



LUXEMBOURG RAILWAY

NETWORK STATEMENT 2019

-

Version 1.0 - 09.11.2017

- Adaptation of the legal basis 1.3
- Price adjustments for 2019 and 2018
- 3.7. ERTMS security system3.7 ERTMS/GSM-R digital radio-mobile network
- Appendix 3B: Adaptations
- Adapting appendix 4B
- 3.3.2.2 and Appendix 3A: Decommissioning of the railway line Kleinbettingen – Steinfort (2a)



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Glossary

Framework agreement	A general agreement legally binding drawn up on the basis of public or private law, defining the rights and obligations of an applicant and of the infrastructure management, the path allocation body and/or the pricing body regarding path allocation and pricing to be applied for a term exceeding a single service timetable validity period.
Applicant	A railway undertaking or an international grouping of railway undertakings or other persons or legal entities, such as competent authorities under Regulation (EC) No 1370/2007 and shippers, freight forwarders and combined transport operators, with a public-service or commercial interest in procuring infrastructure capacity.
Capacity	The possibility to schedule train paths requested for an element of infrastructure for a certain period
Coordination	The process through which the infrastructure manager and



applicants will attempt to resolve situations in which there are conflicting applications for infrastructure capacity

Railway undertaking	Any public or private undertaking licensed according to Directive 2012/34/EU, the principal business of which is to provide services for the transport of goods and/or passengers by rail. There is a requirement that the undertakings ensure traction, and this also includes undertakings which provide traction only.
Infrastructure manager	Any body or firm responsible in particular for establishing, managing and maintaining railway infrastructure, including traffic management and control-command and signalling; the functions of the Infrastructure Manager on a network may be allocated to different bodies or firms.
Train path group	Set of train paths differing only in the day on which traffic runs.
Service timetable	Data defining all the programmed movements of trains and rolling stock on the relevant infrastructure concerned during the validity term of this timetable. A detailed definition of the service timetable and the documents published by ACF is in appendix 4B
Saturated or congested infrastructure	The sections of the infrastructure on which infrastructure capacity requests cannot be fulfilled entirely during certain periods, even after the coordination of the different capacity reservation requests.
Train path length	Distance between origin point and destination point of train path according to the itinerary the train has foreseen to use.
Basic running	Minimum time technically possible in relation to the used infrastructure and rolling stock taken by a train to cover a given route.
Train running	Time taken by a train to cover the route corresponding to the allocation of a given train path.
Number of bodies	Number of items making up a passenger train, including locomotives.
Regulator	Independent national regulatory body handled by the “Institut Luxembourgeois de Régulation”
Allocation	Process by which the assignment of railway infrastructure capacities is granted to an applicant.
Network	The entire railway infrastructure belonging to the State and managed by an infrastructure manager.
Tertiary network	Industrial network as defined by the law of 18 December 2006 relative to purchasing rail infrastructure from the company Arcelor S.A.: This network is reserved solely for freight traffic used for shunting movements on these specific sidings in this network.
Train path	The infrastructure capacity needed to run a train between two places over a given period.



Extraordinary train path	Any tailor-made individual train path or based on a tailor-made or pre-constructed train path at the request of an applicant, outside of the annual programming process or the monthly updates.
Prearranged train path	Any train path created by the allocation body on request by the corridor RFC NORTH SEA MEDITERRANEAN C-OSS (also named PAP) and offered to the applicants in a Path catalogue published in PCS and on the corridor RFC NORTH SEA MEDITERRANEAN website in accordance with EU Regulation 913/2010.
Preconstructed train path	Any train path created by the allocation body without a request by an applicant during the programming process, and proposed in a catalogue of unused and available capacities.
Regular train path	Any train path defined in the service timetable, created during the programming process, or on monthly updates.
Freight train	Any train, even empty, containing vehicles intended for freight transport, except for cases assimilated to passenger trains. By default, any train which is not comparable to a passenger train, a service train or a running light.
Service train	Any train running for the needs of the infrastructure manager.
Regular train	Running on a regular train path.
Special train	Running on an extraordinary train path allocated in the remaining capacity.
Passenger train	Any train, even empty, which, other than locomotives, comprises only vehicles designed for transporting people, possibly accompanied by baggage vans, car-carrier wagons or other wagons intended for this type of traffic.
Work days	In this NS "work days" means "the days from Monday to Friday except legal holydays".



Chapter 1 GENERAL INFORMATION

1.1 Introduction

By the amended law dated 22 July 2009, with the purpose of:

- A) transposing into national law the directive 2004/49 EC of the European Parliament and of the Council of 29 April 2004, concerning the safety of community railways;
- B) creating a regulatory framework within the field of railway safety;
- C) establishing a Railway Administration; and
- D) amending
 - a) the amended law of 11 June 1999 concerning access to the railway infrastructure and its use and
 - b) the amended law of 29 June 2004 concerning public transport,

Hereinafter referred to by the amended law of 22 July 2009 concerning railway safety whereby on 1 August 2009, a Railway Administration (ACF) was formed to act as a safety authority and serve as an independent allocation body.

The Luxembourg National Railway infrastructure is managed for the state of Luxembourg by the Société Nationale des Chemins de Fer Luxembourgeois (hereinafter "CFL"), in conformity with the amended rule of 10 May 1995 concerning matters of the railway infrastructure and the infrastructure management contracts signed on 7 May 2009 (The Grand Duchy Regulation of 6 November 2009). The CFL as Infrastructure manager is therefore, among other things, in charge of traffic regulations.

The aforementioned amended law of 22 July 2009 and the Grand Duchy regulations implemented for its execution, complete the transposition of the second package of European directives relative to railway transport under Luxembourg law.

1.2 Objective

The purpose of this Network Statement hereinafter "NS" is to supply railway undertakings with information needed for access to and use of the Luxembourg rail network. This NS makes no claim to be exhaustive. It is designed to help railway undertakings plan the transport services in the Grand Duchy of Luxembourg. It may be completed by corrections. It also provides information about the fees payable for the use of the railway infrastructure.

1.3 Legal Framework

1.4 Legal Status

The list of documents below is based on knowledge to 2 October 2017. It is to be considered as non exhaustive

- Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway
- Directive 2004/49/EC amended on Safety on the Community's railways
- REGULATION (UE) 2016/796 on the Agency of the European Union for the railways and repealing Regulation (EC) No 881/2004
- Directive 2008/57/EC amended on the interoperability on the railway system within the Community



- Directive 2007/59/EC amended on the certification of train drivers operating locomotives and trains on the railway system in the Community.
- REGULATION (EU) No 913/2010 amended of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight.
- REGULATION (EU) No 454/2011 of 5 May 2011 amended on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system Regulation (EU) No 1305/2014 on technical specification for interoperability relating to the subsystem 'telematics applications for freight service' of the railway system of the European Union and repealing Regulation (EC) No 62 / 2006 REGULATION (EU) No 321/2013 amended concerning the technical specification for interoperability relating to the 'rolling stock — freight wagons' subsystem of the rail system in the European Union amended by COMMISSION REGULATION (EU) 2015/924 of 8 June 2015.
- COMMISSION IMPLEMENTING REGULATION (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009.
- REGULATION (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU.
- REGULATION (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010.
- IMPLEMENTING REGULATION (EU) No 869/2014 of 11 August 2014 on new rail passenger services.
- COMMISSION REGULATION (EU) No 1299/2014 of 18 November 2014 on the technical specifications for interoperability relating to the 'infrastructure' subsystem of the rail system in the European Union.
- COMMISSION REGULATION (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility.
- COMMISSION REGULATION (EU) No 1301/2014 of 18 November 2014 on the technical specifications for interoperability relating to the 'energy' subsystem of the rail system in the Union.
- COMMISSION REGULATION (EU) No 1302/2014 of 18 November 2014 concerning a technical specification for interoperability relating to the 'rolling stock — locomotives and passenger rolling stock' subsystem of the rail system in the European Union.
- COMMISSION REGULATION (EU) No 1303/2014 of 18 November 2014 concerning the technical specification for interoperability relating to 'safety in railway tunnels' of the rail system of the European Union.
- COMMISSION REGULATION (EU) No 1304/2014 of 26 November 2014 on the technical specification for interoperability relating to the subsystem 'rolling stock — noise' amending Decision 2008/232/EC and repealing Decision 2011/229/EU.
- COMMISSION REGULATION (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006.
- Commission Implementing Regulation (EU) 2015/10 of 6 January 2015 on criteria for applicants for rail infrastructure capacity and repealing Implementing Regulation (EU) No 870/2014.
- Commission Implementing Regulation (EU) 2015/171 of 4 February 2015 on certain



aspects of the procedure of licensing railway undertakings.

- COMMISSION REGULATION (EU) 2015/995 of 8 June 2015 amending Decision 2012/757/EU concerning the technical specification for interoperability relating to the 'operation and traffic management' subsystem of the rail system in the European Union.
- 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.
- COMMISSION IMPLEMENTING REGULATION (EU) 2015/1100 of 7 July 2015 on the reporting obligations of the Member States in the framework of rail market monitoring.
- The amended law of 17 December 1859 concerning railway policing.
- The amended law of 10 May 1995 relative to the management of the rail infrastructure.
The amended law of 10 June 1999 relative to classified establishments.
- The amended law of 11 June 1999 concerning access to the railway infrastructure and its use.
- The amended law of 29 June 2004 concerning public transport.
- The law of 15 June 2006 relative to the approval of the protocol signed at Vilnius on June 3rd 1999, modifying the Convention concerning International Carriage by Rail (COTIF) from Mai 9th 1980.
- The law of 18 December 2006 :
 - 1) giving the permission to purchase the rail infrastructure belonging to the company Acelor S.A.
 - 2) amending the amended law of 10 Mai 1995 relative the management of the rail Infrastructure
 - 3) amending the law of 28 march 1997
 - a. approving the additional protocol concerning the modification to the belgian –french –luxemburgish Convention relative to operating railways in the Grand-Duchy signed in Luxembourg on 17 April 1946
 - b. approving the amended statutes of the Société Nationale des Chemins de Fer (CFL)
 - c. concerning the financial action and the supervision of the State regarding CFL
 - d. amending the law of 10 Mai 1995 relative to the management of the rail Infrastructure.
- The law of 30 April 2008 concerning:
 - a) the creation of the Technical Inquiry Administration
 - b) the amendment of the amended law of 22 June 1963 establishing the pay scale of State civil servants and
 - c) the abrogation of the law of 8 March 2002 concerning technical inquiry entities relative to severe accidents and incidents occurring in the fields of civil aviation, maritime transport and the railways.
- The law of 19 June 2009 concerning law and order in public transport.
- The amended law of 22 July 2009 relative to railway safety.
- The amended law of 3 August 2010 concerning the railway market regulation
- The law of 14 December 2011 pertaining to the transposition into national law of the European Parliament and Council directive 2008/110/EC of 16 December 2008 amending the directive 2004/49/EC on Safety on the Community's railways an amending



- 1) The law of 22 July 2009 relative to railway safety
 - 2) The amended law of 11 June 1999 concerning access to the railway infrastructure and its use
- The law of 16 December 2011 relative to the approval of the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007
 - Law of 23 December 2016 transposing the recast of the first railway package and amending
 - 1) The amended law of 10 May 1995 relative to the management of the rail infrastructure
 - 2) The amended law of 11 June 1999 concerning access to the railway infrastructure and its use.
 - 3) The amended law of 22 July 2009 relative to railway safety; and
 - 4) The amended law of 3 August 2010 concerning the railway market regulation
 - Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 as amended by the 1999 Protocol with the exclusion of appendices E (CUI), F (APTU) and G (ATMF).
 - The amended Grand Duchy Regulation of 17 July 2000 concerning the control of dangers related to severe accidents involving dangerous substances.
 - The amended Grand Duchy Regulation of 24 October 2003 concerning the conditions of issue and validity of railway undertaking licenses.
 - The Grand Duchy Regulation of 7 November 2008 concerning complementary specifications relative to accidents and incidents occurring in the railways field.
 - The amended Grand Duchy Regulation of 21 September 2009 concerning the safety certification of railway undertakings.
 - The amended Grand Duchy Regulation of 21 September 2009 concerning the safety certification of the railway infrastructure manager.
 - The Grand Duchy Regulation of 6 November 2009 concerning the approval of the railway infrastructure management contract and the agreement relative to the management of buildings depending on the railway infrastructure signed on 7 May 2009 between the State and the Société Nationale des Chemins de Fer Luxembourgeois.
 - The Grand Duchy Regulation of 27 February 2010, modifying the amended Grand Duchy Regulation of 31 March 2003 defining the terms of application of Luxembourg railway infrastructure fees and establishing a performance regime.
 - The Grand Duchy Regulation of 1 June 2010 relative to the interoperability of the railway system modified by the Grand Duchy Regulation of 31 May 2015.

The Grand Duchy Regulation of 16 August 2010, concerning a) the transposition into national law of the European Parliament and Council directive 2007/59/EC of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community and b) the creation of a regulatory framework concerning the certification of train drivers operating locomotives and trains on the Luxembourg rail network amended by the Grand Ducal Regulation of December 14th, 2015
 - The Grand Duchy Regulation of 31 May 2015 concerning legitimization cards or letters of certain employees and external experts of the Administration des chemins de fer.
 - The Grand Duchy Regulation of 23 December 2016 defining:
 - a) defining the terms of application of the Luxembourg railway infrastructure fees;
 - b) defining the conditions of access to capacities and other services of the Luxembourg railway structure



- c) an performance improvement system; and amending
 - a) The amended Grand Duchy regulation of 31 March 2003 defining the terms of application of the Luxembourg railway infrastructure fees.
 - b) The amended Grand Duchy Regulation of 3 October 2006 defining the conditions of access to capacities and other services of the Luxembourg railway structure and amending the Grand Duchy Regulation of 31 March 2003 defining the conditions for the application of Luxembourg railway infrastructure fees.
- The Grand Duchy Regulation of 21 September 2011 defining the terms of issue, use and withdrawal of legitimization cards to the employees appointed as investigation officer at the technical investigation Administration, to external investigation officers working for the technical investigation Administration and to experts working in the framework of inquiries relative to serious accidents and incidents in the field of civil aviation, maritime transports and railways.
- The Grand Duchy Decree of 05 April 2017 publishing the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID), appendix C to the Convention concerning International Carriage by Rail (COTIF) signed at Vilnius on 3 June 1999 and approved by the law of 15 June 2006 including modification in effect on 1 January 2017

1.4.1 General Remarks

Notwithstanding the stipulations of point [1.4.2](#), the provisions of chapters [4](#), [5](#) and [6](#) are considered to be part of the railway infrastructure utilization contract as long as they come under the authority of ACF or of the railway infrastructure manager. These provisions override the provisions of a framework agreement or the general and particular conditions of the infrastructure contract of use.

