Romanian Railway Infrastructure.

1.6. VALIDITY, UPDATING

1.6.1. Validity Period

The NS Version 7.0 came into force commencing with the publishing date - April 2017 - of the current Timetable, and shall be valid for the 2017/2018 Timetable and during the validity periods of the later timetables. It shall remain valid until relevant changes occur determining the preparation and publishing of a new later version.

1.6.2. Updating Process

CFR shall regularly update the NS in order to include additional information or to update the already presented information. The modifications made during the validity period shall keep the initial number of the version followed by the extension of the order number of the relevant modification (e.g. NS 7.3 shall be the third modification of the NS 7.0).

1.7. PUBLISHING

The NS shall be freely available on CFR's Internet Site, in Romanian and English. Upon request, a hard copy may be made available against payment, if available.

The Romanian version shall prevail against the English version.

1.8. CONTACT DATA

For comments and additional information regarding the NS please do not hesitate to contact us:

**Compania Nationala de Cai Ferate – CFR SA,
Traffic Directorate**

38 Dinicu Golescu Blvd., 1
Bucharest 010873, Romania

web: www.cfr.ro
Phone: +40 21 319 25 10
Fax: +40 21 319 25 11
E-mail: marian.cotofana@cfr.ro

Moreover, the NS may be accessed on the website of RNE which also includes the NSs of the other European railway administrations that are RNE members.

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1.9. EUROPEAN FREIGHT CORRIDORS

In 2010, the European Parliament and Council drafted Regulation (EU) no. 913/2010 which sets out rules for creating a European rail network for competitive freight, consisting in organizing and managing the international freight corridors.

The purpose of these rules is to supply safe and quality services for a high quality railway transport, and to enable it to compete with other modes of transport.

The main objective for initiating the Regulation was to improve the services supplied by the Infrastructure Managers to the international freight railway undertakings.

Several initiatives have contributed to the creation of the concept of corridors: the First Railway Package, the TEN-T (Trans-European Transport Network) programme, the cooperation between the Member States, and the collaboration between the Infrastructure Managers within the ERTMS as well as the implementation of the TAF TSI (Technical Specifications for Interoperability relating to the telematics applications for freight).

By means of Regulation 913/2010, the European Union wants to act in the following main areas corresponding to the harmonization process:

- the improvement of the coordination between the Infrastructure Managers,
- the improvement of the infrastructure access conditions,
- the ensuring of adequate priorities for freight trains,
- the improvement of the inter-modality along the corridors.

For attaining these objectives, the European Union has defined nine Rail Freight Corridors (RFCs) along the EU railway network. Out of these, the Rail Freight Corridor No. 7 (RFC 7) "Orient/East Med" crosses CFR's railway network, and is operational since November 2013, its current route being:

Prague - Vienna/Bratislava – Budapest- Bucharest-Constanta/Vidin-Sofia-Thessaloniki- Athens.

The website of RCF 7 is www.rfc7.eu.

1.10. COOPERATION BETWEEN INFRASTRUCTURE MANAGERS (RNE)

In 2004, a number of European Railway Infrastructure Managers and allocation bodies decided to establish a common organisation called RailNetEurope (RNE) to tackle the operational issues in the international railway field.

The details regarding the organisation and objectives of RNE are presented in [Annex 2](#).

CFR is a RNE member since October 2004 and cooperates with the IMs in other states which are not RNE members in order to efficiently draw up and allocate the Train Paths involving several railway networks.

The cooperation between the Infrastructure Managers is also presented on the website of RNE: <http://www.rne.eu/corporate.html>

1.10.1 One Stop Shop

The European Infrastructure Managers which joined RNE have set up One Stop Shops (OSSs) that work as a network of customer contact points under the RNE umbrella.

The main tasks of the OSS are presented in [Annex 3](#).

A list of the contact persons of the OSSs of the RNE administrations is available on the website of RNE: www.railneteuropa.com.

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CFR's One Stop Shop (OSS) functions within the Traffic Directorate, its contact information being the following:

Compania Nationala de Cai Ferate – CFR SA

Traffic Directorate

38 Dinicu Golescu Blvd., 1
 Bucharest 010873, Romania

OSS: Mr. Lucian BARBU

Phone: +40 21 319 25 10

Fax: +40 21 319 25 11

E-mail: oss@cfr.ro

1.10.2. RNE Tools

In order to ensure easy access to the services supplied by the IMs, RNE developed a number of online software tools such as:

- PCS (Path Coordination System) Pathfinder – a system for requests for international Train Paths
 PCS : <https://pcs-online.rne.eu/pcs/login>
- TIS (Train Information System) EUROPTIRAILS – a system for visualising the traffic of international trains: <https://tis-online.rne.eu/>
- The description of these tools is presented in [Annex 3](#).

1.11. GLOSSARY

The specialized terms used in the NS shall be those defined in Article 3 of Law no. 202/2016, and in GO no. 12/1998, with its further amendments and supplements.

The other specialized terms shall be defined as follows:

- Safety Certificate (SC)** – the document certifying the fact that a railway undertaking holding a licence may provide a type of railway transport service on the Romanian railway traffic sections;
- Working Timetable** – the graphical representation in space and time of the train movements on a particular route, usually for a 24-hour interval;
- Rail Service Book** - the leaflet with the timetable for freight or passenger trains grouped per train categories/types and per the activity range of a CFR regional branch;
- Timetable** – the train timetable, including the running times between various points (mainly stations and movement halts), and the train characteristics.

An explanatory English dictionary of the commonly used railway terms can be found on the website of RNE: http://www.rne.eu/ns_glossary.

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2. CHAPTER 2 ACCESS CONDITIONS

2.1. INTRODUCTION

The public Railway Infrastructure on the Romanian territory belongs to the Romanian State, and is awarded in concession to Compania Nationala de Cai Ferate "CFR"-SA in its capacity as the Infrastructure Manager.

The concrete elements of the public Railway Infrastructure are defined in Annex 2 to GD no. 581/1998 on setting-up Compania Nationala de Cai Ferate "CFR"-SA, with its further amendments.

The access to the Railway Infrastructure is granted on a non-discriminatory basis to all the RUs that fulfil the necessary and sufficient conditions, and require and conclude an access contract with CFR or an allocation convention in case of the other Applicants.

2.2. GENERAL ACCESS REQUIREMENTS

The access to the Romanian Railway Infrastructure shall be granted in accordance with the legal regulations presented in [Annex 25](#).

2.2.1. Requirements to be Complied with by an Applicant

An Infrastructure Capacity may be requested by an Applicant (RU) as referred to in Article 3(28) of the Law no. 202/2016 or by other applicants (except for the RUs) as defined at Article 38(2) and (3) and Article 41(1) of the Law no. 202/2016:

- other natural persons or legal entities (e.g. competent authorities as defined in Regulation (EC) no. 1370/2007 on public passenger transport services)
- loaders, consignors and combined transport operators requesting capacity for public service or commercial purposes.

This may be:

- a Romanian or a foreign RU and/or an international grouping of RUs:
 - holding a railway transport licence;
 - holding a Safety Certificate for the routes requested and
 - having concluded an Infrastructure Access Contract with CFR;
- another Applicant that is not a RU and holds an allocation convention concluded with CFR SA.
-

2.2.2. Who is Allowed to Perform Freight or Passenger Train Operations

The freight or passenger transport may be performed by the RUs that hold:

- a railway transport Licence;
- a Safety Certificate;
- an access contract concluded with CFR;
- train paths allocated for the transport route.

For the traffic on the CFR railway lines from the border to the first border station on the Romanian territory, the foreign RUs shall be granted access to the public Railway Infrastructure in accordance with the law and the international conventions and agreements to which Romania is a party.

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In such cases, the access right is granted in accordance with the Intergovernmental Agreement regarding the performance of the railway traffic at state borders concluded between Romania and the neighbouring country.

2.2.3. Licence

The railway transport Licence is the authorization granted by the licensing authority in an EU Member State to an economic operator in order to acknowledge its capacity to supply railway transport services as a railway undertaking. By means of the transport Licence, there may be allowed only the supply of certain types of railway transport services.

The railway transport services on the Romanian railways are classified in the following types:

- a) Type A – passenger railway transport performed in the public and/or own interest;
- b) Type B – freight railway transport performed in the public and/or own interest;
- c) Type C – only railway shunting in the public and/or own interest.

The railway transport Licence is granted in accordance with the provisions of Order no. 535/2007, with its further amendments and supplements, issued by the Ministry of Transport and Infrastructure, and of Law no. 202/2016.

The authority responsible for granting railway transport Licences in Romania is the Romanian Railway Licensing Body (OLFR), an independent body within the Romanian Railway Authority – AFER.

The railway transport Licence granted by OLFR is also valid in the other EU Member States for comparable railway transport services.

OLFR and CFR acknowledge the validity on the Romanian railways of the railway transport Licences granted by the authorities responsible for licensing the RUs in the other EU Member States, for a service of equivalent nature to the one specified in the Licence, in accordance with the applicable Community law, respectively Directive 2001/14/EC.

The Romanian Railway Licensing Body - OLFR

Address: 393 Calea Grivitei Street, 1
Bucharest, Romania

Phone: +4021.307.79.07
+4021.307.79.45

Fax: +4021.316.05.97
+4021.307.79.87

Web: www.afer.ro/rom/OLFR

Email: olfr@ofer.ro

2.2.4. Safety Certificate

The Safety Certificate is the document certifying the fact that a RU holding a licence may supply a type of railway transport service on the traffic sections of the Romanian railways.

The Safety Certificate shall comprise the following specific documents:

- a) the Safety Certificate Part A which confirms the acceptance of the Railway Undertaking's safety management system;
- b) the Safety Certificate Part B which confirms the acceptance of the measures taken by the Railway Undertaking for fulfilling the specific requirements necessary for the safe operation of the railway

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Network on which it carries out its activity: certain traffic sections of the Romanian railways or the entire Romanian Railway Network, railway stations, railway shunting areas, industrial railway lines.

The Safety Certificate shall be granted in accordance with the provisions of [Order no. 535/2007](#), with its further amendments and supplements, issued by the Ministry of Transport and Infrastructure, and of Law no. 202/2016.

The authority responsible for granting Safety Certificates in Romania shall be the Romanian Railway Safety Authority (ASFR), an independent body functioning within the Romanian Railway Authority – AFER.

The Safety Certificate Part A shall also be valid in the other EU Member States for comparable railway transport services.

ASFR acknowledges the validity on the Romanian railways of the Safety Certificates which confirm the acceptance of the safety management system (Part A), and are granted by the authorities responsible for the safety certification of the RUs in the other EU Member States, for comparable railway transport services, in accordance with the applicable Community law, respectively Directive 2001/14/EC.

The RUs licensed by the authorities responsible for granting Licences to the RUs in the other EU Member States which hold a Safety Certificate Part A, and intend to perform a comparable transport service on the Romanian railways shall hold a Safety Certificate Part B obtained from ASFR.

The contact data of ASFR:

The Romanian Railway Safety Authority – ASFR

Address: 393 Calea Grivitei Street, 1
 Bucharest, Romania
Phone: +4021.307.79.06
Fax: +4021.316.05.97
Web page: <http://www.afer.ro/asfr/>
e-mail: cvasiliuaf@ofer.ro

2.2.5. Cover of Liabilities (Mandatory Insurance, State Guarantee)

In order to obtain the Licence, the RU shall conclude insurance contracts with certified insurance companies or take the necessary measures for covering its civil liability in case of railway accidents or technical incidents related to the requested railway transport services, in accordance with [OMT no. 535/2007](#), with its further amendments and supplements. These insurances shall be attached to the Licence issued by OLFR, and shall be submitted to CFR upon concluding the Access Contract.

2.3. GENERAL BUSINESS TERMS AND CONDITIONS

2.3.1. Framework Agreement

The Framework Agreement shall be regulated by Article 42 of Law no. 202/2016 which sets out that CFR may conclude a Framework Agreement with an Applicant. This Framework Agreement shall refer to the characteristics of the Railway Infrastructure Capacities requested by an applicant as well as of the Infrastructure Capacities offered to it, for any period of time exceeding one Working Timetable period. The Framework Agreement shall not specify the Train Path in detail, but it shall be drawn up so that it may meet the commercial needs of the Applicant. This Framework Agreement shall be subject to the prior approval of the National Railway Supervision Council.

Up to now, no RU has requested to conclude any Framework Agreement.

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2.3.2. Access Contract Concluded with the RUs

For the access to the Railway Infrastructure managed by CFR, the RU shall conclude an infrastructure access contract with CFR.

The Access Contract shall set out the rights and obligations of CFR and of the RU with regard to the allocation and usage of the Infrastructure Capacities as well as to the other services provided or supplied by CFR.

