



CFR NETWORK STATEMENT - 2020

**ANNEX 23.b1** **OPERATIONAL PROCEDURE "APPLYING CHARGES FOR MANOEUVRE CONVOYS TO/FROM RAILWAY INFRASTRUCTURE BY SYNTHETIC METHOD"**

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COMPANIA NATIONALA DE CAI FERATE CFR SA



COMPANIA NAȚIONALĂ DE CĂI FERATE "CFR"- S.A.  
BUCUREȘTI, ROMÂNIA  
Tel: 004-(021)319 24 00 Fax : 004-(021)319 24 01 , CFR 122001

Trade Registry J/40/9774/1998, Tax Code:R11054529

**APPROVED**  
**DIRECTOR GENERAL**  
**GAVRILA Ion**

## QUALITY-ENVIRONMENT MANAGEMENT SYSTEM

### OPERATIONAL PROCEDURE APPLYING ACCESS CHARGES FOR MANOEUVRE CONVOYS TO/FROM THE RAILWAY INFRASTRUCTURE BY SYNTHETIC METHOD

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APPROVED:  
Name and surname: SCURTU Viorel  
Position: Deputy Director Gen. for Operation  
Signature:


APPROVED:  
Name and surname: COȚOFANĂ Marian  
Position: Director of Traffic Directorate  
Signature:

VERIFIED SMCM:  
Name and surname: MIHAI Cristina  
Position: Head of SMSCP Office  
Signature :

PREPARED BY:  
Name and surname: EPURE Daniel  
Position: Head of Infrastructure Access  
Control Office  
Signature:


VERIFIED:  
Name and surname: RĂICAN Liviu  
Position: Head of Regulation and Traffic  
Development Office  
Signature:

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 CNCF "CFR"- SA TRAFFIC DIRECTORATE Infrastructure Access Control Department	SMCM OPERATIONAL PROCEDURE APPLYING ACCESS CHARGES FOR MANOEUVRE CONVOYS TO/FROM THE RAILWAY INFRASTRUCTURE BY SYNTHETIC METHOD Cod: PO 0-8.5.3-02	Edition:2 Revision: 0 Page:2
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## 1. PURPOSE

This procedure regulates the synthetic method of application - on the basis of the lists - of the access charges for manoeuvre convoys to /from CFR railway infrastructure.

## 2. SCOPE

The procedure applies for highlighting and invoicing by SRCF of the access charge for the manoeuvre convoys on the railway infrastructure.

## 3. REFERENCE DOCUMENTS

- Commission Regulation (EU) No. 1169/2010 of December 10<sup>th</sup>, 2010 on a common safety method for assessing compliance with the requirements for obtaining a Safety Authorization
- Contract of activity of Compania Națională de Căi Ferate „CFR” SA in force;
- Contract of access to the railway infrastructure;
- The provisions of the Director General of CFR on access charges for the manoeuvre convoys on the railway infrastructure, including updates or amendments thereto;
- The technical plans for the operation of the stations and manoeuvre halts.
- O.S.G.G. no. 600/2018 for the approval of the managerial internal control of public entities
- SR EN ISO 9001:2015- Quality Management Systems. Requirements.
- SR EN ISO 14001:2005-Environmental Management Systems. User-guide requirements.


## 4. DEFINITIONS AND ABBREVIATIONS

### a) Definitions:

The following definitions shall apply for the purposes of this procedure:

- **Access of manoeuvre convoys** - manoeuvre for entering / removing on / off the Industrial Railways (LFI) of the manoeuvre convoys;
- **Manoeuvre Convoy** - a group of rail vehicles linked together by pulling or pushing; the convoy of manoeuvre has also the meaning of the motor rolling stock that moves separately;
- **LFI** - industrial line or other railway lines that are not owned by CFR, such as depots, wagon revision lines, repair shops, lines or group of lines);
- **Railway Undertaking** – an economic operator holding a transport licence type A, B or C and carries out rail transport operations (passengers, cargo or manoeuvre); RUs are also understood as economic agents who perform manoeuvre operations in their own interest on the station lines;
- **Station** - station, manoeuvre halt (HM) or commercial halt (hcv).
- **Railway vehicle** – wagons and / or traction rolling stock (locomotives, electric motorcars, motorcar, etc.);

