CFR NETWORK STATEMENT

15.12.2019 - 12.12.2020

COMPANIA NATIONALA DE CAI FERATE CFR SA

Updates

No.	Date	Version	Document name changed	Description of changes	Note
1	06.03.2020	9.0	NS	Update paragraph text 3.6	
2	06.03.2020	9.0	Annex 23	Update	
3	09.03.2020	9.1	NS	Changes in paragraphs 3.2.1.1, 3.3.1.3, 3.6	
4	12.03.2020	9.1	Annex 8	Update	
5	29.04.2020	9.1	Annex 28a	English translation update	
6	29.04.2020	9.1	Annex 28b	English translation	
7	29.04.2020	9.1	Annex 6	Update	
8	30.06.2020	9.2	NS	Changes in paragraphs 1.2, 1.3, 1.4.3, 1.6.2, 1.7, 2.2.4, 2.2.5, 3.2.1.1, 3.3.1, 3.5, 3.6.7, 3.7, 5.4, 6.3.2	
9	30.06.2020	9.1	Annex 7	Update	
10	30.06.2020	9.1	Annex 9.a	Restructuring (under construction)	
11	30.06.2020	9.1	Annex 9.b	Restructuring	
12	30.06.2020	9.1	Annex 9.c	Restructuring	
13	30.06.2020	9.1	Annex 9.d	New Annex	
14	30.06.2020	9.1	Annex 9.e	Update	
15	30.06.2020	9.1	Annex 20	Update	
16	30.06.2020	9.2	Annex 21	Update, merger with the former annex 23	
17	30.06.2020	9.1	Annex 24.a	New Annex	
18	30.06.2020	9.1	Annex 24.b	Update	
19	30.06.2020	9.1	Annex 25	Update	
20	30.06.2020	9.2	Annex 28.b	Update	
21	30.06.2020	9.2	Annex 28.c	Update	
22	08.07.2020	9.1	Annex 17	Addition	
23	15.07.2020	9.2	Annex 14	Update	
24	28.07.2020	9.3	Annex 14	Update	
25	23.09.2020	9.2	Annex 8a	Update	
26	23.09.2020	9.1	Annex 8b	Update	
27	15.10.2020	9.2	Annex 8a	Update	
28	15.10.2020	9.1	Annex 1a	Update	
29	15.10.2020	9.1	Annex 1b	Update	

30	27.10.2020	9.1	Annex 4.2	Update	
31	27.10.2020	9.4	Annex 14	Update	
32	02.11.2020	9.3	Annex 8a	Update	
33	02.11.2020	9.2	Annex 9a	Update	

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Annexes

Abbreviations

AFER	The Romanian Railway Authority
ANCOM	The National Authorityfor 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	Compania Nationala de Cai Ferate CFR SA
CNSDF	The National Railway Supervision Council
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	Eletrodynamic Interlocking Systems
EIS	Electronic Interlocking Systems
EMIS	Electromechanical Interlocking Systems
ERTMS	European Railway Traffic Management System
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/UE transposed in Romanian 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
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	RailNetEurope
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

Ch. 1 General Information

1.1 Introduction

This Network Statement (NS) is prepared by CFR, the company responsible for the development, management and maintenance of the railway infrastructure, including the traffic management, signalling monitoring and control, in accordance with its business purpose/competencies, pursuant to the GD no. 581/1998 on setting-up Compania Nationala de Cai Ferate "CFR"-SA. This document describes 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 the infrastructure characteristics made available to the railway undertakings and contains information about the conditions for the access to the relevant railway infrastructure. It also contains information setting out the conditions for the access to Service Facilities related to the infrastructure of the infrastructure manager and the supply of services within these Service Facilities or indicates a site on which such information is made available free of charge, in electronic format.

The Network Statement shall be regularly updated and amended as appropriate.

The Network Statement shall be published no later than 4 months before the deadline for the submission of the 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. It is necessary in order to facilitate the access to the Railway Infrastructure on a non-discriminatory and transparent. Any Railway Undertaking supplying railway transport services shall conclude, in accordance with the law in force, the necessary agreements with the Infrastructure Manager (Annex 4a, Annex 5a).

Any comments of the stakeholders regarding the structure, contents and presentation of the NS are welcomed and will be analysed 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 1a, Annex 1b, Annex 1c some plans of the CFR Network according to the different elements which are referred to in the NS.

1.3 Legal framework

The structure and characteristics of the NS were prepared on the basis of Article 27, corroborated with Annex IV of 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, as well as on the basis of the stakeholder consultation process and by taking into account the proposals of the National Railway Supervision Council, an independent body set up in accordance with of Law no. 202/2016.

The NS was prepared on the basis of the following normative documents:

National normative documents

- Emergency Ordinance no. 12/1998 on the Romanian railway transport and the reorganization of Societatea Nationala a Cailor Ferate Romane, republished, 2004, as further amended.
- Government Decision no. 581/1998 on setting-up Compania Nationala de Cai Ferate "CFR"-SA through the reorganization of Societatea Nationala a Cailor Ferate Romane, as further amended.
- Government Decision no. 817 of July 14, 2005, on approving the Long-Term Railway Strategy Plan with a view to restoring the financial balance of the infrastructure manager and to modernizing and renewing the infrastructure, published in the Official Gazette no. 738 of August 15, 2005;
- Law no. 55 of March 16 , 2006, on railway safety, published in the Official Gazette no. 322 of April 10, 2006;
- Decision no. 1696/2006 of November 29, 2006, on approving of the Regulation for the Allocation of Railway Infrastructure Capacity;
- Government Decision no. 877 of August 18, 2010, on the interoperability of the railway system, published in the Official Gazette no. 663 of September 28, 2010;
- Government Decision no. 117/2010 on approving the Accident and Incident Investigation Regulation, for the development and improvement of the railway safety on the railways and the subway network in Romania;
- Government Decision no. 643/2011 on approving the conditions of Compania Nationala de Cai Ferate "C.F.R." - S.A. for the rental of some parts of the non-interoperable railway infrastructure, as well as their management, as further amended;
- Government Decision no. 232/2016 of March 30, 2016, regarding the approval of the Performance Contract of Compania Nationala de Cai Ferate "C.F.R." - S.A. for the period of time 2016-2020;
- Law no. 202/2016 regarding the integration of the Romanian railway system into the single European railway area.
- Emergency Ordinance no. 52/2019 for the amendment and completion of Law 202/2016 on the integration of the Romanian railway system in the single European railway area, which creates the regulatory framework for the implementation of Commission Delegated Decision (EU) 2017/2075 of 4 September 2017 replacing Annex VII to Directive 2012/34 / EU of the European Parliament and of the Council on the establishment of the single European railway area.

European normative documents

- Directive 2008/57/EC – on the interoperability of the rail system;
- Directive 2001/16/EC – on the interoperability of the conventional rail system;
- Directive 2004/50/EC – on the interoperability of the trans-European rail system;
- Directive 2004/49/EC – on safety on the Community's railways;
- Directive 2008/68/EC and Directive 96/49/EC– on transport of dangerous goods;
- Directive 2012/34/EC establishing a single European railway area;
- Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service.