The Access Contract shall generally be concluded for the validity period of a Timetable, and shall have a standard structure applicable to all the RUs, for the same traffic type.

The Access Contract shall include at least the following provisions:

- a) the services offered to the RU, in accordance with Annex II to Law no. 202/2016, classified per categories as follows:
 - minimum access package;
 - access, including track access, to service facilities, if they exist, and supply of services in these facilities;
 - additional services;
 - ancillary services.
- b) the Railway Infrastructure operating rights and the allocated Train Paths;
- c) the obligations and responsibilities of the parties;
- d) the performance parameters regarding the quality of the contracted services;
- e) the level of the IAC and of the charges for the other services included in the contract;
- f) the duration of the contract and the termination clauses;
- g) other elements.

The contract shall also set out the rights and obligations of CFR and of the RU with regard to the allocation of capacities.

The Access Contract shall be concluded between CFR and the RU before the allocation of the requested Train Paths.

The access to the railway stations and the freight terminals shall be included in the Access Contract.

The standard template of the Access Contract is presented in [Annex 4](#). This shall be mandatory for the RU requesting to use the Railway Infrastructure managed by CFR. Its structure can be modified in accordance with the development of the law in the railway field.

For the conclusion of the Access Contract, the RU shall submit the documents set out in [Annex 5](#).

The list of the RUs that concluded Access Contracts with CFR up to the publication date of this NS is presented in [Annex 6](#).

2.3.3. Allocation Convention Concluded with Other Applicants than the RUs

In accordance with the provisions of Articles 38(2) and (3), and of Article 41(1) of Law no. 202/2016, CFR may also conclude contracts with other Applicants than the RUs, as defined in Article 3(28) of the same law:

- other persons or legal entities (such as the competent authorities under Regulation (EC) No. 1370/2007 on public passenger transport services);

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- shippers, freight forwarders and combined transport operators, with a public-service or commercial interest in procuring infrastructure capacity.

The Allocation Convention shall set out the rights and obligations of CFR and of the Applicant in terms of Train Path allocation.

The Allocation Convention shall generally be concluded for the validity period of a timetable, and shall have a standard structure applicable to all the Applicants.

The Allocation Convention shall include at least the following provisions:

- a) the Train Paths allocated to the Applicant;
- b) the RU designated by the Applicant for the use of each Train Path allocated to the Applicant;
- c) the obligations and responsibilities of the parties;
- d) the performance parameters regarding the quality of the contracted services;
- e) the level of the charges for the services included in the contract;
- f) the duration of the contract and the termination clauses;
- g) other elements.

2.4. OPERATIONAL RULES

The specific operational rules shall be presented in the Railway Instructions approved by means of an OMT or other national or international legal provisions.

The national rules shall be published by the issuer, usually in the Official Gazette of Romania and in other specific publications or leaflets.

The international rules shall be published by the issuer in specific publications.

The list of the operational instructions and regulations applicable on the Romanian Railway Infrastructure is presented in [Annex 7](#). CFR may make them available to the RUs, against payment, within the limits of the available stock.

The Romanian language shall be used on the Romanian Railway Network. The international documents mentioned by the RUs shall be submitted in Romanian.

2.5. EXCEPTIONAL TRANSPORTS

A transport shall be considered exceptional if, due to its dimensions, its loading gauge or its weight, in correlation with the characteristics of the Railway Infrastructure on which it will run, it can be admitted only when complying with certain special technical or operating conditions.

The following transports shall be considered exceptional transports:

- a) the loads that do not comply with the mandatory conditions set out in the UIC Loading Guidelines;
- b) the loading units that need to be transhipped, if the mass of each object exceeds 25 tones;
- c) the shipments that have to be loaded on a ferry-boat and comply with the provisions set out in GCU and CUV (former Annex IV to RIV);
- d) the wagons with more than 8 axles, if loaded;
- e) the railway track vehicles running on own wheels which represent the purpose of a transport contract, if not marked;

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- f) other transports representing the purpose of the specific instructions approved by means of the order of the Minister of Transport.

For the guidance of the exceptional transports in the international traffic, there shall be needed taking-over agreements from all the railways participating in the transport or only from the railways holding the lines on which the relevant transports are considered exceptional. The taking-over agreements shall be requested and obtained by the RU.

The detailed regulations on exceptional transports are set out in the ***Instructions on Approving and Dispatching Exceptional Transports on the Public Railway Infrastructure – no. 328/2008*** which shall be made available in accordance with Article 2.4.

The method of allocating Infrastructure Capacity for exceptional transports is described in Article 4.4.

CFR may offer assistance for the performance of exceptional transports in accordance with the conditions specified in Article 4.7

The department responsible for approving the exceptional transport traffic on the CFR Network is:

- a) the Central Office for Railway Traffic Coordination of the Traffic Directorate for the international transports and for the transports on the area of two or several regional railway branches.

Traffic Directorate

Address: 38, Dinicu Golescu Blvd., 1
Bucharest 010873, Romania

Central Office for Railway Traffic Coordination

Phone: +40 21 319 25 10

Fax: +40 21 319 25 11

Mobile: +40 722 693 161

E-mail: nicuta.borcan@cfr.ro

- b) the Regional Railway Branch for the transports involving only one regional railway branch.

2.6. DANGEROUS GOODS

Dangerous goods (substances) (DS) shall be considered those chemical products that, during the transport on the railways (in tank wagons, containers or other packages), due to some traffic accidents, damages to the means of transport or packing, unexpected chemical reactions, non-compliances with the packing and transport technical norms or some other unexpected factors, may lead to the occurrence of explosions, fires, gas, vapour, aerosol or toxic liquid emissions released on the ground and in the environment. The explosion, fire, gas or vapour emissions may occur directly in the means of transport or/and following the spreading of the dangerous substance on the ground.

The dangerous substances (goods) may be transported by rail in tank wagons, containers or other types of packing units, in form of:

- gas, at normal pressure;
- compressed gas;
- liquid gas;
- liquid;
- solid (compact, crystals, powders).

In order to be permitted to transport dangerous goods on the CFR Network, the freight RUs shall have the remark "inclusively dangerous goods" included in the Licence, in the "Service Type" column.

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On the CFR Network, there shall apply the provisions of the Regulation concerning the International Carriage of Dangerous Goods by Rail (RID) as well as other specific regulations set out in the Railway Instructions, whereas some of these are mentioned below:

- GD no. 1175/2007 on the approval of the Norms on transporting dangerous goods in Romania;
- The Regulation concerning the International Carriage of Dangerous Goods by Rail RID – Appendix C to the Convention concerning International Carriage by Rail (COTIF) signed in Bern on May 9, 1980, and amended by means of the Protocol ratified by means of the GO no. 69/2001 which was approved by means of Law no. 53/2002;
- GO no. 7/2005, on the approval of the Romanian Railway Transport Regulation, republished;
- OMT no. 590/2007 for establishing the rules on the domestic transport of dangerous goods by rail.

The Infrastructure Capacity Allocation method for the transport of dangerous goods is presented in Article 4.4.

CFR may provide assistance for the performance of the transport of dangerous goods in accordance with the conditions set out in Article 4.7.

The body responsible for approving the transport of dangerous goods on the CFR Network is:

Traffic Directorate

Address: 38 Dinicu Golescu Blvd., 1
Bucharest 010873, Romania

Central Office for Railway Traffic Coordination

Phone: +40 21 319 25 10
Fax: +40 21 319 25 11
E-mail: nicuta.borcan@cfr.ro

2.7. ROLLING STOCK ACCEPTANCE PROCESS GUIDELINES

In accordance with the regulations in force, the RU shall be responsible for the rolling stock (RS) in its trains. Therefore, the RU shall be responsible for the authorisation of its own RS, the check of the RS it uses or the acceptance of the RS from another RU at the border stations (by concluding taking-over agreements).

CFR shall not be responsible for the homologation of the rolling stock, whereas the relevant responsible authority shall be the Romanian Railway Notified Body (ONFR) which functions within AFER, and has the following contact data:

The Romanian Railway Notified Body - ONFR

Address: 393 Calea Grivitei Street, 1
Bucharest, Romania

Phone: +4021.307.79.00
Fax: +4021.316.42.58
+4021.316.05.97

Web: www.afer.ro/rom/ONFR
Email: marnautu@afer.ro

2.8. STAFF ACCEPTANCE PROCESS

The operating staff of the RU who have traffic safety related responsibilities, and are to perform specific railway transport activities on their own liability shall hold authorisations for exerting the relevant positions issued by AFER in accordance with OMT no. 2262/2005.

The locomotive drivers shall hold a locomotive driver permit issued by AFER in accordance with GD no. 1611/2010 on the approval of the norms on licensing locomotive drivers.

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The locomotive driver permit and the authorisation shall be issued upon the RU's request, following the examination of the professional knowledge.

ASFR is the body within AFER responsible for issuing locomotive driver permits and authorisations for exerting a position. The contact data are presented in Article 2.2.4. – Safety Certificate.

The compliance with the staff acceptance conditions shall be verified both during the process of granting the Safety Certificate to the RU and during the performance of the activity by the RU.

The RU shall also hold its own training staff or a contract with an authorised entity.

CENAFER is the national body within the Ministry of Transport appointed to ensure the formation-qualification, training and regular professional examination of the staff performing specific railway transport activities under conditions of traffic safety, transport security and railway service quality, and to participate in the commissions authorising the staff with railway traffic safety related responsibilities.

CENAFER was set up in accordance with the GO no. 58/2004, approved by means of Law no. 408/2004, and is organised and functions as a public institution with legal personality, subordinated to the Ministry of Transport, and has the following contact data:

The National Centre for Railway Qualification and Training – CENAFER

Address: 343B Calea Grivitei Street, 1
 Bucharest, Romania

Phone: +4031 620 39 02

Fax: +4031 620 39 11

Web: www.cenafer.ro

Email: cenafer@cenafer.ro

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3. CHAPTER 3 INFRASTRUCTURE

3.1. INTRODUCTION

The information provided in this chapter is the one valid at the drafting date of the NS. If there appear significant modifications of the characteristics of the Railway Infrastructure during the validity period of the NS, these shall be included in the published modifications.

For the case when one of the activities included in this chapter is provided by another entity than CFR (in the capacity as IM), there was mentioned the relevant information specific to the activity or there were made references to the provisions comprising it.

The organisation of CFR and of the performed activities are presented on its own Internet page: www.cfr.ro

The Railway Infrastructure shall include the Railway Infrastructure in the public ownership of the State, hereinafter called the Public Railway Infrastructure, as well as that in private ownership, hereinafter called the Private Railway Infrastructure.

The management of the Railway Infrastructure in the public or private ownership of the State is provided by Compania Nationala de Cai Ferate "CFR"-SA (hereinafter called CFR), to which the public Railway Infrastructure is awarded in concession, without payment of any royalty, and which owns the other elements of the Railway Infrastructure set out in Annex 2 to GD no. 581/1998 regarding the setting-up of CFR.

Some parts of the State's public Railway Infrastructure can be awarded in concession, in accordance with the law, to other national companies under the authority of the Ministry of Transport, in compliance with the national and Community regulations. For the time being, CFR is the only national company empowered to manage the Public Railway Infrastructure.

The concrete elements of the Public Railway Infrastructure are defined in Article 11(1) of GO no. 12/1998, and are set out in GD no. 581/1998 and Annex I to the Law no. 202/2016.

The other elements of the Railway Infrastructure assembly which are not mentioned above represent CFR's private property in accordance with Article 11(3) of GO no. 12/1998.

3.2. EXTENT OF NETWORK

The Railway Network managed by CFR has the general characteristics presented in [Annex 12](#).

The map of the Railway Network with its main characteristics highlighted is presented in [Annex 1a](#).

3.2.1. Network Limits

The public or private Railway Network managed by CFR covers rather evenly the territory of Romania, and serves most of the economic and urban hubs. The Railway Network managed by CFR is connected to the European Railway Network through the neighbouring railway administrations, namely: Hungary (MAV), Serbia (ZS), Bulgaria (NRIC), Moldova (CFM), and the Ukraine (UZ). The border stations between the Railway Network managed by CFR and the railway network of the neighbouring railway administrations are presented in [Annex 11](#).

3.2.1.1. Interoperable and Non-Interoperable Railway Infrastructure

The State's Public or Private Railway Infrastructure includes the infrastructure that can be connected to the trans-European Railway Infrastructure as well as the infrastructure that cannot be connected to this, as follows:

- a) the Interoperable Railway Infrastructure;

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- b) the Non-Interoperable Railway Infrastructure. The list of these sections is presented in [Annex 8](#) to the NS (it is taken over from [Annex 3](#) to GD no. 643/2011).

