REPORT

on the implementation of the first railway package
(2006/2213(INI))

Committee on Transport and Tourism

Rapporteur: Michael Cramer
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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the implementation of the first railway package
(2006/2213(INI))

The European Parliament,

– having regard to the report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation of the first railway package (COM(2006)189) and the accompanying Commission staff working paper (SEC(2006)0530),


– having regard to its resolution of 15 June 2006 on the deployment of the European rail signalling system ERTMS/ETCS⁴,

– having regard to Rule 45 of its Rules of Procedure,

– having regard to the report of the Committee on Transport and Tourism (A6-0219/2007),

A. whereas the first railway package is intended to revive the rail industry by acting as a first step in the creation of an integrated European railway area, and to speed progress in the modal shift of freight traffic from road to rail,

B. whereas Parliament, at first reading on the third railway package, asked the Commission to submit reports on the impact of the first and second railway packages,

C. whereas the transport sector is responsible for between 15 and 30 % of all the EU’s CO₂ emissions, and whereas accordingly there is a need to boost the shift of traffic from road transport to the railways and inland waterways, which have a less negative impact on the climate,

D. whereas moves towards a modal shift and to optimising intermodal chains have as yet proved unsatisfactory, and whereas the first railway package has not yet delivered the

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³ OJ L 75, 15.3.2001, p.29.
desired results,

E. whereas the underlying conditions for competition and cooperation between rail, road, air and maritime transport inevitably bound to have an impact on the performance of each mode of transport, and whereas any debate on the efficiency and competitiveness within each mode must start from the issue of fair competition between them,

F. whereas environmentally harmful road transport is given preferential treatment because the EU-wide system of tolls, with their fixed maximum limit, is levied on a voluntary basis, mostly only on motorways and only for lorries, with no internalisation of external costs,

G. whereas tolls have shown remarkable success in generating a shift of traffic from road to rail – for example in Switzerland - and are an example of the greatest interest for EU transport policy, particularly since the improved efficiency of freight transport by road has increased costs to the consumer by only 0.5%,

H. whereas the EU, in its agreement with Switzerland and in the Alpine Convention, has signed transport protocols, thus ensuring that the shift of more trans-Alpine freight traffic to the railways will form part of the EU’s future transport policy,

I. whereas experience with the degree of market opening and the number of firms entering the market has been very varied, both within and outside Europe, in smaller and larger, old and new Member States; whereas competition has proved its worth in the areas where it has been introduced and smaller rail undertakings have often successfully filled niches which larger firms regarded as unprofitable,

J. whereas enlargement from 15 to 25 and now to 27 Member States has brought countries into the EU whose rail structures in some cases differ markedly from those in the “old” Member States, which entails different types of opportunities and risks for the rail sector; whereas EU enlargement and the EU Neighbourhood Policy are presenting new challenges for the EU in shaping an appropriately differentiated rail policy,

K. whereas in some new Member States, notably the Baltic States the freight traffic to and from third countries constitutes almost half of total turnover; the liberalisation for the rail sector is hindered by the different legal frameworks of the EU’s neighbouring countries and lack of an active dialogue between the EU and these states; as a result traditional rail companies have a dominant market position over co-operation with non-EU rail operators,

L. whereas opening up the networks is one of the factors that has led to rail freight traffic increasing by 60% in the UK, by 42.5% in the Netherlands, by more than 30% in Poland and by 25% in Germany, while in France, where the national railways have for the moment practically not faced competition, it has fallen by 28%; whereas this also has an impact on jobs and on the quality of the service offered, not to mention the climate, since the freight lost to the railways is now transported by road,

M. whereas this is particularly connected with the fact that there are 274 licensed freight operators on the rail network in Germany who considerably anticipated the scheduled date for opening up the market to competition. 60 in Poland, while there are only five in France, where the dates for market opening were strictly applied, not to mention countries
such as Finland and Slovenia, where the state monopoly still faces no competition at all,