### b) Abbreviations:

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- **CFR** – Compania Națională de Căi Ferate „CFR” SA;
- **AM** - Motorcar
- **DLFI** – Owner of the Industrial railway line;
- **LFI** - Industrial railway line;
- **PL** - Public Line
- **RU** – Railway Undertaking
- **OP** - Operational Procedure.
- **RUCLCM** - Unified register of free path, circulation and movement;
- **SRCF** - Regional Railways Branch (CFR territorial sub-division).
- **Access** – Access of manoeuvre convoys on the railway infrastructure.

## 5. DESCRIPTION

### 5.1. Levying the access charge

The access charge is levied from the RU or from the economic operator who handles the access of the manoeuvre convoys, if the maneuver is carried out at their request.

In the case of local conventions concluded between the RU and the DLFI, the charging lists may be drawn up in the DLFI account. In these cases, the head of the Station requests a copy of the convention.

### 5.2. Determining the access charge for manoeuvre convoys

In order to determine the access charge, the distance covered by the manoeuvre convoy which was handled (accessed) to / from CFR railway infrastructure, is multiplied with the corresponding charge, irrespective of the number of vehicles in the convoy.

In the case of the trains / convoys manoeuvre on the station line on the LFI, the distance covered by the manoeuvre convoy is the distance from the CFR line from where the convoy (including the useful line length) is dispatched to the connecting link (branch) of LFI to CFR railway infrastructure.


In the case of trains / convoys exiting manoeuvre from the LFI, the distance covered by the manoeuvre convoy represents the distance from the LFI switch of connection (branch) to the CFR railway infrastructure, until the CFR line where the convoy is received (including the usable length of the track).

This distance is expressed in full kilometres, by rounding in addition and it is transmitted by the Head of Line Unit.

### 5.3. Evidence of access services of the manoeuvre convoys

Evidence of the access of the manoeuvre convoys and of the distances covered is carried out by the analytical method, based on lists drawn at the level of the subunits, to which the unit value of the access charge applies.

The unit value of the access charge for manoeuvre convoys to / from the CFR railway infrastructure and the one for the railway rolling stock are those stipulated in the CFR General Director's Order in force on the date of the service rendering.

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### 5.3.1. Access register

The stations recording frequent access services of the manoeuvre convoys shall establish an "Access Registry" as set out in Annex 1. These stations shall be established by the SRCF.

The access registry shall be filled in on the basis of data obtained from:

- RUCLCM;
- showing the train;
- delivery-receiving list
- the manoeuvre plan (with reference to the number of wagons handled) pursuant to the request made by the RU;
- verification on site if there are inconsistencies in the above documents;
- other relevant documents.

Stations recording occasional accesses to manoeuvre convoys can directly fill in the access registries.

### 5.3.2. Access List

The charge is collected based on the access lists prepared by the station personnel.

**5.3.2.1.** The Lists shall be filled in on the basis of data obtained, as appropriate, from:

- Stabling Registry;
- RUCLCM;
- showing the train;
- the manoeuvre plan and the requests of the RU
- delivery-receiving list
- verification on site if there are inconsistencies in the above documents
- other elements.

**5.3.2.2.** The list shall be filled in accordance with the template in the Annex 2 with the identification data and the time of activity for each convoy, according to the wording required in the form.

**5.3.2.3.** The lists are monthly drawn up under the signature of the head of the station, for the services of the previous month, for the convoys handled in the station, and then he sends them to the RU representatives or DLFI in the station, for confirmation. The lists signed by both parties are forwarded by the end of the month to the Traffic Division for billing.