CFR can rent to other legal entities parts of the public Non-Interoperable Railway Infrastructure to be managed with a view to organising the public freight and passenger transport.

The renting conditions for some parts of the Non-Interoperable Railway Infrastructure are set out in GD no. 643/2011.

The legal entities that rent sections of the Non-Interoperable Railway Infrastructure shall be authorised by AFER as Infrastructure Managers in accordance with Article 12 of GD no. 643/2011.

Up to now, CFR has concluded leases with 8 Non-Interoperable Railway Infrastructure Managers. The rented sections are highlighted in [Annex 8](#).

The length of the Interoperable and Non-Interoperable Railway Infrastructure is structured as follows:

- the length of the route of the Interoperable Railway Infrastructure Network: 6 521.8 km;
- the length of the route of the Non-Interoperable Railway Infrastructure Network: 3 754.1 km (102 traffic sections), out of which:
 - o no. of km managed by CFR: 1 897.6 km (61 sections);
 - o no. of km rented by Infrastructure Managers: 1 856.5km (41 sections);

The map of the railway stations, and of the interoperable and non-interoperable railway lines with highlighted IMs that have rented non-interoperable lines from the CFR is presented in [Annex 1b](#).

The stations situated on the two types of infrastructure are presented in the general list of stations in [Annex 9](#) which also indicates the Infrastructure Manager that rented them.

3.2.1.2. Management of Non-Interoperable Railway Infrastructure

The Non-Interoperable Infrastructure shall be managed in accordance with the conditions set out in GD no. 643/2011 which mainly stipulates that:

- a) The operational management of the train traffic on the traffic sections that belong to the Non-Interoperable Railway Infrastructure shall exclusively be performed by CFR through its own railway traffic management structures, in accordance with the law.
- b) The train traffic management at the level of the railway stations, and of other sectioning points on the traffic sections that belong to the Non-Interoperable Railway Infrastructure shall exclusively be performed with the staff authorised by AFER, under the coordination of CFR's railway traffic management structures, in compliance with all the traffic safety norms, and in accordance with the regulations in force.
- c) The access to these lines shall be granted pursuant to an access contract concluded between the holder of the line and the RU, and against the payment of an IAC that cannot exceed the value of the IAC levied by CFR for similar sections and conditions. The specific charging conditions are presented in Chapter 6 of the NS.

3.2.2. Connection to the International Network

The CFR Network has connections to all 5 neighbouring countries, as presented in the chart in [Annex 1a](#), and in the table with the technical characteristics of the border stations and the relevant terminals in [Annex 11](#).

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3.2.3. Further Information

The legal documents that include provisions regarding the Railway Infrastructure and to which we refer are mainly those specified in [Annex 25](#).

3.3. NETWORK DESCRIPTION

3.3.1. Technical Characteristics

The characteristics of the Network are presented in Article 3.3. A summarising table with these characteristics is presented in [Annex 12](#).

3.3.1.1. Track Type

a) From the point of view of the traffic capacity, out of the 10 628.205 km of the CFR Railway Network:

- 2 916.94 km of double-track line;
- 7 711.265 km of single-track line.

These lines are highlighted on the map presented in [Annex 1a](#).

b) From the point of view of the track superstructure of the CFR Network, out of the total line length of 19 849.98 km:

- 4 370.39 km are equipped with track superstructure Type 65;
- 2 369.325 km are equipped with track superstructure Type 60;
- 474.048 km are equipped with track superstructure Type 54;
- 7 924.561 km are equipped with track superstructure Type 49;
- 4 711.656 km are equipped with track superstructure Type below 49.

3.3.1.2. Track Gauge

The CFR Railway Network has the European (normal) gauge of 1 435 mm.

Nevertheless, there are some short sections at the railway borders with the Ukraine (UZ) and the Republic of Moldavia (CFM), where the line with normal gauge is doubled by a line with the wide gauge of 1 520 mm along the distance from the CFR border station to the neighbouring railway administration. These lines are highlighted in [Annex 11](#).

Moreover, a 44 km long peage line with wide gauge (1 520 mm) is situated on the Romanian territory between the stations Teresya (UZ) – Campulung la Tisa (CFR) and Valea Visului (CFR) – Berlibas (UZ).

In order to ensure the uninterrupted international railway traffic from the normal gauge to the wide gauge, there are provided at the Romanian borders with the Ukraine and the Republic of Moldavia the transshipment stations and transposition stations that are presented in the table included in [Annex 11](#).

The transshipment stations ensure the transshipment (move) of the goods from the normal gauge wagons to the wide gauge wagons and vice versa.

The transposition stations ensure the transposition of the normal gauge wagons (the change of the axles/bogies) to the wide gauge wagons and vice versa.

The gauge of the lines is shown on the map presented in [Annex 1a](#).

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3.3.1.3. Railway Stations and Nodes

The stations are sectioning points with lines for train traffic, shunting operations and other railway transport operations. In the meaning of this NS, stations also refer to halts.

There are on the Railway Network managed by CFR 936 stations, 132 of them being situated on the Non-Interoperable Railway Infrastructure rented to the IMs.

The general list of stations is presented in [Annex 9](#). This also includes some of the supplied services which this NS refers to.

The railway nodes are the stations with more than two ways or the junctions (railway branches) from the running line.

The distances between the stations (nodes) are presented in the Rail Service Books which are drawn up and published annually by CFR, and regularly in the „Kilometre indicator”.

The CFR Stations are shown on the railway outline presented in [Annex 1b](#).

3.3.2. Network Characteristics

3.3.2.1. Loading Gauge

The loading gauge on the CFR Network is „the CFR wagon loading gauge” the sizes of which are presented in the UIC Loading Guidelines (former Annex II RIV).

The loading gauge applicable on the CFR Network is indicated in the Instructions no. 328/2008 on exceptional transports on the Railway Infrastructure presented in Article 2.5. of the NS.

The transports exceeding the sizes of “the CFR wagon loading gauge” shall be considered exceptional transports (out-of-loading gauge), and shall be dealt with in accordance with the Instructions no. 328/2008 for each and every case and route.

3.3.2.2. Weight Limits

The maximum axle load for the lines of the category C3 shall be 20 tones/axle.

The maximum weight admitted per linear meter of the lines of the category C3 shall be 7.2 tones/meter.

The transports exceeding the maximum admitted load and/or the maximum admitted weight (with exceeded tonnage) shall be considered exceptional transports, and shall be dealt with in accordance with the Instructions no. 328/2008 for each and every case and route.

3.3.2.3. Line Gradients

The CFR line gradients are indicated in [Annex 10](#).

3.3.2.4. Admitted Line Speed

The CFR Railway Network permits conventional running speeds of maximum 160 km/h. There is no high-speed line in Romania.

The maximum speed admitted on each traffic section is indicated in the Rail Service Books which are drawn up by CFR annually, before changing the Timetable, and which are made available to RUs. The Rail Service Books may be ordered before the coming into force of a timetable or may be studied, upon request, at the headquarters of the Traffic Directorate of CFR. The contact data are:

Traffic Directorate

Address: 38 Dinicu Golescu Blvd., 1
Bucharest 010873, Romania

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Timetable Office

Phone: +40 21 319 25 10
Fax: +40 21 319 25 11
E-mail: lucian.barbu@cfr.ro

3.3.2.5. Maximum Train Lengths

The maximum train lengths on a certain traffic section are limited by the maximum useful length of the lines in the receiving/dispatching stations with the lowest useful lengths on the relevant section. In certain cases, CFR may approve a longer train length if some certain specific operating conditions are complied with.

The useful lengths of the lines in the stations shall be included in the Technical Operation Plans of each station, and may be made available by the Traffic Directorate. The contact data are those specified in Article 1.9.1 of the NS.

3.3.2.6. Traction Current

Commencing with September 1, 2014, the traction current is purchased on the electricity market OPCOM by SC "Electrificare CFR" SA, a specialized subsidiary of CFR. The traction current (TC) is transformed from 110 KV to 25 KV in the CFR traction substations, and is distributed in the contact wire.

The elements of the traction current supply system are part of the public Railway Infrastructure managed by CFR, and are rented for management to a specialised subsidiary of CFR, SC "Electrificare CFR" SA.

The traction current shall be paid by the RU on the basis of a current supply contract concluded between SC "Electrificare CFR" SA and the RU, which includes provisions regarding the consumption forecast and supervision modality, and the charging and billing modality, applicable both to the locomotives equipped with meters, and to those without meters. The standard template of this contract is presented in [Annex 19](#). If the amounts owed for the supplied traction current are not paid, SC "Electrificare CFR" SA reserves the right to withdraw the access to the electrified railway infrastructure.

The characteristics of the electrification system:

- the current supply voltage of the contact wire: 25 KV
- the frequency of the contact wire: 50 Hz.
- the height of the contact wire as to the head of the track: 5 750 mm
- the contact pressure of the pantograph on the contact wire: between 5 and 7 daN in accordance with EN 50119
- zig-zag +/- 200 mm

The map containing the electrified lines is presented in [Annex 1a](#).

The contact data for obtaining information on the traction current supply system:

S.C. „Electrificare CFR” S.A.

Address: 38 Dinicu Golescu Blvd., 1 Bucharest
Phone: 021-3192512
Fax: 021-3119838
Web : www.electrificarecfr.ro
Director for Operations: Eng. GăbuROI Gheorghe
E-mail: gheorghe.gaburoi@cfr.ro

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3.3.3. Traffic Control and Communication Systems

The traffic control concept includes the signalling, traffic control, radio communication and automatic train control systems (installations).

3.3.3.1. Signalling Systems

The Romanian Railway Infrastructure is equipped with two-speed step signalling systems, and multiple-speed step signalling systems, both types being equipped with additional signalling devices, as necessary.

The indications of set and reduced speeds are sent by the traffic lights, light signals, and indicators that are preceded by warning beacons, as necessary.

The signals mainly cover the sectioning points, the level crossings (barriers), and the running line branches, and are usually placed on the right side of the line, in the running direction of the train or above the line axis.

Depending on the signalling installations mounted in the stations and on the running lines, the following systems are used for organising the train traffic:

- a) the train traffic based on phone agreement – free way;
- b) the train traffic based on the Automatic Line Block (ALB);
- c) the train traffic based on the dispatching installation;
- d) the interlocked management of the train traffic.

The ALB traffic system is implemented on the main lines and on the lines with significant traffic.

For the control of the correct perception, interpretation and application of the signal indications by the driver, the signalling installations are supplemented with automatic train speed control and stop systems in case of a non-compliance with the signal indications. The INDUSI and ETCS systems have to provide at least:

- a) the spot or continuous control of the train speed depending on the train rank;
- b) the automatic breaking of the train, if the driver is not watchful.

The level crossings are signalled with the help of 1 094 automatic signalling installations with and without half-barriers (automatic half-barrier at level crossing, automatic signalling at level crossing).

The specific regulations regarding the signalling used on the Romanian Railway Infrastructure are set out in the Signalling Regulation no. 004/2006 (see Article 2.4).

The arrangement of the traffic systems per traffic sections on the whole CFR Network is presented on the map included in [Annex 1c](#).

3.3.3.2. Traffic Control Systems

The traffic control is performed with the help of the switch control installations that ensure the switch operation according to the necessary train traffic route.

Most of the railway stations are equipped with interlocking systems, but there are also stations which are situated on low-traffic sections, and are equipped with key-operated switch and signal control systems.

Their classification is the following:

- interlocking systems that include
 - 40 electronic interlocking systems

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- 15 electromechanical interlocking systems with computer-assisted control station
- 578 electrodynamic interlocking systems
- 60 electromechanical interlocking systems
- 159 systems with interlock
- 157 systems without interlock

The stations and the relevant type of interlocking systems are presented in the plan included in [Annex 1c](#).

3.3.3.3. Radio Communication System

The radio communication system is used for the ground-train communications (between the traffic manager and the train driver) with regard to the traffic safety and the shunting activity.

The CFR radio communication system is dedicated to the Romanian Railway Infrastructure.

This radio communication system works on the basis of GEO no. 79/2002 regarding the general regulatory framework for communications approved with amendments and supplements by means of Law no. 591/2002, with its further amendments and supplements. In accordance with the above-mentioned law, CFR SA received the licence MT-PMR 0145/2006 that grants the right to use of the radio frequencies for the supply of private electronic communication networks within the land mobile service.