N. whereas fair and transparent charging on the rail infrastructure is an essential precondition for any competition in this sector; whereas Directive 2001/14/EC, while it makes marginal cost the underlying principle of charging, allows for discretion in levying charges, which leads in effect to widely differing charging systems and levels of charge in the Member States; whereas the differing levels of investment by the Member States in the rail sector are passed on as differences in charging by infrastructure operators,

O. whereas past experience and the current intensity of competition show that the rail system works even if network and operation are separated in a regulated manner,

P. whereas single wagonload traffic, with a share of over 50%, is an important component of European rail freight traffic on which many of the rail companies’ customers rely,

Q. whereas the available statistics on rail accidents, while still incomplete, show a positive trend in rail safety even since the opening of the freight transport market; whereas the Member States which have opened their markets most decisively show no worsening in safety; whereas it has become too difficult to obtain safety certificates in practice as a result of implementation problems, lack of transparency and organisational and administrative restrictions,

Conditions for intermodal competition

1. Recalls that – given growing traffic volumes, rising emissions and limited energy resources, as well as thousands of road accident victims – reviving rail transport is a key objective of EU transport policy, and calls on the Commission to take account of this fact in implementing the first rail package;

2. Considers that the “Eurovignette 2” directive is an initial step towards fair intermodal competition: fair competition is not possible when the levying of charges is mandatory throughout the EU for all trains on all rail routes, while road tolls in the EU have an upper limit, are charged only on a voluntary basis without internalisation of external costs, mostly only on motorways and only for lorries; calls, therefore, on the Commission to submit a directive by 2008 (cf. Article 1(9) of Directive 2006/38/EC) in which the Eurovignette is adjusted in line with the rail route pricing system, tolls are made mandatory for all lorries over 3.5 tonnes on all roads in the EU without loopholes, and external costs are internalised;

3. Calls on the Commission to translate the principles of the transport protocols of the agreement with Switzerland, and of the Alpine Convention, into corresponding measures for the shift to rail of trans-Alpine freight transport;

4. Considers that ultra-long lorries (“Gigaliners”) further undermine the competitive position of the railways; fears that the licensing of such lorries throughout Europe would ruin single wagonload traffic and combined transport, and therefore rejects any such measure;

5. Notes that competition between rail and air transport is distorted; considers that exemption from kerosene tax and from VAT on international air tickets should be placed on the agenda as a matter of urgency at international and EU level;
6. Considers it incompatible with the objective of European transport policy for Member States to charge high route prices on the rail freight network, while at the same charging no tolls for lorries on the roads;

7. Emphasises that the lack of network interoperability is still the main obstacle to creation of an integrated European railway area, and welcomes the Commission’s decision to put forward a new initiative on this aspect; considers that liberalisation should have gone hand-in-hand with the progress on interoperability and regrets that the two processes have proceeded at very different speeds; points out that opening up the networks to competition will bear fruit only if there is a real integrated trans-European network; calls for this question to be treated as a priority in future;

8. Calls on the Commission to modernise and develop intermodal infrastructures, particularly junctions with port infrastructures;

Conditions for intramodal competition

9. Stresses that the interoperability of rail traffic must be further improved so as to enhance the competitiveness of the railways; calls in this connection for ERTMS to be installed rapidly and without gaps on the six corridors on which the EU, through its coordinator Karel Vinck, has reached agreement with the railway undertakings and the Member States (A: Rotterdam-Genoa; B: Naples-Berlin-Stockholm; C: Antwerp-Basle/Lyon; D: Seville-Lyon-Turin-Trieste-Trieste-Ljubljana; E: Dresden-Prague-Brno-Vienna-Budapest; F: Duisburg-Berlin-Warsaw);

10. Urges the Commission to extend the good example set by state aid for rolling stock, made possible in connection with the installation/improvement of ERTMS in trains, to noise reduction in goods trucks, as this will enable savings to be made in infrastructure investments;

11. Recognises that the option of giving preference to passenger rail transport at the expense of rail freight transport through very high route pricing is a factor which negatively affects the competitiveness of rail freight transport; notes that such action by rail undertakings is a direct result of the under-funding of these undertakings by the Member States; calls, therefore, on the Commission to take all legal steps to prevent this practice;

