

## **APPENDIX 6.9**

# **RULES FOR THE MANAGEMENT OF THE RECIPROCAL INCENTIVE SYSTEM**

## FOREWORD

This appendix aims to present the management rules applied for the implementation of the reciprocal incentive system, in particular the exemption cases defined for SNCF Réseau and train path applicants as well as the alignment of certain data with reality.

It completes the objectives and principles of the reciprocal incentive system as defined under § 6.3 of the Network Statement (NS) for each Timetable Y.

### 1. THE INFORMATION SYSTEM FOR MONITORING THE SCHEME (SI IR)

The SI IR bases itself on the data issued from the following ISs:

- Houat (daily frequency)
- KP –weekly frequency
- Gesico (in real time)
- DSDM (in real time)

The SI IR monitors the modification and return requests made by train path applicants as well as significant modifications and cancellations made by SNCF Réseau for the allocated train path-days, as well as the switch to the allocated or non-allocated status for train path-days under examination. This monitoring applies for train path-days included in the scope of the reciprocal incentive system for the Timetable Y, starting from the Timetable publication date until 5pm on D-1 of the end of Timetable Y. (see the scope definition in Chapter 6.3).

The period subject to penalties for effects on the train path-days included in the scope of the system starts on 13 December 2020 at midnight.

For a train path-day included in the scope of the system:

- **For allocated train path-days** (such as defined in Chapter 6.3 of the NS): any “significant change” or cancellation by SNCF Réseau, and any cancellation or modification request by an applicant, marks the end of the monitoring of the allocated train path-day.

Conversely, any non-significant modification by SNCF Réseau to an allocated train path-day in the scope does not mark the end of its monitoring. Similarly, any modification request not involving any time change (renumbering of the train path or change to the statistical code, change to the convoy) nor any effective change to the graph does not mark the end of monitoring for the train path-day concerned.

- **For train path-days under examination: the switch to the “allocated” or “non-allocated” status, or** any cancellation or modification request by an applicant marks the end of monitoring for the train path-day concerned.

Conversely, any modification request from the train path applicants not involving any time change (renumbering of the train path or change to the statistical code, change to the convoy) nor any effective change to the graph does not mark the end of monitoring for the train path-day concerned.

## 2. THE SYSTEM APPLICABLE TO SNCF RESEAU

### 3.1. Payment of penalties applicable to SNCF Réseau

In addition to the principles set out under Chapter 6.3 of the NS:

“Significant changes” only apply to allocated train path-days. These include:

- either a time change at the point of departure or arrival of more than five minutes for passenger services and thirty minutes for freight services, the service remaining in place from beginning to end (same origin-destination);
- or an extension of the journey time of more than five minutes for passenger services and thirty minutes for freight services, the service remaining in place from beginning to end (same origin-destination);
- or an extension of the itinerary followed of more than ten kilometres for passenger services and fifty kilometres for freight services, the service remaining in place from beginning to end (same origin-destination);

The modification by SNCF Réseau of an allocated train path-day falling within the scope and meeting, where relevant, multiple significant change criteria, shall result in the application of a single penalty (corresponding to the first penalty applicable in time).

The modification by SNCF Réseau of an allocated train path-day falling within the scope of the incentive system and resulting in a change to the point of origin or destination of this train path-day is considered to be a cancellation of a train path-day.

### 3.2. Exemption of penalties for SNCF Réseau

The first cancellation or significant change by SNCF Réseau is exempt from penalties when linked to:

- a force majeure event, as defined in Article 21 of the General Terms and Conditions for the Contract for Use of the Infrastructure and the train path allocation contract (Appendix 3.1 to the NS);
- an act of a third party, in particular including "Third party IM" causes.

This exemption does not involve the resumption of monitoring for the train path-day concerned.

**Exemption in the interests of the rail system:** this case only applies when two distinct EU are involved:

**1-creation of a train path-day:** when, for the needs of creating a train path-day of an RU, a third-party RU accepts an effect of its train path-day, in response to a proposal from SNCF Réseau, this will not give rise to a penalty, provided an agreement is reached.