In a framework agreement, or under the particular conditions of the infrastructure contract of use, these provisions of the NS may be waived on the informal condition that it is clearly indicated which point(s) of the NS it is intended to waive and that this waiver does not lead to any discrimination between railway undertakings.

1.4.2 Liability

ACF has drawn up this document with the greatest care, and to its highest level of knowledge. It does not assume any liability for the possible consequences of errors, printing faults or the non-exhaustive nature of the information supplied by this document, or for data supplied by other organizations.

The data supplied in [2.2](#) and [2.8](#) is simply for information and may change according to developments in the legislation.

The data given in [Chapter 3](#) is supplied by CFL as infrastructure manager and ACF cannot assume any liability for the accuracy of such information. It represents the predicted state of the railway infrastructure depending on knowledge as it stands on 29 September 2017. The infrastructure manager does not assume any liability if, for reasons beyond its control, the state of the infrastructure corresponds no longer to the description given in the NS.

Despite the care taken by ACF in producing accurate information, should any divergences occur with respect to documents underpinning the NS, in particular legal documents, the latter shall prevail. In particular, ACF will correct as quickly as possible any errors reported to it, without being liable for any other consequences.



1.4.3 Appeals Procedure

The function of independent national regulatory body for the railway sector will be fulfilled by l'Institut Luxembourgeois de Régulation (ILR) hereinafter "The Regulator". Any applicant wishing to do so may bring a matter before the Regulator if it considers to have been unfairly treated, discriminated against or has suffered from any other prejudice, in particular concerning:

1. Network Statement in its provisional and definitive versions;
2. the criteria contained in this document;
3. the procedure for allocating railway infrastructure capacity and its results;
4. the pricing system;
5. the level of the structures of the fees for the use of the infrastructure which it is or may be required to pay;
6. the provisions on access to railway infrastructure and services.
7. access to services and their pricing.

The applicant must submit its request to the Regulator by registered letter. The request shall be written in French, German or English.

The regulator examines each complaint and, where necessary, requests relevant information and initiates consultations with all parties concerned within one month of receiving the complaint. He decides on all complaints, adopts the necessary measures and communicates his reasoned decision to the parties concerned within six weeks of receipt of all relevant information.

The decisions taken by the regulator are binding on all the parties concerned and are not subject to the control of any other administrative body.

The decision, which may include the levying of penalty, stipulates the technical and financial conditions for the setting of the difference in the allotted time. If necessary, for settling the difference, the Regulator defines objectively, transparently, in a traceable, non-discrimination and proportional manner, the conditions for access to the network and its conditions of use.

In case that an appeal is introduced against a refusal to grant infrastructure capacity or against the terms of a capacity proposal, the regulator confirms that there is no need to modify the decision taken by the infrastructure manager, or requires the amendment of the decision incriminated in accordance with the guidelines set by the regulator.

The expenses for processing the file shall be paid by the claimant.

1.5 Structure of NS

This NS is divided into 6 chapters.

[Chapter 1](#) gives general information about the NS and the points of contact to obtain additional information. It also includes a glossary.

[Chapter 2](#) outlines the general conditions of access and the general commercial conditions. It also gives some basic information relative to the approval of the rolling stock and the personnel of the railway undertakings.

[Chapter 3](#) gives a brief description of the available infrastructure and its primary characteristics.

[Chapter 4](#) describes the procedure for the allocation of the train paths.



[Chapter 5](#) indicates means of access to the services and the additional services supplied by the railway infrastructure manager and the conditions for obtaining such accesses and services. When the railway infrastructure manager does not provide these services, it will indicate potential suppliers of them.

[Chapter 6](#) refers to the tariffs applied for the minimum services allocated in accordance with [Chapter 4](#) and the services defined in [Chapter 5](#).

This NS is compliant to the RNE NS common structure and allows applicants to find the same information at the same place in Network Statements of different countries,

1.6 Validity and Updating Process

1.6.1 Validity Period

This NS is valid for a term extending from 09 December 2018 to 14 December 2019 inclusive. It is based on data as known on 29 September 2017 time, the legislation in force on that date, and as far as possible, takes into account the foreseeable developments regarding the transposition of European directives in the Luxembourg legislation. This NS concerns any trains for which the allocated train path begins during the above-indicated validity period. For services invoiced on a time basis, the units of time beginning during the validity period of this NS are invoiced according to the valid tariffs applicable to that period.

1.6.2 Updating Process

Corrections will be issued when changes due to developments in the legislation or major changes to the infrastructure occur.

1.7 Publishing


Network Statement (NS) 2019 is published by ACF.

It is available free of charge as a PDF file on the Internet site: <http://www.railinfra.lu/>. It may be obtained free of charge on a CD-ROM by a request sent by fax to +352 261912 29.

1.8 Contacts

1.8.1 Requests for train paths

Requests for train paths are to be sent to:

	Administration des Chemins de Fer Division Sillons Guichet Unique 1, Porte de France L-4360 Esch-sur-Alzette
Phone	+352 261912 23
Fax	+352 261912 29
E-mail	oss@acf.etat.lu




1.8.2 Information regarding the Network Statement

Any requests for additional information or any suggestion concerning this document shall be sent to ACF (see par. [1.8.1](#)).


1.8.3 Recourse to the independent national regulatory body

The function of the independent national regulatory body is covered by l'Institut Luxembourgeois de Régulation:

	Institut Luxembourgeois de Régulation Secteur Ferroviaire 17, rue du Fossé L-1536 Luxembourg
Phone	+352 28 228 228
Fax	+352 28 228 229
E-mail	ferroviaire@ilr.lu


1.8.4 Exceptional transports

Requests for exceptional transports are to be sent to:

	Société Nationale des Chemins de Fer Luxembourgeois Service Gestion Infrastructure Division Planification Exploitation GI-PE4 B.P. 1803 L-1018 Luxembourg
Phone	+352 4990 5464
Email	gi.ate@cfl.lu

1.8.5 Authorization for placing in service of rolling stock.

Requests for placint into service of rolling stockare to be sent to the above address:

	Administration des Chemins de Fer Division Interopérabilité et sécurité ferroviaire 1, Porte de France L-4360 Esch-sur-Alzette
Phone	+352 261912 35 (tractive vehicles) +352 261912 26 (tracked vehicles)
Fax	+352 261912 38
E-mail	contact@acf.etat.lu




1.8.6 Request for a corrective number for the compatibility codes according to UIC Leaflet 596-6

In order to get a corrective number according to UIC Leaflet 596-6, the requester has to establish a technical dossier monitoring at least all the wagon data and characteristics listed under point 3.2 of the UIC Leaflet 596-6, including its table 2 of point 3.1 and its appendix A.

This dossier has to be sent to the infrastructure manager who will indicate the corrective number to affix only on those wagons set in the request.

The marking itself will be done under the responsibility of the requester according to annex Pa of the technical specification of interoperability relating to the subsystem 'Traffic Operation and Management' of the trans-European conventional rail system and to section 4.5.38 of the European standard EN15877-1.

Requests for a corrective number have to be sent to:

	Société Nationale des Chemins de Fer Luxembourgeois Service Gestion Infrastructure
	B.P. 1803 L-1018 Luxembourg
Phone	+352 4990 4512
Email	GI.Courrier@cfl.lu

1.9 Rail Freight Corridors

The Luxemburgish rail network is part of the European rail freight corridor RFC NORTH SEA MEDITERRANEAN in accordance to the Regulation (EU) 913/2010.

Lines concerned by this corridor and indicated in the CID (corridor information document) book 5 appendix 1 are the main line Rodange border – Bettembourg border via Esch-sur-Alzette and two diversionary lines Kleinbettingen border – Bettembourg border and Pétange – Bettembourg border via Dippach-Reckange.

Part of the capacity of these lines is exclusively offered as prearranged paths (PAP's) by the corridor's one stop shop C-OSS.

These paths, which have a special status described in the Regulation (EU) 913/2010, are published at X-11 and are protected against all changes.

Ordering of these paths is only possible in PCS between X-11 and X-8.

Reserve capacity PAP's will be available in PCS until 21 days before running. Details can be found in the Corridor Information Document (CID) which is published on the corridor's website. Billing of the PAP's is done nationally according to [chapter 6](#).



The RFC NORTH SEA MEDITERRANEAN C-OSS can be reached at:

	RFC NORTH SEA MEDITERRANEAN C-OSS Fonsnylaan 13 B-1060 Bruxelles
Phone	+32 2 432 28 08
Mobile Phone	+32 492 91 49 76
E-mail	oss@rfc2.eu
Web	www.rfc-northsea-med.eu

1.10 RailNetEurope - International cooperation between Infrastructure Managers

In January 2004, the organizations in charge of rail capacity allocation / European railway infrastructure managers founded RailNetEurope (RNE), a common cooperation organization for the allocation of international infrastructure capacities with a coordinating office based in Vienna, Austria.

RNE's aims are to provide support to railway undertakings (RUs) in their international activities (both for freight and passengers) and increase the efficiency of the IM/ABs processes. Together, the Members of RailNetEurope are harmonising international rail transport conditions and introducing a corporate approach to promote the European railway business for the benefit of the entire rail industry across Europe.

RNE's tasks are carried out by four working groups and by ad-hoc project groups co-ordinated by the RNE Joint Office, which is based in Vienna, Austria. Currently, RailNetEurope is a partnership of 35 IMs/ABs, who are either full or associated members, or candidate members. All in all their rail networks add up to well over 230 000 km.

In its daily work, RailNetEurope tasks are to simplify, harmonise and optimise international rail processes such as:

- Europe-wide timetabling,
- common marketing & sales approaches (including Network Statements),
- co-operation between IMs in the field of operations,
- train information exchange in real time across borders,
- after-sales services (e.g. reporting).

Additional information about RailNetEurope, its activities and members, is available on the Internet site <http://www.rne.eu/index.php/corporate.html>

1.10.1 One-Stop-Shop (OSS)

The members of RailNetEurope have formed One-Stop-Shops (OSS) working in the network as single points of contact for customers. For any requests concerning international train paths, railway undertakings need only contact one of the One-Stop-Shops. The shop will then deal with the allocation process for the entire international train path.

Contacted One-Stop-Shop


- will advise and inform the customer about the range of products and services offered by the infrastructure managers;



- will supply the customer with all required information for access to and use of infrastructures involving the allocation bodies /infrastructure managers which are members of RailNetEurope;
- will deal with any requests for train paths on networks forming part of RailNetEurope;
- will ensure in collaboration with neighbouring OSS that the requests for international train paths for the next timetable period are duly taken into consideration during the annual timetable construction process;
- will assist the customer in the invoicing and payment procedures.

Additional information about One Stop Shops are available on the Internet site <http://www.rne.eu/index.php/one-stop-shop.html>

The Luxembourg One-Stop-Shop is located at the following address:

	Administration des Chemins de Fer Division Sillons Guichet Unique 1, Porte de France L-4360 Esch-sur-Alzette
Phone	+352 261912 23
Fax	+352 261912 29
E-mail	oss@acf.etat.lu

1.10.2 RNE Tools

PCS

PCS (Path Coordination System) is a web application provided by RNE to Infrastructure Managers (IMs), Allocation Bodies (ABs) and Path Applicants, which handles the communication and coordination processes for international path requests and path offers.

An applicant using PCS for an international path application can apply for the whole journey and doesn't need to do an extra order in national ordering tools.

CIS

CIS (Charging Information System) is RNE's international access charge estimation tool, designed to provide customers with pricing information. As web-based umbrella system for the various national rail infrastructure charging systems, it can calculate the price for the use of international train paths within minutes, 24 hours a day – including charges for train paths, station fees and shunting fees.

TIS

TIS (Train Information System) is an easy-to-use, web-based application which visualizes international trains from origin to destination. It supports international train management by delivering data concerning international passenger and freight trains from the participating IMs.

More details about these RNE tools can be found in the [RNE website](#)



Chapter 2 ACCESS CONDITIONS

2.1 Introduction

Access to the railway structure is governed by the amended law of 11 June 1999 and the Grand Duchy Regulations implemented in its application (see under [1.3.](#))

2.2 General access conditions

2.2.1 Requirements to apply for a train path

Applicants can place requests for a train path.

A railway undertaking or an international grouping of railway undertakings or other persons or legal entities, such as competent authorities under Regulation (EC) No 1370/2007 and shippers, freight forwarders and combined transport operators, with a public-service or commercial interest in procuring infrastructure capacity are considered as applicants.

The available infrastructure capacities are distributed by the Railway Administration and shall not, once allocated to an applicant, be transferred by the recipient to another undertaking or service. Any trading in infrastructure capacity shall be prohibited and shall lead to exclusion from the further allocation of capacity. The use of capacity by a railway undertaking when carrying out the business of an applicant which is not a railway undertaking shall not be considered as a transfer.

These requests can be made via the One-Stop-Shops of the organizations in charge of allocating the infrastructure capacities, which are members of RailNetEurope.

Similarly, ACF, if duly appointed by an applicant, can submit on its behalf requests for the attribution of train paths to other organizations in charge of sharing out infrastructure capacities and which are members of RailNetEurope.

Path requests can be done to the one-stop-shop (C-OSS) of corridor RFC NORTH SEA MEDITERRANEAN according to EU regulation 913/2010.

2.2.2 Who is allowed to perform train Operations (freight and/or passenger)

Access to the Luxembourg railway network is governed by the following provisions:

1. Railway undertakings set up in Luxembourg, having a license issued in accordance with article 4 of the amended law of 11 June 1999 relative to access to the railway infrastructure and its use, are permitted to carry out transport on the Luxembourg railway network under the conditions of the aforementioned law.
2. Railway undertakings set out in another member state of the European Union to which a license has been granted by this State, within the validity limits on their license, benefit from the access rights provided for in community law. Furthermore, the access rights not provided for by community law can be granted to these companies on a reciprocal understanding.
3. International groups benefit from the same rights as long as the railway undertakings making them up have a license issued by the Member State of their company.
4. The right of access to the Luxembourg railway network can be refused to companies set up in a country which is not a member of the European Union if a reciprocal understanding does not grant to railway undertakings set up in Luxembourg the same rights of access to the railway infrastructure of that country.



5. Access to the network is also provided to the trains and service machines that the infrastructure manager operates to maintain the network and ensure traffic safety.
6. The same applies to the rolling stock of people and associations exclusively running a certain passenger transport services by rail for non-commercial purposes, including more particularly the historical railway rolling stock operators, as long as the stock put into circulation is properly insured for civil liability. This rolling stock can be put into circulation on the Luxembourg railway network under the conditions defined by the national safety agency ACF, The documents are available on the website <http://www.railinfra.lu>.