12. Calls on the Commission to take action against subsidy practice whereby EU transport aid flows into Member States which use it almost exclusively to fund their road networks while neglecting the railways; considers that, in the event of co-financing, at least 40% of the appropriations should be allocated to the railways;

13. Notes that the three Baltic Member states have implemented EU legislation and are liberalising their markets while this is not the case in their neighbouring country, Russia. This special situation should have been acknowledged in the European Commission report;

14. Supports the Commission in its efforts to promote the trans-European rail freight network still further and expects support to be given in particular to the priority Trans-European Network projects;
15. Requests the Commission to put forward recommendations for the sustainable reform of the railways’ financial structure (see Article 9 of Directive 91/440);

16. Calls on the Commission to draw up a plan for promoting the restoration of rail connections to industrial undertakings and ensuring that links are no longer destroyed;

17. Calls on the Commission to look into the possibility of introducing better transparency and predictability of route prices, establishing the principle of a minimum of harmonisation of prices on international corridors which are the subject of investment by railway undertakings to improve interoperability;

Regulation of the separation between network and operation

18. Considers the separation of railway infrastructure and operation to be a key issue of rail policy, given the central role of infrastructure operators for the rail industry, and in this connection regards it as absolutely essential to create an independent and transparent regulating body with adequate funding;

19. Considers both the separation and the integration models to be compatible with Community law, provided that the independence of the essential functions is safeguarded in accordance with Directive 2001/14/EC; considers that this is not fully the case, as is shown by the numerous complaints by undertakings entering the market which are in competition with old-established state railway undertakings; their complaints include or have included the following:

- access to the network or to a favourable route could not be granted because this route had already been allocated to the rail undertaking belonging to the dominant group;

- their wishes could not be met since points had previously been extended and/or passing loops dismantled;

- low-speed stretches of route (speed limits) had been ordered – for no good reason – in order to undermine competitors’ security of connections;

- it was not possible to purchase second-hand locomotives because they had already been scrapped, or because potential buyers were prevented from doing so by national rail undertakings;

- route prices were drastically increased after a former state railway undertaking was purchased;

- route prices were raised at such short notice that it was not possible to take them into account in pricing, while the railway undertaking belonging to the dominant group was notified in advance;

- cross-subsidisation within dominant groups was not prevented, because parts of the route prices they paid flowed into the holding company instead of being used to benefit the infrastructure, which not only improved their results but also enabled them to provide their service more cheaply on the market;

- non-state undertakings often pay higher energy prices than group subsidiaries, even if...
energy supply as integrated into the holding company, and this distortion of competition has even been ruled by the Frankfurt Regional Court to be permissible;

- licensing, particularly of locomotives, is regulated differently from one country to another and each Member State requires a separate licence for its own network, which is not only very time-consuming but also prohibitively expensive;

20. Notes that the entry into the market of new service providers in the single wagonload traffic sector is dependent on the efficient operation of marshalling yards; regards it as necessary for marshalling yards to be neutrally operated in order to ensure that all undertakings are dealt with without discrimination, and calls on the Commission to consider amending EU law to this effect;

21. Calls on the Commission to adapt the rail systems currently confined within national borders in such a way that each rail undertaking which meets the necessary legal and technical requirements in a Member State is permitted to operate across the whole European network (cross-acceptance), thus promoting not only trans-European but also regional cross-border traffic; this will also eliminate the advantages of road and air transport where these have existed for many years;

22. Calls on the Commission to initiate legal proceedings without delay against those Member States which have not implemented the first and/or second railway package by the specified date;

23. Notes that absolute priority must be given to the full implementation of the First Railway Package, including the test criteria laid down by the Commission in the Annexes to its report on the implementation of the First Railway Package;

24. The railways’ share of the freight market has been stabilizing since 2001 in EU-25 and the best performance, disregarding the Baltic States which benefit from their very special geographical location and the kind of goods transported, can be seen in Member States which were first to start reforming their railway industry in anticipation of the Community Directives and the opening up of the market;