- Directive 2016/2370 / EU of the European Parliament and of the Council of 14 December 2016 amending Directive 2012/34 / EU as regards the opening-up of the market for domestic rail passenger services and the governance of railway infrastructure;
- EU Implementing Regulation 2017/2177 of 22 November 2017 on access to service infrastructures and related rail services;
- Implementing Regulation no. 1795/2018 laying down the procedure and criteria for applying the economic equilibrium test pursuant to Article 11 of Directive 2012/34 / EU of the European Parliament and of the Council.
- Commission Delegated Decision (EU) 2017/2075 of 4 September 2017 replacing Annex VII to Directive 2012/34 / EU of the European Parliament and of the Council on the establishment of the single European railway area

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, Infrastructure and Communications (MTIC) 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 MTIC.

1.4.3 Appeal procedures

Any applicant 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, this shall be solved and a decision shall be made in accordance with the law (Article 46(6) of Law no. 202/2016), and CFR shall communicate to the applicant in writing the manner of settlement within 10 working days.

Also, the applicant who considers that he has been treated unfairly, has been discriminated against or unjustified in connection with any of the aspects provided in art. 56 para. (2) and para. (3) of Law no. 202/2016 on the integration of the Romanian railway system in the single European railway area, with subsequent amendments and completions, may file a complaint to the National Railway Supervisory Council (CNSDF), an independent body, established in accordance with Law no. 202/2016 to the following contact details:

Consiliul Naţional de Supraveghere din Domeniul Feroviar (The National Railway Supervision Council)

Adresa:	Piaţa Presei Libere nr. 1, Sector 1, Bucureşti, România, Cod Poştal: 013701;
Telefon:	+40214054450
Fax:	+40214054447
E-mail:	consiliul.feroviar@consiliulconcurentei.ro
Web:	www.consiliulferoviar.ro

1.5 Structure of NS

This NS was prepared for presenting the services supplied by CFR in its capacity as manager of the Romanian railway infrastructure, in accordance with the indicative structure of the RailNetEurope (RNE) (the Association of European Railway Infrastructure Managers) and is structured as follows:

CHAPTER 1 General Information – presents the objectives and the overview of the NS;

CHAPTER 2 Access Conditions - includes the general access requirements to be fulfilled by any applicant for using the railway infrastructure and the operational rules;

CHAPTER 3 Infrastructure – presents the description of the railway network, the technical characteristics, the organisation of the railway traffic operation and the Service Facilities;

CHAPTER 4 Infrastructure Capacity Allocation – the description of infrastructure capacity allocation process;

CHAPTER 5 Services - the presentation of the services to be supplied to the railway undertakings in accordance with the provisions of Law no. 202/2016;

CHAPTER 6 Infrastructure Access Charges and Invoicing Modalities.

1.6 Validity, updating

1.6.1 Validity Period

Version 9.0 is valid for the 2019/2020 Timetable, commencing with the date of December 15, 2019, until the date of December 12, 2020, as well as during the validity periods of the later timetables, if no relevant changes occur. It shall remain valid until relevant changes occur determining the preparation and publishing of a new later version.

The NS shall be published no later than 4 months before the deadline for the submission of the requests for infrastructure capacity. The NS draft shall be subject to the review of the stakeholders for 2 months before the publication.

1.6.2 Updating process

Preparation and publishing of the temporary version of the NS 2019-2020.

Deadline: 09.12.2018.

Receipt of the comments from the stakeholders within the consultation process.

Deadline: 01.02.2019.

Publishing of the final version of the NS resulting from the stakeholder consultation process.

Deadline: 14.02.2019.

Coming into force of the NS.

Deadline: 15.12.2019.

In accordance with Article 27(3) of Law no. 202/2016, the NS shall be „ regularly updated and modified as necessary". 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

8.3 shall be the third modification of the NS 8.0) and shall be highlighted in the table on page 1, which contains the date of making and entering into force of the modifications, the indication of the amended paragraphs and the nature of the changes. In accordance with Article 27(2) and Annex IV to Law no.

202/2016, the Railway Undertakings and the Managers of the leased railway infrastructure *"shall send the specific information to be included in the Network Statement or indicate a website where this information is available free of charge in electronic format"*.

1.7 Publishing

The NS is available free of charge on the CFR website in Romanian and English at www.cfr.ro. 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 Naţională de Căi Ferate - CFR SA, Direcţia Trafic

adresa: Bd. Dinicu Golescu nr.38, sector 1, Bucureşti 010873, România
web: www.cfr.ro
Telefon: +40 21 319 25 10
Fax: +40 21 319 25 11
E-mail: OfficeCFR@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.

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.

The coordination and operative management structures of a freight corridor are the Executive Committee consisting of the representatives of the Ministries of Transport and, respectively, the Management Board

consisting of the representatives of the Railway Infrastructure Managers and of the railway capacity allocation bodies on the corridor route.

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-Mediterranean" and the "Rhine-Danube" Rail Freight Corridor cross CFR's railway network.

The Rail Freight Corridor No. 7 (RFC 7) "Orient/East-Mediterranean"

The Rail Freight Corridor No. 7 (RFC 7) "Orient/East-Mediterranean" crosses CFR's railway network and is operational from November 2013, with its route being Prague - Vienna/Bratislava - Budapest - Bucharest - Constanta/Vidin - Sofia - Thessaloniki - Athens. The Corridor Secretariat is located in Budapest and is managed by MAV (the Hungarian State Railways).

Details regarding this corridor may be found at: www.rfc7.eu.

The "Rhine-Danube" Rail Freight Corridor

Besides the Rail Freight Corridor No. 7, Romania will also be crossed by the "Rhine-Danube" Rail Freight Corridor, with the deadline for becoming operational November 2020.

This corridor is set out in Annex II to Regulation (EU) No. 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing a mechanism for interconnection of Europe, amending Regulation (EU) No. 913/2010 and repealing Regulation (EC) No. 680/2007 and (EC) No. 67/2010 (1).

1.10 Cooperation between infrastructure managers

a) International union of Railways (UIC)

UIC is a non-governmental multilateral organization established in Paris in 1922 for the co-operation in the field of railway transport, which aims at promoting the co-operation between the member railways and of the railway transport in general, developing the interoperability and improving the competitiveness of the railway transport as compared to other modes of transport. For this purpose, UIC develops rules, provisions and recommendations, railway and technical leaflets and standards, launches and supervises international projects and studies, fosters the exchange of information and experience (https://uic.org).

During the period of time 2005-2006, UIC repositioned itself in relation to the European Union and the world developments, and the UIC structure was adequately adapted to give a global dimension to its organization and activity. At present, UIC has 200 members, belonging to the following categories:

- active members, including railway undertakings and infrastructure managers in Europe, as well as railways from North Africa, the Middle East, India, Pakistan, Japan, China and South Africa;
- associate members, including most railways in Asia, Africa, America and Australia;
- affiliated members, which are companies that perform activities complementary to those performed by the railways (public transport, sleeping cars, catering, etc.).

CFR (the Romanian Railways) is among the founding members of UIC.

b) RailNetEurope (RNE)

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

The details regarding the RNE organisation and objectives are presented in Annex 2.