2.2.3 License

In order to receive a Luxembourgish license, railway undertakings set up in Luxembourg must fulfil the conditions defined in the amended law of 11 June 1999 relative to access to the railway infrastructure and its use.

The member of the government responsible for the railways in its attributions is the competent authority for issuing licenses, changing or extending them. It is similarly qualified to withdraw or suspend licenses for the reasons and under the conditions of the law and regulations of the Grand Duchy, as applicable.

The conditions for obtaining licenses, and the validity and conditions under which they are drawn up are governed by the amended Grand Duchy Regulation of 24 October 2003.

Additional information is available at the following address:

	Ministère du Développement durable et des Infrastructures Département des transports L-2938 Luxembourg
Tél.	+352 247 84400
Fax	+352 22 85 68
E-mail	info@mt.public.lu

2.2.4 Safety certificate


Any railway undertaking is authorized to use a train path on the Luxembourg rail network as long as it holds a safety certificate issued by the competent authority, that is, the Ministry in charge of the railways.

The stipulation under which a safety certificate can be obtained, its validity and the terms and conditions of its drawing up are defined by the amended Grand Duchy Regulation of 21 September 2009. This regulation also determines the conditions under which a safety certificate drawn up by the competent authority of another member State may be fully or partially recognized.

A request for a safety certificate must be sent in writing, in three copies by a registered letter to the Director of ACF. The request shall be written in French or in German. It must indicate in particular the purpose of the request and list all the items that the requesting party intends to use. It is accompanied by all the items and documents required by the regulation.

Any request for information relative to the safety certificates shall be sent to the above:



	Administration des Chemins de Fer Division Interopérabilité et sécurité ferroviaire 1, Porte de France L-4360 Esch-sur-Alzette
Phone	+352 261912 27
Fax	+352 261912 39
E-mail	contact@acf.etat.lu

At any time, the Minister may check the safety certificates.

2.2.5 Cover of liabilities

A specific railway undertaking is only permitted to put trains into circulation on the Luxembourg rail network when it has proved that it has sufficient financial means to assume at any time the financial consequences of its civil liability, at least in compliance with the international provisions governing civil liability in the world of railway transport.

It meets the terms of this obligation, either by the drawing up of an insurance contract covering the company civil liability with an authorized insurance company, or by the bonding of the means specific to this purpose, or by presenting a financial guarantee deemed to be sufficient, issued by a duly authorized bank or by any other solvent company.

Proof of compliance with this obligation is provided in a report by a company auditor certifying that the company corresponds to the legal requirements in question.

The obtaining of a license or a safety certificate depends on this proof. The infrastructure manager is qualified to check compliance with this condition. For this purpose, a recent report of this type shall be handed in each year to the infrastructure manager or whenever requested by it.

2.3 General Business/Commercial conditions

2.3.1 Framework agreement

ACF can draw up a framework agreement with any applicant. The purpose of this framework agreement is to define the characteristics in terms of railway infrastructure capacities, in particular journey times, time slots, volume and quality of train paths, without defining them in detail.

In principle the framework agreement is drawn up for a period of five years. In some specific cases, ACF can accept shorter periods.

Compensation may be involved if commitments are not met.

The framework agreement can be amended or limited to allow better use of the railway infrastructure.

The general provisions of each framework agreement shall be made known to all parties concerned.

The conclusion of a framework agreement does not mean that the party concerned is exempted from submitting train path requests under the terms of [chapter 4](#). It does not rule out the use of the infrastructure covered by the framework agreement by other parties requesting train paths.

A model agreement for the conclusion of framework agreements can be found in appendix 2A



2.3.2 Access contracts

Any railway undertaking providing rail transport services concludes a contract for the use of the infrastructure with the Railway Administration.. This access contract will govern the administrative, technical and financial conditions relative to railway undertaking train traffic on the Luxembourg rail network. It will be based on the general conditions, the particular conditions and the provisions of chapters 4 to 6 of the NS.

2.3.3 Contracts with applicants

See under 2.3.2

2.4 Operational Rules

Train traffic and manoeuvres will comply with the national safety rules, in particular the technical General Operating Regulation (Règlement Général de l'Exploitation - RGE). On some short dead-end lines and the tertiary network, particular rules may apply (cf. [Chap. 3](#)). They are integrated in the RGE or are, if necessary, the subject of special instructions. It is also necessary to comply with local instructions and orders drawn up by the infrastructure manager to run the services at the various operational points. These documents are available against payment from the infrastructure manager.



Société Nationale des Chemins de fer Luxembourgeois
Service Gestion Infrastructure
B.P. 1803
L-1018 Luxembourg

The operational language of the network is French. However, the use of Luxembourg and German languages is permitted throughout the network.

2.5 Exceptional Transports

Exceptional consignments, as defined in UIC leaflet 502-1, may be incorporated in trains under the conditions of [4.7](#) and in the exceptional transport advise (ATE) issued by the infrastructure manager as per paragraph [5.4.3](#). If special actions extending beyond simple operating measures have to be taken, it will be necessary to request a tailor-made contract for assistance with the travelling of a special convoy under the terms of paragraph [5.4.3](#). Requests for exceptional consignments are to be sent to:



Société Nationale des Chemins de Fer Luxembourgeois
Service Gestion Infrastructure
Division Planification Exploitation
GI-PE4
B.P. 1803
L-1018 Luxembourg

Phone +352 4990 5464

E-mail gi.ate@cfl.lu



2.6 Dangerous goods


Dangerous goods will be transported under the terms of the International regulation on the carriage of dangerous goods by rail (RID), forming an Annex to the CIM uniform rules (Annex B to the Convention concerning International Carriage by rail (COTIF), in its most recent version. Among other things, the railway undertaking must take the necessary steps to guarantee the safety of its dangerous goods transport conditions under the terms of chapter 1.10 of the RID.

2.7 Rolling stock Acceptance Process Guidelines

All rolling stock running on the Luxembourg rail network must have a valid authorization.

The conditions for placing into service are defined by the Grand Duchy Regulation of 1 June 2010 concerning interoperability of the railway system.

Requests for the issue of an authorization for placing into service shall be sent to:

	Administration des Chemins de Fer Division Interopérabilité et sécurité ferroviaire 1, Porte de France L-4360 Esch-sur-Alzette
Phone	+352 261912 35 (tractive vehicles) +352 261912 26 (tracked vehicles)
Fax	+352 261912 38
E-mail	interop-sec@acf.etat.lu

Within the framework of cross acceptance, a simplified procedure can be applied to stock already authorized in a European Union country. All information regarding the documents to be supplied and the exact procedure is available from the address indicated above.

For vehicles, which do not have an authorization for placing into service valid on the Luxembourg rail network, a special procedure for a limited authorization in time can be applied.


Following vehicles are amongst the concerned:

- Work vehicles running for the need of the infrastructure manager;
- Vehicles running for testing or compatibility verification in relation with the net infrastructure.

These authorizations, limited in time, specify the admitted track sections, and the requirements needed for circulation.



Requests for the issue of a limited authorization shall be sent to

	Société Nationale des Chemins de Fer Luxembourgeois Direction Gestion Infrastructure Qualité, Sécurité, Environnement - GI/QSE-UIIN B.P. 1803 L-1018 Luxembourg
Phone	+352 4990 5637
Fax	+352 4990 3461

2.8 Staff Acceptance Process

Staff charged with safety-critical tasks, such as driving, train accompanying, stock inspection, control direction etc. must be properly qualified from the technical standpoint and regarding Luxembourg regulations.

For the train driver, this qualification has to be in accordance to the Grand Duchy Regulation of 16 August 2007, concerning a) the transposition into national law of the European Parliament and Council directive 2007/59/CE of 23 October 2007 for the certification of train drivers driving locomotives and trains on the railway system in the Community and b) the creation of a regulatory framework related to the certification of train drivers driving locomotives and trains on the Luxembourg railway network.



Chapter 3 INFRASTRUCTURE

3.1 Introduction

According to article 6 of the amended law of 10 May 1995 concerning the railway infrastructure management, the State has entrusted the management of the Luxembourg rail network to Société Nationale des Chemins de Fer Luxembourgeois (CFL).

The information in this chapter is supplied by CFL. It relates to the situation existing on 29 September 2017. The state of the network is liable to change during the validity term of this NS. Only major modifications that may influence the running of the trains will lead to an updating of the document.

3.2 Extend of network

The provisions of this NS apply to the entire network infrastructure whose scope and junction points with the neighbouring networks are defined in Appendix 3A.

The characteristics of the infrastructure are presented below in [3.3](#). Additional information can be obtained from the following address:



Société Nationale des Chemins de fer Luxembourgeois
Service Gestion Infrastructure
B.P. 1803
L-1018 Luxembourg

3.3 Network Description

3.3.1 General information

The entire Luxembourg rail network has a normal track gauge. Appendix 3A refers to the technical and functional characteristics of the various network lines, i.e.:

- Designation and numbering of lines,
- Number of tracks,
- Name and quality of locations,
- Geographical situation of locations,
- Distances between locations,
- Speed limits on line sections.

The parametric data and values of Appendix 3A refer to regular consignments. For exceptional consignments, see [4.7](#).

3.3.2 Capabilities

3.3.2.1 Loading Gauge and codification

3.3.2.2 Appendix 3B defines the gauges (according to European standard EN15273) accepted on the various lines of the Luxembourg rail network and also



includes the coding of the various lines (according to the leaflet UIC 596-6) of the Luxembourg rail network for combined transport. Weight Limits

Lines	Axle load	Meter load
all lines	category D4: 22.5 t / axle	category D4: 8.0 t / m

3.3.2.3 Line Gradients

Appendix 3A gives information about the various gradients of the lines and line sections.

3.3.2.4 Line Speeds

See Appendix 3A.

3.3.2.5 Maximum train lengths

Passenger trains:

The maximum composition of passenger trains is 16 vehicles, 64 axles, 800 tons and 430 meters.

Luxembourg IM may define waivers in conformity with RGE book 4 §08 01

Empty passenger car-sleeper trains and passage trains without commercial stops on the Luxembourg rail network can include at the most 100 axles, including the tractive vehicles.

When the length of a train is greater than the effective length of the platforms on its route, the railway undertaking is required to define the rules and procedures that allow safe passenger boarding and alighting.

Goods trains:

Except authorisation given by the Infrastructure Manager, the maximum length of a goods train shan't be greater than 750 m, including the tractive vehicles.

3.3.2.6 Power supply

The type of electric drive installation of each line is indicated in Appendix 3A.

Description of electric traction installations and required technical conditions for pantographs:

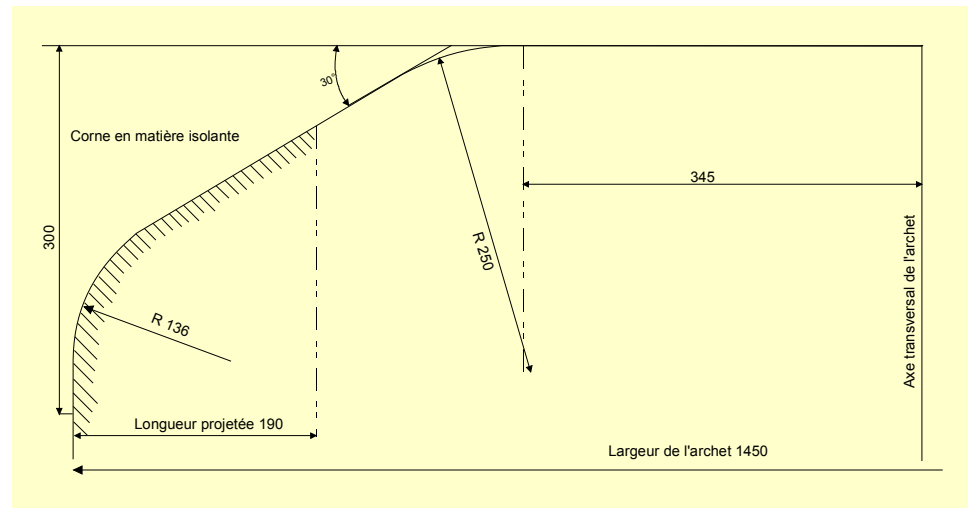


Power supply voltage	Contact wire height 1) Minimum 2) Normal 3) Maximum	Width of bow used **	Effective minimum length of friction bars	Static contact force F_s	Aerodynamic contact force F_a	Maximum allowed speed	Bars used
(kV)	(mm)	(mm)	(mm)	(N)	(N)	(km/h)	
25 kVca	4920 5500 6200	1600* 1450*	750/800 690	Min. 70	200	<160	steel, copper, carbon

*with horns of isolating material

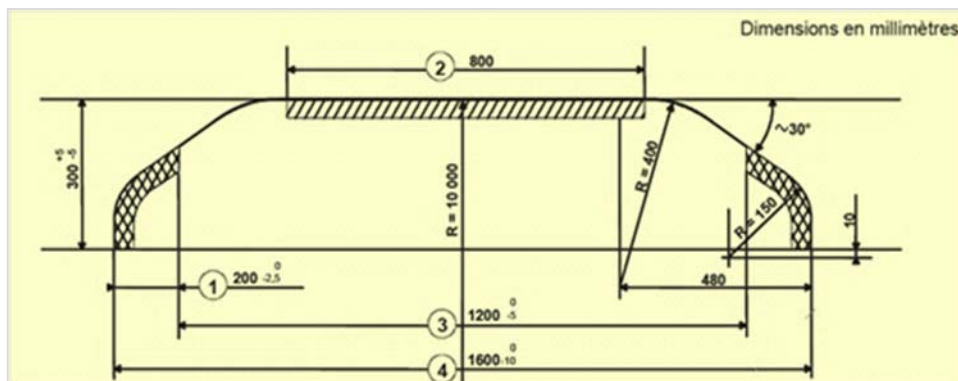
** conforming to the following profiles:

- Bow profile 1450 mm accepted on 25 kV lines with horns of isolating material



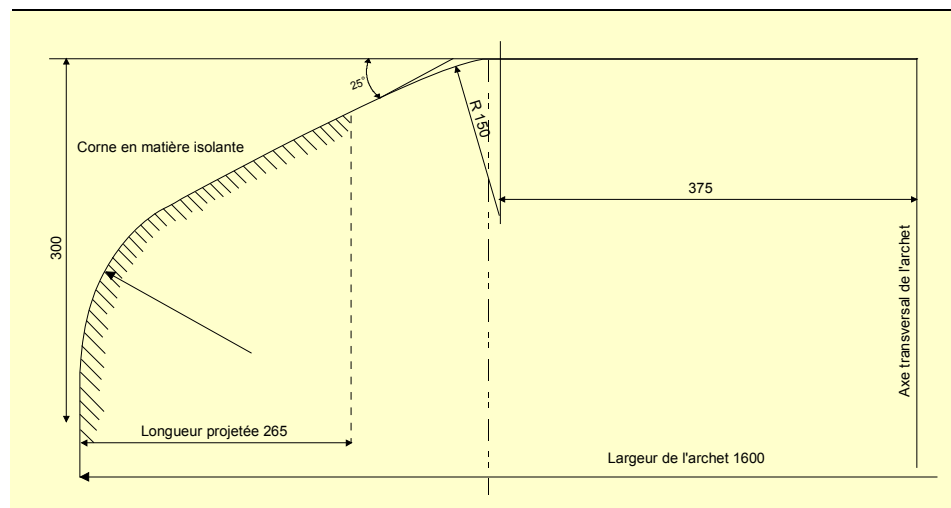
Width of bow 1450

- Bow profil of the interoperable de pantograph 1600 mm





- Bow profile 1600 mm acceptable on 25 kV lines



3.3.3 - Traffic Control and Communication Systems

3.3.3.1 Signalling Systems

See Appendix 3A.