25. Notes that capacity shortages on the railways in Europe have a negative effect on the operation of the railways in relation to other modes of transport; calls on the Commission, before the end of 2007, to study the effects of Articles 22, 25 and 26 of Directive 2001/14/EC with reference to the capacity analysis and capacity enhancement plan prescribed there in the event of infrastructure congestion;

26. Developing today the competitiveness of the sector through market opening means supporting future investment, and thereby ensuring the growth and employment which the Lisbon Strategy aims at. In addition, by contributing to the development of environmentally friendly transport, the Community deliberately opts for the development of sustainable transport;

27. Stresses the importance of an independent role for railway undertakings, as enshrined, inter alia, in Article 5 of Directive 91/440/EEC with regard to technical, organisational and financial management, and notes the positive effects of such a role on the development of rail as a mode of transport;
28. Underlines the importance of the European social dialogue in preventing the process of liberalisation from clearing the way for social dumping;

29. Instructs its President to forward this resolution to the Council and Commission.
EXPLANATORY STATEMENT

The first railway package was intended to lay the foundations for the modal shift of freight transport from road to rail. The national monopolies were to allow competition, access to networks was to be opened up and a start was to be made on the modernisation of the rail network in Europe, which had been neglected for decades. A shift from road to rail is also necessary for safety, environmental and economic reasons if Europe is not to suffocate in traffic jams and exhaust fumes and if it is to reduce the enormous number of accidents on its roads.

In view of the alarming predictions in the report by World Bank economist Nicholas Stern, the dangers of climate change are coming increasingly in to public view. It is becoming ever clearer that global warming cannot be halted without a change in transport policy.

The problem can be simply illustrated by the example of a yoghurt pot. By the time it has reached supermarket shelves, a strawberry yoghurt has travelled almost 10 000 km on our roads – and yet still only costs around EUR 0.40 in spite of its long journey. Transport has a high cost for the environment and thus for the public – on the road and in the air – but is not a cost factor for business. The result is a constantly growing transport sector. Heavy traffic on German roads has tripled since the 1980s. Between 1993 and 2000 the number of air passengers in the EU rose by around 10% a year.

These increases are also a reason why emissions of CO2, with its devastating effects on the climate, have not fallen but have risen by at least 1% per year between 2000 and 2004. Emissions of this pollutant have increased by almost 25% since 1990. In air transport they have doubled. In the EU, mobility causes just under 30% of all CO2 emissions.

One reason for this state of affairs is that the opening of the railway networks to freight transport has not had the desired effect. This is partly due to the way in which the rail industry is organised, but is mainly the result of unfair competition between the various modes of transport, to the detriment of the environmentally friendly railways.

On the development of the shares of the various modes of transport, the Commission gives the following forecast:


(Source: Keep Europe moving - Mid-term review of the European Commission’s 2001 Transport White Paper , S. 36)

The development of the modal split from 1995 to 2005 in the freight sector is shown from the following Commission table:
Source: ENERGY & TRANSPORT IN FIGURES 2006
Part 3 : Transport
European Commission DG for Energy and Transport
in co-operation with Eurostat
In the rail sector in Europe it is mandatory for tolls to be levied on all trains on all rail routes in the form of route prices. And yet for its keenest and most polluting competitor, road transport, however, tolls are charged mostly only on motorways and as a rule only for lorries above 12 tonnes. There is an upper limit on these tolls, external costs may not currently be internalised, and toll charging is voluntary.

In order to prevent environmentally harmful lorry traffic from receiving yet more support, it is essential that ultra-long lorries ("Gigaliners") of 60 tonnes and upwards should not be permitted. Licensing such lorries throughout the EU would completely ruin single wagonload traffic, which accounts for 50% of all rail freight traffic.

Some EU Member States give little or no state funding to railway companies, so that these in turn are forced to charge high route prices for freight traffic in order to finance passenger traffic. Since these states also charge no tolls on their roads, this policy is tantamount to a direct attack on rail freight transport. The Commission is aware of this practice and regards it as unlawful, but does not see how it can change it.