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

The RNE presentation and projects may be accessed on the website: http://www.rne.eu/corporate.html

c) The Platform of Rail infrastructure Managers in Europe (PRIME)

The representative body under the name PRIME was established in 2013, with the headquarters in Brussels, on the proposal of the European Commission, and is an organized form of promoting the intentions of the railway infrastructure managers, the relevant associations and the Directorate General for Mobility and Transport (DG MOVE), to enhance cooperation and collaboration with a view to improving the European railway area.

The presentation of this body can be found at: https://ec.europa.eu/transport/modes/rail/news/2016-06-03-prime-members-and-chair_en.

CFR is a member of the "Platform of Rail Infrastructure Managers in Europe" (PRIME) since July 2016.

The organizational structure of PRIME consists of the Plenary Meeting (decision-making body co-chaired by the European Commission and the Railway Infrastructure Managers) and 6 working subgroups:

1) Charges

2) Key Performance Indicators

3) Financing

4) Safety Culture

5) Digitalisation

6) Implementing Acts.

d) TEN-T Core Network Corridors

Trans-European Transport Network (TEN-T) as a multimodal network comprising roads, railways, inland waterways, inland and maritime ports, airports and railway terminals in the 28 Member States. TEN-T comprises two levels:

1. The comprehensive network: a multidimensional network of relatively high density which offers accessibility to all the European regions (including peripheral and outermost regions) to support their economic, social and territorial development, as well as the mobility of their citizens.

2. The core network: a part of the comprehensive network, distinct as far as its strategic importance for the major European transport flows is concerned. The basic structure of the core network consists of the Core Network Corridors (CNC) - managed separately from the freight railway corridors - and the railway component of which also includes sections managed by CFR S.A.:

a) TEN-T Core Network Corridor "Orient/Est-Mediterranean" with the route: Hamburg – Berlin; Rostock – Berlin – Dresden; Bremerhaven/Wilhelmshaven–Magdeburg–Dresden; Dresden – Ústí nad Labem – Mělník/Praha – Kolín; Kolín – Pardubice – Brno – Wien/Bratislava – Budapest – Arad – Timişoara – Craiova – Calafat – Vidin – Sofia; Sofia – Plovdiv – Burgas; Plovdiv – TR border; Sofia – Thessaloniki - Athens – Piraeus – Lemesos – Lefkosia; Athens – Patras/Igoumenitsa.

b) TEN-T Core Network Corridor „Rhine–Danube" with the route: Strasbourg – Stuttgart – München – Wels/Linz; Strasbourg – Mannheim – Frankfurt – Würzburg – Nürnberg – Regensburg – Passau – Wels/Linz; München/Nürnberg – Praha – Ostrava/Přerov – Žilina – Košice –UA border; Wels/Linz – Wien – Bratislava – Budapest – Vukovar; Wien /Bratislava – Budapest – Arad – Braşov/Craiova – Bucureşti – Constanţa – Sulina.

The activities for identifying the development needs of the infrastructure of these multimodal corridors are managed by the European Commission through a European Coordinator, who chairs plenary meetings (Forums), respectively working groups.

The TNT structure can be found at: https://ec.europa.eu/transport/themes/infrastructure_en.

e) CER – The Community of European Railway and infrastructure Companies

Established in 1988 with its headquarters in Brussels, CER is a European organization at the level of therailway companies which aims to represent the interests of its members at European level, to improve its position on the transport market and the viability of the railway transport, by conducting actions to influence the general framework which determines the making of the political decisions. The details of CER's activity can be found at: http://www.cer.be.

To this end, CER is involved in all stages of drafting European legislation, formulating points of view, being recognized by the European Commission as a negotiating partner and lobbying for the railway transport, with a view to balancing the modes of transport and creating a fair competition on the transport market, under conditions of sustainable development.

Given that the CER - as an organization - is recognized by the European Commission as a dialogue partner in the process of drafting and improving transport legislation (while being also a lobbyist for the railway sector), the capacity as CER member which CFR SA obtained in 2003 offers, on the one hand, a real-time efficient information framework and, on the other hand, the possibility of expressing views in line with the realities and interests of CFR railway infrastructure, even from the drafting stage of the new railway legislative regulations.

f) OSJD – Organization for Cooperation between Railways

OSJD is a specialized interministerial international organisation established on June 28, 1956, with the Romanian Ministry of Railways as a founding member, based in Warsaw, whose objective is to ensure the necessary prerequisites for the development of the railway transport between Europe and Asia and to promote the cooperation of the members on the railway policy and strategy issues, transport, freight, passenger and infrastructure law.

OSJD mainly coordinates the Agreements on International Passenger Transport by Rail (SMPS) and on International Freight Traffic by Rail (SMGS) carried out with the countries of the former Soviet Union, the agreements on mutual settlements between the railways, as well as the technical issues related to the railway interoperability (http://en.osjd.org).

The organization has two governing and decision-making levels, and namely:

- Higher decision-making body – the Transport Ministers Conference, whose responsibility includes, in particular, policy issues, strategy and transport law;
- The Conference of the Directors General of the railways in the member countries, which mainly coordinates the freight, passenger and infrastructure sectors.

Romania is represented at the Transport Ministers Conference by the Ministry of Transport, and CFR S.A. ensures the representation of the CFR company system at the level of the Conference of Directors General.

1.10.1 One Stop Shop

The European Infrastructure Managers which joined RNE have set up One Stop Shops (OSSs) that work within the freight railway corridors (RFC) as a network of contact points under the RNE and RFC 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.rne.eu

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

Compania Naţională de Căi Ferate - CFR SA, Direcţia Trafic

Adresa:	Bd. Dinicu Golescu nr.38, sector 1, Bucureşti 010873, România
OSS:	dl. Ionuţ STUPINARU
Telefon:	+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

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:

1. Access Contract – sets down the rights and obligations of CFR and the RU regarding the

allocation and use of the infrastructure capacities as well as other services provided or supplied by CFR;

2. Dangerous goods (substances) - are considered to be those chemicals which, during the transport by rail (in tanks, containers or other packaging) , due to traffic accidents, damage to the transport means or packaging, unforeseen chemical reactions, non-compliance with the technical packaging and transport rules or other unforeseen factors, may cause explosions, fires, emissions of gases, vapours, aerosols or toxic liquids spread to the soil and in the environment;

3. Exceptional Transport - a transport is considered exceptional if, due to its dimensions, its gauge or weight, taking into account the characteristics of the railway infrastructure on which it is to circulate, it may be admitted only subject to special technical or operation conditions;

4. Infrastructure Manager - any legal entity or group of legal entities registered in Romania having as business purpose the maintenance and operation of the non-interoperable railway infrastructure leased from CFR in accordance with the law in force;

5. Line Gradient - represents the horizontal inclination of the axis of a track, measured by the ratio of the height and the distance run on horizontal level, a ratio expressed in thousandths;

6. Loading Gauge – the gauge of the rolling stock admitted on the CFR lines, in which both the wagon and its load must be included;

7. Marshalling Yards - a station designed for the processing of freight wagon flows and their distribution (separation) to different destinations;

8. Minimum Access Package - represents the services supplied by CFR to allow at least the transit of one train on the network, without shunting or (re)fuelling services;

9. Rail Service Book – means 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;

10. (Railway) Node - is a station with more than two travelling directions or the connections (railway branches) of the running line;