3.3.3.2 Traffic Control Systems

See Appendix 3A

3.3.3.3 Communication Systems

See Appendix 3A.

3.3.3.4 ATC Systems

See Appendix 3A.

3.4 Traffic Restrictions

None

3.4.1 Specialised Infrastructure

None

3.4.2 Environmental Restrictions

None



3.4.3 Dangerous Goods

For this type of transport, the "Regulations concerning the International Carriage of Dangerous Goods by Rail (RID)" applies. See also [4.7](#).

3.4.4 Tunnel Restrictions

None

3.4.5 Bridge Restrictions

None

3.4.6 Other Restrictions

Appendix 3C indicates the load limits determined by coupling strength valid for various line sections. For the acceptance of exceptional consignments, see [4.7](#).

3.5 Availability of the Infrastructure

See Appendix 3A.

3.6 Service Facilities

3.6.1 Passenger Stations

Passenger stations and stops are given in Appendix 3A.

For the effective platform length, please contact the One-Stop-Shop.

3.6.2 Freight Terminals

Conventional and intermodal freight terminals are referred to in Appendix 3A. A marshalling yard is located at Bettembourg.

Since 2007, the State is owner of certain railway infrastructures serving the sites of Esch-Schifflange, Esch-Belval and Differdange. This so-called "tertiary" network is on the industrial type. Accordingly, it is reserved exclusively for freight traffic serving industry tracks as shunting movement in this network. The main point of access is in the Belval-Usines station for traffic lines connecting Esch-Belval and Differdange. Other accesses are possible from the Esch-sur-Alzette and Differdange stations. Train-formation tracks are also available on all three sites.

For the effective platform length, please contact the One-Stop-Shop.

Point of contact for container terminal:



	CFL – TERMINALS s.a. Terminal Intermodal Eurohub Sud L-3434 Dudelange
Phone.	+352 4996 0001
Fax	+352 4996 0150
E-mail	info@cfl-mm.lu

3.6.3 Train formation yards

The stations with the train-formation lines are referred to in Appendix 3A.

For the effective platform length, please contact the One-Stop-Shop.

3.6.4 Storage sidings

For information, please contact the One-Stop-Shop.

3.6.5 Maintenance Facilities

A maintenance centre for the tractable vehicles is connected to the Luxembourg rail network through the Luxembourg station.

3.6.6 Maintenance Facilities

The Luxembourg rail network has a cleaning hall including a washing installation at the Storage and Maintenance Centre in Luxembourg.

3.6.7 Maritime and inland port facilities

The inland port on the Moselle River at Mertert-Port is connected to the Luxembourg rail network.

Points of contact for Mertert port:

	Société du Port de Mertert S.A. Direction du Port L-6688 Mertert
Phone	+352 74 04 64
Fax	+352 74 04 64 30
E-mail	info@portmertert.lu



3.6.8 Relief facilities

Relief tracks needed for driver or traction change are located in Luxembourg-triage and Bettembourg-triage. In all other stations relief is possible according to availability of free tracks. An analyse is done when treating a relevant the path request

3.6.9 Refuelling Facilities

The Luxembourg rail network has a fuel supply post in the Luxembourg Storage and Maintenance Centre.

3.7 Infrastructure Development

The ERTMS security system has been operational throughout the network since 1 July 2017..

The different levels of ERTMS are indicated in appendix 3a.
The former MEMOR II + driving aid system will co-exist on certain lines or sections of line by 31 December 2019 at the latest.

In order to be allowed to operate at the head of a convoy on the national railway infrastructure, every motive power unit, control trailer or vehicle equipped with a driver's cab shall be equipped with ERTMS. With a view to bringing the rolling stock into conformity with the abovementioned requirement, the ACF agreed in early 2017, by way of derogation and for a limited period, to circulate certain series of vehicles already authorized in MEMOR II +.

As far as the ERTMS/GSM-R digital radio-mobile network is concerned, it is planned to be placed in service in 2017 as long as all the work on the infrastructure and development of GSM-R equipment is completed in time.

New stations « Pfaffenthal-Kirchberg » et « Howald » from 10.12.2017 on

Throughout the year 2019 complete interruption of line 5 between 22:30 pm to 04:00 am nights Sunday/Monday to Thursday/Friday

Throughout the year 2019 complete interruption of line 1 between 0:45 am and 4:00 am from Monday to Friday.

The infrastructure manager CFL is continuing to renew its platforms. All renewed platforms (except Luxembourg Station 760mm will have a height of 550mm.



Chapter 4 CAPACITY ALLOCATION

4.1 Introduction

The Railways Administration ACF is mandated with the allocation of infrastructure capacities by law (cf. [1.3](#)).

4.2 Description of Process

4.2.1 Organisms


- Administration des Chemins de Fer / ACF :

ACF is the Independent allocation body to which train path requests must be sent. It's also in charge of the One-Stop Shop for Luxembourg.

Particulars:

	Administration des Chemins de Fer Division Sillons Guichet Unique 1, Porte de France L-4360 Esch-sur-Alzette
Phone.	+352 261912 23
Fax	+352 261912 29
E-mail	oss@acf.etat.lu


For path requests concerning trains which start running less than 5 working days after the date of the request, the request must be sent in by fax or e-mail to:

	Administration des Chemins de Fer Division Sillons Attribution sillons à très court terme 1, Porte de France L-4360 Esch-sur-Alzette
Phone	+352 26 48 14 49
Fax	+352 26 48 14 50
E-mail	oss-ct@acf.etat.lu



- Traffic Supervision :


Particulars:

	Société Nationale des Chemins de Fer Luxembourgeois Service Exploitation Infrastructure Supervision Trafic B.P. 1803 L-1018 Luxembourg
Phone	+352 4990 3373
Fax	+352 4990 5629
E-mail	supervisiontrafic@cfl.lu

- Controlling organism:

L'Institut Luxembourgeois de Régulation ILR (The Regulator) is the public authority to be contacted by any applicants who consider that they have suffered unfair treatment, discrimination or any other prejudice.

Particulars:

	Institut Luxembourgeois de Régulation Secteur Ferroviaire 17, rue du Fossé L-1536 Luxembourg
Phone	+352 28 228 228
Fax	+352 28 228 229
E-mail	ferroviaire@ilr.lu

4.2.2 General description of process

4.2.2.1 Requests

Applicants will make their requests for the right to use the infrastructure to ACF. These are payable according to the fees as indicated in [Chapter 6](#). Requests can be made either directly by a railway undertaking or through the One-Stop Shops of the allocation bodies/infrastructure managers who are members of RailNetEurope. Requests concern passenger transport (passenger trains) or freight (freight trains) at the international, national or cross-border levels.

Requests concerning regular train paths for the **2019 timetable** are to be made no later than on **9 April 2018**. Any request made after this date will be processed after the drawing up of the draft timetable, depending on the remaining capacities. Requests made after the **29 October 2018** are only incorporated into the annual timetable during the first update.

Requests will be made in French, German or English, preferably using the train path request form (Appendix 4A). The authorized transmission means are as follows: mail,



fax, e-mail with acknowledgment of receipt or PCS software made available by RNE.

The following information is mandatory:

- 1) Name of the applicant requesting the train path ,
- 2) Contact and telephone number,
- 3) Date or dates of circulation, respectively required characteristic,
- 4) Train path number (if known),
- 5) Requested train path profile,
- 6) Train path origin station,
- 7) Train path destination station,
- 8) Desired time of departure or arrival (if it is not known from the train path number),
- 9) Maximum speed limit (if it is below that of the profile used),
- 10) The route (if more than one route is possible),
- 11) The intermediate stops (if they are not known from the train path number),
- 12) the tractable vehicles (type),
- 13) The maximum length of the train using the train path,
- 14) The maximum towed load of the train using the train path,
- 15) The name of the RU running the train, if different from the applicant
- 16) The names of the other RU's for trains running in cooperation
- 17) The ATE number (if it is known when the train path request is made),

If a single file referring to several train path requests is sent, it must be structured in a way that the aforementioned elements can be detected easily for each requested train path.

A list with public holidays in timetable year 2019 can be found in appendix 4B "Timetabling and documents published by ACF" chapter 12 of this NS.

An explanation of the running days expressions (characteristics) for the train path to be used in point 3), can be found in appendix 4B "Timetabling and documents published by ACF" chapter 10 of this NS.

The time of reception is defined by:

- The date and time (Luxembourg) of reception for postal mail;
- The date and time (Luxembourg) of transmission for fax and e-mail,

Applicants can contact ACF to request infrastructure capacities involving several networks. In this case of international requests the use of PCS is preferable. Alternatively they can do national requests on each network.

4.2.2.2 Allocation of train paths

Train paths are allocated according to the allocation process and calendar indicated in the following sections [4.3](#) and [4.4](#), for a maximum period corresponding to the service timetable. Paths attributed to an applicant can only be transferred to a railway undertaking if the applicant is not a railway undertaking itself.

If ACF and the applicant enter into a framework agreement, the framework agreement will specify the characteristics of the railway capacities required for a period exceeding the service timetable, without it extending beyond 5 years. The framework agreement does not define the train path in detail but is drawn up to address the legitimate business requirements of the applicant. The framework agreement can be amended or limited to allow better use of the railway infrastructure.



4.2.2.3 Train path offer and order

ACF will confirm to the applicant the reservation of requested train paths by an offer transmitted by regular mail, fax or e-mail, or notify them that their train path request has been refused. By the same means, the applicant may then place a firm order based on the offer submitted to it. These particular agreements, whether they concern regular or extraordinary train paths, are governed by the same terms of the infrastructure contract of use drawn up between ACF and the applicant. The deadlines to be complied with are defined in [4.3](#).

4.2.2.4 Modification and cancellation of requests

Train path modifications and cancellations of requests have to be sent to ACF.

The authorized transmission means are as follows: registered mail with acknowledgment of receipt, fax, e-mail. The layout of these requests are identical to chapter [4.2.2.1](#) paragraphs 3 and 4.

The time of reception is defined by:

- The date and time (Luxembourg) of reception for mail;
- The date and time (Luxembourg) of transmission for fax and e-mail,

ACF sends confirmation to the applicants at the earliest dates, and in any case within 5 working days, of changes to train paths requested by an offer sent by regular mail, fax or e-mail, or notifies them of the rejection of their modification request. The applicant then has 5 working days to accept the modification offer submitted by ACF using the same means of transmission. These times may be shortened depending on the circulation starting date.

The reception of train path cancellations will be confirmed by ACF within 5 working days by regular mail, fax or e-mail.

4.3 Schedule for Path requests and Allocation Process

4.3.1 Schedule for Working Timetable

The process of train path allocation involves several stages, the primary of which are:

1. Establishing the preconstructed international train paths: The allocation bodies/infrastructure managers assess the train path requirements in cooperation with the C-OSS and propose provisional international prearranged paths (PAP's). The latter are published in PCS and on the corridor RFC NORTH SEA MEDITERRANEAN website.
2. Introduction of capacity requests: ACF informs potential applicants of the available train paths. The applicants submit their requests for capacities.
3. Programming - Establishing of a service timetable draft: ACF groups together all the capacity requests and sets up a service timetable draft also including the paths booked via the RFC NORTH SEA MEDITERRANEAN C-OSS. If there are conflicting requests, it uses the coordination procedure described in section [4.4](#).
4. Consulting of interested parties: ACF delivers a draft time to the interested parties for consultation and observation. Interested parties include all applicants which have submitted a request and other parties which wish to submit comments about the impact that the draft timetable could have on their ability to offer rail services.



5. Final proposal: ACF adapts the timetable draft as necessary to comply with the observations received and submits its final answer to the applicants.
6. Processing of late capacity requests: On the basis of the remaining capacities, ACF processes the capacity requests that come in after the scheduled date indicated in step 2.
7. Processing of ad hoc capacity requests: On the basis of the remaining capacities, ACF processes the capacity requests that come in after the scheduled date indicated in step 6. These requests will be included in the general timetable 2019 from 4 February 2019 on.
8. Implementation of service timetable:

For the 2019 service timetable, the calendar for the train path allocation process is presented below:

N°	Steps	Start date	End date
1	Establishing of prearranged international train paths and publishing international train path catalogues	Year 2017	8 January 2018
2	Submission of capacity requests	11 December 2017	9 April 2018
3	Programming - Establishing of a service timetable draft	10 April 2018	2 July 2018
4	Consultation of interested parties	3 July 2018	43 August 2018
5	Final proposal	4 August 2018	20 August 2018
6	Processing of late capacity requests	21 August 2018	15 October 2018
7	Processing of ad hoc capacity requests	16 October 2018	
8	Implementation of service timetable	9 December 2018	14 December 2019

9. Updates of service timetable:

The deadlines for regular train path requests in the context of updates to the 2019 working timetable are presented below and are internationally harmonized.

Closing date for requests	Date of application
14 January 2019	4 February 2019
11 March 2019	9 April 2019
13 May 2019	9 June 2019 (summer adaptation)
12 August 2019	2 September 2019
16 September 2019	7 October 2019



4.3.2 Schedule for Train Path Requests Outside the Timetabling Process (Ad-Hoc Requests)

ACF responds in the shortest time possible and in all cases within 5 working days to ad hoc requests for individual train paths.

Information relative to unused and available capacities is made available to all the applicants who might require using these capacities.

The Authority of Railways proceeds, if appropriate, to an evaluation of the need to maintain a reserve of capacity within the final working timetable to enable them to respond rapidly to foreseeable ad hoc requests for capacity. This provision also applies in cases of congested infrastructure

Concerning the prearranged Path Catalogue and Reserve Capacity on corridor RFC NORTH SEA MEDITERRANEAN see [1.9](#)

4.4 Allocation Process

4.4.1 Coordination Process

As soon as the deadline for the train path request has expired, ACF checks whether all the capacity reservations (requested train paths, preconstructed train paths and capacity reservations for the requirements of the infrastructure manager) can be satisfied without there being any conflicting capacity requests. ACF draws up an inventory of all the incompatibilities.