At the same time, however, EU funds flow into countries which use them almost without exception to fund road-building and while allowing their rail networks to decay. The decline of the rail sector is particularly alarming in the new Member States.

In Switzerland, on the other hand, the modal shift has succeeded. A lorry ban is in place there at weekends and at night. The lorry toll is four times higher than in Germany and applies to all roads and all lorries over 3.5 tonnes. Toll receipts are invested in the modernisation of the railways, and at the same time work on trans-Alpine motorways has been halted. The heavy traffic levy, introduced in 2001, resulted in the transfer of petroleum transport back from the roads to the railways. Before the introduction of the tolls, 70% of petroleum was carried by road, now 70% goes by rail. There has been no shift in Switzerland from motorways to other major roads, nor from larger to smaller lorries. And consumer costs still rose by only 0.5%.

Competition with air transport is also discriminatory. The tax exemption for kerosene – introduced more than half a century ago as a financial boost to help the infant air transport industry get started – currently permits airlines to transport their customers at a “taxi price” between major cities.

Not all countries give preferential treatment to air transport, with its harmful effects on the climate. The Netherlands, for example, taxes kerosene on its (admittedly few) internal flights just as the USA and Japan do. A tax on all flights in the EU could generate EUR 14 billion, which would be a way of raising the funds needed to modernise the railways in Europe. In many cases, even now in the 21st century, connections between (for example) the old and the new Member States are not even up to steam-engine speed, and are sometimes twice as slow.

A kerosene tax would result in a cost to the consumer of EUR 2 per 100 km of air travel, which would also be quite acceptable, particularly when compared with the cost of billions which would be incurred by doing nothing and this allowing unchecked climate change. Until 2010-2011, air transport is also exempted from the emissions trading system, while the railways are included in the system via the electricity price.
Water transport is also given extremely preferential treatment, even though it is often unavailable owing to high or low water or ice – on the Elbe this has been the case for between 200 and 300 days a year over the last 30 years. Water transport is one of the worst CO2 polluters, as it uses heavy fuel oil, which is the dirtiest type of fuel. Internal waterways transport in Europe is exempted from emissions trading and from petroleum tax: the use of the rivers is free. There are no route pricing or tolls for water transport.

Quite apart from these considerations, it was correct and necessary to adapt the railway systems which were confined within national borders, to open up networks, and create a uniform or at least interoperable European rail network.

A formal separation between railway infrastructure and railway operation has now taken place in all Member States of the EU. Whether in specific cases this was merely a formal rather than a genuine separation is another question. However, only by means of a real separation will it be possible to create fair competition and completely rule out discrimination against non-state railway undertakings.

The only guarantee of this is a clear separation of network and operation into two totally independent institutions. This state of affairs exists clearly in the UK, Sweden, Denmark and the Netherlands. Where network and operation are in different hands but under a single (holding company) roof, the potential for discrimination is enormous. Admittedly it also depends on the supervisory authorities and regulators whether and to what extent this potential is exploited. However, what Hartmut Mehdorn, head of Deutsche Bahn, has said, remains true: “The one who controls the network is the master of business”. In any case a clear and strict separation of network and transport is more efficient than all other arrangements, which have to be constantly supervised.

Since in many cases there is no effective separation between network and operation, it is no surprise that many rail undertakings which are in competition with the state railways complain of unequal treatment and obstacles. These relate, inter alia, to access to routes and route pricing, the purchase of used locomotives and trucks, cross-subsidising within dominant rail groups and the licensing of rolling stock.

Accordingly a clear separation between the operational infrastructure and the transport undertaking needs to be enshrined in an EU directive. The de facto separation of network and operations must at any rate guarantee that all the installations and services listed in Annex II to Directive 2001/14 are allocated to the network operator, so that it can make them available without discrimination to all rail undertakings.

Single wagonload traffic still accounts for well over 50% of European rail freight traffic. If the railways were to cease carrying this traffic, their existence would be in jeopardy. A number of European industries such as the steel, paper, chemical and petroleum industries, as well as to some extent the motor industry, are dependent on single wagonload traffic, which cannot be replaced by other modes of transport. It is therefore important to make this sector more economical.