The Heads of the traffic divisions can organize the drawn up of the lists at intervals of less than one month, depending on the volume of activity.


If the RU does not have representatives in the station, the lists shall be forwarded by letter to the Traffic Division - Infrastructure Access Control Unit under the signature of the Head of the Station by the 10<sup>th</sup> of the month in order to be sent to the RU for confirmation.

The Traffic Division sends the lists to the RU for confirmation and seeks confirmation or possible appeals within 25 calendar days from the date of submission.

As soon as the confirmation is received, the lists are forwarded for billing.

If the RU does not send the confirmed lists or other possible reasoned objections within the above deadline, the lists shall be entered for invoicing without any confirmation of the RU.

The payment term of the invoices is the same as that provided in the access contracts.

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In the event of non-observance of the payment deadlines, the same interest and penalties as provided for in the access contracts shall apply.

Infrastructure Access Control Service of SRCF keeps track of the invoiced lists and of those paid by the RU and cumulated by region and transmits it monthly to the Traffic Directorate.

### 5.5 Disputes

If the RU disputes the application of the access charge, it shall forward to the Traffic Division a written justification within the timeframe shown above. If the checks show that the justification is correct, the access list is restored and sent for signing to the RU.

Otherwise, the Traffic Division calls the RU representative for conciliation. Within the conciliation also attended by a legal counsellor from the SRCF, the common score is made and a conciliation minute containing the sum to be collected is concluded. The disputed access lists are restored based on the minutes and are forwarded for invoicing.

If the RU representative does not show for conciliation or does not recognize the CFR services or which CFR has clear evidence for (with express mention of these in the Conciliation Minute), the Traffic Division forwards the invoices for billing without the confirmation of the RU.

If there are invoices issued and unpaid within the deadlines provided in the access agreements concluded with the RU, after the expiry of these deadlines, the SRCF notifies the RU in order to settle outstanding debts. The notification includes: overdue amounts, payment (additional) terms, applicable legal measures in the event of non-compliance with these deadlines. Upon the expiration of the deadlines specified in the notices, the SRCF applies legal measures to recover debts by filing a lawsuit.

### 5.5. Special Provisions

This procedure does not apply if the access charging of the RU manoeuvre convoys is performed on the basis of synthetic procedure.

### 5.6. Cases where the access charge is not levied

The access charge is not charged in the following cases:

- for manoeuvre convoys belonging to CFR;
- for convoys manoeuvred in the interest of CFR;
- if there is a concluded convention with the agents who perform works in the interest of CFR.


## 6. LIABILITY

### 6.1 Regional Director, Head of Traffic Division

- Signing payment notifications;

### 6.2 Head of Infrastructure Access Control Service Office (Financial Compartment) - Traffic Division

- Elaboration of payment notifications;
- Transmission to the Traffic Department of the statistical situation of the invoiced benefits.

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### 6.3 Head of Accounting Department - Traffic Division

- Issuance of invoices to RU;

### 6.4 Representative of the Regional Legal Office

- Participation in conciliation;
- Measures taking for filing lawsuits (in case of non-payment of bills) for the recovery of overdue amounts.

### 6.5 Head of the Station

- Drafting, checking and signing lists;
- Transmit the access lists to local representatives for confirmation (if applicable) and to the Traffic Division.


## 7. DOCUMENTED INFORMATION (RECORDINGS)

- ✓ Access Registry
- ✓ Access Lists
- ✓ Invoices
- ✓ Monthly centralized situations
- ✓ Notifications
- ✓ Conciliation Minutes
- ✓ Correspondence letters.