If there are no incompatibilities, ACF allocates the infrastructure capacities according to the reservations and creates a service timetable draft. ACF consults the interested parties regarding the service timetable draft, and gives them the possibility of making their observations for a period of at least 20 working days. The parties concerned include all the parties who made a request for infrastructure capacities and all the other parties wishing to make a comments about the effects that the service timetable could have on their ability to supply rail services during the service timetable validity period. ACF adopts appropriate measures to consider the expressed concerns.

If any incompatibilities have been identified, ACF initiates the coordination procedure. When a request for infrastructure capacities cannot be satisfied without coordination, ACF strives to process all the requests by suitable coordination. ACF launches consultation among the applicants and within reasonable limits, proposes different infrastructure capacities from those requested. If all the adjustments needed to eliminate conflicts are accepted by the applicants after consultation, and within the lead times provided for in the procedure, ACF can establish its service timetable draft based on the adjusted reservations.

If consultation doesn't allow the elimination of all the conflicts or doesn't result in the timely implementing of adjustments satisfying all the applicants, ACF will fall back on the application of the priority criteria ([cf. 4.4.3](#)).

4.4.2 Dispute Resolution Process

The applicant has a right to appeal by filing a complaint.

Recourse to the national Regulatory Body

The function of the national Regulatory Body is handled by l'Institut Luxembourgeois de Régulation (the Regulator). An applicant can appeal to the Regulator if it considers itself



to be the victim of unfair treatment, discrimination or any other prejudice in taking recourse action against decisions which impacts him directly, in particular caused by ACF. (cf. [1.4.3](#))

The applicant must submit its request to the Regulator by registered letter. The request shall be written in French, German or English

The regulator examines each complaint and, where necessary, requests relevant information and initiates consultations with all parties concerned within one month of receiving the complaint. He decides on all complaints, adopts the necessary measures and communicates his reasoned decision to the parties concerned within six weeks of receipt of all relevant information. Any decisions taken by the Regulator are binding for all the parties concerned. The decision, which may include the levying of fines, stipulates the technical and financial conditions for the settlement of the disagreement within the allowed time. If necessary, for the disagreement to be settled, the Regulator defines objectively, transparently, in a traceable, non-discriminating and proportional manner, the conditions for access to the network and its conditions of use.

The regulator shall give the grounds for the decision; this decision may lead to recourse action *taken in the administrative courts*.

The expenses for processing the file are paid by the claimant.

4.4.3 Congested Infrastructure: Definition Priority Criteria and Process

At the end of the requested train path coordination and after consultation with applicants, ACF declares the infrastructure as congested for every infrastructure section:

- for which it is impossible to give a favourable answer to all the requests for infrastructure capacities or
- when it is considered that it will suffer from a capacity shortage in the near future.

The section of the infrastructure is declared to be congested for one or several time schedules wrapping all the train paths for which the request could not be satisfied.

All the capacity requests for a saturated infrastructure section made as part of the programming will be processed by application of the following rules:

- the allocation shall promote efficient use of infrastructure;
- the economic interests of the applicants are taken into consideration;
- the allocation complies with the principles of flexibility defined by framework agreements with the applicant.

The relative importance given to the above rules must be defined according to the priority hierarchy applied to train categories, from highest to lowest:

1. Passenger transport services which are part of a public service contract with the State;
2. National or international passenger transport services;
3. National or international freight services;
4. Pick-up freight trains;
5. Other trains.

Train path requests for passenger running light trains and for locomotives required to ensure train service, are put in the order of priority of the trains they will ensure.

Conflicting requests for regular train paths made after the deadline defined in [4.3.1](#) or as part of the monthly updates, as well as for ad hoc requests for individual train paths will be satisfied on the first come, first served principle.



4.4.4 Impact of Framework Agreements

Framework agreements specify the characteristics of the railway infrastructure capacities required by the applicant and those offered to it for any period exceeding the simple validity term of the service timetable. The framework agreement does not define the train path in detail but is drawn up to address the legitimate business requirements of the applicant.

Any commitments made by ACF in the framework agreements, concerning infrastructure availability for signatory applicant override the distribution priorities indicated above, in the event of the infrastructure being saturated; however, the framework agreement shall not block out the use of the infrastructure concerned by other applicants or services, and it must be possible to modify or limit it, to allow better use of the railway infrastructure. See also 2.3.1.

4.5 Allocation of Capacity for Maintenance, Renewal and Enhancements

At the latest 25 months before the entry into effect of the service timetable (9 November 2017), the infrastructure manager will submit to ACF details of any major projects it intends to accomplish during the service timetable in question, that will have major repercussions on available capacities.

After deliberation with ACF and at the latest 13 months before the entry into effect of the service timetable (9 November 2018), the infrastructure manager will submit to it the final schedule of this work.

Requests for infrastructure capacities needed for maintenance, renewal and development work have to be submitted according to the general path allocation process. These capacity requests are identified in the service timetable draft submitted to the applicants for consultation after programming.

After the implementation of the timetable, the infrastructure manager shall take due account of the impact of infrastructure capacity reserved for maintenance works on the candidates.

After the date following the implementation of the service timetable, the infrastructure manager can program, in the short term, work on a smaller scale having repercussions on the allocated capacities. In this case, it will request the required capacities from ACF no later than one month before the planned date of the start of works. ACF defines the modifications and cancellations of train paths as required. The decision to modify or eliminate a train path comes after prior notice of 15 days and deliberation with the train path owner involved. It indicates the duration of the modification or cancellation.

For paths cancellations on lignes falling under Regulation 913/2010/UE the notification of cancellation can not be less than two months.

A infrastructure manager informs, as soon as possible the Administration of Railways and interested parties of the unavailability of infrastructure capacity due to unscheduled maintenance works

Any other capacity reservation not made as part of the programming and monthly updates, and resulting in change to the train paths reserved by the applicants, will be processed according to the procedures indicated in section [4.8](#).

4.6 Non-Usage / Cancellation Rules

Non-Usage of a train path will lead to a penalty fee. The amount is in relation with the moment when the cancellation is notified to ACF and calculated in accordance to [6.5.1](#) in case of now-show and [6.5.2](#) in case of a notification before the foreseen running time.



ACF requires renunciation of a train path not used within a 2 month period if a competing request has been made for infrastructure capacities.

The decision to eliminate a train path comes after prior notice of 15 days and deliberation with the train path owner involved. It indicates the duration of the elimination.

These measures are not applied if under-use is for reasons other than the economic reasons beyond the control of the operators.

4.7 Exceptional Transports and Dangerous goods

Exceptional consignments can be handled by the running of trains on regular train path specially programmed for the purpose. The programming then takes into consideration all the operating measures specific to the exceptional consignment asked during reservation of the train path.

If an exceptional consignment is incorporated in a train using an extraordinary train path or a regular train path not programmed for that purpose, and if the reservation of the train paths or traffic requires changes to the distribution of the infrastructure capacities, the following rules apply:

- If the changes affect only the concerning railway undertaking and do not interfere with the infrastructure capacities reserved by the other railway undertakings, then they will be established by consultation with the concerning railway undertaking;
- If the changes affect several railway undertakings, ACF will propose alternate capacities to these railway undertakings at least 10 working days before the running of the exceptional consignment, for the purpose of negotiation.

Dangerous goods transports do not require any constraints in terms of capacity allocation.

4.8 Special Measures To Be Taken in the Event of Disturbance

4.8.1 Principles

The infrastructure manager does everything it can to reduce the frequency and duration of the perturbations affecting the service.

If the allocation of the infrastructure capacities has to be modified when the infrastructure capacities are downsized because of unforeseen or foreseen perturbations, these train paths will always be allocated by ACF.

4.8.2 Operational Regulation

Following principles and procedures are applied when a train can't respect his foreseen timetable:

Priority is given to the train which timetable respects the path allocated by ACF in relation to the train which is delayed. If two trains are delayed on the same geographical point, the initial running order has to be respected.

A train is considered to be delayed if the difference between his real timetable and the scheduled timetable is greater than 5 minutes. A train running ahead of its scheduled timetable never has priority.



ACF can accord derogations in case of absolute necessity and in order to reduce to a minimum the time needed to restore normality.

4.8.3 Foreseen Problems

If the perturbation and the corresponding corrective measures only affect one railway undertaking and have no bearing on the infrastructure capacities reserved by other railway undertakings, the corrective measures will be reached by consultation with the railway undertaking in question.

When the perturbation and the corresponding corrective measures affect more than one railway undertaking, ACF defines corrective measures as fast as possible by negotiation with all the railway undertakings concerned.

ACF will not use this negotiated procedure when the perturbation premises change unpredictably.

In this case, the procedures described in section [4.8.4](#) below apply.

4.8.4 Unforeseen Problems

In the event of an unforeseen perturbation affecting train running because of a technical failure or an accident, the infrastructure manager shall take all necessary measures in order to restore the situation to normal

To this end, the infrastructure manager draw up a contingency plan listing the various bodies to be informed in case of serious accidents or serious traffic disruptions.

In this case the Administration of Railways allocates new paths in order to restore the situation to normal.

In an emergency and in a case of absolute necessity, especially for an accident, a failure rendering the infrastructure momentarily unusable, or any other event preventing the use of the infrastructure under normally safe conditions, the allocated train paths are cancelled by ACF without prior notice for the time needed to repair the installations or to eliminate the reason of the stoppage of train traffic. ACF will attribute alternative capacities that best meets the needs of the concerned railway undertaking.

If the infrastructure manager considers it to be necessary, he can ask the railway undertakings to provide the means that appear best suited to him in order to unblock tracks and return to normal duty on the rail network or it implements his own means of salvage. The resulting costs will be covered by the party responsible for the perturbation.



Chapter 5 SERVICES

5.1 Introduction

The purpose of this chapter is to describe the services available on the Luxembourg rail network and indicate the conditions for access to them, and of their possible supply. It refers back to the structure of Annex II of directive 2012/34 EC.

5.2 Minimum access package

The following minimum services are included in the train paths allocated according to the provisions of [chapter 4](#):

- The processing of infrastructure capacity requests.
- The right to use the granted capacities.
- The use of network branches and switches.
- The regulation of train running including signaling, regulation, dispatching as well as communication and information supply regarding the running of the trains.
- The use of electrical supply equipment for traction current.

Access to the electric power supply system for traction current is included in the allocation of a train path for an electric traction train. Access granted in this way is also valid for maneuvers in the station.

The train path request should therefore specify the type of traction. Similarly, any change in the type of traction compared to that provided for, must be reported to the infrastructure manager and ACF before the train runs, this for operational reasons (risk of the train running on tracks unusable by it) and for reasons concerning fees.

Fees apply to the use of the electric supply system for traction current under the conditions and prices indicated in [6.2.1.5](#) and [6.3.1.4](#).

- All other information needed for the implementation or operation of the service for which the capacities were granted.

5.3 Access to service facilities and supply of services

5.3.1 Access to service facilities

5.3.1.1 Access to Passenger stations, their buildings and other facilities

Access to passenger stations, station buildings and the other infrastructures of these stations is included in the passenger train path under the conditions indicated below.

Access to platform tracks is in theory limited to the time strictly necessary to perform the required operations, such as the positioning of a departing train, passenger boarding and alighting, change of locomotives or train staff, modification of train composition.

On each timetable change the infrastructure manager in conjunction with ACF and the concerned railway undertakings draws up a track occupation plan which is adapted when necessary. To limit conflicts, it takes into account the scheduled length of the trains and the shunting movements inside the station.

At the request of the railway undertaking and depending on the availabilities and traffic, extended parking at the platform may be permitted. An authorization like this may be



revoked at any time if changes in traffic, works or any other cause result in a limiting of the station capacity and makes it impossible for other trains to use platforms. The railway undertaking concerned will be notified of this decision as quickly as possible.

Extended parking of rolling stock which cannot remain at the platform will be in the storage sidings provided for the purpose.

The long-term parking of vehicles in passenger stations is on a paid basis, under the conditions and prices given in [6.2.2.2](#) and [6.3.2.2](#)

Passengers will have free access to the parts of the passenger buildings and other installations open to the public. Premises may be rented out to railway undertakings in passenger buildings belonging to the national railway infrastructure, depending on the availabilities. Priority will be given to the public service.

5.3.1.2 Access to freight terminals

Access to freight terminals belonging to the Luxembourg rail network is included in the train path, under the conditions indicated below. However, the railway undertaking must make a request to use the goods terminals when the train path is requested. The tracks in the Mertert inland port also belong to the Luxembourg rail network.

The use of the Bettembourg container terminals and rail motorways must be covered by a separate contract with the terminal operator CFL TERMINALS.


Access to the freight terminals is, in theory, strictly limited to the time it takes to load and unload the train.

On each timetable change the infrastructure manager in conjunction with ACF and the concerned railway undertakings draws up a track occupation plan which is adapted when necessary. To limit conflicts, it takes into account the scheduled length of the trains and the shunting movements inside the freight terminals.

At the request of the railway undertaking and depending on the availabilities and traffic, extended parking in the freights terminals may be permitted. An authorization like this may be withdrawn at any time if changes in traffic, works or any other cause result in a limiting of the terminal capacity and make it impossible for other trains to be loaded and unloaded. The railway undertaking concerned will be notified of this decision as quickly as possible.

Extended parking of rolling stock which cannot remain in the freight terminals will be in the storage sidings provided for the purpose. The long-term parking of vehicles in freight terminals is on a paid basis, under the conditions and prices given in [6.2.2.3](#) and [6.3.2.3](#).

Point of contact for container terminal:

	CFL – TERMINALS s.a. Terminal Intermodal Eurohub Sud L-3434 Dudelange
Phone	+352 4996 0001
Fax	+352 4996 0150
E-mail	info@cfl-mm.lu



5.3.1.3 Marshalling yards and train formation facilities, inclusive shunting facilities

Access to the Bettembourg marshalling yard

Railway undertakings have the opportunity to marshal wagons in the Bettembourg marshalling yard. The infrastructure manager provides just marshalling operations to the exclusion of any manoeuvring services.

Access to the marshalling yard is included in the train path under the conditions given below. However, the railway undertaking has to make a request to use the marshalling yard when the train path is requested.

Access to the marshalling yard is limited in theory to the time strictly necessary to perform the scheduled operations such as the uncoupling of the arriving train, the preparing of a train for departure, coupling the locomotive to the train, technical inspection of the wagons and brake tests. No fee is charged for this.