11. Relief Facilities – ensure the timely and efficient performance by CFR of the necessary interventions to eliminate the consequences of the railway events and to restore the traffic/continuity of the railway traffic in the event of railway accidents/incidents, with the help of specific relief means;

12. Safety Certificate (SC) – the document certifying the fact that a railway undertaking holding a licence may supply a type of railway transport service on the Romanian railway traffic sections;

13. Service Facilities - the installation, including ground area, building and equipment, which has been specially arranged, as a whole or in part, to allow the supply of one or more services referred to in point 2 of Annex II to Law no. 202/2016. They are presented in detail in Article 3.6 hereof;

14. Shunting Convoy - a group of interlinked railway vehicles that are operated by pulling or pushing between the groups of lines of the same station with or without passing by the precincts of the station, as well as between the station and a line of an economic operator;

15. Station - a sectioning point with lines for train traffic, shunting operations and other railway transport operations. For the purpose of this NS, station also means movement halt. The station may be open for freight and/or passenger traffic;

16. Timetable – means the train timetable, including the running times between various points

(mainly stations and movement halts), and the train characteristics;

17. Transhipment Station - supplies the transhipment (moving) of the goods from wagons for normal gauge to wagons for broad gauge, and vice versa;

18. Transposition Station - supplies the transposition of wagons (change of axles/bogies) for normal gauge in wagons for broad gauge, and vice versa;

19. Service Infrastructure - facilities, including land, buildings and equipment that have been specially or partially equipped to enable the provision of one or more of the services listed in Annex II, points 2-4 of Law No . 202/2016. These are detailed in Art. 3.6. of this document.

An explanatory English dictionary of the commonly used railway terms can be found on the website of RNE:

http://rne.eu/wp-content/uploads/RNE_NetworkStatementGlossary__V8_2016_web.pdf

Ch. 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 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, and in Annex 1 to Law no. 202/2016.

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 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 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 Operation

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.

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 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, of Law no. 202/2016, OMT no. 683/2017 on approving the charges for the specific services supplied by AFER, and GD. no. 361/27.07.2018 on approving the procedures for granting railway transport licences. 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 Law no. 202/2016.

Organismul de Licenţe Feroviare Român - OLFR

Adresa:	Calea Griviţei, Nr.393, sector 1, Bucureşti, România
Telefon:	+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@afer.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 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 is issued in accordance with:

- Law 202/2016 on the integration of the Romanian railway system in the single European railway area, with subsequent amendments and completions;

- GD 361/2018 on the approval of the procedures for granting licenses in the field of railway transport;

- Order 743/2020 for the issuance of the single safety certificate to operators performing only railway maneuvering on Romanian railways;

- GEO no. 73/2019 on railway safety, ensuring the transposition into national law of Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system in the European Union and Directive (EU) 2016/798 of the European Parliament and the Council of 11 May 2016 on railway safety.

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 aw no. 202/2016. 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:

Autoritatea de Siguranţa Feroviară Română – ASFR

Adresa: Calea Griviţei, Nr.393 sector 1, Bucureşti, România
Telefon: +4021.307.79.06
Fax: +4021.316.42.58
Web: www.afer.ro/asfr/

2.2.5 Cover of Liabilities (Mandatory Insurance, State Guatantee0

In order to obtain the license, RU shall conclude insurance contracts with certified insurance companies or take the necessary measures to covering its civil liability in case of railway accidents or technical incidents within the requested railway transport services, according to GD 361/2018 on the approval of procedures for the licensing of rail transport. These assurances are materialized in the annex of the License issued by OLFR and must be presented to CFR at the conclusion of the access contract.

2.3 General business terms and condition

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.

2.3.2 Access Contract Concluded wiyh 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 within 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 4a. 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 5a.

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 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);
- 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 Opearational 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 operating instructions and regulations that apply to the Romanian railway infrastructure is presented in Annex 7. They may be made available to the OTF by the CFR free of charge in electronic format, if they are available in printed form, subject to availability.

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

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 2.5.

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, Central Office for Railway Traffic Coordination

Adress:	Bd. Dinicu Golescu nr.38, sector 1, Bucureşti 010873, România
Phone:	+40 21 319 25 10
Fax:	+40 21 319 25 11
Mobil:	+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.

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, Central Office for Railway Traffic Coordination

Adresa:	Bd. Dinicu Golescu nr.38, sector 1, Bucureşti 010873, România
Telefon:	+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

Adresa:	Calea Griviţei, Nr.393, sector 1, Bucureşti, România
Telefon:	+4021.307.79.00
Fax:	+4021.316.42.58 +4021.316.05.97
Web:	www.afer.ro/rom/ONFR
Email:	office.onfr@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.

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.

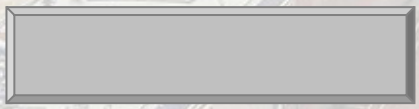
The RU shall also hold its own training staff or a contract with an authorised entity.

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

Adresa: Calea Griviţei, Nr.343B, sector1, Bucureşti, România
Telefon: +4031 620 39 02
Fax: +4031 620 39 11
Web: www.cenafer.ro
Email: cenafer@cenafer.ro



Ch. 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 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 imits

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;

b) the Non-Interoperable Railway Infrastructure. The list of these sections is presented in Annex 8a 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, and shall be included in the Framework Lease Contract presented in Annex 27.

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 lease contracts with 5 Non-Interoperable Railway Infrastructure Managers. The leased sections are highlighted in Annex 8a.

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: 6 804 km;
- the length of the route of the Non-Interoperable Railway Infrastructure Network: 3 824 km

The map of the railway stations, and of the interoperable and non-interoperable railway lines with highlighted IMs that have leased non-interoperable lines from 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 9a which also indicates the Infrastructure Manager that leased 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 is based on an access contract between the Rail Infrastructure Manager and the OTF and the payment of a TUI that can not exceed the IAC value applied 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.

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 Characteristic

The characteristics of the Network are presented in Article 3.3. A summarising table with these characteristics is presented in Annex 12.

The detailed description of the technical characteristics of the CFR network is presented in the RINF Railway Infrastructure Register prepared in accordance with the provisions of Article 32 of GD no. 877/2010 on the interoperability of the railway system. According to it, "The Romanian Railway Authority ensures the publication and updating of an infrastructure register according to the review cycle provided in art. 35 para. (2) of Directive 2008/57/EC of the European Parliament and of the Council. This register shall specify the main characteristics of each subsystem or part subsystem involved, for example, the basic parameters, and their conformity with the characteristics as prescribed by the applicable TSI. To this end, each TSI shall specify exactly which information is to be included in the Register of Infrastructure. "

The technical specification for interoperability (TSI) is a specification adopted in accordance with GD 108/2020, art. 47, which includes each subsystem or part of a subsystem to ensure the interoperability of the rail system of the European Economic Area.

RINF can be accessed at: https://rinf.era.europa.eu/rinf

3.3.1.1 Track Type

Out of the 10 628 km of the CFR Railway Network:

- 2 917 km of double-track line;
- 7 711 km of single-track line.

These lines are highlighted on the map presented in Annex 1a.

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 Viseului (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 transhipment stations and transposition stations that are presented in the table included in Annex 11.

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

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

The gauge of the lines is shown on the map presented in Annex 1a.

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 905 stations.

The general list of stations is presented in Annex 9a. 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 1a.