Again, the best way to achieve this would be to create the conditions for intermodal competition. First and foremost it is necessary to open up access to marshalling yards – and not just formally, as is provided in European law. The directive must be amended to
guarantee that marshalling yards are operated in a neutral way, in other words that shunting and all subsidiary services are supplied neutrally by the infrastructure operator for all railways and not just those belonging to the main group.

In the UK and in Estonia it was initially the infrastructure that was privatised. This mistake later had to be remedied and the infrastructure transferred back to state ownership at an enormous loss. This experience demonstrates the importance of the principle that infrastructure must in future remain in public ownership.

To improve the competitiveness of the railways, interoperability on the rail system must also be enhanced and put into practice more rapidly. This includes installing the European rail signalling system ERTMS as quickly as possible on the six main freight traffic corridors, extending it to neighbouring routes when they are modernised, and automatically fitting it to locomotives newly licensed in the EU.

Even though the organisation of the market in the rail sector is not the main issue, the introduction of competition on the European railways may be said to have proved worthwhile. In those Member States which have not hindered but promoted the development of intermodal competition in rail freight traffic, the railways' market share has considerably increased. The best example for this is the UK, with a 60% increase in rail freight traffic since the reforms. The opposite is the case in France, for example, where the national railways, with practically no competitors for freight transport, are constantly losing transport volume and market share.

Small rail undertakings have often taken over traffic on routes which the old-established state railways had declared unprofitable and closed.

Although the networks have been open for cross-border freight traffic since 1 January 2006 and for all freight traffic since 1 January 2007, there are 275 freight traffic undertakings running on the German rail network and only 5 in France.

Competition has had a positive effect in the smaller Member States too. In the Netherlands, there are currently 10 railway undertakings operating, which has resulted in rail freight traffic increasing by 42.5% between 1999 and 2006. In Germany the increase during the same period was 25%, whereas in France, where the national network was compartmentalised to protect the national rail undertaking and its employees, traffic fell by 28%. This also had effects on jobs and quality – and, of course, on the climate, since the freight lost to rail is now transported in France by road!

In the light of the above, it is alarming how dilatory many states have been in implementing the first railway package.
### Access to rail infrastructure