The distribution of the capacities of the marshalling yard will be done so as not to obstruct branch line service. At the request of the railway undertaking, and depending on the availabilities and traffic, extended parking along the marshalling yard tracks may be granted and the fee relative to storage sidings will then apply. An authorization like this may be withdrawn at any time if changes in traffic, works, or any other causes result in a limiting of the marshalling yard capacity and make it impossible for other trains to use the marshalling yard tracks. The concerned railway undertaking concerned will be notified of this decision as quickly as possible.

Note that for dangerous materials, the Bettembourg marshalling yard comes under the amended law of 10 June 1999 for listed facilities and the Grand Duchy Regulation, amended 17 July 2000, concerning the control of dangers related to major accidents involving dangerous substances.

Accordingly, the railway infrastructure manager will have drawn up the necessary emergency plan. The current document of the Internal and External Emergency Plans (PUI/PUE) will be maintained overall and the infrastructure manager will continue to be in charge of it.

However, the railway undertakings are required to supply him with all the data needed to keep the documents up-to-date. In particular, any change being considered must be supplied in advance to the infrastructure manager so that he can guarantee the efficiency of the PUI/PUE in the event of its being triggered.

The railway undertakings are responsible for applying and keeping up to date the PUI/PUE procedures and their internal procedures, training their personnel, checking the knowledge of their personnel, organizing regular practices, and providing a suitable reaction in the event of any defects being found in the installations or the intervention equipment.

In the event of an incident involving dangerous materials, the various companies on the Bettembourg site must provide each other with mutual assistance.

Access to Train formation facilities

Access to the formation tracks is included in the train path under the conditions given below. However, the railway undertaking must make a request to use the formation tracks when the train path is requested.



Access to formation tracks is in theory limited to the time strictly necessary to perform the required operations, such as the formation and positioning of a departing train, change of locomotives or personnel, modification of train composition, delivery of train at branch. No fee is charged for this.

The infrastructure manager draws up a track occupation plan in conjunction with ACF and the railway undertakings concerned on each change of timetable, subsequently adapted to requirements. It allows for the scheduled length of the trains and for movement inside the formation yard, to limit conflicts.

At the request of the railway undertaking, and depending on the availabilities and traffic, extended parking along the formation tracks may be granted and the fee relative to the storage sidings will then apply. An authorization like this may be withdrawn at any time if the changes in traffic, works or any other causes result in a limiting of the formation yard capacity and make it impossible for other trains to use the formation tracks. The railway undertaking concerned will be notified of this decision as quickly as possible.

Extended parking of rolling stock which cannot remain on the formation tracks will be in the storage sidings provided for the purpose.

5.3.1.4 Storage sidings

A certain number of tracks are available in different stations for holding the rolling stock at the request of the railway undertakings. The prolonged parking of rolling stock on the holding tracks involves a fee payable under the conditions and at the prices given in [6.2.2.6](#) and [6.3.2.6](#).

In principle, no vehicles located for this specific purpose on the network or if they are no longer used, can be held on the Luxembourg rail network. Depending on the availabilities, waivers limited to a set term are possible. They must be agreed to between ACF and the railway undertaking. If the vehicles concerned are still on the Luxembourg rail network after the date limit provided for in the agreement, ACF may require repatriating them to the original network at the expense of the railway undertaking to which they belong.

Note that depending on the congestion of the storage sidings, ACF may restrict the parking rights. The priority granted to a railway undertaking in the attribution of holding tracks depends on the volume of traffic to or from the Grand Duchy of Luxembourg. Where applicable, it may be worthwhile for a railway undertaking to rent complete tracks by the month or by the year under the conditions and prices indicated in [6.2.2.6](#) and [6.3.2.6](#).

5.3.1.5 Maintenance facilities

The conditions for using the maintenance centre indicated in [3.8.3](#), second paragraph, are to be settled between the applicant and the owner of the maintenance centre.

Access to railway undertaking maintenance installations does not involve the payment of a fee regarding the Luxembourg rail network.

5.3.1.6 Other technical facilities, including cleaning and washing facilities

The Luxembourg rail network has a cleaning plant including a washing installation at the Storage and Maintenance Centre in Luxembourg.

Access to the cleaning plant by the Luxembourg rail network does not require the payment of a fee. The services provided by the infrastructure manager include the washing of the outside of the rolling stock with the automatic washing installation,



cleaning of the inside and special manual cleaning (removal of stains and graffiti, etc.). The price conditions for these services are given in [6.2.3.8](#) and [6.3.3.8](#).

5.3.1.7 *Maritime and inland port facilities*

Terms and conditions of the inland port in Mertert sub [3.6.7](#) have to be agreed between the applicant and the operator of the port.

Access to the port of Mertert does not involve the payment of a fee regarding the Luxembourg rail network. Service is normally done by shunting movements departing at Wasserbillig station.

Point of contact:

	Société du Port de Mertert S.A. Direction du Port L-6688 Mertert
Tél.	+352 74 04 64
Fax	+352 74 04 64 30
E-mail	info@portmertert.lu

5.3.1.8 *Supply of services in services facilities*

Relief facilities are listed in [3.6.8](#). Access to relief tracks needed for driver or traction change is free of charge.

5.3.1.9 *Refuelling facilities*

Access to the fuel supply infrastructure

If wanted, railway undertakings have access to the fuel supply station at the Luxembourg Holding and Maintenance Centre. The service of the installation is done by the railway undertaking personnel with access to it, using an electronic key provided by the infrastructure manager. The electronic key is dedicated to a clearly defined motive power unit and can only be used for that machine. In the event of the loss or destruction of the electronic key, a new key can be supplied for the costs of manufacturing it.

If necessary, refuelling can be supplied without an electronic key. This backup procedure will lead to the invoicing of a charge for manual processing, as defined in [6.2.3.2](#) and [6.3.3.2](#).

Access to the fuel supply infrastructure is limited to the time strictly needed to perform the refuelling operations.

The infrastructure manager draws up a track occupation plan in conjunction with ACF and the railway undertakings concerned on each change of timetable, subsequently adapted to requirements. Unscheduled refuelling is only possible during the remaining periods of time.

Access to the fuel supply infrastructure depends on payments under the conditions and at the prices indicated in [6.2.2.1](#) and [6.3.2.1](#).

Fuel supply



Railway undertakings who have access to the fuel supply station at the Luxembourg Storage and Maintenance Centre (cf. [5.3.2](#)) can obtain refuelling with rail diesel oil as per NBN 52716 (red dye).

The supply of fuel requires the payment of a fee under the conditions and at the prices given in [6.2.4.2](#) and [6.3.4.2](#).

5.3.2 Supply of services in service facilities

5.3.2.1 Shunting and other services

The infrastructure manager does not supply shunting services. These services can be subcontracted to another railway undertaking as long as the infrastructure manager and ACF are informed of it.

5.3.2.2 Other services

N/A

5.4 Additional Services

5.4.1 Traction current

The traction current is supplied by the railway infrastructure manager under the conditions and at the prices indicated in [6.2.4.1](#) and [6.3.4.1](#). It is considered as ordered with a request for an electric traction train path. Any change of traction type must be reported to the infrastructure manager and ACF.

5.4.2 Heating and air-conditioning of rolling stock

Railway undertakings can preheat / pre-air-condition the passenger trains, using the preheating connectors provided for the purpose in some stations. The track occupation plan drawn up by the infrastructure manager will take the related requests into consideration. This request must be made when the train path is requested for the train concerned.

This service requires the payment of a fee under the conditions and at the prices given in [6.2.4.3](#) and [6.3.4.3](#). This fee is also applied automatically to all electric traction passage of trains departing from the Grand Duchy of Luxembourg.

5.4.3 Services for exceptional transports and dangerous goods

Exceptional consignment advice and provision of tailor-made contracts concerning support for running special convoys

All exceptional consignments require the establishment and publishing of an exceptional consignment advice defining the conditions under which such transport is to be effected.

An advice notice of this type should be requested from the address listed below with the necessary indications according to UIC leaflet 502-1 and the following values defined in UIC leaflet 505-1:

- the coefficient of flexibility (s),
- the height of the roll centre (h_c),



- the lateral play between axle and bogie frame or between axle and vehicle body in the case of axle vehicles (q),
- the lateral play between bogie and vehicle body (w)

are mandatory in the request if they are different from the following standard values :

- s = 0.1
- hc = 500 mm
- q+w= 25 mm.

In addition, the information “if the weight limit category D4 according to leaflet UIC 700 is respected or not” is always mandatory.

Deadlines to be met:

According to the category of the exceptional transport, the following deadlines are to be met for the concerning request:


Category C: **3 workdays** prior to the date of entry into force under condition that all needed information concerning RU and/or IM is available.

Category G: **10 workdays** prior to the date of entry into force under condition that all needed information concerning RU and/or IM is available.

Categorie L: **8 workdays** prior to the date of entry into force under condition that all needed information concerning RU and/or IM is available.

Special Exceptional Transports: deadlines are fixed individually according to the dimension of the studies.

Point of contact:

	Société Nationale des Chemins de Fer Luxembourgeois Service Gestion Infrastructure Division Planification Exploitation GI-PE4 B.P. 1803 L-1018 Luxembourg
Phone	+352 4990 5464
Email	gi.ate@cf.lux

If an exceptional consignment requires special measures requiring support from the infrastructure manager, the circulation of this exceptional consignment will lead to the drawing up of a tailor-made contract under the conditions and at the prices given in [6.2.4.5](#) and [6.3.4.5](#).

5.4.4 Other Additional services

N/A



5.5 Ancillary services

5.5.1 Access to telecommunication network

N/A

5.5.2 Provision of supplementary information

N/A

5.5.3 Technical inspection of rolling stock

N/A

5.5.4 Access to the telecommunication network

N/A

5.5.5 Ticketing services in passenger stations

N/A

5.5.6 Specialized heavy maintenance services

N/A

5.5.7 Other ancillary services

N/A



Chapter 6 CHARGING

6.1 Charging principles

The following gives the charging principles both for the fees charged for minimum services included in the allocated train path under the conditions defined in [chapter 4](#) and listed under [5.2](#) and the fees associated with access to the service facilities [\(5.3\)](#) and additional services provided by the infrastructure manager [\(5.4\)](#).

6.1.1 *Minimum access package*

The fee collected for all the minimum services equals the cost directly due to operation of the railway service and a fee related to the rarity of the capacities. It includes the following elements:

- An element associated to the administrative treatment of the train path request;

For regular train paths, this fee covers the administrative treatment associated with the request for a train path reserved for a given period of time. For extraordinary train paths, preconstructed or tailor-made, the fee covers the administrative treatment associated with the request for the train path **calculated for each train separately**.

This part of the fee is due as soon as there is a formal request for a train path, even if a favourable outcome could not be found for the request.

- An element associated with the operation of the train path.
- An element associated with the rarity of capacities in sections declared to be congested and crossed by the train path during saturation periods.

6.1.2 *Track access to facilities referred to in [5.3.1](#)*

The fees received for access to service infrastructures equal the cost that can be imputed directly to operating the railway service and include a fee for the rarity of access infrastructure capacities.

6.1.3 *Services referred in [5.3.2](#)*

Services available in service infrastructures and for which the supply is not included in the fees collected for access to the service infrastructures are referred to in [6.1.4](#) below.

6.1.4 *Additional services*

The fees levied for additional services are linked with the cost of the service calculated according to the real degree of its use.

6.1.5 *Ancillary services*

N/A



6.2 Charging system

The following gives the formulas used as a basis for calculating both for the fees charged for minimum services included in the allocated train path under the conditions defined in [chapter 4](#) and listed under [5.2](#) and the fees associated with access to the service infrastructures ([5.3](#)) and complementary services provided by the infrastructure manager ([5.4](#)).

6.2.1 Minimum services

6.2.1.1 Formula structure

The structure of the fee formula for using the infrastructure for a given train path is as follows:

$$U = A + C + S$$

where

- U corresponds to the user fee for the train path in question [€/train path];
- A is associated to the administrative treatment of train path request [€/train path];
- C corresponds to the cost due directly to the running of the train path [€/train path];
- S is a capacity rarity fee if the train path uses a congested section [€/train path].

6.2.1.2 Fee associated with the administrative cost of reserving the train path (A)

A distinction is made between three types of train paths with increasing administrative reservation costs:

- regular train paths
- preconstructed extraordinary train path;
- tailor-made extraordinary train path.

6.2.1.3 Fee associated with cost directly due for operation (track wear)

The fee associated to the running train path C is calculated on the basis of the product of a unit price, the length of the train path, a factor associated with the weight of the train and a factor associated with the type of train in question.

$$C = \bar{c} \cdot L \cdot \alpha_i \cdot \beta_j$$

where

- \bar{c} Is the average cost per unit associated with the use of the path [€/km];
- L Is the total length of the train path [km];



α_j is a modulation factor related to the total weight (train + load hauled) of the train for freight trains and running light and the number of body's for passenger trains [without dimension];

β_j is a modulation factor related to the train category [without dimension]. The train categories and the corresponding value of the factor are defined according to the loads per axle, the average speed of the trains and the level of service required by the different train categories. A distinction is made between the following categories:

- Normal freight train;
- Combined traffic trains;
- Motor-driven passenger train (including railcar or power car running light);
- passenger trains with locomotive;
- running light locomotive.

6.2.1.4 *Rarity fee (infrastructure congestion)*

This fee is calculated on the basis of a congestion factor product, the length of the section declared to be congested, a rigidity coefficients and a reservation time coefficient.

The rigidity coefficient depends on the difference between the basic running of the train and the running of the train as estimated on the basis of the application of the service timetable.

The reservation time coefficient depends on the time included between the initial request for the train path made by the railway undertaking to the allocation body and the scheduled date for the first train path in question.

$$S = \left(\sum_i (s_i \cdot L_i) \right) \cdot \gamma_j \cdot \delta_k$$

where

s_i is the section congestion factor i , for the section declared to be congested and crossed by the train path during the saturation period [€/km];

L_i is the length of the section [km];

γ_j is the rigidity coefficient based on the train timetable margin proposed by the allocation body and accepted by the railway undertaking [without dimension].

δ_k is the train path reservation time coefficient [without dimension].

The rarity fee is claimed only for train paths which use, during the saturation period, a section of the infrastructure declared to be congested.

For all unsaturated sections, by definition, $s_i = 0$.



6.2.1.5 Use of electric supply system for traction current

The fee associated with the use of the electric supply system for traction current is defined as the product of a single rate and the distance over which the electric supply system is used.

$$E = c_E \cdot L_E$$

where

E is the fee for using the electric supply system for traction current [€];

c_E is the individual fee [€/tr.km electric];

L_E is the length of the train path used for electric traction [tr.km electric].

6.2.2 Access to the service infrastructures

6.2.2.1 Access to fuel supply infrastructures

The fee associated with access to the fuel supply station at the Luxembourg Storage and Maintenance Centre and its use is defined in the product of a single rate per operation and the number of refuelling operations.

$$G_A = c_{G,A} \cdot N$$

where

G_A is the access fee [€];

$c_{G,A}$ is the charge per operation [€/operation];

N is the number of refuelling operations.