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 CFR shall be 20 tones/axle.

The maximum weight admitted per linear meter of the lines of CFR 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:

Capacity Allocation Services

Adresa:	Bd. Dinicu Golescu nr.38, sector 1, Bucureşti 010873, România
Telefon:	+40 21 319 25 10
Fax:	+40 21 319 25 11
E-mail:	ionut.stupinaru@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.

Adresa: Bd. Dinicu Golescu nr. 38 Sector 1 Bucureşti
Telefon: 021-3192512
Fax: 021-3119838
Web: www.electrificarecfr.ro
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3.3.3 Traffic Control and Communication System

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

3.3.3.1 Signalling System

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 Block Line (ABL);

c) the train traffic based on the dispatching installation;

d) the interlocked management of the train traffic.

The ABL 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 System

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.

Interlocking systems that include

- 40 electronic interlocking systems
- 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, CNCF "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 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:

Compania Naţională de Căi Ferate - CFR SA, Installation Directorate

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 (CORTC) 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 may supply 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 installations.
- 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.

3.4 Traffic Restriction

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 Enviromental Restriction

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

3.4.3 Restriction 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 Restriction

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 Restriction

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:

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 RU, 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 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.a).

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 EU Implementing Regulation 2017/2177 on access to service infrastructures and related rail services, service facility operators and infrastructure managers have to make available these types of information as described in Art. 4 and art. 5 of the Regulation, for inclusion in DRR.

At the same time, the "Guide on related rail services and service infrastructure" was published, which contains information on the applicable rules and regulations, services and service infrastructures, how to ensure access to these services and to the service infrastructure, the principles of tariffs, as well as the conditions regarding the possibility of exemption from the provisions or part of the provisions of EU Regulation 2017/2177. The guide can be consulted by accessing the following link:

http://www.consiliulferoviar.ro/uploads/docs/legislatie/ghid_infrastructura_servicii_2019.pdf

The service infrastructures, service infrastructure operators and services provided in railway stations for OIS are presented in Annex 9.a.

CFR will update these annexes as it receives from those involved the information that must be provided in accordance with the legal regulations in force.

CFR will update these annexes as it receives from the parties concerned the information to be provided in accordance with the legal regulations in force.

3.6.1 Passenger Stations

In line with the definition in EU Regulation 2015/1100 on reporting obligations of Member States in the framework of rail market monitoring, passenger stations mean a place on a railway line where a passenger rail service can commence, stop or end. According to the normative acts in Romania, it actually comprises the stations defined according to Article 1.11 of this document, open to passenger traffic as well as stopping points.

The stopping point (SP) is the place on the current line on the railway network, equipped with platforms, with no siding lines, intended exclusively for stopping trains for embarking and disembarking passengers.

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

The location of the stations is shown in Annex 1a.

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 and of the stopping points 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 the timetable.

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

3.6.2 Freight Stations

CFR holds in some stations facilities for handling conventional freight. These facilities mainly consist in lines for shunting railway vehicles, lines for loading/unloading, ramps and warehouses. The facilities 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 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 CFR network also includes 'freight terminals' which, according to Implementing Regulation (EU)

2015/1100, means a place equipped for the transhipment and storage of intermodal transport units where at least one of modes of transport are rail transport but are not owned by CFR and for which the services are provided by operators of the respective service facilities. The conditions for access to these terminals as well as their capacity are determined by the owner or 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 facilities for handling goods is presented in Annex 9a.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 within these facilities 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 stations are equipped with the shunting facilities necessary for the breaking-up/formation of the passenger and freight trains;

c) The passenger train formation stations are the station 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.

The access to these stations 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 stations are presented in Chapter 5.

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

3.6.4 Siding (stabling) Lines

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

Some stations which have a capacity in excess may be used for stabling the rolling stock for a longer period of time.

In some stations that have loading/unloading lines or public lines, CFR provides the parking service for specific operations.

The loading/unloading lines are lines intended for this purpose, which are in principle equipped with ramps and/or storage rooms.

Public lines are lines made available to users for loading/unloading operations and that are not mandatorily equipped with ramps.

The availability of the stabling lines depends on the utilisation degree of these lines, which has a dynamic evolution. For this reason, the situation of the stations that have available lines for long term stabling of the rolling stock can be obtained from the Traffic Directorate.

The access to the stabling lines shall be granted to the RUs holding a railway transport license of Type C at least, and to other agents that have access to the station lines (for ex. DLFI) based on contractual agreements.

The services supplied by CFR for the stabling lines 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 services operators, 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 also access to the maritime and inland port facilities held by other operators. The situation of these facilities is presented in Annex 9.d.

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 from the berths, stabling of the rolling stock, line hiring, etc.

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 relief 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 cars.

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 9a. CFR shall grant the access to these facilities, where appropriate.

3.7 Infrastructure Development

Infrastructure is the most important logistical resource of railway transport, and the development of infrastructure must be seen from the perspective of the need to develop railway transport. The development of the railway infrastructure includes first of all the maintenance, repair and renewal actions necessary for the rehabilitation of the existing infrastructure and its maintenance at the performance parameters necessary to support a competitive railway transport at national level. The development of railway infrastructure also includes modernization and development actions needed to meet current and future mobility needs of people and goods, as well as identified requirements for increasing the competitiveness of rail transport. Last but not least, the development of railway infrastructure includes actions to modernize the operation (operation) of railway infrastructure, on the one hand in order to increase train performance and on the other hand to streamline operations in order to limit rail transport costs. Finally, the development of railway infrastructure includes actions designed to maintain a high level of train safety, in order to strengthen one of the important strengths of rail transport in the transport market.

In accordance with Art. 8 paragraph (1) of Law no. 202/2016, CFR, in collaboration with the specialized departments of the Ministry of Transport, Infrastructure and Communications, elaborated the Strategy for the development of the railway infrastructure in the period 2021-2025.

The strategy aims to substantiate the financing needs of the Romanian railway infrastructure for the next 5 years (period 2021-2025). In this context, it should be noted that the general objectives, specific objectives and strategic actions are defined in accordance with a medium- and long-term strategic vision, which includes as benchmarks the years 2025, 2030 and 2050. Within each direction of strategic action are but identified priority actions from a temporal point of view, which should be carried out in the next 5 years. These priority actions are quantified in terms of estimated costs, in order to identify funding needs for the next 5 years. It is considered to be in a sustainable level of funding, estimated based on the information available at the time of developing the strategy.

In accordance with Art. 8 of Law no. 202/2016, based on the financing need identified within this strategy, is to be established and approved the effective financing plan of the railway infrastructure for the next 5 years. Based on the approved financing plan, the CFR business plan for the next 5 years will then be drawn up, which will also identify the feasible investment plan within the approved financing plan.