CFR is the holder of the licence MT-PMR 0145/2006 for the use of frequencies in accordance with the following technical and operational conditions:

- Network coverage: National
- Communication type: Voice
- The operation mode: Simplex
- Frequency channel: 12.5KHz/25KHz
- Frequency Band: 146 000 – 146 800 MHz

The common frequencies are the following:

- 146 200 MHz and 146 225 MHz - for traffic
- 146 125MHz; 146 150MHz; 146 175MHz; 146 250MHz; 146 375MHz as well as other frequencies from the frequency band (146 000 – 146 800) MHz - for shunting;

In order to have access to the CFR Railway Infrastructure, any RU shall ask CFR to approve the use of some frequencies specific to the railway radio communication system according to the activities to be carried out. Every RU shall also attach to the request for frequency the technical sheets of the radio transmission devices to be used.

The technical characteristics of the radio transmission devices shall comply with the requirements of ANCOM (The National Authority for Management and Regulation in Communications) included in [Annex 13](#).

The RU may rent, against payment, radio transmission devices from SC "Telecomunicatii Feroviare" SA, CFR's specialised subsidiary, within the limits of the available stock.

CFR shall grant to each railway undertaking, within the access package included in the IAC, the right to use the traffic frequencies as well as some shunting frequencies – specific to each RU, according to the frequency allocation authorizations, dedicated to each CFR radio communication network.

For the approval of the RU specific frequencies and more information on the radio communication system, the RU may contact:

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Phone: +40 21 319 24 50
Fax: +40 21 319 24 51

3.3.3.4. Automatic Train Control (ATC) System

The INDUSI I-60 system is implemented on the whole CFR Railway Network.

The ETCS system Level 1 was mounted on the Bucharest-Campina and Bucharest – Constanta sections.

3.3.4. Organisation of Railway Traffic Operation

3.3.4.1. Train Traffic Management

At present, the train traffic management on the CFR Network is performed with the help of 8 Regional Traffic Regulators (RTRs), and 10 Traffic Regulators (TRs) coordinated at central level by the Central Office for Railway Traffic Coordination (BCCTF) within the Traffic Directorate. The RTR and TR activity is carried out by traffic operators being responsible for several traffic sections for which they manage the traffic in accordance with the information received, and the instructions sent to the traffic managers in the stations. The traffic data are sent by the stations by phone and by means of the IT applications of the IRIS system (the Integrated Railway Information System) which is implemented in over 600 stations, in all RTRs and TRs, and in BCCTF.

The IRIS system supplies the monitoring of the railway traffic, the graphical representation of the train routes, and of their position. The system comprises three main components:

- Atlas - for train scheduling
- Cronos - for train traffic reporting by the TM
- Focus - for monitoring train traffic

IRIS is not a traffic management system, and it does not contribute to the train traffic safety, whereas it acquires, processes and monitors the train traffic data.

The IT system IRIS is developed and maintained by SC "Informatica Feroviara" SA, CFR's branch specialized in IT services. On the basis of a contract, SC "Informatica Feroviara" SA supplies to the railway undertakings IT railway services, including those referring to train traffic (statistics, position of trains, value of the Infrastructure Access Charges, specific applications, etc.).

3.3.4.2. Train Traffic Scheduling

The train traffic scheduling represents the process of allocating traffic capacity to the passenger and freight railway undertakings. This process has three stages:

- the drafting of the annual traffic schedule (of the Working Timetable) – the long-term traffic capacity allocation; by means of this process, the traffic capacities are allocated to the railway undertakings (as Train Paths), and the time intervals are defined for the performance of the maintenance works on the railway lines, and the traffic safety systems.
- the drafting of the decadal traffic schedule – the short-term traffic capacity allocation; by means of this process, the Working Timetable is adapted to the current realities (the requests of the railway undertakings, and of the persons carrying out railway maintenance works) for 10 days (one decade).
- the drafting of the daily traffic schedule – the very short-term traffic capacity allocation; by means of this process, there are performed the last minute modifications (the requests of the railway undertakings, and the assessment of the consequences of the unforeseen events on the Railway Infrastructure) for one day.

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The details regarding the freight train scheduling modality are presented in the Instructions on Train Traffic Scheduling and Technical Operational Analysis no. 099/2005 (see Article 2.4 of the NS).

3.4. TRAFFIC RESTRICTIONS

3.4.1. Specialized Infrastructure

CFR has not designated any specific (specialized) railway infrastructures for certain traffic flows complying with Article 49 of Law no. 202/2016.

3.4.2. Environmental Restrictions

No environmental traffic restrictions are applied on the Romanian Railway Network.

3.4.3. Restrictions Related to Dangerous Goods

The dangerous goods shall be accepted for transportation on the basis of a traffic schedule approved by CFR upon the request of the RU, which is to indicate all the characteristic data of the transported dangerous goods, and the special traffic conditions.

3.4.4. Tunnel Restrictions

The Romanian Railway Infrastructure comprises 171 tunnels with a total length of 62 km.

The tunnels are not restricted for the diesel traction traffic.

The loading gauge through the tunnels is: GA, GB, GC according to the construction year or the last overhaul. The transports exceeding the loading gauge of the tunnels shall be dealt with in accordance with Article 2.5 of the NS.

No out-of-loading gauge transports shall be permitted on the Oravita – Anina Line.

3.4.5. Bridge Restrictions

The Railway Network comprises 17 694 bridges and culverts (4 216 of them are bridges) with a total length of 143.65 km.

The traffic restrictions on the bridges refer to the loading gauge or to the load per linear meter. The restrictions shall be determined by the ratio between the bearing capacity of the bridge, and the load per axle or linear meter of the rolling stock.

The restriction refers to the enforcement of a value of the load per axle/linear meter or the speed restriction and tonnage acceptance. This restriction is mentioned at C3 in Annex II RIV.

These restrictions may be exceeded only after obtaining some special approvals which have to be required in advance by the RU.

3.5. AVAILABILITY OF INFRASTRUCTURE

In principle, the stations (the traffic sections) have full availability (uninterrupted activity), with the following exceptions:

- a) infrastructure maintenance or repairing works;
- b) infrastructure overhaul or upgrading works;
- c) activity suspended on low-traffic sections, during certain periods of the day;
- d) urgent works;
- e) force majeure cases;

These are detailed below:

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- a) There are set out in the annual Working Timetable "windows" (reserve capacities) for the maintenance and repairing of the Railway Infrastructure. They may be operatively cancelled if there are no works scheduled or the Train Paths allocated may contain remarks regarding the availability within the "windows" that are published before enforcing the Timetable.
- b) The overhaul or upgrading works are scheduled in due time, and are set out, in principle, in the Working Timetable, if the execution period is known before the drafting of the Timetable.
- c) The activity may be suspended on certain low-traffic sections (for time intervals smaller than 24 hours), especially at night, if no Train Path is allocated.

The intervals for suspending the activity shall be established according to the low-traffic periods in the Working Timetable. After the coming into force of the Timetable, the traffic of the RU's trains within these time intervals shall be subject to a prior approval taking into account the technical possibilities, and the recovery of the additional costs for resuming the activity.

At the request of the OTF, CFR may supply the services related to the resumption of the activity on the sections with suspended traffic, under the conditions set down at Article 5.4.4.

The list of these sections and the time intervals for suspending the activity is presented in [Annex 14](#).

- d) If urgent works on the Railway Infrastructure are necessary in the situations when there is a danger for the traffic safety, CFR shall order the closure of the traffic on the relevant sections until the repairs have been performed.
- e) If the infrastructure is affected due to a force majeure case making the Railway Infrastructure unavailable, the RUs shall be operatively notified, and alternative Train Paths shall be made available to them on deviated routes. The specific provisions are presented in the Access Contract (see [Annex 4](#)).

These cases of non-availability of the infrastructure shall be notified to the RU in accordance with the specific railway regulations.

3.6. SERVICE FACILITIES

This article contains data on the service facilities made available (held) by CFR, and the conditions for the access to them.

In accordance with art. 27 (4), as well as with points 2 and 6 of Annex IV of Law 202/2016, the holders of service facilities (RUs, owners of industrial railway lines, etc.) and the non-interoperable infrastructure managers shall make available these types of information for their own facilities in accordance with the structure of this article as well as of Articles 5 and 6, by the deadline of 15 February 2018 for inclusion in DRR.

Service infrastructures, service infrastructure operators and services provided in railway stations for OIS are presented in [Annex 9](#). The non-interoperable infrastructure, service facility owners and service providers together with the contact details provided by them are listed in [Annex 8](#). CFR will update these annexes as it receive the information to be provided from the parties concerned in accordance with the legal regulations in force.

3.6.1. Passenger Stations

Most of the CFR stations are opened to the passenger traffic. The stations opened to the passenger traffic are mentioned in the general list of stations presented in [Annex 9](#), and are equipped with specific facilities for the access of the passengers.

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The access to the passenger stations is granted on a non-discriminatory basis to the passengers of the passenger trains, according to the technical availability.

The location of the stations is presented in [Annex 1a](#). The location of the stations is also specified in the Rail Service Books for passenger trains as well as in the leaflet with the Timetable for passenger trains, which are annually prepared by CFR, before the coming into force of a timetable.

The services supplied by CFR for the passengers are specified in Chapter 5.

3.6.2. Freight Stations (Terminals)

CFR holds some conventional freight terminals. These terminals mainly consist of infrastructures (lines) for shunting railway vehicles, for loading/unloading, ramps and warehouses. The terminals shall be made available to the RUs on a non-discriminatory basis, according to the technical availability and the available capacities.

The access to these terminals shall be granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines on the basis of the contractual agreements.

There are also connected to the CFR network conventional or multimodal freight terminals which are not held by CFR, and for which the services are supplied by the operators of the respective service facilities. The conditions for the access to these terminals as well as their capacity shall be determined by the owner or by the service operator.

The use of the freight terminals shall not be part of the allocation process described in Chapter 4.

The list of the CFR stations equipped with own conventional terminals is presented in [Annex 9](#). The location of the stations is presented in [Annex 1a](#). Moreover, the location of the stations on the traffic sections shall be included in the Rail Service Books for freight trains.

The services supplied by CFR in the freight terminals are presented in Chapter 5.

3.6.3. Marshalling Yards and Train Formation and Shunting Facilities

a) The marshalling yards are meant for the processing of the freight wagon flows, and distributing (separating) them for various destinations. The marshalling yards are specified in Annex 2 to GD no. 581/1998; CFR holds 8 marshalling yards including specific equipment for the processing of the freight trains such as:

- groups of specialized lines for the receipt, marshalling (breaking-up) and composition (formation) and dispatch of trains;
- marshalling humps or inclined planes.

b) The technical yards are equipped with the shunting facilities necessary for the breaking-up/formation of the passenger and freight trains;

c) The passenger train formation yards are the yards meant for the formation of the passenger trains, and are equipped with shunting facilities, specific technical facilities (line groups, fixed wagon heating systems, washing systems, etc.); in most cases, these facilities belong to CFR Calatori.

d) The shunting facilities represent the infrastructure elements and related systems necessary for the access of the rolling stock from one station line to another, or to other service facilities held or not by CFR.

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The access to these yards shall be granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines on the basis of the contract agreements.

The services supplied by CFR in the shunting yards and the technical yards are presented in Chapter 5.

The shunting and technical yards are specified in the general list of stations in [Annex 9](#) where the traffic type for which they are opened is highlighted.

3.6.4. Storage Sidings

Most CFR stations have lines for parking trains. These lines can also be used for storing rolling stock on a short-term basis, subject to the available capacities.

Some stations which have a capacity in excess may be used for parking the rolling stock for a longer period of time. The parking service supplied by CFR represents the supply of the railway infrastructure in stations for the operative or long-term parking of the wagons. Operational parking is the storage of the wagons for up to 30 days and the long-term stopping is the storage of the wagons for more than 30 consecutive days, as indicated in Annex 23 and [Annex 23a](#).

The availability of the storage sidings depends on the utilisation degree of these lines, which has a dynamic evolution. For this reason, the stations that have available lines for storing wagons can be obtained from the Traffic Directorate.

The access to the storage sidings shall be granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines on the basis of the contract agreements.

The services supplied by CFR for the storage sidings are presented in Chapter 5.

3.6.5. Maintenance Facilities

CFR does not hold facilities for the maintenance of rolling stock (wagons or locomotives). CFR shall grant only the access to these facilities which are held by the operators of services, mainly RUs.

3.6.6. Other Technical Facilities

CFR does not hold cleaning and washing facilities but it grants the access to this type of facilities, where appropriate.

At present, CFR does not hold other technical facilities such as facilities for detecting rolling stock faults, hot axle box detectors or rolling stock scales.

However, CFR has ongoing projects for the endowment with hot axle box detectors, axle counts and rolling stock scales, to be indicated after implementation.

3.6.7. Maritime and Inland Port Facilities Which are Linked to Railway Activities

CFR shall ensure the use of the maritime and inland port railway facilities held by CFR, and grant access to the maritime and inland port facilities held by other operators.