**2-modification of an existing train path-day:** when an RU requests an effect of its train path-day requiring the effect of the train path-day of another RU, in response to a proposal from SNCF Réseau, and the latter agrees, then the effect of the train path-day by the latter RU will be exempt.

### 3.3 Alignment of certain data with reality, leading to exemption

As the current SNCF Réseau information systems interprets certain effects as cancellations when they are not in light of the rules of the IR system and the operational reality, processes to align certain data with reality are implemented.

Other cases than those listed below may emerge, in which case this document shall be modified according to the terms set out in the preamble.

#### Case of “Cached train path-days”

Train path-days cached in the SNCF Réseau timetable tool for the timetable production needs (interpreted by the IS as a cancellation, when the train path-day reappears subsequently) is not penalised, provided:

- **All 3 following conditions are met before M-3:**
  - the train path-day reappears before M-3 for passenger and freight activities;
  - the train path-day was cached for a period of 30 days or less;
  - the train path-day did not undergo any significant change in the meantime.
  
- **The following conditions are met after M-3:**
  - the train path-day was cached for a period of 7 days or less;
  - the train path-day did not undergo any significant change in the meantime.
  
- **Examples:**
  - *a freight or passenger train path-day cached on D-130 and reappearing on D-101 (before M-3 and less than 30 days) without any significant change is not penalised;*
  - *a freight or passenger train path-day cached on D-70 and reappearing on D-55 is penalised in accordance with the “modification” scale;*

#### Modification of so-called ‘past midnight’ train-path days:

This case applies to train path-days that straddle two consecutive days, with the SNCF Réseau modification leading to the rescheduling of the train paths within one single day. The price scale applied is that of the modification on the day within which the train path is rescheduled in its entirety.

#### Case of “Wrong request number entered”

Whenever the request number linked to a train path-day was not properly entered and it is no longer possible to link the request to SNCF Réseau’s action (case wrongfully interpreted as a cancellation due to SNCF Réseau by the IS), the effect detected by the SI IR is penalised as a significant change.

- *e.g.: case where a request to modify a train path-day in the IR scope was made by an applicant and the request number was not properly copied during the processing of the request, thus no longer making it possible to link it with the initial request.*

### Case of “Change of landmark”

A change of the origin or destination landmark (wrongfully interpreted by the IS as a cancellation due to SNCF Réseau) is not penalised as long as the origin or destination remain the same. The same rule applies if a modification request has the same effect (see §4.3).

- *e.g. “Border Point”*: case of an international train path-day first mapped by SNCF Réseau over its whole international course which then undergoes a quality process to limit the train path-day at the border point.
- *ex “Terminal code”*: case of a train path-day where the origin or destination remains in the same station area or other service facility, but the terminal code is modified (for example: change of complex in a freight marshalling yard) without any impact on the train path-day.

### Case of “extension of the train path-day as provided in the order”

An extension to the train path-day as provided in the order (wrongfully interpreted by the IS as a cancellation of the origin-destination due to SNCF Réseau) is not penalised provided the origin and destination of the new construction correspond to the initial request and that no change to the time or route was made compared to the initial request.

### Case of a customer cancellation or modification request not detected in the SI IR due to an improper use of the control tools:

Example: modification or cancellation request made in the “comment” field of the control tools

Generally speaking, certain train path-days may be exempted based on one-time manual checks conducted by SNCF Réseau which made it possible to check the effects recorded in the SI IR did not in actual fact lead to any modification or cancellation of the train path-day concerned.

If, during these checks, new management cases were identified, this appendix shall be updated in the conditions set out in the preamble.

## **4. THE SYSTEM APPLICABLE TO TRAIN PATH APPLICANTS**

### **4.1. Payment of penalties applicable to train path applicants**

The financial incentive concerns the first return or change request implying a modification to any train allocated path-day (excluding DSDM) or under examination, within the scope of the IR system, on the initiative of the train path applicant, according to the milestones laid out below.