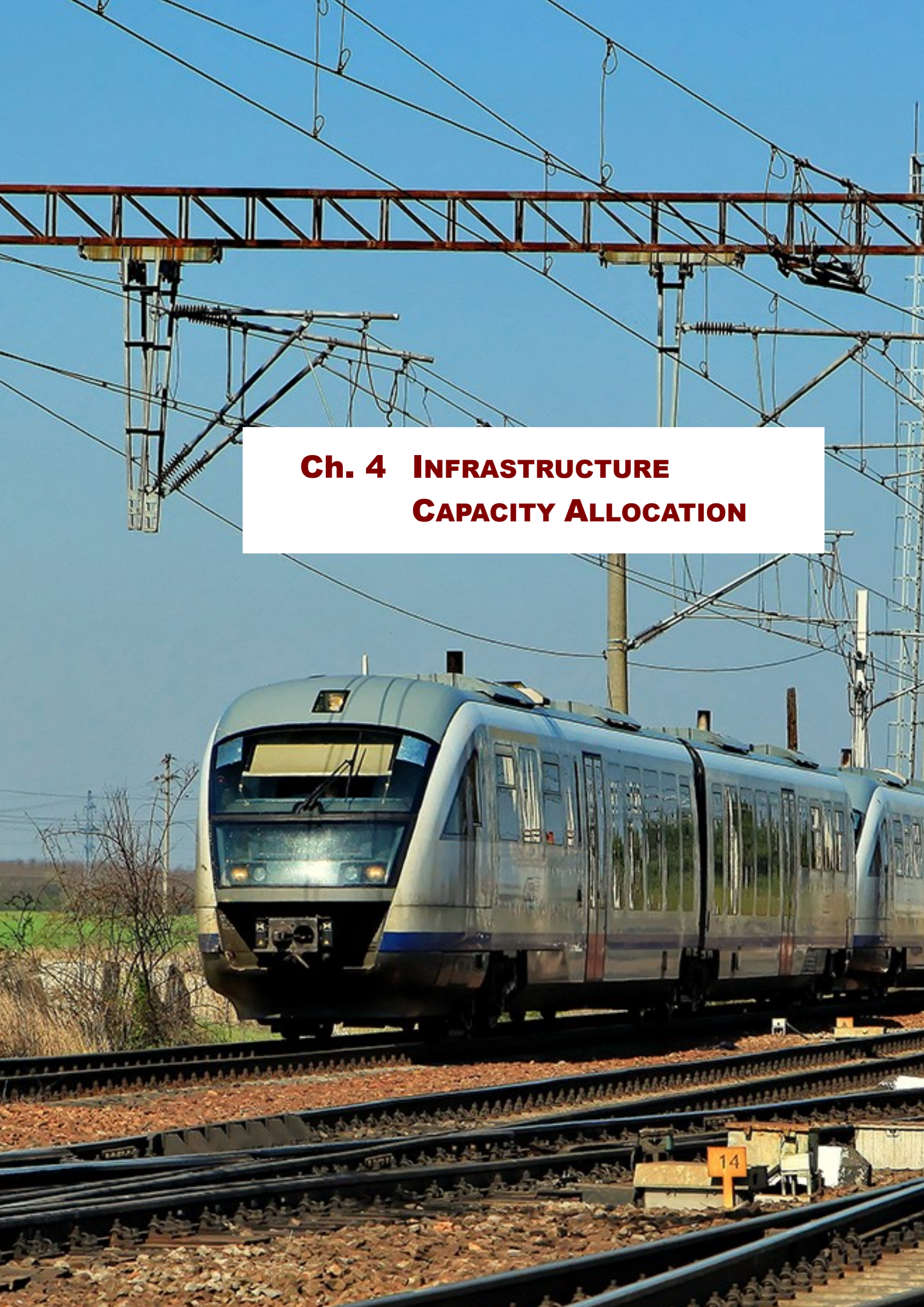
The development strategy of the Romanian railway infrastructure is correlated with the General Transport Master Plan of Romania, approved by the Government Decision no. 666/2016, as well as with the Management Plan of the company. Also, following the approval by the Government, the development strategy of the railway infrastructure is to be integrated in the development strategy of the National Railway Company "CFR" SA, the administrator of the railway infrastructure in Romania.

Annex 24.a summarizes some relevant elements of the railway infrastructure development strategy.

The railway infrastructure development strategy for the period 2021-2025 is published at:

http://www.cfr.ro/index.php/ct-menu-item-3/ct-menu-item-55/strategia-de-dezvoltare-a-infrastructurii-feroviare.

Annex 24.b summarizes the status of investment projects aimed at modernizing the infrastructure related to the European railway corridors and the TEN-T network. These projects are eligible for funding from European grants.



Ch. 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 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 groups 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 of the 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 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 Path

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 16.a.

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 16.b.

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.

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 analyse 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 analysis 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 the event of a delay in payment over the due date of the IAC invoice, the CFR may temporarily suspend (in whole or in part) the access to the railway infrastructure for RU trains exceeding the payment deadlines if the delay is greater than 3 days or 15 calendar days for an RU which has a guarantee, as set out in Annex 4.a. In case of a delay in payment over the due date of the IAC invoice, CFR may temporarily suspend (in whole or in part) the Railway Infrastructure access for the trains of the RU which exceed the tariff payment terms, if the payment delay is longer than 3 working days. 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.a 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.

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 accidents and incidents 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

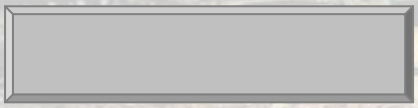
In case of any train traffic disturbances caused by some foreseen or planned issues (such as line closing), the RUs shall be notified in due time, in accordance with the provisions set down at Article 9 of the Standard Railway Infrastructure Access Contract, and be offered alternative routes.

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.



Ch. 5 Provided Servicies

5.1 Services provided by Operators of Services Facilities

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 within these facilities;
- the additional services;
- the ancillary services.

These services are presented in detail below in this chapter.

b) The data and services provided by other operators of service facilities are presented in Annex 9.a and Annex 8.b (Railway Infrastructure Managers). Any additional data is available by accessing the link at the web pages.

5.2 Minimum Acces 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 infrastructure capacity granted represents the right to use the infrastructure capacity granted, according to the provisions of Law 202/2016.

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.

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.

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

5.3 Acces, Including Track Acces, to Service Facilities, if they exist, and Supply of Services within these Facilities

This shall represent the services supplied by CFR for the track access to the following service facilities and to the services supplied within 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) siding lines;
  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) siding lines;
  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 Acces 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 and the supply of services.

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

These services are provided on a non-discriminatory basis and RUs requests can only be rejected if there are viable alternatives under market conditions. The tariffs for these services are included in the tariffs shown in the chapter. 6 of the NS.

5.3.1.1 Passengers Station

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 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, lighting systems, 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, access and use for the RUs' ticketing services, on an equal, transparent and non-discriminatory basis for all RUs.

Tariffs for Rental Services for Ticket Service / Ticket Office / Ticket Service are listed in Annex 21, and renting is based on a contract that is published in Annex 28.a. The procedures governing the activity of capitalization by leasing of real estate belonging to the public railway infrastructure, as well as the regulation of tariffs for their leasing are found in Annex 28b and Annex 28c.

5.3.1.2 Freight Terminals

CFR does not have the freight terminals defined under Implementing Regulation (EU) 2015/1100 as sites handling intermodal traffic units (ITUs).

There may exist private industrial lines or freight terminals that belong to different economic operators or RUs, and are connected to the CFR infrastructure presented in Annex 9.a.

Annex 9.a 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 facilities in accordance with the legal provisions in force.