<table>
<thead>
<tr>
<th>Country</th>
<th>No of RUs running on the network (active licences)</th>
<th>No of freight RUs running on the network (active licences)</th>
<th>Authorized applicants (are there any, and if yes, who are they?)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>15</td>
<td>5</td>
<td>There are currently no authorized applicants in Austria</td>
</tr>
<tr>
<td>Belgium</td>
<td>4</td>
<td>4</td>
<td>There are currently no authorized applicants in Belgium</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>19</td>
<td>13</td>
<td>There are currently no authorized applicants in the Czech Republic</td>
</tr>
<tr>
<td>Denmark</td>
<td>15</td>
<td>8</td>
<td>There are currently no authorized applicants in Denmark. Danish legislation on the operation of rail traffic does, however, provide for authorized applicants to apply for a license to carry out domestic or international passenger or freight traffic in Denmark.</td>
</tr>
<tr>
<td>Estonia</td>
<td>23</td>
<td>20</td>
<td>The Ministry of Transport for domestic transport and owner of rolling stock in specific cases.</td>
</tr>
<tr>
<td>Finland</td>
<td>1</td>
<td>1</td>
<td>There are currently no authorized applicants in Finland</td>
</tr>
<tr>
<td>France</td>
<td>7</td>
<td>7</td>
<td>There are currently no authorized applicants in France</td>
</tr>
<tr>
<td>Germany</td>
<td>352</td>
<td>274</td>
<td>Regional authorities, shippers, forwarders of combined transport</td>
</tr>
<tr>
<td>Italy</td>
<td>40</td>
<td></td>
<td>Train-path: RU; capacities: every private or public association</td>
</tr>
<tr>
<td>Latvia</td>
<td>9</td>
<td>4</td>
<td>There are currently no authorized applicants in Latvia.</td>
</tr>
<tr>
<td>Lithuania</td>
<td>8</td>
<td>7</td>
<td>There are currently no authorized applicants in Lithuania. Applicants may be only Railway Undertakings (RUs) or international RUs groups.</td>
</tr>
<tr>
<td>Netherlands</td>
<td>24</td>
<td>10 (Railion has 70% market share)</td>
<td>In the NL there are 2 types of AA: 1) public entities with the right to organise public rail transport (examples are several provinces in NL) although the public entities - in their role of Authorized Applicant - have the right to require capacity/train paths they usually ask the respective railway operators to do so. 2) shippers - some large shipping companies are preparing to act like an AA. So far they did not. There is a certain need for ProRail that these shippers will change their behaviour in order to avoid double or even triple capacity requests for the same shipment contracts between a shipper and a railway company.</td>
</tr>
<tr>
<td>Norway</td>
<td>10</td>
<td>5</td>
<td>There are currently no authorized applicants in Norway</td>
</tr>
<tr>
<td>Country</td>
<td>Freight Count</td>
<td>Passenger Count</td>
<td>Access Rights Notes</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------</td>
<td>-----------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Poland</td>
<td>60</td>
<td>46</td>
<td>Applicants may be &quot;Licensed rail transport companies or international groups of rail transport companies and other individuals or companies with a public service or commercial interest in acquiring infrastructure capacity for rail service operations including public authorities under Regulation (EEC) No. 1191/69 of the Council as well as shippers, forwards and combined transport operators&quot;</td>
</tr>
<tr>
<td>Portugal</td>
<td>2</td>
<td>1</td>
<td>Local authorities, public service enterprises, shippers, road transport and combined transport undertakings</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1</td>
<td>1</td>
<td>3 companies are authorized. The Spanish law allows it (art 31) for shippers, forwards, combined transport operators...and Public Administrations (as Regions or Local Authorities). Some Companies, as Transfesa, have got (inside its Group) both kind of access rights (licence as RU and aut.appl.)</td>
</tr>
<tr>
<td>Spain</td>
<td>4</td>
<td>?</td>
<td>Public Transport authorities can act as AA. Can only be used nationally, a problem that may be raised internationally to make it possible for AA to use the international network which would increase the interest to become an AA.</td>
</tr>
<tr>
<td>Sweden</td>
<td>22</td>
<td>15</td>
<td>Forwarders</td>
</tr>
<tr>
<td>Switzerland</td>
<td>51 (16 on standard gauge)</td>
<td>15 (8 on standard gauge)</td>
<td>Any person or public authority in charge of public transport or having a commercial interest</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>27</td>
<td>7</td>
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Source: European Commission DG Energy and Transport - 2006
**PROCEDURE**

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<tr>
<td><strong>Procedure number</strong></td>
<td>2006/2213(INI)</td>
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<tr>
<td><strong>Committee responsible</strong></td>
<td></td>
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<tr>
<td>Date authorisation announced in plenary</td>
<td>TRAN 7.9.2006</td>
</tr>
<tr>
<td><strong>Committee(s) asked for opinion(s)</strong></td>
<td></td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td>EMPL 7.9.2006</td>
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<td>Date of decision</td>
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<td><strong>Rapporteur(s)</strong></td>
<td>Michael Cramer</td>
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<td>Date appointed</td>
<td>20.6.2006</td>
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<td><strong>Discussed in committee</strong></td>
<td>28.2.2007 11.4.2007</td>
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<td><strong>Date adopted</strong></td>
<td>5.6.2007</td>
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<td><strong>Result of final vote</strong></td>
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<td><strong>Substitute(s) present for the final vote</strong></td>
<td>Markus Ferber, Pedro Guerreiro, Elisabeth Jeggle, Anne E. Jensen, Corien Wortmann-Kool</td>
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<td><strong>Substitute(s) under Rule 178(2) present for the final vote</strong></td>
<td>Alfred Gomolka</td>
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<td><strong>Date tabled</strong></td>
<td>8.6.2007</td>
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<td><strong>Comments (available in one language only)</strong></td>
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