A modification request bearing on one or more characteristics of a train path-day (e.g.: time modification and change to the origin/destination) leads to the application of a single penalty.

### **4.2. Exemption of penalties applicable to train path applicants**

The first request to return or modify train path days issued by the applicant is exempt from penalties when concerning:

- a) a modification request not involving a time change

This type of request aims to upgrade / downgrade (change in train path-day state), renumber the train path or change the statistical category, or a train change request not affecting times (*conversely*, if the train change request changes the time or place of departure, or the time or place or arrival, the capacity applicant is penalised). This exemption is automatically detected by the SI IR and does not trigger the end of monitoring for the train path-day concerned.

b) a return request occurring after the cancellation of a linked train path-day by SNCF Réseau

This exemption request is only taken into account if the linked train path-day number (in compliance with the linked train path-day definition set out under the General Terms and Conditions of the Contract for Use of the Infrastructure - Appendix 3.1. to the NS) cancelled by SNCF Réseau is indicated by the applicant.

c) a request connected to a force majeure event, as defined in Article 21 of the General Terms and Conditions of the Contract for Use of the Infrastructure (Appendix 3.1. to the NS);

d) a request connected to a third party action, in particular including "Third party IM" causes;

e) a request for the extension of the train path-day as provided in the order

An extension to the train path-day as provided in the order (interpreted by the IS as a change to the origin-destination) is not penalised provided the origin and destination of the new construction correspond to the initial creation request and that no change to the time or course was made compared to the initial creation request.

f) A loss of business to a third-party RU: when an RU loses business to a third-party RU, the removal or transfer of its train paths as is will be subject to an exemption. This transfer will not stop the monitoring of the train path under the reciprocal incentive system, and the third-party RU is likely to be subject to a penalty in the event of an effect.

g) Exemption in the interests of the rail system: this case only applies when two distinct EU are involved and SNCF Réseau agrees:

**1-creation of a train path-day:** when, for the needs of creating a train path-day of an RU, a third-party RU accepts an effect of its train path-day, in response to a proposal from SNCF Réseau, this will not give rise to a penalty provided an agreement is reached.

**2-modification of an existing train path-day:** when an RU requests an effect of its train path-day requiring the effect of the train path-day of another RU, and the latter agrees, then the effect of the train path-day by the latter RU will be exempt.

#### 4.3 Alignment of certain data with reality, leading to exemption

##### Case of "Change of landmark"

A request to modify the origin or destination landmark (interpreted by the IS as a modification) is not penalised as long as the origin or destination remain the same.

- *E.g. "border point": case of an international train path-day first mapped by the IM over its whole international course, for which the RU requests a change not subject to penalty under the IR system, but applies it to the French portion of the train path-day only.*

- *E.g. "Terminal code": case of a train path-day where the origin or destination remains in the same station area or other service facility, but the terminal code is modified (for example: change of complex in a freight marshalling yard) without any impact on the train path-day.*

Generally speaking, certain train path-days may be exempted based on one-time manual checks conducted by SNCF Réseau or by the train path applicants which made it possible to check the effects recorded in the SI IR did not in actual fact lead to any modification or cancellation of the train path-day concerned. If, during these checks, new management cases were identified, this document shall be updated in the conditions set out in the foreword.

#### **4.4 Exemption process**

In order for the cases of exemption set out in §§ 4.2 and 4.3 above to apply (except for case a., detected automatically by the SI IR) a request must be sent to SNCF Réseau (by e-mail: [incitationsreciproques@reseau.sncf.fr](mailto:incitationsreciproques@reseau.sncf.fr)), as and when they occur, based on the detailed supporting documents provided, and at the latest three months after receipt of the last detailed supporting document for the month of December Y.

The request must be based on the detailed supporting documents communicated by SNCF Réseau, while indicating as a minimum:

- the train path number, the operating day(s) concerned by the exemption requests, and the "Life of the train path" file number;
- the month in which the exemption request occurred;
- the reason for the exemption and the corresponding generating event(s) (date, event, etc.) in the comments, including any suitable supporting document.