Thus, CFR provides services for the access of shunting convoys to/from the CFR railway infrastructure in order to move the shunting convoys from CFR stations to freight terminals or other service facilities owned by economic operators. These services for the use of the access infrastructure to the freight terminals shall be subject to specific tariffs which are presented in Chapter 6 of the NS.

5.3.1.3 Facilities in Marshalling and Train Formtion 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.

5.3.1.4 Siding (Stabling) Lines

CFR shall supply the necessary track access services for ensuring the use of the siding lines, lines intended for the temporary stabling of railway vehicles between two orders. Specification of the type of activity on these lines can be found in Annex 9.a. CFR may allow access and stabling of the rolling stock on other lines

in stations within the capacity limit for long-term stabling and for stabling to loading/unloading without affecting the availability of the traffic or shunting lines.

CFR provides access and use of these services facilities in accordance with the principles of equality, transparency and non-discrimination.

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.a. 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 legal provisions 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.a. 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 legal provisions 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.a), and in accordance with the legal provisions 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, stabling 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 Refueling 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 legal provisions 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.

5.3.2 Supply of Services within Service Facilities

5.3.2.1 Shunting and Stabling of the Rolling stock

The provision of these services by CFR represents:

- Shunting of the rolling stock.

  By shunting is meant the set of shunting performed by an RU for a specific purpose (for example:

  input/output shunting of the locomotive on/from the train, shunting for deflection of a defective wagon from the train, shunting for group wagons attachment etc.) irrespective of the number of vehicles in the shunting convoys during the shunting operation.

  Vehicle means wagons and/or traction rolling stock.

- Stabling of rolling stock not belonging to CFR may be:
  - Operational stabling is the service provided by CFR for the stabling of the rolling stock on the station lines after the expiry of a 6-hour standby time from the arrival of the rolling stock on the station lines within the existing capacities.
  - Long-term stabling is the service provided by CFR for stabling of the rolling stock on line stations for periods of at least 30 days in stations where there is sufficient available capacity. This service is provided at the request of the RU and following CFR approval, based on the conclusion of a specific convention with RRB.
  - Stabling at loading/unloading or at public lines is the service provided by CFR for the stabling of wagons for specific operations after the expiry of a 24-hour standby time.

CFR provides transparent and non-discriminatory supply of services within these facilities, including the necessary logistic support (infrastructure, signalling systems, route performance, etc.).

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 (Annex 23.f);
b) assistance for exceptional transports and dangerous good (Annex 21);.

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 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:

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.

S.C. „Electrificare CFR" S.A.

Adresa: Bd. Dinicu Golescu nr. 38 Sector 1 Bucureşti
Telefon: 021-3192512
Fax: 021-3119838
Web: www.electrificarecfr.ro
E-mail: secretariat@e-cfr.ro, gheorghe.gaburoi@cfr.ro

5.4.2 Specific services for Passenger Trains

CFR does not have facilities for coaches pre-heating service. In some technical groups of lines situated in some passenger stations, there are electric systems for passenger car 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.

The services of the water supply for the passenger trains shall be provided by the RUs.

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.

5.5 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 legal provisions 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):

SC „Telecomunicaţii CFR" SA

Adresa:	Bd. Dinicu Golescu nr.38, sector 1, Bucureşti 010873, România
Telefon:	+40 21 314 60 46
Fax:	+40 21 314 60 45
Email:	office@tccfr.ro, comercial@tccfr.ro
Web:	www.telecomunicatiicfr.ro

5.5.2 Provision of supplementary Information

Upon the request of the RU, CFR may provide additional 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, within the limits of their availability, 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). Additional information (contact):

SC „Informatică Feroviară" SA

Adresa:	Bd. Gării de Nord nr.1, sector 1, Bucureşti 010855, România
Telefon:	+40 21 311 98 36
Fax:	+40 21 223 27 79
E-mail:	office@infofer.ro
Tel Mobil:	+40 744 337 369
Web:	www.infofer.ro

5.5.3 Technical Inspection of the 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 RRNB from RRA.

For additional information regarding the approval of these entities:

Organismul Notificat Feroviar Român – ONFR

Adresa:	Calea Griviţei 393, Sector 1, Cod 010719 Bucuresti ROMÂNIA
Telefon:	+40 21 307 79 00
Fax:	+40 21 316 42 58
	+40-21-316 05 97
E-mail:	office.onfr@afer.ro
web:	www.afer.ro/rom/onfr

5.5.4 Ticketing Services in Passenger Station

If possible, CFR may supply ticketing services on the basis of a separate convention proposed by each RU, having a commercial nature. The tariffs for the ticket issuance service can be found in Annex 21 to the auxiliary services section of CFR.

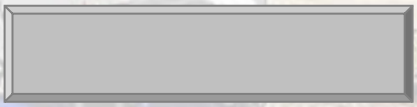
5.5.5 Specialized Heavy Maintenance Services

CFR does not provide capital maintenance services provided in infrastructure dedicated to high-speed trains or other types of rolling stock requiring specific facilities.

5.6 Other Services

Except for the services presented in the Articles 5.1 - 5.5, related to Annex II of the Law no. 202/2016, CFR shall, as far as possible, provide other services at the request of the RUs, as follows:

- Traffic of trains on leased non-interoperable sections;
- Storage on CFR S.A.'s land;
- Reservation of paths;
- Preparation of paths for specially ordered trains and occasional trains;
- Performing experiments to increase the towed tonnages or to modify the towing mode;
- Interruption of suspension of traffic activity.



Ch. 6 Infrastructure Acces Charge

a) Charges for services provided by CFR

For the 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 and of Regulation (EU) 2015/909. For compliance with the provisions of Regulation (EU) 2015/909 on the modalities for calculating the costs directly generated by the operation of the rail transport service as well as with other normative acts regarding the costs related to the access to the railway infrastructure, as well as to establish an optimal method for determining of the railway infrastructure charging system recognized by all the parties involved, CFR has taken the necessary steps to acquire a study on this subject, which is underway.

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 the 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 and of Regulation (EU) 2017/2177 on access to service facilities and related rail services.

Next, only the charges for services provided by CFR will be presented under this chapter.

b) Charges for services provided by other operators of services facilities

Charges for the services provided by other operators of services facilities are listed in Annex 8.b, 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:

- 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;

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 Annex 20, Annex 21, Annex 23a - Annex 23f.

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 9, 2018, 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.

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

6.1.1 Minimum Access package

In order to ensure the minimum package of benefits provided for in Law 202/2016 and in access contracts, CFR charges IAC.

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 analysed 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.

Examples with IAC value series for each line category and different tonnages are given in Annex 21.

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 MTIC, CFR shall apply a 33% discount to the IAC value for the international block trains passing on the CFR network without processing, as well as for full trains in intermodal traffic in accordance with conventions concluded between CFR and the RU which shall be valid for the duration of the Access Contract.

The discounts can only refer to charges levied for a determined section of the infrastructure.

For similar services, similar discount systems apply. Discount systems are applied in a non-discriminatory manner to all RUs. The discounts shall be granted to the RUs that do not hold outstanding debts to CFR longer than 30 days.

CFR grants 33% TUI reductions to all OTFs as set out in Annex 21.

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.a).

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.a 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 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 by them in accordance with the provisions of Law 202/2016 and it is presented in Annex 8.b.