The situation of these facilities is presented in [Annex 9](#).

The access to these facilities shall be granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines on the basis of the contractual agreements.

The services supplied by CFR for the port facilities are: traffic, shunting, access of the shunting convoys to loading/unloading lines in the berths, storage of the rolling stock, line hiring, etc.

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3.6.8. Relief Facilities

The relief facilities consist in the supply by CFR of the necessary interventions, in time and efficiently, with a view to eliminating the consequences of the railway events and resuming the circulation/continuity of the railway traffic in case of railway accidents/incidents, with the help of its specific intervention means.

CFR holds the following relief facilities for resuming the railway traffic and eliminating the effects of the railway accidents as well as of the bad weather:

- crane trains;
- emergency wagons;
- emergency train with hydraulic winches;
- simple snow ploughs;
- hydraulic snow ploughs;
- multifunctional track car.

3.6.9. Refuelling Facilities

CFR does not hold refuelling facilities for the hauling equipment of the RUs. As a rule, these facilities are located in depots or sheds, and are owned by the RUs and are mentioned in [Annex 9](#). CFR shall grant the access to these facilities, where appropriate.

3.7. INFRASTRUCTURE DEVELOPMENT

CFR, in its capacity as the manager of the public infrastructure, has the task to keep the national Railway Infrastructure within the technical and operational parameters so that it may become a compatible and interoperable part of the European Railway Network.

The upgrading of the Railway Infrastructure mainly aims at increasing the attractiveness of the railway transport by increasing the maximum running speed on the sections of the interoperable Network (TEN-T, Corridors IV and IX) to 140-160 km/h for the passenger trains, and to 120 km/h for the freight trains. The upgrading projects are presented in [Annex 24](#).

4. CHAPTER 4 INFRASTRUCTURE CAPACITY ALLOCATION

4.1. INTRODUCTION

The Infrastructure Capacity Allocation is regulated in Chapter IV, Section 3 of Law no. 202/2016, and by the Regulation on the Allocation of Railway Infrastructure Capacity (GD no. 1696/2006 – under updating). In

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accordance with these, the Romanian infrastructure capacity allocation body is CFR, in its capacity as an Infrastructure Manager independent from the specific activities of a RU.

The available Infrastructure Capacities shall be allocated by CFR upon the requests of the RUs as well as of other applicants.

Any transaction between the RUs regarding the allocated Infrastructure Capacities shall be forbidden, and trigger the cancellation of the Access Contract, except in the case of the Applicants that are not RUs, in accordance with Law no. 202/2016.

CFR shall honour, as far as possible, all the requests for Infrastructure Capacity, also depending on the availability of the Railway Infrastructure. Within the scheduling and coordination procedure, CFR may consider as priorities certain services specified in Articles 47 and 49 of Law no. 202/2016.

The right to use the Infrastructure Capacities established as Train Paths shall be granted to the RUs or to other applicants for a maximum period of time corresponding to one Working Timetable period.

If a RU intends to request Infrastructure Capacity for supplying an international passenger transport service, it shall inform the Infrastructure Manager and the National Railway Supervision Council in accordance with the provisions of Article 38 of Law no. 202/2016.

4.2. PROCESS DESCRIPTION

The Infrastructure Capacity Allocation shall be performed by CFR in its capacity as the allocation body.

The Regulation on the Allocation of Infrastructure Capacity is presented in [Annex 15](#).

CFR shall supervise the carrying-out of the allocation procedures, and shall monitor the Train Path Allocation on a fair and non-discriminatory basis, and by complying with the law and the confidentiality.

The requests for Infrastructure Capacity shall be submitted in accordance with the law by:

- the RUs which have concluded an infrastructure access contract with CFR, in accordance with the Allocation Regulation;
- other applicants in accordance with Law no. 202/2016, which have concluded access conventions.

The requests of the foreign RUs, and of the international groupings made up of these RUs shall be accepted in accordance with the law and the international agreements and conventions to which Romania is a party.

The allocated Train Paths shall be published in the Rail Service Books.

CFR shall also be the allocation body for the non-interoperable sections rented to the managers of Non-Interoperable Railway Infrastructure (see definition in Article 1.10 of the NS).

CFR shall consult the interested parties with regard to the draft Working Timetable, and these may submit remarks within a month at least. The interested parties are all the parties that have submitted a request for Infrastructure Capacity as well as the other parties that wish to formulate comments with regard to the influence that the Working Timetable might have on their capacity of supplying railway services during the Working Timetable period.

4.3. SCHEDULE FOR TRAIN PATH REQUEST AND ALLOCATION

4.3.1. Deadlines for Working Timetable Drafting

The deadlines for the drafting of the CFR Timetable (demand, analysis and drafting of the Timetable) shall be included in the schedule for the Infrastructure Capacity Allocation process within the Regulation

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presented in [Annex 15](#). This shall be drafted in accordance with the provisions of Annex VII of Law no. 202/2016 as well as with Chapter III of GD no. 1696/2006.

Within the specific railway bodies, CFR shall agree with the IMs from other states the international Train Paths, before commencing consultation on the new Working Timetable.

4.3.2. Deadlines for Ad-Hoc Requests for Train Paths

The RUs may submit ad-hoc requests for Train Paths after the new timetable comes into force.

CFR shall answer the ad-hoc requests for individual Train Paths as soon as possible and, in any case, within the next 5 working days.

The information regarding the non-used and available Infrastructure Capacities shall be made available to all the Applicants that might be interested to use these capacities.

If necessary, CFR may evaluate the necessity to keep available a reserve capacity in the final Working Timetable, which could enable it to rapidly respond to the foreseeable ad-hoc requests for capacities.

The capacity reserve shall be established in accordance with the Instructions no. 115 for calculating the capacity of the stations and traffic sections, approved by means of the Order of the Minister of Transport no. 1002 of December 27, 2000, and represents 20% of the section capacity.

4.4. INFRASTRUCTURE CAPACITY ALLOCATION PROCESS

The capacity allocation process shall be carried out in accordance with the provisions of Law no. 202/2016, and of GD no. 1696/2006. In special cases, CFR SA may establish special conditions and train paths, may provide assistance (under the conditions specified at Article 4.7) for exceptional transports/dangerous goods, to which, in addition to the above-mentioned provisions, there also apply the provisions set down in the Regulation no. 005 on Train Traffic and Railway Vehicle Shunting.

4.4.1. Coordination Process

CFR shall supervise the carrying-out of the allocation procedures, and shall monitor the Train Path allocation on a fair and non-discriminatory basis, and in accordance with the law.

If, during the above-mentioned scheduling process, CFR encounters any conflicts, it shall try – by means of a coordination of the requests - to supply the best harmonization of all the requests.

The principles governing the coordination procedure are defined and presented in [Annex 16a](#).

For this purpose, CFR shall propose to the RUs Train Paths different from those that have been requested.

CFR shall settle the possible Train Path conflicts upon consultation with the relevant RUs, in accordance with the provisions of Article 46.2 of the Law no. 202/2016.

CFR shall communicate the settlement modality in writing to the RUs, within 10 working days.

4.4.2. Dispute Resolution Process

In the event of a dispute with regard to the allocation of infrastructure capacity, there shall be made available a dispute settlement system in order to promptly solve it. The principles regulating the dispute settlement process are defined and specified in [Annex 16b](#).

The RUs may submit to CFR a contestation regarding the Infrastructure Capacity Allocation. CFR shall communicate the settlement modality in writing to the RUs, within 10 working days.

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4.4.3. Congested Infrastructure (Definition, Priority Criteria)

If, after the Coordination of the requested Train Paths and the consultation with the Applicants, it is proven that it is impossible to satisfy all the requests for Infrastructure Capacity, CFR shall immediately declare the relevant infrastructure section as Congested Infrastructure section. A similar procedure shall also apply in case of the infrastructure sections that are foreseen to have, in the near future, insufficient capacity in accordance with Article 47(1) of Law no. 202/2016.

The list of the sections declared by CFR as Congested Infrastructure sections is presented in [Annex 17](#).

The priority criteria for Infrastructure Capacity Allocation shall be established by means of an OMT, and are presented in [Annex 18](#).

CFR shall annually analyze the infrastructure capacities before commencing the process for the preparation of the next timetable with a view to establishing the capacity restrictions that prevent the Train Path requests from being honoured in a proper way.

Moreover, whenever appropriate (e.g. scheduling of new rehabilitation works), when infrastructure capacities are significantly reduced, CFR shall carry out capacity analyzes and declare, if necessary, the sections with congested infrastructure capacity

4.4.4. Impact of Framework Agreements

See Article 2.3.1. of the NS.

4.5. ALLOCATION OF CAPACITIES FOR MAINTENANCE, REPAIRING AND UPGRADING

Within the allocation programme, CFR shall highlight the Infrastructure Capacities necessary for performing the maintenance works (Train Paths, blank intervals in the Working Timetable, etc.) in accordance with the provisions of the Instruction no. 317 – the Instruction on speed restrictions, line closures and voltage cut-offs, approved by means of the Order of the Minister of Transport no. 417/2004.

4.6. TRAIN PATH CANCELLATION OR NON-USE RULES

The cancellation (non-use) or revocation of the Train Paths allocated to a RU shall be made in accordance with GD no. 1696/2006 on Regulation on the Allocation of Railway Infrastructure Capacity presented in [Annex 15](#).

4.6.1. Suspension of Railway Infrastructure Access

In case of a delay in payment over the due date of the IAC invoice, CFR may suspend (in whole or in part) the Railway Infrastructure access of the trains of the RU in delay. This provision is in line with the provisions of Article 12 of GD no. 581/1998. This measure shall also include measures of restricting the access of the RUs' trains to the Railway Infrastructure.

Specific provisions shall be included in the Standard Access Contract presented in [Annex 4](#) of the NS.

CFR may suspend the Railway Infrastructure access of the RU's rolling stock if it finds out any technical irregularities that may affect the railway traffic safety, in accordance with [Annex 11](#) to the Standard Access Contract.

4.7. EXCEPTIONAL TRANSPORTS OR TRANSPORTS OF DANGEROUS GOODS

The RU shall notify CFR about any exceptional transport (in terms of loading gauge, axle load or load per linear meter, special wagons, etc.) or transport of dangerous goods upon requesting the allocation of a Train Path or, at the latest, upon scheduling the train with such a transport for traffic, so that it may be properly handled.

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4.8. SPECIAL MEASURES IN CASE OF TRAFFIC DISTURBANCES

In case of any train traffic disturbances caused by a technical breakdown, a railway accident, unfavourable weather conditions or any other unforeseeable situation, CFR may take all the necessary measures to resume the normal situation. At the same time, it shall notify the interested bodies. The notification and investigation of the railway accidents and incidents shall be performed in accordance with the Regulation on accident and incident investigation, for developing and improving the railway safety approved by means of GD no. 117/2010.

4.8.1. Principles (Existing Procedures and Contractual Arrangements)

In emergency cases temporarily blocking the infrastructure, the allocated Train Paths may be cancelled without prior notice, for the period of time necessary for resuming the traffic. CFR may require the RU to make available the means which it considers adequate for resuming the normal situation as soon as possible, in accordance with the conditions set out in the Access Contract and in the regulations in force.

In such cases, CFR shall establish together with the RUs involved the alternative traffic routes, whereas the IAC shall be levied for the direct initial route.

4.8.2. Operational Rules

The provisions of Regulation no. 005/2005 on Train Traffic and Railway Vehicle Shunting, and of the Signalling Regulation no. 004/2006 (see Article 2.4 of the NS) shall apply for resuming the train traffic affected by the disturbances of the Working Timetable.

4.8.3. Foreseen (Planned) Issues

In case of any train traffic disturbances caused by some foreseen or planned issues (such as line closing), the RUs shall be notified in due time, in accordance with the provisions set down at Article 9 of the Standard Railway Infrastructure Access Contract, and be offered alternative routes.

4.8.4. Unforeseen Issues

In case of any train traffic disturbances caused by some unforeseen issues (such as accidental line closing), the provisions of the Instructions in force shall apply for resuming the traffic.

4.9. ALLOCATION OF CAPACITIES FOR SERVICE FACILITIES

CFR does not allocate capacities for service facilities.

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5. CHAPTER 5 PROVIDED SERVICES

5.1. SERVICES PROVIDED BY OPERATORS OF SERVICES INFRASTRUCTURES

a) Services provided by CFR

The groups of services supplied by CFR to the RUs shall be those specified in Annex II to Law no. 202/2016:

- the minimum access package;
- the access, including the track access, to service facilities, if they exist, and the supply of services in these facilities;
- the additional services;
- the ancillary services.

These services are presented in detail below in this article.