## 8. ANNEXES

- ✓ Annex 1. – Access Registry Template
- ✓ Annex 2 – Access List template
- ✓ Annex 3 - Process diagram
- ✓ Forms – broadcast / withdrawal; control of editions / revisions; analysis of the procedure




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Annex 1, PO 0-8.5.3-02, Ed.2 , Rev.0

### Access Registry

Item No.	Convoy No.	Date and time	Series and no. of locomotive	Distance (km)	No. of wagons	Comments

The Access Registry is specialized for each individual beneficiary where there is a significant activity or it contains specialized tabs on each individual beneficiary, where the activity does not justify a registry for each beneficiary. The registry shall also be filled in with records stating the service rendering (train display, delivery- receipt list , manoeuvre plan or other evidence). At the position Comments there shall be mentioned the train from /to which the manoeuvre convoy or other specific documents are handled.

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Annex 2, PO 0-8.5.3-02, Ed.2 , Rev.0

CNCF "CFR"SA

CFR Rail Region .....

CFR Station .....

No .....

Beneficiary .....

**Access List**

Item No.	Convoy No.	Date and time	Series and no. of locomotive	Distance (km)	No. of wagons	Amount	Comments

Access charge applied

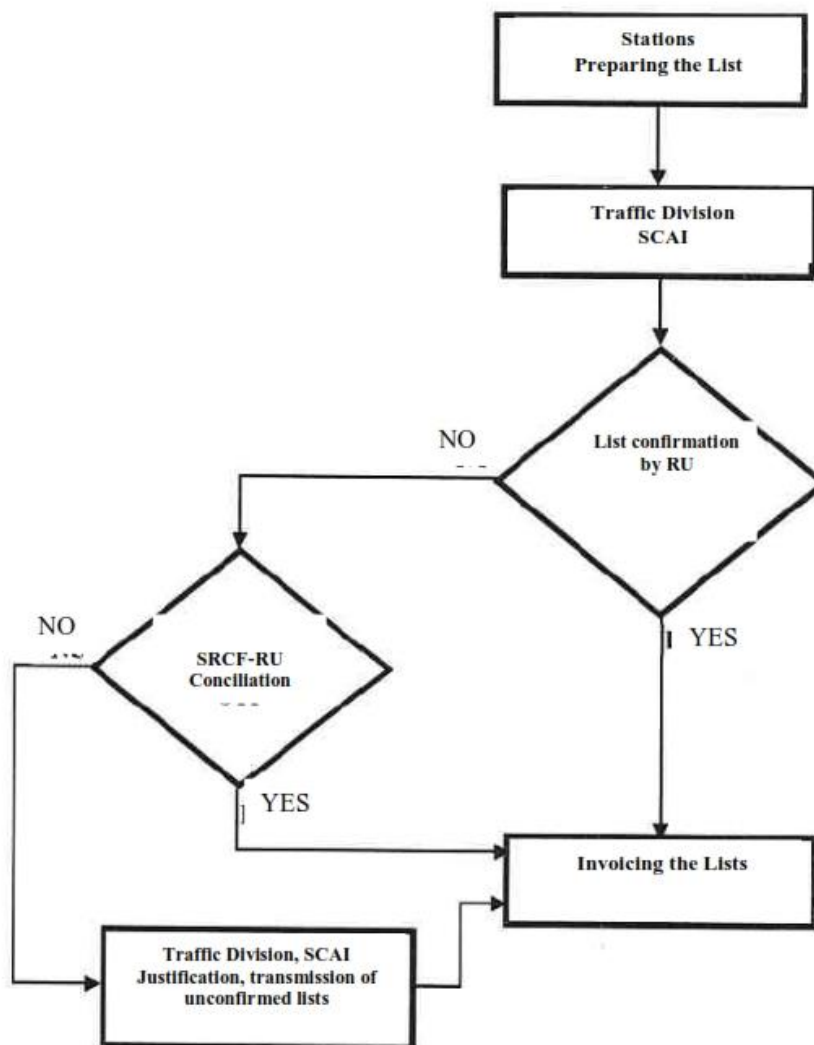
Total amount invoiced

At the position Comments there shall be mentioned the train from /to which the manoeuvre convoy or other specific documents are handled.