6.1.2 Access to the Facilities Referred to in Article 5.3.1

a) The level of the charges for the access to the infrastructure connecting the services facilities shall be determined by CFR, at the level of the direct cost of providing the service (excluding administration-generated expenditures and profit share) 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.

This principle is applied for the determination of the tariffs related to Article 5.3.1.2., Such as, for example, the access charge of the shunting convoys, to/from CFR railway infrastructure.

b) The charging mode for access to services facilities is the cost of supply (labour expenses and material expenses) plus administration-generated expenses) of 19% and a 3% profit share in accordance with the HG 581/1998, the Law 202/2016 and the activity contracts.

This principle is applied for the determination of the tariffs related to Article 5.3.1., such as for ex., the shunting charge.

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

For the charges that require a more complex determination of the supplied services, specific levying procedures were approved. These procedures are presented in Annex 23.a, Annex 23.b1 and Annex 23.c.

For the services supplied by the OSFs, and the infrastructure managers, the specific information is made available by them in accordance with the provisions of Law no. 202/2016 and it is presented in Annex 9.a and Annex 8.b.

6.1.3 Services Referred to in Article 5.3.2

The level of charges is determined by CFR for the cost of service supply (labour expenses and material expenses) plus administration-generated expenses of 19% and a 3% profit share in accordance with the GD 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.

For the services supplied by the OSFs, and the infrastructure managers the specific information is made available by them in accordance with the provisions of Law no. 202/2016 and it is presented in Annex 9.a and Annex 8.b.

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 cost of service supply (labour expenses and material expenses) plus administration-

generated expenses of 19% and a 3% profit share in accordance with the GD 581/1998, and of the Law no. 202/2016 and of Performance Contracts.

For the services supplied by the OSFs, and the infrastructure managers, the specific information is made available by them in accordance with the provisions of Law no. 202/2016 and it is presented in Annex 9.a and Annex 8.b.

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 cost of service supply (labour expenses and material expenses) plus administration-generated expenses of 19% and a 3% profit share in accordance with the GD 581/1998, and of the Law no. 202/2016 and of Performance Contracts.

For the services supplied by the OSFs, and the infrastructure managers, the specific information is made available by them in accordance with the provisions of Law no. 202/2016 and it is presented in Annex 9.a and Annex 8.b.

6.1.6 Other Services

Charges for the services presented in Article 5.6. are set at the level of the cost of supply, in accordance with the provisions of GD 581/1998, Law 202/2016 and of the Performance Contracts. For those services that can only be offered by CFR SA, the profit share is up to 3%.

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 for 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.a).

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, RRA may suspend or cancel the RU's Licence.

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 (Values)

This paragraph and its subsequent ones refer only to the tariffs for the services provided (insured) by CFR.

For the constitution of guarantees to the OTF and the way in which they can be executed by CFR are presented in Annex 4.a, Chapter 5, Art 29 and 30.

For the services provided by the OIS, the specific information must be made available by them in accordance with the provisions of Law 202/2016.

6.3.1 Minimum Acces package Charge

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 21 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.

6.3.2 Charging of Track Access to Service Facilities and supply of service Facilities within these Facilities

CFR shall grant Track Access to the Service Facilities (belonging to CFR or the OSFs) 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 within these facilities.

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

a) Charging network access to service facilities.

The charge for the access of the shunting convoys to the Railway Infrastructure presented in Annex 21 shall be levied for: access to/from LFIs, depots, repair workshops, service lines and other terminals that do not belong to CFR.

b) The charge for the commercial halts of the passenger trains in the stations and movement halts presented in Annex 21 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. This rates includes costs for: electricity, billboards, sound.

c) The rent charges (based on contract templates) for renting the spaces for ticketing services, for desks to information services and also for services through automated ticketing, are established by the Order of the General Director CNCF "CFR" -S.A. no. 281 / 12.20.2018. The charges for these services are listed in Annex 21

The contract template for renting the premises is presented in Annex 28.a.

d) The charge for stopping the rolling stock not belonging to CFR on the CFR lines is presented in Annex 21., and shall be levied for stopping the rolling stock of the RUs or of other operators on the railway infrastructure lines belonging to CFR.

e) The shunting charge for railway vehicles is shown in Annex 21 By shunting operation is meant the set of manoeuvres performed by a RU for a specific purpose (for example, the manoeuvre to introduce in/take out of an locomotive into/out a train, manoeuvre for giving out of a defective wagon of the train, wagons group addition manoeuvre, etc.), regardless of the number of vehicles in the shunting convoys within the shunting operation. By vehicle is meant wagons and/or traction rolling stock.

f) The transport of CFR cranes and relief trains for the restoration of traffic (relief facilities owned by CFR) shall be charged on the basis of the specific charges published by CFR in the Official Sheet no. 2/2015, depending on the duration and specificity of the allocated resources and presented in Annex 21

g) The charge for using the relief trains for the restoration of traffic is presented in Annex 21

6.3.3 Charges for 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 and is presented in Annex 19. It contains provisions on consumption forecast and monitoring method, the value of the tariff (Annex 5 to the electricity supply contract) and its billing.

The methodology for calculating the tariff for the "traction current" provided in Annex no. II of the Law no.202 / 2016 is presented in Annex 23.f.

S.C. „Electrificare CFR" S.A.

Adresa:	Bd. Dinicu Golescu nr. 38 Sector 1 Bucureşti
Telefon:	021-3192512
Fax:	021-3119838
Web:	www.electrificarecfr.ro
E-mail:	secretariat@e-cfr.ro, gheorghe.gaburoi@cfr.ro

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 Charge for Exceptional Transports and Examination of Railway Vehicles with Exceptional Transports (Article 5.4.3 of the NS) is presented in Annex 21.

The models for preparing the bill of quantities are presented in Annex 23.d.

6.3.4 Charges for Ancillary Services

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

a) The charges and methodology for their calculation, for telecommunication services (Article 5.5.1 of the NS) shall be set out by SC „Telecomunicatii" SA, and shall be shown in Annex 23.e.

SC „Telecomunicaţii CFR" SA

Adresa:	Bd. Dinicu Golescu nr.38, sector 1, Bucureşti 010873, România
Telefon:	+40 21 314 60 46
Fax:	+40 21 314 60 45
Email:	office@tccfr.ro, comercial@tccfr.ro
Web:	www.telecomunicatiicfr.ro

b) 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 with every RU and shall be presented in Annex 23.

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.

6.3.5 Charges for Other Services

Other charges according to the services requested by the RUs from chapter 5.6 are given in Annex 21.

If the RU requires other services that may be provided by CFR but for which specific charges are not provided or if they are not foreseen, the costs will be determined on the basis of the calculation of the fee according to the type of service and the costs of providing the service in question. The estimates on which these services are invoiced to the RU are based on the legal provisions and reflect the actual costs generated by the performance. Examples of model for elaborating estimates are given in Annex 23.d.

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 paths 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).

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. The basic principles of the performance regime listed at point 2 of Annex no. VI of the Law no. 202/2016 apply to the entire network.

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.b to the NS. The Performance Regime came into force on January 1, 2018.

6.6 Charges 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 2020 on how to reset the level of the components of the railway infrastructure charging system (TSA) in accordance with the charging principles set out above in paragraph 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.a 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 (NRSC), 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.

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.a 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 6.1.(c) of the NS.