The services provided by other operators of service infrastructures are presented in [Annex 8.1](#), and any additional data is available by accessing the link (s) to the web pages.

5.2. MINIMUM ACCESS PACKAGE

The Minimum Access Package shall include the services supplied by CFR in order to allow at least the transit of a train on the network, without shunting or (re)fuelling services.

CFR shall supply to any Applicant/RU, on a non-discriminatory basis, according to the availability of the railway infrastructure, the Minimum Access Package that shall include:

- a) the processing of the requests for Railway Infrastructure Capacity;

It shall represent the activity of analysing the Applicants' requests for capacity for the traffic of the trains between two stations of the railway network, in principle during the validity period of a timetable, depending on the capacity and characteristics of the requested route. This shall include the determination of the travelling times, the preparation and assembly of the Train Paths for designing the Working Timetable of the trains as well as Train Path allocation. This shall also include the preparation of additional Train Paths and the scheduling of the freight trains. For the specially ordered trains and for those with occasional traffic, this service shall be separately charged.

- b) the right to use the allocated Infrastructure Capacities;

It shall represent the (monthly, decadal or daily) train traffic schedule prepared and approved by CFR on the basis of the RUs' requests, in accordance with the regulations in force.

- c) the use of the Railway Infrastructure, including of the switches and junctions;

It shall represent the actual use of the Railway Infrastructure by the RU's trains in accordance with the allocated Train Paths and/or the traffic schedule.

- d) the train traffic coordination including the signalling, regulation, dispatching as well as the communication and supply of information on train traffic;

It shall represent the activity of conducting the railway traffic at the level of the regional organizational structures, and at the level of the railway stations through the signalling and safety installations as well as the supply of information on train traffic.

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e) the use of the traction current supply equipment, if available (without the supply of electric power)

It shall represent to make available for the RUs' electric traction railway vehicles the elements of the traction current supply system of the contact wire necessary for its distribution, where they exist (electrified lines).

f) any other necessary information for introducing or operating the services for which Infrastructure Capacities have been granted.

It shall represent to make available to the RUs the data regarding the scheduling of the trains and the infrastructure condition. This shall be mainly performed with the help of the IT systems which enable the RUs to schedule and localize their own trains.

For the supply of the services related to the Minimum Access Package, CFR shall levy from the RUs the Infrastructure Access Charge (IAC) presented in Chapter 6 of the NS.

CFR shall grant track access to the service facilities as defined above, depending on the availability of the Railway Infrastructure.

5.3. ACCESS, INCLUDING TRACK ACCESS, TO SERVICE FACILITIES, IF THEY EXIST, AND SUPPLY OF SERVICES IN THESE FACILITIES

This shall represent the services supplied by CFR for the track access to the following service facilities and to the services supplied in these facilities (where they exist and can be supplied):

- for the freight traffic:

- a) freight terminals;
- b) marshalling yards and train formation facilities, including shunting facilities;
- c) storing sidings;
- d) maintenance facilities;
- e) other technical facilities, including cleaning and washing facilities;
- f) maritime and inland port facilities which are linked to railway activities;
- g) relief facilities;
- h) refuelling facilities.

- for the passenger traffic:

- a) passenger railway stations, their buildings and other installations, including the display of the travelling information and the appropriate location for ticketing services;
- b) train formation stations and facilities, including shunting facilities;
- c) storing sidings;
- d) maintenance facilities;
- e) other technical facilities, including cleaning and washing facilities;
- f) relief facilities;
- g) refuelling facilities.

The modality of charging these services is presented in Chapter 6 of the NS.

5.3.1. Access to Service Facilities

The RUs may exercise their right to receive, on a non-discriminatory basis, access, including CFR track access, to the service facilities held by CFR.

This refers to the services supplied by CFR for granting track access in the service facilities managed by CFR as well.

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These services shall be supplied on a non-discriminatory basis, and the requests of the RUs cannot be rejected unless there are alternative options in accordance with the market conditions. The charges for these services shall be included in the charges specified in Chapter 6 of the NS.

5.3.1.1. Passenger Stations

The supply of the service for the access of the passengers to the passenger stations shall involve the access to the station precincts, the platforms and the spaces in the stations meant for them, the waiting rooms, the lighting systems, the access ways from the platform to the road and vice-versa, the ticketing offices, where the case may be, to facilities such as: ramps, elevators, access tunnels, stairs, specific signalling devices, systems for passenger information, for getting on board/off board, and/or waiting for the trains .

Some of the services supplied by CFR with regard to the use of these terminals as well as of the related facilities shall be subject to the specific charges which are presented in Chapter 6 of the NS.

CFR shall ensure, to the extent possible, the appropriate location for the RUs' ticketing services. Details, including the related charges, may be requested directly from the commercial departments of the CFR Regional Railway Branches.

5.3.1.2. Freight Terminals

The freight terminals held by CFR may be specialized loading/unloading lines, ramps or sheds belonging to CFR and are presented in [Annex 9](#) .

Moreover, there may exist private industrial lines or multimodal terminals that belong to different economic operators or RUs, and are connected to the CFR infrastructure presented in [Annex 9](#) .

[Annex 9](#) contains the list of the stations and the related service facilities, the name and contact details provided by the service owners and providers.

CFR shall grant the right of access to all these terminals in accordance with the law in force.

The supply of services by CFR with regard to the use of the access facility to these terminals shall be subject to the specific charges which are presented in Chapter 6 of the NS.

For the use of the terminals that do not belong to CFR, their owners may levy other specific charges.

5.3.1.3. Facilities in Marshalling and Train Formation Yards, Including Shunting Facilities

CFR shall supply the necessary services for the track access to its service facilities for using the related logistics in the marshalling yards, and the train formation as well as shunting facilities.

The access to the marshalling yards, and to the yards with shunting groups shall be granted to the RUs which have concluded an access contract with CFR. The relevant yards must be situated on the route of the traffic sections indicated in the Safety Certificate.

The services related to the access to these facilities shall be supplied by CFR, and the actual shunting operations shall be performed by the RUs or by the economic operators holding industrial railway lines or by other operators.

The supply of services by CFR with regard to the use of the access facility to these terminals shall be subject to the specific charges which are presented in Chapter 6 of the NS.

CFR does not hold specific rolling stock, and does not perform shunting operations.

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5.3.1.4. Storage Sidings

CFR shall supply the necessary track access services for ensuring the use of the low-traffic lines, respectively of the storage sidings in the stations for storing rolling stock. CFR may allow the access and the parking of rolling stock on other station lines as well, within the capacity limits, without affecting the availability of the traffic or shunting lines.

The supply of services by CFR with regard to the use of the access facility to these lines shall be subject to the specific charges which are presented in Chapter 6 of the NS.

5.3.1.5. Maintenance Facilities

CFR does not hold maintenance centres. These belong to some RUs or to other specialized economic operators presented in [Annex 9](#) . CFR shall grant track access to these centres or facilities for the RUs or operators that have been granted this right by the holder of the centres, and in accordance with the law in force.

The supply of services by CFR with regard to the use of its access facility to these terminals shall be subject to the specific charges which are presented in Chapter 6 of the NS.

5.3.1.6. Other Technical Facilities, Including Cleaning and Washing Facilities

CFR does not hold technical facilities. These belong to some RUs or other specialized economic operators presented in [Annex 9](#) . CFR shall grant track access to these centres or facilities for the RUs or operators that have been granted this right by the holder of the centres, and in accordance with the law in force.

The supply of services by CFR with regard to the use of its access facility to these terminals shall be subject to the specific charges which are presented in Chapter 6 of the NS.

5.3.1.7. Maritime and Inland Port Facilities

CFR shall grant access to the maritime and inland port service facilities held by CFR or by other economic operators. If these belong to other specialized economic operators, CFR shall grant track access to these facilities for the RUs or operators that have been granted this right by the holders of the facilities or by the service operator ([Annex 9](#)), and in accordance with the law in force. The supply of services by CFR with regard to the use of the access facility to these terminals (traffic, shunting, access of the shunting convoys to loading/unloading lines, storage of the rolling stock, etc.) shall be subject to the specific charges which are presented in Chapter 6 of the NS.

5.3.1.8. Relief Facilities

The CFR shall ensure the relief for restoring the continuity of the railway traffic in case of railway accidents/incidents, with the help of specific relief means (emergency wagon, relief train, railway crane, etc.). The supply of these services is included in the charges presented in Chapter 6 of the NS.

5.3.1.9. Refuelling Facilities

CFR does not supply fuel and does not hold such facilities. CFR shall grant track access to these facilities for the RUs or operators that have been granted this right by the holders of the facilities or by the service operator, and in accordance with the law in force.

The supply of services by CFR with regard to the use of the access facility to these terminals shall be subject to the specific charges which are presented in Chapter 6 of the NS.

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5.3.2. Supply of Services in Service Facilities

5.3.2.1. Convoy, Shunting and Storage Access

CFR shall grant track access in the service facilities and the supply of services in these facilities, including the necessary logistic support (infrastructure, signalling systems, route performance, etc.).

5.3.2.2. Other Services

Where available, CFR may also supply other services.

5.4. ADDITIONAL SERVICES

Additional services are understood to be the services supplied to the RUs by CFR upon request. These services are presented in [Annex 5](#) to the Access Contract.

In accordance with Annex II to Law no. 202/2016, the additional services may comprise:

- a) traction current;
- b) preheating of passenger trains;
- c) assistance for exceptional transports and dangerous goods;
- d) other additional services.

If CFR supplies one of the presented additional services at the request of a RU, then it shall supply it to any RU that requests it.

Additional services are specified in the Access Contract.

The charging method of these services is presented in Chapter 6 of the NS.

5.4.1. Traction Current

Traction current actually means the supply of Traction Current (TC) through the TC supply (distribution) system presented in Article 5.2(e), on the electrified lines, for the RUs using Rolling Stock (self-propelled units) with electric traction and is an additional service in accordance with item 3 in Annex II to the Law no. 202/2016.

The TC shall be supplied by CFR via its specialized subsidiary, SC „Electrificare CFR” SA, on the basis of a supply contract concluded by it with each RU that has already concluded an access contract with CFR. The TC Supply Contract is that presented in Article 3.3.2.6. A framework template of the TC Supply Contract is presented in [Annex 19](#).

The charges of the TC supply service through the traction current supply system are presented in Chapter 6.

For further details regarding these contracts please contact:

S.C. „Electrificare CFR” S.A.

Address: 38 Dinicu Golescu Blvd., 1 , Bucharest

Phone: 021-3192512

Fax: 021-3119838

Web: www.electrificarecfr.ro

Director for Operations: Eng. Găbuoi Gheorghe

E-mail: gheorghe.gaburoi@cfr.ro

5.4.2. Specific Services for Passenger Trains

In some technical groups of lines situated in some passenger stations, there are electric systems for coach preheating which are connected to separate meters. The relevant electric current shall be paid by the RUs using such systems, at a rate established proportionally to the electric current consumed in accordance with Chapter 6 of the NS.

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The passenger train water supply services shall be provided by the RU.

5.4.3. Services for Exceptional Transports and Dangerous Goods

CFR shall supply the necessary services for exceptional transports or transports of dangerous goods in accordance with the conditions set out in Article 2.5, respectively 2.6 of the NS. The charges for these services are specified in Chapter 6 of the NS.

5.4.4. Other Additional Services

CFR may also supply other additional services, if available, upon the request of the RUs, on the basis of the charges presented in Chapter 6.3.3 of the NS, in Annex 23 and the Official Sheet no. 2/2015, or on basis of estimate (Annex 23d).

These services may include services for the organization of tonnage experiments, the service for eliminating the traffic suspension on the sections set down in [Annex 14](#) to the NS, services for storage on CFR's plots of land, etc.

5.5. ANCILLARY SERVICES

Ancillary services are understood to be the services optionally supplied to the RUs by CFR or other suppliers upon request, based on the agreement between the contracting parties.

The RUs may additionally require a set of ancillary services from CFR or from other suppliers, such as:

- a) access to the telecommunication network;
- b) provision of supplementary information;
- c) technical inspection of Rolling Stock;
- d) ticketing services in passenger stations;
- e) specialized heavy maintenance services;
- f) other services.

These services are specified in the Access Contract.

The charging method of these services is presented in Chapter 6 of the NS.

5.5.1 Access to the Telecommunication Network

The RUs shall have access to the land-based and radio railway telecommunication network which is managed by SC „Telecomunicatii CFR” SA which functions under the authority of the Ministry of Transport.

Within the Minimum Access Package (Article 5.2 of the NS), CFR shall ensure the ground-locomotive communications in accordance with the law in force. For this purpose, the RU shall maintain the necessary technical means (radio-phone stations) in a proper working condition on the traction means it uses on the CFR Railway Infrastructure.