**CNCF "CFR"SA**  
**Head of Station**  
**and surname**  
**Signature/stamp**

**Beneficiary CFR**  
**Representative Name**  
**Name and surname**  
**Signature/stamp**

### Process diagram



**DOCUMENT BROADCAST/WITHDRAWAL LIST:  
OPERATIONAL PROCEDURE  
APPLYING ACCESS CHARGES FOR MANOEUVRE CONVOYS  
TO/FROM THE RAILWAY INFRASTRUCTURE  
BY SYNTHETIC METHOD**

**Code: PO 0-8.5.3-02 Edition 2, Revision 0**

No. Copy	Document name (Code/update):			
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	Recipient	Name, first name	Date	Date
1	Traffic Directorate		12.10.2018	01.10.2018
2	Infrastructure Access Control Office		12.10.2018	01.10.2018
3	Operation, Development, Modernization Office		12.10.2018	01.10.2018
4	Technical Directorate		12.10.2018	01.10.2018
5				
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No. Copy	Document name (Code/update):			
	Sent: PO 0-8.5.3-02 Edition 2, Revision 0			Withdrawn: PO 0-7.5.4-02 Edition: 1 Revision: 3
	Recipient	Name, first name	Date	Date
1/	Bucharest Rail Region -Traffic Division		12.10.2018	01.10.2018
2/	Craiova Rail Region –Traffic Division		12.10.2018	01.10.2018
3/	Timisoara Rail Region –Traffic Division		12.10.2018	01.10.2018
4/	Cluj Rail Region –Traffic Division		12.10.2018	01.10.2018
5/	Brasov Rail Region –Traffic Division		12.10.2018	01.10.2018
6/	Iasi Rail Region –Traffic Division		12.10.2018	01.10.2018

**CONTROL LIST OF DOCUMENT EDITIONS/REVISIONS:****OPERATIONAL PROCEDURE  
APPLYING ACCESS CHARGES FOR MANOEUVRE CONVOYS  
TO/FROM THE RAILWAY INFRASTRUCTURE  
BY SYNTHETIC METHOD  
Code: PO 0-8.5.3-02 Edition 2, Revision 0**

Ed/ Rev	Reason of amendment	Modified chapter, paragraph/pag e/row	Date of entry into force	Elaborated/revised	Approved
				Name, first name	Name, first name
1/0	Initial development	-	15.040.2016	EPURE Daniel	CHIPER Marius Marian
1/2	Update (complementing some articles)	4, 5.2	18.07.2016 Withdrawn on 14.09.2016	EPURE Daniel	CHIPER Marius Marian
1/3	Update. (complementing some articles)	4, 5.2	17.10.2016	EPURE Daniel	CHIPER Marius Marian
2/0	Update. Recoding: Complying with the requirements SR EN ISO 9001/14001: 2015	5.3.2.3 5.4 Title. Adding Content; Progress Diagram, Procedure analysis form	01.10.2018	EPURE Daniel	GAVRILA Ion

**DOCUMENT ANALYSIS FORM****OPERATIONAL PROCEDURE****APPLYING ACCESS CHARGES FOR MANOEUVRE CONVOYS TO/FROM THE RAILWAY  
INFRASTRUCTURE****BY ANALYTICAL METHOD Code: PO  
0-8.5.3-02 Edition 2, Revision 0**

Item No.	SO attending the document analysis	Points of view formulated by	Comments
1.	Traffic Directorate - CAI Office		
2.	Traffic Directorate - S RDT Office		
3.	Legal Directorate		
4.	Technical Directorate - SMSCP	X	From the SMCM point of view
	Rail Regions 1-8		
1.	Bucuresti	X	
2.	Craiova	X	
3.	Timisoara	X	
4.	Cluj	X	
5.	Brasov	X	
6.	Iasi	X	
7.	Galati	X	
8.	Constanta	X	