6.2.2.2 Access to passenger stations, their buildings and other infrastructures

The charge associated with access to passenger stations, their buildings and the other infrastructures associated with them is defined as the product of a single rate per vehicle and the number of full days of use. Started days are not taken into consideration.

This is a congestion rate and the wear of the installations is included in the charge for the train paths and the use of the electric traction installations.

The formula used is as follows:

$$G_V = c_{G,V} \cdot T$$

where



G_v is the access charge [€];

$C_{G,v}$ is the daily charge [€/day];

T is the time during which the service infrastructure is used [full days].

For vehicles having a length over buffers of more than 27 m, this charge will be applied for every started 20 m long section. If the railway undertaking does not supply any data, invoicing will be based on the effective length of the occupied track (number of sections of 20 m).

6.2.2.3 Access to goods terminals

The charge associated with access to goods terminals is defined as being the product of a single rate per wagon and the number of full days of use. Started days are not taken into consideration.

This is a congestion rate and the wear of the installations is included in the charge for the train paths and the use of the electric traction installations.

The formula used is as follows:

$$G_m = C_{G,m} \cdot T$$

where

G_m is the access charge [€];

$C_{G,m}$ is the daily charge [€/jour];

T is the time during which the service infrastructure is used [full days].

For vehicles having a length over buffers of more than 27 m, this charge will be applied for every 20 m long section started. If the railway undertaking does not supply any data, invoicing will be based on the effective length of the occupied track (number of sections of 20 m).

6.2.2.4 Access to Bettembourg marshalling yards

As the infrastructure manager does not supply manoeuvring services, access to the Bettembourg marshalling yard will not generate the invoicing of a charge. The wear of the installations is included in the pricing of the train paths and the use of the electric traction installations.

However, in the event of authorized extended parking, an access fee to the holding tracks is applied.

6.2.2.5 Access to formation tracks

As the infrastructure manager does not supply shunting services, access to the formation tracks does not generate the invoicing of a charge. The wear of the installations is included in the pricing of the train paths and the use of the electric traction installations as well.



However, in the event of authorized extended parking, an access fee to the holding tracks is applied.

6.2.2.6 Access to storage tracks

The charge associated with access to storage tracks is defined as being the product of a single rate per wagon and the number of full days of use. Started days are not taken into consideration.

This is a congestion rate and the wear of the installations is included in the charge for the train paths and the use of the electric traction installations.

The formula used is as follows:

$$G_r = c_{G,r} \cdot T$$

where

G_r is the access charge [€];

$c_{G,r}$ is the daily charge [€/day];

T is the time during which the service infrastructure is used [full days].

For vehicles having a length over buffers of more than 27 m, this charge will be applied for every started 20 m long section. If the railway undertaking does not supply any data, invoicing will be based on the effective length of the occupied track (number of sections of 20 m).

In the case of the monthly rental of a complete track, the applied charge will be equivalent to 20 days of daily rental.

In the case of the annual rental of a complete track, the applied charge will be equivalent to 200 days of daily rental.

6.2.2.7 Access to maintenance centres and other technical infrastructures

Access from the Luxembourg rail network to the cleaning plant in Luxembourg station and the maintenance centres of the railway undertakings mentioned in [5.3.8](#) does not require payment of a charge and the wearing of the station installations is included in the train path rates and the use of the electric traction installation. Access does not include use of the Luxembourg cleaning plant or of the maintenance centres. The use of the maintenance centres must be agreed to between the applicant and the railway undertakings concerned.

6.2.3 Services supplied at service infrastructures

The services available at the service infrastructures and whose supplies are not included in the charges levied for access by the network to the service infrastructures are given in [6.2.4](#) below.

6.2.3.1 Electric supply for traction current

For electric traction energy: see [6.2.4.1](#).



6.2.3.2 Access to fuel supply and fuel supply

The charge associated for the access to the fuel supply post in the Luxembourg Storage and Maintenance centre (cf. [6.2.2.2](#)) includes its use by way of an electronic key.

The charge for manual processing payable for refuelling operations without an electronic key is set as the product of an individual charge per operation and the number of refuelling operations without an electronic key.

$$T_{tm} = t_{tm} \cdot N$$

where

T_{tm} is the manual processing charge [€];

t_{tm} is the charge per operation [€/operation];

N is the number of refuelling operations without an electronic key.

The charge associated with the supply of fuel is fluctuating and fixed according to the cost price. It equals the maximum price for agricultural diesel fixed by the Ministry of Economy.

6.2.3.3 Passenger stations

The charge for access to passenger stations, the buildings and the other associated infrastructures (cf. [6.2.2.2](#)) includes the use of the tracks, platforms and areas open to the public, including elevators and escalators. It also includes the posting of departing trains according to the available installations, and announcement for trains departing from Luxembourg station and an announcement of major disturbances on the platforms, depending on the availabilities.

6.2.3.4 Freight terminals

The charge for access to freight terminals (cf. [6.2.2.3](#)) includes the use of the loading platforms and tracks.

The pricing for the use of the Bettembourg container and rail motorway terminals can be obtained from the operators whose particulars are given in [5.3.1.2](#).

The pricing for the use of the Mertert port installations, other than the railway tracks, can be obtained from the operators whose particulars are given in [5.3.1.7](#).

6.2.3.5 Bettembourg marshalling yards

Access to the Bettembourg marshalling yards (cf. [6.2.2.4](#)) includes the use of the marshalling and brake testing installations.



6.2.3.6 *Formation tracks*

Access to the formation tracks (cf. [6.2.2.5](#)) includes the use of the tracks.

6.2.3.7 *Storage sidings*

The charge associated with the use of the storage sidings (cf. [6.2.2.6](#)) includes the use of the tracks.

6.2.3.8 *Maintenance centres and other technical infrastructures*

a) Exterior washing installation

The rolling stock exterior washing service using the automatic washing installation is provided by the infrastructure manager against payment of a flat fee per washed body.

$$G_L = c_{G,L} \cdot N$$

où

G_L is the price for washing [€];

$c_{G,L}$ is the unit price per body [€/body];

N is the number of washed bodies.

b) Interior cleaning

Interior cleaning services are provided by the infrastructure manager against payment of an amount calculated on the base of a quote which depends on the level of services requested by the railway undertaking.

c) Special cleaning

Special cleaning services are provided by the infrastructure manager against payment of an amount calculated on the base of a quote which depends on the services requested by the railway undertaking.

6.2.4 *Additional services*

6.2.4.1 *Traction current*

The cost of the electric traction power is apportioned on the running trains using the following distribution key.

The charge associated with the use of traction current is defined as the product of a single rate, a factor linked with the weight of the train, a factor linked with the average speed of the train without stops, a factor related to the scheduled number of stops and the peak coefficient.

The average speed excluding stops is defined as the average speed given in the service timetable less the time for stops included in the service timetable.



The number of stops to be taken into consideration is the number of starts provided for in the timetable. For a transit train without any scheduled stop on the Luxembourg rail network, this number is set at one.

The peak coefficient is applied if on the basis of the service schedule, at least half the total train traveling time in question on the network falls within the peak period.

$$C_E = \bar{C}_E \cdot \varepsilon_i \cdot \phi_f^2 \cdot N_A \cdot \eta_i$$

where

C_E Traction current cost for a given train path for a given train [€];

\bar{C}_E Unit cost of electric traction [€/ton];

ε_i Modulation factor related to total train weight [tons];

ϕ_f^2 Factor related to technical train speed, less time for stops [without dimension];

N_A Factor related to the number of starts [without dimension];

η_i Factor stipulating the impact of the peak coefficient [without dimension].

Each year, ACF will total up the amounts paid by the infrastructure managers to suppliers for electric traction energy and charges collected for the use of the traction current.

If the amount of the collected charges is less than the total paid by the infrastructure manager to its suppliers, the difference will be invoiced to the railway undertakings in proportion to the charges already collected.

If the amount of the collected charges is greater than the total paid by the infrastructure manager to its suppliers, the difference will be credited to the railway undertakings in proportion to the charges already collected.

6.2.4.2 Rolling stock heating and air-conditioning

The charge associated with the (pre-) heating or the (pre-) air-conditioning of the cars and motor coaches is set as the product of a single rate and the number of cars or motor coach or railcar elements (pre-) heated or (pre-) air-conditioned.

$$C_c = \bar{C}_c \cdot V$$

where

V is the number of passenger cars, motor coach or railcar elements (pre-) heated or (pre-) air-conditioned;

\bar{C}_c is the average cost for pre-heating and pre-air-conditioning of one passenger car or an element.

This charge is applied to trains using the preheating installations and electric traction passenger trains departing from the Grand Duchy of Luxembourg.



6.2.4.3 Shunting services

Not available

6.2.4.4 Exceptional consignments notice and provision of tailor-made contracts for special consignment running assistance

The charge for drawing up an exceptional consignment notice is set as the product of a price per hour and the time required studying the file and drawing up the documents as such.

The charge associated with the provision of tailor-made contracts for assistance with the circulation of special consignments is based on a prior quote.

The cost of the quote is defined as the product of a rate per hour and the time needed to draw up the contract.

The formula used is as follows:

$$G_s = c_{G,s} \cdot T$$

where

G_s is the charge for drawing up the contract [€];

$c_{G,s}$ is the hourly charge [€/hour];

T Is the working time required to study the file and draw up the exceptional consignment notice or the contract [hours].



6.3 Tariffs

This section provides information about the basic rates and the values of the various parameters defined in part [6.2](#) entering into the price calculation.

All the prices are given in € exclusive of VAT. For the distances (L) see [chapter 3](#) (description of infrastructure).

6.3.1 Minimum access package

6.3.1.1 Charge associated with administrative cost of train path reservation (A)

A distinction is made between three types of train paths. They are associated with the increasing reservation administrative costs:

Type of train path	2019	2018	
Preconstructed*	9,38	9,38	€/train path
Extraordinary	18,77	18,77	€/train path
Regular (in yearly timetable)	112,89	112,89	€/train path

*Preconstructed Path ordered in the remaining Capacity

6.3.1.2 Charge associated with cost directly charged for operation (C)

a) Charge associated with cost directly charged for operation (C):

	2019	2018	
C	1,817	1,817	€/train km

b) Modulation factor varying according to train weight (α_i)

Freight trains

Weight category	Associated average weight (tons)	Factor α_i
0-400	200	0,8528
400-800	600	1,1858
800-1200	1000	1,3822
1200-1600	1400	1,5290
1600-2000	1800	1,6487
2000-2400	2200	1,7510
2400-2800	2600	1,8410



2800-3200	3000	2,0510
3200-3600	3400	2.2276
3600-4000	3800	2.4503
>4000	4200	2.6954

Running light locomotives

Weight category	Associated average weight (tons)	Factor α_i
Running light	100	0,6927

- c) Modulation factor varying according to number of trained bodies (α_i)

Towed passenger trains

Number of bodies	Masse Associated average weight (tons)	Factor α_i
1-2	150	0,7823
3-4	230	0,8894
5-6	340	1,0000
7-8	450	1,0877
>8	560	1,1615

Passenger train with motor coach

Number of bodies	Masse Associated average weight (tons)	Factor α_i
1-2	100	0,6927
3-4	230	0,8894
5-6	360	1,0173
7-8	490	1,1159
>8	620	1,1975

- d) Modulation factor varying according to train category (β_j)

Type of train	Factor β_j
Combined traffic freight train	0,3501



Other freight train	0,3747
Passenger train with motor coach (including running light)	1,0801
Passenger train towed by locomotive (including running light)	1,0355
Running light locomotive	0,4488

6.3.1.3 *Rarity charge (infrastructure congestion)*

- a) Modulation factor S_i linked with congestion of line section crossed by train path

	2019	2018	
during saturation period	18,17	18,17	€/km
during normal traffic period	0	0	€/km

Lines declared to be saturated: none

Saturation periods: none

- b) Rigidity factor (γ_i)

Time	Factor γ_i
<3 minutes	100%
between 3 and 5 minutes	37,50%
between 5 and 10 minutes	20,00%
between 10 and 15 minutes	12,00%
between 15 and 20 minutes	8,60%
between 20 and 30 minutes	6,00%
between 30 and 40 minutes	4,30%
between 40 and 50 minutes	3,30%
between 50 and 60 minutes	2,70%
>60 minutes	2,50%

- c) Train path reservation time factor

$$\delta_k = 1$$



6.3.1.4 Use of electric supply system for traction current

	2019	2018	
C _E	0,1947	01947	€/train km

6.3.2 Track access to service facilities

6.3.2.1 Access to fuel supply infrastructures

	2019	2018	
C _{G,A}	3,10	3,10	€/operation

6.3.2.2 Access to passenger stations, their buildings and other infrastructures

	2019	2018	
C _{G,v}	3,10	3,10	€/day

6.3.2.3 Access to goods terminals

	2019	2018	
C _{G,m}	3,10	3,10	€/day

6.3.2.4 Access to Bettembourg marshalling yard

Included in minimum service.

6.3.2.5 Access to formation tracks

Included in minimum service.

6.3.2.6 Access to storage tracks

	2019	2018	
C _{G,r}	3,10	3,10	€/day

6.3.2.7 Access to maintenance centres and other technical infrastructures

Not applicable.



6.3.3 Services supplied at service infrastructures

The services available at the service infrastructures and whose supply is not included in the charges levied for access by the network to the service infrastructures are given in [6.3.4](#) below.

6.3.3.1 Traction current electric power

Not applicable.

6.3.3.2 Acces to Fuel supply

	2019	2018	
t_{tm}	59,23	59,23	€/operation

6.3.3.3 Fuel supply

Price of the day.

6.3.3.4 Passenger stations

Not applicable.

6.3.3.5 Goods stations and railway ports

Not applicable.

The pricing for the use of the Bettembourg container and rail motorway terminals can be obtained from the operators whose particulars are given in [5.3.1.2](#).

The pricing for the use of the Merttert port installations, other than the railway tracks, can be obtained from the operators whose particulars are given in [5.3.1.7](#).

6.3.3.6 Bettembourg marshalling yard

Not applicable.

6.3.3.7 Formation stations

Not applicable.

6.3.3.8 Storage sidings

Not applicable.