For the supply of specific equipment, the RUs may contact SC „Telecomunicatii CFR” SA.

The necessary technical data for using the radio telecommunication network are presented in Article 3.3.3.3 - Radio Telecommunication System.

For the use of the land-based (conventional) and radio telecommunication network managed by SC „Telecomunicatii CFR” SA, the RUs shall conclude specific conventions (contracts) with this company.

The relevant charges are presented in Chapter 6 of the NS.

Additional information (contact):

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SC „Telecomunicatii CFR” SA

38 Dinicu Golescu Blvd., 1
 Bucharest 010873, Romania

Director General: Ioan ALBU
Phone: +40 21 314 60 46
Fax: +40 21 314 60 45
Email: ioan.albu@tccfr.ro
Web: www.telecomunicatiicfr.ro

5.5.2. Provision of Supplementary Information

CFR shall provide supplementary information regarding the train scheduling and traffic especially with the help of CFR's IT applications (IRIS – the Integrated Railway Information System) managed by its specialized subsidiary, SC „ Informatica Feroviara” SA, on the basis of some specific conventions (contracts) concluded by this subsidiary with the RUs. This information shall refer only to the trains of the relevant RU, and cannot be accessed by other RUs.

In exceptional cases, CFR shall supply additional information through the Traffic Directorate, as specified in the Access Contracts concluded with the RUs.

The information about the scheduling of the RUs' trains shall be supplied only with the help of the specific IT applications of CFR (IRIS).

Moreover, the RUs may also access other authorized components of the IRIS system with the help of SC “Informatica Feroviara” SA. The charges and enforcement conditions are presented in Chapter 6 of the NS.

All the rights on the data regarding the paths of the trains, the traffic and other data specific to the traffic activity highlighted by means of the specific (IT, printing, dispatching, etc.) systems shall exclusively belong to CFR SA.

Additional information (contact):

SC „Informatica Feroviara” SA

1 Garii de Nord Blvd., 1
 Bucharest 010855, Romania

Director General: Andy Sergiu Țicmeanu
Phone: +40 21 311 98 36
Fax: +40 21 223 27 79
E-mail: andy.ticmeanu@infofer.ro
Mobile: +40 744 337 369
Web: www.infofer.ro

5.5.3. Technical Inspection of Rolling Stock

CFR's business purpose does not include and CFR does not supply inspection (overhaul) services for the Rolling Stock and, at present, CFR does not hold hot axle box detectors.

The Rolling Stock technical inspection services shall be supplied by the RUs, and shall be provided directly by or with the help of some suppliers approved by ONFR from AFER.

For additional information regarding the approval of these entities:

The Romanian Railway Notified Body – ONFR

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393 Calea Grivitei Street, 1
 010719 Bucharest ROMANIA

Director: Mircea-Cristian ARNAUTU

Phone: +40 21 307 79 00

Fax: +40 21 316 42 58

+40-21-316 05 97

E-mail: marnautu@afcr.ro

web: www.afcr.ro/rom/onfr

5.5.4. Ticketing Services in Passenger Stations

If possible, CFR may supply ticketing services on the basis of a separate commercial convention concluded with each applicant RU.

5.5.5. Specialized Heavy Maintenance Services

CFR shall supply specialized heavy maintenance services according to the availability, on the basis of separate commercial conventions, under the same conditions as at item 5.5.4.

5.5.6. Other Ancillary Services

CFR may also supply other ancillary services, if available, upon the request of the RU, on the basis of the charges presented in Chapter 6 of the NS or on the basis of a bill of quantities.

6. CHAPTER 6 INFRASTRUCTURE ACCESS CHARGES

a) Charges for services provided by CFR

For services related to the minimum access package, the RUs fulfilling the conditions specified in Article 2.2.2 of the NS shall pay an Infrastructure Access Charge (IAC) in accordance with the provisions of Law no. 202/2016, GD no. 12/1998 and GD no. 581/1998.

The Infrastructure Access Charge (IAC) shall be regulated by GO no. 12/1998, GD no. 581/1998 and Law no. 202/2016, whereas the IAC calculation methodology shall be presented in the Performance Contract concluded by CFR with the MT, and shall be included in [Annex 20](#) to the NS.

The charges for the other services supplied by CFR within services facilities shall be subject to CFR's regulations, in accordance with the provisions of GD no. 581/1998 and of the Performance Contract concluded between CFR and the MT, as well as of Law no. 202/2016.

Further, within this chapter will be presented only the tariffs for the services provided by CFR.

b) Charges for services provided by other operators of service infrastructures

Charges for services provided by other operators of service facilities are listed in [Annex 8.1](#), and any additional data is available by accessing the link to the web pages.

6.1. CHARGING PRINCIPLES

a) **The principles of the system for charging** the railway infrastructure with regard to the access to the railway infrastructure managed by CFR comprise two charge types:

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- the Infrastructure Access Charge (IAC) – calculated and levied for the supply of the Minimum Access Package set down at item 1 in Annex II to the Law no. 202/2016;

- the Charge for Ancillary or Associated Services (CAS) - calculated and levied for the other services set down at item 2, 3 and 4 in Annex II to the Law no. 202/2016;

In order to ensure the compliance with the provisions of Regulation (EU) 2015/909 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service, as well as with other normative documents concerning the costs of the access to the railway infrastructure, as well as to establish an optimal method for the setting-up of a railway infrastructure charging system recognized by all the stakeholders, CFR has taken the necessary steps to acquire a study on this subject, which is already underway.

The principles, methodology and level of the charges currently applied by CFR for the supply of the railway infrastructure are presented in the detailed articles below and in Annexes 20-23C

b) In case of the OSFs, the charging principles shall be established and published by them.

c) Financial guarantees

In order to guarantee the compliance by the RUs with the financial obligations to CFR, CFR shall request the provision of a financial guarantee by the RUs/applicants under the conditions set out in the Commission Implementing Regulation (EU) No. 2015/10 of 6 January 2015 on criteria for applicants for railway infrastructure capacity.

CFR shall request the financial guarantee where a specialized credit rating agency indicates that the RU might have difficulties in effecting the payments.

CFR has contracted the credit rating assessment service with a specialized risk rating agency that assigns a rating score between 0 (extremely high risk) and 10 (extremely low risk).

The threshold established by CFR for the provision of financial guarantees for the contracts commencing from December 10, 2017, shall be the credit rating score below 4 (risk above average).

The RUs with a credit rating score assigned by the rating agency below this threshold shall provide a guarantee covering the projected value of the IAC for at least two months of traffic in one of the following forms:

- 1) bank guarantee deposit available to CFR;
- 2) advance payments to an account indicated by CFR;
- 3) letter of bank guarantee setting out that the letter may be unconditionally executed by CFR upon its first demand and without any other formality;
- 4) insurance policy concluded with a legally registered and authorized insurer on the territory of Romania, stipulating that the policy may be unconditionally executed by CFR upon its first demand and without any other formality;
- 5) letter of guarantee issued by a non-bank financial institution legally registered and authorized on the territory of Romania, stipulating that the relevant guarantee instrument may be unconditionally executed by CFR upon its first demand and without any other formality.

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The details of the guarantee can be found in Chapter 5 of the Standard Access Contract ([Annex 4](#) to the NS).

6.1.1. Minimum Access Package

In order to provide the minimum access package set out in Law no. 202/2016 and in the access contracts, CFR shall levy the IAC which is set at the level of the direct costs incurred by CFR for the supply of the relevant services.

a) Calculation Principles

The IAC shall also be calculated for each moved train, on the basis of the elements set out in Article 4 of the methodology, by applying the values of the basic charging coefficients to the calculation formula of the IAC.

On the railway lines equipped with electrification systems, the IAC shall include the cost of the electrical equipment only for the trains using traction current. However, it shall not include the comparable value of the traction current (electric power) that is shown in Article. 5.4.1. of the NS.

For the traffic of light locomotives, there shall be taken into account the type of traffic that generates the lowest value of the IAC.

For specially ordered trains and for those with occasional traffic, the processing of the requests for train paths shall be separately charged. The specially ordered trains and those with occasional traffic are the trains for which the RUs submit transport requests after CFR SA has analyzed and established/ensured the infrastructure capacities for the routes and the number of RU trains and the completion of the Timetable.

There is levied no charge reflecting the scarcity of capacity during the period of congestion of some sections or the environmental effects.

b) Discounts

In accordance with Article 33 of the Law no. 202/2016, CFR SA may introduce, for all the infrastructure users, discount systems for determined traffic flows, granting discounts for a limited period of time in order to encourage the development of new railway transport services or discounts for stimulating the use of some lines which are used far below their capacity.

On the basis of the legal provisions and of the provisions of the Performance Contract concluded with the MT, CFR shall apply a 33% discount to the IAC value for the international block trains passing on the CFR network without processing, in accordance with a convention concluded between CFR and the RU which shall be valid for the duration of the Access Contract.

The discounts shall be granted to the RUs that do not hold outstanding debts to CFR longer than 30 days.

c) Access Suspension

In case of a delay in payment over the due date of the IAC invoice, CFR may suspend (in whole or in part) the Railway Infrastructure access of the trains of the RU in delay. This provision is in line with the provisions of Article 12 of GD no. 581/1998. This measure shall also include measures of restricting the access of the RUs' trains to the Railway Infrastructure.

Specific provisions shall be included in the Standard Access Contract ([Annex 4](#)).

CFR may suspend the Railway Infrastructure access of the RU's rolling stock if it finds out any technical irregularities that may affect the railway traffic safety, in accordance with [Annex 11](#) to the Standard Access Contract presented in [Annex 4](#) to the NS.

d) Alternative Routes

On the basis of the provisions of the Performance Contract in force, in case of the line closures involving traffic disruption or in case of sections with congested capacity, upon the request of the RU, CFR shall make

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available the shortest alternative (diverted) traffic routes possible without levying additional IAC as to the reference route, in accordance with the provisions of the Access Contract.

For the benefits provided by the OSF, the specific information must be made available to them in accordance with the provisions of Law 202/2016 and are presented in [Annex 8.1](#).

6.1.2. Access to the Facilities Referred to in Article 5.3.1.

The level of the charges shall be determined by CFR depending on the costs attributable to the different services, in accordance with the provisions of GD no. 581/1998 and of the Performance Contracts or of their Addenda, as well as of Law no. 202/2016.

The list of the charges that can be levied by CFR shall be included in the CFR Performance Contract or in its Addenda.

The level of these tariffs is presented in [Annex 23](#)

For applying the charges for the supplied services, there shall be used the indications included in the Explanatory Notes for the relevant charges, where mentioned.

For the charges that require a more complex determination of the supplied services, specific levying procedures were approved. These procedures are presented in [Annexes 23a, 23b and 23c](#).

For the services supplied by the OSFs, the specific information shall be made available by them in accordance with the provisions of Law no. 202/2016 and are presented in [Annex 8.1](#).

6.1.3. Services Referred to in Article 5.3.2.

The level of the charges shall be determined by CFR depending on the costs attributable to the different services, in accordance with the provisions of GD no. 581/1998 and of the Performance Contracts or of their Addenda, as well as of Law no. 202/2016.

The list of the charges that can be levied by CFR shall be included in the CFR Performance Contract or in its Addenda.

The level of these tariffs is presented in [Annex 23](#)

For applying the charges for the supplied services, there shall be used the indications included in the Explanatory Notes for the relevant charges, where mentioned.

For the charges that require a more complex determination of the supplied services, specific levying procedures were approved. These procedures are presented in [Annexes 23a, 23b and 23c](#).

For the services supplied by the OSFs, the specific information shall be made available by them in accordance with the provisions of Law no. 202/2016 and are presented in [Annex 8.1](#).

6.1.4. Additional Services

In case of the additional services supplied by CFR, the level of the charges shall be determined by CFR depending on the costs incurred, in accordance with the provisions of GD no. 581/1998, of Law no. 202/2016 and of the Performance Contracts, or shall be set out in specific conventions/contracts.

For applying the charges for the supplied services, there shall be used the indications included in the Explanatory Notes for the relevant charges, where mentioned.

For the services supplied by the OSFs, the specific information are available by them in accordance with the provisions of Law no. 202/2016 and are presented in [Annex 8.1](#).

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6.1.5. Ancillary Services

In case of the ancillary services supplied by CFR, the level of the charges shall be determined by CFR depending on the costs incurred, in accordance with the provisions of GD no. 581/1998, Law no. 202/2016 and the Performance Contracts, or shall be set out in specific conventions/contracts.

For the services supplied by the OSFs, the specific information shall be made available by them in accordance with the provisions of Law no. 202/2016 and are presented in [Annex 8.1](#).

6.2. CHARGING SYSTEM

As shown in Article 6.1, **the railway infrastructure charging system** for the access to the railway infrastructure managed by CFR shall include the IAC and the CAS.

1) The IAC shall be levied for the movement of a train on the railway infrastructure managed by CFR between two points (stations) of the network, without shunting or (re)fuelling services. The IAC shall be levied on a non-discriminatory basis on all the RUs, under similar transport conditions.

The IAC shall be calculated on the basis of a methodology approved by means of a Government decision. The IAC calculation methodology shall be included in the Performance Contract of Compania Nationala de Cai Ferate "CFR" - S.A., and shall be described in [Annex 20](#).

The IAC calculation methodology shall be based on the following 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;
- f) endowment with electrification systems for supplying traction current.

The IAC shall be calculated with the help of the Calipso IT system which receives from the IRIS IT system the reports on the train traffic through the sectioning points. For each moved train, there shall be issued then a calculation report including the sections on which the train has moved, its category and the relevant charge. The list of a RU's trains that were moved over a given period of time, and the value of the IAC for these trains shall be submitted to the RU for analysis and confirmation. After being confirmed, it shall be submitted for billing.

The IAC for the Interoperable Railway Infrastructure and for the non-rented Non-Interoperable Railway Infrastructure shall be calculated and collected by CFR.

The IAC for the rented non-interoperable infrastructure shall be calculated and collected by the manager of that infrastructure, and the value of the IAC shall not exceed the maximum level for the same category of line from CFR in accordance with [GD no. 643/2011](#).

For the moment, there are levied on the CFR network no additional charges for scarcity (congestion) of infrastructure capacity or for the environmental effects of the train operation.

Moreover, for the moment, CFR does not consider it necessary to apply any exceptions from the charging principles in the meaning of Law no. 202/2016.

The IAC shall be paid in accordance with the terms and conditions and within the deadlines set out in the Access Contract (see [Annex 4](#)).

In accordance with the provisions of Article 12 of [GD no. 581/1998](#), CFR may temporarily suspend the access to infrastructure of the RUs that do not comply with the IAC payment deadlines, if the delay exceeds 3 working days. In such cases, upon CFR's notice, AFER may suspend or cancel the RU's Licence.

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2) The CAS shall be levied for the other services except for the IAC, are presented in Articles 6.3.2., 6.3.3. and 6.3.4. below and mainly refers to the services included in Articles 5.3, 5.4. and 5.5.

6.3. CHARGING INFORMATION

Article 6.3. ff. refer only to the charges for the services supplied (provided) by CFR.

For the services supplied by the RUs, the specific information shall be made available by them in accordance with the provisions of Law no. 202/2016.

6.3.1. Minimum Access Package

CFR shall levy the IAC for the minimum access package as defined in Article 5.2 of the NS.

For providing the minimum access package, CFR shall calculate the value of the IAC for the traffic of a train along a certain route on the basis of the calculation methodology by applying the value of the basic charging elements presented in [Annex 21](#).

For exemplification purposes, there are presented in [Annex 22](#) the unit values of the IAC in LEI/train-km (valid at the publication date of the NS) for passenger and freight trains with different tonnages, according to the line categories from A to D, which were obtained by applying the IAC calculation methodology, and using the basic charging elements specified at the previous paragraph.

For the requests for Train Paths for the especially ordered trains and the trains with occasional traffic, there shall apply the Basic Charge for Train Path Preparation, as set out in [Annex 23](#).

6.3.2. Track Access to Service Facilities and Supply of Services in these Facilities

CFR shall grant Track Access to the Service Facilities (belonging to CFR or the RUs) as defined in Article 5.3. of the NS according to the available Railway Infrastructure. Moreover, CFR shall also grant access within the Service Facilities held by CFR, and shall supply services in these facilities.

For the supply of these services, CFR shall levy the following charges:

a) The charge for the access of the shunting convoys to the railway Infrastructure is presented in [Annex 23](#) and shall be levied for:

- freight terminals;
- train formation facilities, including shunting facilities;
- storage sidings;
- maintenance facilities (of the OSFs);
- other technical facilities, including cleaning and washing facilities (of the OSFs);
- refuelling facilities (of the OSFs).

b) The charge for the commercial halts of the passenger trains in the stations and movement halts presented in [Annex 23](#) shall be levied for the supply of the services specific to passenger traffic in the stations and movement halts, for each stop of a passenger trains in these stations.

c) The rents (under separate conventions) for renting the spaces for ticketing services.

d) The charge for parking the rolling stock not belonging to CFR on the CFR lines is presented in [Annex 23](#), and shall be levied for parking (storage) the rolling stock of the RUs or of other operators on the railway infrastructure lines belonging to CFR.

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e) The charge for shunting on the railway infrastructure lines in the railway stations or centres with a high activity volume on extended areas is presented in [Annex 23](#), and shall be levied for the rolling stock using these facilities held by CFR.

f) The charge for shunting on railway the infrastructure lines is presented in [Annex 23](#), and shall be levied for the wagons that are accidentally introduced in/taken out of the train composition.

g) The access to the relief facilities held by CFR shall be charged on the basis of the specific charges published by CFR in the Official Sheet no. 2/2015, according to the duration and specificity of the allocated resources.

h) Other charges depending on the services requested by the RUs and the possibility for CFR to supply them.

If a railway economic operator (RU or other economic operator) uses the facilities managed by CFR, CFR shall have the right to levy specific charges or, if they are not set out, to levy specific costs on the basis of a bill of quantities. The bills of quantities on the basis of which a certain service is charged to the RU shall be based on the legal provisions and shall reflect the actual costs of the service supplied. Examples of model for the preparation of the bills of quantities are presented in [Annex 23d](#).

6.3.3. Additional Services

For the Additional Services indicated in Article 5.4, CFR shall levy the following charges:

- a) The payment of the traction electric power (current) by the RUs (Article 5.4.1 of the NS) shall be made in accordance with the electric power supply contract concluded between SC „Electrificare CFR” SA and the RUs which includes provisions on consumption forecast and monitoring method, consumption charging and billing.
- b) The supply of electric power for the preheating of the coaches (Article 5.4.2 of the NS) shall be performed on the basis of a bill of quantities in accordance with the law in force.
- c) The charging for the support services related to dangerous goods or exceptional transports (Article 5.4.3 of the NS) is presented in [Annex 23](#) and shall be performed on the basis of a bill of quantities.
- d) The other additional services which can be supplied by CFR and for which the charges cannot be prepared shall be charged on the basis of a bill of quantities reflecting the actual costs of the service supplied, such as, for example, the fare for CFR benefits when resuming the activity (suspension lifting) determined on the basis of the model shown in [Annex 23d](#) - Mode 3a, with examples of the minimum fare in point 3a.1 and the maximum fare in point 3a.2.

The models for preparing the bill of quantities are presented in [Annex 23d](#).

6.3.4. Ancillary Services

The charges for the Ancillary Services indicated at Article 5.5. shall be:

- a) The charges for telecommunication services (Article 5.5.1 of the NS) shall be set out by SC „Telecomunicatii” SA, and shall be shown in the conventions that are separately concluded, and in its own publications.

For further details: **SC „Telecomunicatii CFR” SA**

38 Dinicu Golescu Blvd., 1
 Bucharest 010873, Romania

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Director General:

Phone: +40 21 314 60 46
Fax: +40 21 314 60 45
Web: www.telecomunicatiiicfr.ro

b) The charges for additional information regarding the train scheduling and traffic (Article 5.5.2. of the NS) supplied by CFR with the help of the IT applications (IRIS) managed by its specialized subsidiary SC „Informatica Feroviara” SA shall be set out in the specific conventions and/or shall be presented in the own publications of SC „Informatica Feroviara” SA.

For further details: **SC „Informatica Feroviara” SA**

1 Garii de Nord Blvd., 1
 Bucharest 010855, Romania

Director General: **Andy Sergiu Țicmeanu**
Phone: +40 21 311 98 36
Fax: +40 21 223 27 79
E-mail: andy.ticmeanu@infofer.ro
Web: www.infofer.ro

c) For the ticketing service (Article 5.5.4. of the NS), the charge (commission) shall be set out in the conventions that are separately concluded.

d) Other ancillary services (Article 5.5.6 of the NS) may be supplied by CFR, upon the request of the RUs or of other economic operators, on the basis of some specific charges (specified in [Annex 23](#)) or on the basis of a bill of quantities, as appropriate, and the invoicing shall be performed in accordance with the legal provisions and shall reflect the actual costs of the service supplied.

In the case of non-payment of the charges for the services not included in the IAC specified at items 6.3.2. to 6.3.4., CFR - SA may request the release of the relevant facility or may suspend the supply of the relevant services.

6.4. PENALTIES AND INCENTIVES

6.4.1. Non-Use Charge

The provisions of GD no. 1696/2006, Article 22 shall apply. The charge shall be levied from the RU which does not use the routes allocated to it and requests their reservation under the terms set down in the GD no. 1696/2006.

6.4.2. Cancellation Charge

The provisions of GD no. 1696/2006, Article 22 shall apply.

6.4.3. Discounts for Framework Agreements

CFR does not propose Framework Agreements, and does not hold such ongoing agreements.

6.4.4. Discounts for ERTMS

At present, CFR does not grant any discounts for ERTMS.

6.5. PERFORMANCE SCHEME

In order to ensure the efficient use of the allocated Train Paths, and to stimulate the RUs and CFR to comply with the train timetable, RNE (RailNet Europe) prepared, in cooperation with UIC (the International Union of Railways), a Handbook for the European Performance Regime (EPR).

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This is set down in Article 35 of the Law no. 202/2016.

In fact, the EPR sets out the conditions under which the RUs and the Railway Infrastructure Managers are liable for the delays caused to the trains as well as the modality of registering and mutually sanctioning these delays.

In accordance with the provisions of the Commission Regulation (EU) no. 1305/2014, Article 4.2.3.2, the RUs shall send to CFR the list with the rolling stock included in the composition of the freight trains, by using the computer message in the format set out in Regulation no. 1305/2014. The computer message shall be sent by the RU before the departure of the train from the departure station, respectively before the departure of the train from the station where the change in the train composition took place. In the first phase, there shall be sent the computer messages for the international freight trains (which run in the international traffic), and then the computer messages for all the freight trains.

The implementation of a performance regime is also a requirement set out in Law no. 202/2016.

This document shall also include the cases when the already allocated Infrastructure Capacities are not used or when additional capacities are requested.

A version of the Performance Regime is included in [Annex 16](#) to the Standard Access Contract concluded between CFR and the RU, which is included in [Annex 4](#) to the NS. The Performance Regime shall come into force on January 1, 2018.

6.6. CHARGE MODIFICATIONS

The trends in the future evolution of the IAC are determined by the need to adapt to the new national legislative requirements (Law no. 202/2016) as well as to the European ones (Regulation (EU) 2015/909 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service).

In view of the above, CFR intends to decide, during 2018, the modality for reviewing the level of the components of the railway infrastructure charging system (the IAC and the CAS) in line with the results of the study on the direct costs indicated above at Article 6.1 .

This shall define the long-term setting-up of the charging system and shall allow the management of CFR, as the railway infrastructure manager, and the management of the RU to have established clear bases for substantiating their operational and financial planning. It shall also allow the Ministry of Transport to substantiate on objective principles the level of subsidization of CFR's activity in accordance with the specific legislative requirements.

Since the modalities for calculating the directly incurred cost as a result of the operation of a railway transport service should be applicable across the Union, these shall be compatible with the existing infrastructure cost accounting systems and the data regarding the costs levied by the infrastructure managers.

The other charges may be modified under the conditions set out in the regulations in force and those agreed upon under Article 4 of the Access Contract concluded between CFR and the RU, which is included in [Annex 4](#) to the NS.

In accordance with Article 31(3) of Law no. 202/2016, CFR as Infrastructure Manager may decide to perform gradual adjustments to the charge calculation modalities, with the consultation of the National Railway Supervision Council (CNSDF), no later than four years after the entry into force of the implementing documents. Up to now, this type of document is represented by the Implementing Regulation (EU) no. 2015/909.

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6.7. BILLING ARRANGEMENTS

The billing arrangements, and the payment terms and conditions are set out in Article 5 of the Standard Access Contract which is included in [Annex 4](#) to the NS.

In case of a payment delay exceeding the due date set out in the contract, the RUs shall pay a delay penalty which is also set out in the contract.

Moreover, in case of a payment delay exceeding the due date of the bill for the IAC, CFR may suspend the access to the Railway Infrastructure of the trains of the relevant RU under the contract.

In order to secure the collection of the payments for the supplied services, it may require the setting-up of guarantees by the RUs, and it may execute these guarantees under the conditions set out in Article 6.3.(c) of the NS.

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