6.3.3.9 Maintenance centres and other technical infrastructures

a) Exterior washing installation

	2019	2018	
CG,L	260,00	260,00	€/body

6.3.4 Additional services

6.3.4.1 Traction current

a) Traction energy unit cost

	2019	2018	
CE	0,0151	0,0151	€/tons

b) Factor linked with train weight (ε_i)

Freight train

Weight category (t)	Factor ε_i (tons)
0-400	200
400-800	600
800-1200	1000
1200-1600	1400
1600-2000	1800
2000-2400	2200
2400-2800	2600
2800-3200	3000
2300-3600	3400
3600-4000	3800
>4000	4200



Running light locomotives

Weight category	Factor ε_i (tons)
Running light	100

- c) Factor linked with number of train bodies (ε_i)

Towed passenger train

Number of bodies	Factor ε_i (ton)
1-2	150
3-4	230
5-6	340
7-8	450
>8	560

Passenger train with motor coach

Number of bodies	Factor ε_i (tons)
1-2	100
3-4	230
5-6	360
7-8	490
>8	620

- d) Factor linked with train speed (ϕ_j^2)

Standard speed (km/h)	Factor ϕ_j^2	Standard speed (km/h)	Factor ϕ_j^2
5 and less	0,0069	85	2,0069
10	0,0278	90	2,2500
15	0,0625	95	2,5069
20	0,1111	100	2,7778
25	0,1736	105	3,0625



Standard speed (km/h)	Factor ϕ_f^2	Standard speed (km/h)	Factor ϕ_f^2
30	0,2500	110	3,3611
35	0,3403	115	3,6736
40	0,4444	120	4,0000
45	0,5625	125	4,3403
50	0,6944	130	4,6944
55	0,8403	135	5,0625
60	1,0000	140	5,4444
65	1,1736	145	5,8403
70	1,3611	150	6,2500
75	1,5625	155	6,6736
80	1,7778	160	7,1111

e) Impact of number of scheduled stops

The NA factor equals the number of starts scheduled in service timetable.

For a train in transit with no stop scheduled on Luxembourg rail network NA = 1.

f) Factor stipulating impact of peak coefficient (η_l)

For the 2019 period, there is no scheduled peak coefficient: $\eta_l = 1$.

6.3.4.2 Pre-heating and heating of rolling stock

	2019	2018	
C _c	0,6865	0,6865	€/car or element

6.3.4.3 Shunting services

Not applicable.

6.3.4.4 Exceptional transports notice and provision of tailor-made contracts for special consignment running assistance

	2019	2018	
C _{G,s}	98,14	98,14	€/h



6.4 Financial penalties and Incentives

Regardless of the possibility to withdraw a train path in case of under-use foreseen in [4.6](#), ACF will apply the following rules:

6.4.1 Non usage Charges

6.4.1.1 Extraordinary and facultative train paths

In the case of failing cancellation advice before the scheduled time (no show), the account paid according to [6.7.1.1](#) is lost and an additional penalty of 50% of the account is applied.

6.4.1.2 Regular train paths

In the case of failing cancellation advice before the scheduled time (no show), the amount covering the administrative costs plus 100% of the amount paid previously as a monthly advance [6.7.1.2](#) will remain acquired by the Fonds du Rail and an additional penalty of 50% of the monthly advance will be applied.

6.4.2 Cancellation fees

6.4.2.1 Extraordinary and facultative train paths

To avoid reservation cancellations limiting effective coordination possibilities of path reservation requests, the following cancellation conditions apply:

- If the cancellation is notified at least 30 calendar days before the scheduled date train running, the account, minus the administrative costs, will be returned;
- If the cancellation is notified less than 30 calendar days before the scheduled date of train running, but at the latest on the third day before the scheduled date of travel, 50% of the account according to [6.7.1.1](#), minus the administrative costs, will be returned;
- If cancellation is notified after the third day before the scheduled date of train running, but before the scheduled time, the complete account according to [6.7.1.1](#) is lost..

6.4.2.2 Regular train paths

To encourage effective use of the capacity, the following cancellation conditions apply:

- If the cancellation is notified at least 30 calendar days before the scheduled running date, no penalty will be due and only the amount covering the administrative costs will be acquired by the Fonds du Rail.
- If the cancellation is notified less than 30 calendar days before the scheduled running date but at the latest on the first day before the scheduled running date, the amount covering the administrative costs plus 50% of the amounts previously paid as a company advanced [6.7.1.2](#) will be acquired by the Fonds du Rail as a penalty for the cancelled train paths;
- If cancellation is notified after the third day before the scheduled running date but before the scheduled running time, the amount covering the administrative costs and 100% of the amount previously paid as a monthly advance will remain acquired by the Fonds du Rail as a penalty;



6.4.3 Reduction fee for Framework Agreements

N/A

6.4.4 ERTMS Discounts

N/A

6.5 Performance scheme

A performance regime is applied to all the trains belonging to railway undertakings, running on the Luxembourg rail network. This system will apply penalties and compensations on the basis of the following principles.

6.5.1 Principles

Trains whose delay on arriving at the destination station (for a destination in the Luxembourg rail network) or departing from a border station (for trains leaving the Luxembourg rail network) is greater than a threshold defined in [6.5.1.1](#) leads to the totalling of penalties and compensations, determined as indicated in [6.5.1.2](#).

6.5.1.1 Acknowledgment threshold

To be taken into consideration for calculating penalties or compensation, the train must have arrived at destination or departed from the border station with a delay strictly greater than the threshold value defined in a). The train delay taken into account for the decision is the delay as defined in b).

a) Threshold value

The threshold value depends on the train category and equals:

- For passenger trains: 10 minutes
- For freight and running light locomotives: 60 minutes.

b) Determination of delay

- The delay taken into account is the delay in minutes rounded off to the lowest integer value minus delays excluded as per c)

c) Exclusions

The following train delays are not considered:

- Delays due to external causes according to data sheand UIC 450-2.
- Delay due to secondary causes according to data sheand UIC 450-2.
- Delays of trains entering the Luxembourg rail network except for delays due to the Luxembourg rail network.
- Delays of trains departing from border stations (for trains leaving the Luxembourg rail network) due to the following rail network.



6.5.1.2 Penalties and compensations

a) Sharing of responsibilities

Penalties and compensations are calculated on the basis of delays and causes of delays recorded using data sheand UIC 450-2. Responsibly sharing is carried out according to the assignment of the causes of delays of data sheand UIC 450-2..

b) Calculation of penalties and compensations

To calculate penalties and compensations, all the minutes of delay measured are taken into consideration, except for those listed under c) of point [6.5.1.1](#). The penalty value for each train concerned is determined by the following formula:

$$P_R = (r_{EF} - r_{GI}) \cdot c_R$$

where

P_R is the penalty invoiced to the railway undertaking [€];

r_{EF} is the sum of the delays due to the railway undertaking [minutes];

r_{GI} is the sum of the delays due to the infrastructure manager [minutes];

c_R is the price per unit per minute of delay [€/minute];

the value of c_R is sand at 0.10 €/minute

A negative value of P_R leads to compensation credited to the account of the railway undertaking.

c) Limitation of penalties and compensations

The maximum value of penalties and compensations taken into account for a given train equals the advance or the account payment less the administrative cost counted according to [6.7.1](#) for the train path used.

d) Methods of payment

Penalties and compensations are paid every month with the infrastructure charges.

6.5.1.3 Recovery of delays

In the event of the delay being recovered, i.e. if the delay on arrival at destination or on departure from the border station determined according to [6.5.1.1](#) is less than the sum of the delays input and taking into account according to [6.5.1.2](#), while remaining greater than the acknowledgment threshold, then the recovered delay will be booked on equal shares in favour of the infrastructure manager and the railway undertaking.

6.5.1.4 Cancelling of trains

a) Train cancellation by the railway undertaking

In the event of a train being cancelled by the railway undertaking before its departure from the origin station or its arrival on the Luxembourg rail network, the railway



undertaking will not be invoiced for any penalty other than that provided for in [6.7.1](#). Except in a case of force majeure, if a train is unable to complete its scheduled run because of the railway undertaking, a penalty equal to the advance or the account payments, administrative costs deducted, according to [6.7.1](#) for the used train path is invoiced to the railway undertaking.

b) Train cancellation by the infrastructure manager

Except in cases of force majeure, and without prejudice to the provisions of point [6.7.1.4](#), if a train is unable to terminate its scheduled route due to the infrastructure manager or if a train is unable to run because of the cancellation of the train path by the infrastructure manager, without this cancellation having been programmed at the latest 3 days before the scheduled running date, the railway undertaking will be credited with compensation equivalent to the advance or account payment, administrative cost deducted, according to [6.7.1](#) for the train path used.

The calculation of penalties and compensations does not include path cancellations due to external or secondary causes under the terms of datasheand UIC 450-2 or originating from another rail network.

6.5.2 Process

6.5.2.1 Record of delays and causes

Delays and cancellation of trains are assigned to causes according to data sheand UIC 450-2. Notwithstanding the provisions of point [6.5.2.3](#), any unassigned delays are considered to have been caused by the infrastructure manager.

The day after the running day of the trains, lists of all trains whose delay on arrival at destination (for a destination in the Luxembourg rail network) or departing from a border station (for trains leaving the Luxembourg rail network) is greater than the threshold defined in [6.5.1.1](#) as well as lists of all the trains eliminated entirely or over part of their routes under the conditions referred to in point [6.5.1.4](#) are extracted from the databases. These lists are controlled and validated by ACF.

6.5.2.2 Validation of delays and causes

The lists validated by ACF are made available to the railway undertakings concerned for validation by computer processing. railway undertakings then have 5 working days to validate or contest the delays and causes transmitted in this way. If there was no claim made within the prescribed times, the data is considered valid.

6.5.2.3 Processing of doubtful cases

If responsibility for a delay or a train cancellation cannot be determined, the delay or cancellation will not be taken into consideration for calculating the penalties and compensations.

6.5.2.4 Claim processing

In the event of a claim for a delay or a cause of delay or a train cancellation, after consulting the parties concerned if necessary, ACF can,

- either accept the claim and correct the data claimed against;
- or consider the case as doubtful and apply the provisions of point [6.5.2.3](#);



- or reject the claim.

ACF's decision may lead to recourse action as provided for in [6.5.3](#).

6.5.3 Recourse action with the Regulator

A railway undertaking can appeal to the Regulator ([cf. 1.4.3](#)) if it considers to be the victim of an unfair treatment, discrimination or any other prejudice in the application of the performance scheme.

6.6 Changes to charges

The charges defined in this chapter are valid for the 2019 timetable period from 9 December 2018 until 14 December 2019 inclusive and applicable prices are those of the 2018 columns up to 31.12.2018 and those of the 2019 columns starting from 1.1.2019.

Price adjustments for 2019 will be implemented in autumn of 2018, after assessing the maintenance and infrastructure renewal costs in 2017.

6.7 Billing Arrangements

Railway infrastructure charges will be invoiced and collected each month for the Fonds du Rail by the infrastructure manager under the control of the ACF.

6.7.1 Minimum services

To avoid the abusive reservation of train paths, the terms of payment described below apply to the reservation of the train paths. All indications of lead times, dates and times in this section refer to Luxembourg time and date.

6.7.1.1 Optional and extraordinary train paths

a) Account

On reservation of the train path, the customer pays an account to cover:

- administrative cost (A), which is acquired by the Fonds du Rail, and
- 25% of the estimated cost for use of the infrastructure (C+S). This total amount is calculated on the predicted weight base of the train.

Any additional costs are not taken into consideration in determining the amount of the account payment.

b) Adjustment of charge

After the train has run, the total amount due is calculated on the basis of the real weight of the train. Nevertheless, this total amount cannot be less than the account. Where applicable, the payment of the balance due will be claimed.

c) Cancellation of reservation

To avoid reservation cancellations limiting effective coordination possibilities of path reservation requests, the following cancellation conditions apply:



- If the cancellation is made at least 30 calendar days before the scheduled running date, the account, minus the administrative costs, will be returned;
- If the cancellation is notified less than 30 calendar days before the scheduled running date, but at the latest on the third day before the scheduled running date, 50% of the account, minus the administrative costs, will be returned;
- If the cancellation is notified after the third day before the scheduled running date, but before the scheduled time, the account is lost;
- If the cancellation is not notified before the scheduled time (no show), the account is lost and an additional penalty of 50% of the account is applied.

6.7.1.2 Regular train paths

For reserving regular train paths the fact that these train paths are typically reserved for a timetable is taken into account. The following conditions, based on the monthly setting of payments, then apply:

a) Account on the reservation

On reservation of the train path, the customer pays an account to cover:

The total annual administrative costs (A), which are acquired by Fonds du Rail, and

- 25% of the estimated cost for the first month of use of the infrastructure (C+S). This total amount is calculated on the predicted weight base of the train.

b) Monthly advance

Every month, the customer pays a 25% monthly advance calculated on the estimated cost base for use of the infrastructure (C+S) during the following month. This amount is calculated on the predicted weight base of the train.

c) Adjustment of charge

At the end of each month, after the trains have travelled, the total amount due for the elapsed month is calculated on

- the real weight of the trains. The total amount obtained in this way cannot however be less than 25% of the estimated amount used as a basis for calculating the monthly advanced, allowing for the cancellation conditions described below;
- possible cancellations.

d) Partial cancellation of the reservation

To encourage effective use of the capacity, the following cancellation conditions apply:

- If the cancellation is notified at least 30 calendar days before the scheduled running date, no penalty will be due and only the amount covering the administrative costs will be acquired by the Fonds du Rail.
- If the cancellation is notified less than 30 calendar days before the scheduled running date but at the latest on the first day before the scheduled running date, the amount covering the administrative costs plus 50% of the amounts previously paid as advance will remain acquired by the Fonds du Rail as a penalty.



- If the cancellation is notified after the third day before the scheduled running date but before the scheduled time, the amount covering the administrative costs and 100% of the amount previously paid as a monthly advance will remain acquired by the Fonds du Rail as a penalty;
 - If the cancellation is not notified before the scheduled running time the date of departure of the train (no show), the amount covering the administrative costs plus 100% of the amount paid previously as a monthly advance will remain acquired by the Fonds du Rail and an additional penalty of 50% of the monthly advance will be applied.
- e) Complete cancellation of the reservation

This case refers to the cancellation of an entire regular train path for the entire duration of the time period concerned. A distinction is made between the following modalities:

- If the cancellation is notified at least 30 calendar days before the scheduled running date, no penalty will be due and only the amount covering the administrative costs will be acquired by the Fonds du Rail.
- If the cancellation is notified less than 30 calendar days before the scheduled running date, the penalty due is estimated on the basis of modalities provided for above for all the train paths concerned during the month following the date on which the cancellation is notified.

6.7.1.3 Modifications

All request to modify a train path done by a customer must be considered for pricing purposes as a cancellation followed by another reservation.

6.7.1.4 Cancellations by the infrastructure manager

Except in cases of force majeure, if a train is unable to run because of the infrastructure manager, the account, minus administrative costs, will be paid back.

6.7.2 Access to service infrastructures and services supplied

Invoicing is based on the services actually provided. No account is due.

6.7.3 Additional services

Invoicing is based on the services actually provided. No account is due.