

APPENDICES 3.5

COMPLAINT PROCEDURE

- Appendix 3.5.0** **General principles regarding complaints**
- Appendix 3.5.1** **Disputing invoices**
- Appendix 3.5.2** **Compensation claims for train path-day cancellations**
- Appendix 3.5.3** **Requests for refunds of the costs incurred by a railway undertaking supplying rescue services**

APPENDIX 3.5.0

GENERAL PRINCIPLES REGARDING COMPLAINTS

1. AIM OF THIS APPENDIX

The purpose of this appendix is to present the procedure and the steps involved in processing complaints made by customers to the "Complaints" division of the SNCF Commercial Department.

Distinction must be made between two types of complaint:

- challenges relating to invoices issued by SNCF Réseau (Appendix 3.5.1),
- requests for compensation in the event of a train path-day cancellation caused by SNCF Réseau (Appendix 3.5.2).

In addition, one appendix focuses on requests for refund of the costs incurred by a railway undertaking supplying rescue services (Appendix 3.5.3).

The provisions of Appendix 3.5 will come into force at the start of the 2022 timetable. They will apply to all complaints received from that date, including those regarding an earlier timetable.

2. COMPLAINT PROCEDURE

a. Compiling the complaint package

Any complaint file must contain:

- a request describing the grounds of the complaint and the causal event,
- the form, in Excel format, with at least the "mandatory fields" specified depending on the grounds of the request filled in (this form is available for download here on the "Technical Documents" page of the SNCF Réseau website, which can be accessed from the Network Statement page).
- all supporting documents required to justify the complaint.

The file's contents are described in Appendices 3.5.1, 3.5.2 and 3.5.3 depending on the grounds of the complaint.

The more specific the complaint is, the quicker it will be handled.

b. Sending the complaint package

All complaints must be sent to SNCF Réseau by e-mail to reclamations@reseau.sncf.fr and must contain attachments of the three documents described in point a). The **subject** of the email must contain the word "**COMPLAINT**" (in upper or lower case). This email **shall be authoritative**.

An electronic acknowledgement of receipt is systematically sent to the customer.

3. HANDLING COMPLAINTS

SNCF Réseau handles complaints in the following manner:

c. The complaint is recorded in the SNCF Réseau tool for monitoring complaints;

The files are handled in the order in which they are received by SNCF Réseau.

d. Response from SNCF Réseau

Responses to complaints are sent by e-mail with acknowledgement of receipt.

In cases where the documents communicated do not permit processing of the complaint, the customer will be asked to provide SNCF Réseau with any supplementary documents, within the remaining time before the expiry of the closure deadline (see § 4 below on deadlines), making express reference, in any subsequent documents sent, to the original communication of its complaint. Once received, SNCF Réseau shall then store these supplementary documents in its tool in association with the first communication.

Any final response by SNCF Réseau to the complaint brought against it shall contain the following statement:

"This letter constitutes the final response from the infrastructure manager to the complaint brought against it. Once received by your services, the six-month period provided for by Article 20.4 of the general conditions of the contract for use of the infrastructure and the contract for allocation of train paths (Appendix 3.1 of the Network Statement) shall begin".

e. Approval of the "Agreed and signed" slip by the customer

When the response from SNCF Réseau is accompanied by a refund or compensation offer in the form of a "agreed and signed" slip (BPA), the customer must legally issue its approval by returning the dated and signed "agreed and signed" slip. This must reach SNCF Réseau:

- By e-mail addressed to reclamations@reseau.sncf.fr, specifying the words "BPA - complaint" in the e-mail subject line to speed up the process of paying the compensation.

4. RULES REGARDING DEADLINES

All complaints files must be sent within the contractually-defined period stipulated in the general conditions of the contract for use of the infrastructure and the contract for allocation of train paths (Appendix 3.1). All files received at a later date shall be considered excluded.

The time frame for responding to the complaint runs from the date of receipt of the file by SNCF Réseau, which will be determined by an acknowledgement of receipt issued electronically. The time frames for each type of complaint are stipulated in each of the appendices 3.5.1, 3.5.2 and 3.5.3..

The time frame for the processing of a complaint file by SNCF Réseau is calculated from the contractual closure deadline enforceable against the customer. Therefore, the contractual closure deadline applicable to the customer will be suspended during the processing of the in-depth file until the day following the date of sending of the response to the complaint by SNCF Réseau.

APPENDIX 3.5.1

INVOICE CHALLENGES

1. AIM OF THIS APPENDIX

The aim of this appendix is to present the admissibility requirements relating to challenges to invoices issued by SNCF Réseau on the basis of the stipulations in the Network Statement.

2. DEADLINE AND CONTENT OF THE FILE FOR DISPUTING INVOICES ISSUED BY SNCF RÉSEAU

a. Deadline for challenges

The invoices issued by SNCF Réseau may be challenged within a period of one year after the deadline for payment of invoices issued by the infrastructure manager.

b. Compiling the file for invoice challenges

To challenge an invoice received, the customer must compile a file with the elements listed below in the format specified:

- A request specifying the charge(s) or penalty(-ies) concerned (to be referenced in the subject line of the letter), and the event causing the challenge. If the challenge concerns more than one charge, each charge must be presented separately.
- the invoices disputed.
- the Excel form (published on the SNCF Réseau website) correctly filled in by the customer with all the supporting documents listed.

In cases where the documents communicated do not permit processing of the complaint, the customer will be asked to provide SNCF Réseau with any supplementary documents, within the time remaining before the expiry of the closure deadline (see § 4 of Appendix 3.5.0 above on deadlines), making express reference, in any subsequent documents sent, to the original communication of its complaint. Once received, SNCF Réseau shall then store these supplementary documents in its tool in association with the first communication.

To enable optimum processing of challenges received before the deadline stipulated in paragraph c) below, SNCF Réseau recommends that each file for invoice disputes only refers to one month of services. SNCF Réseau therefore advises its customers to group all the train path-days concerned in one month of services in one file for invoice disputes.

SNCF Réseau is willing to help the customer to understand the elements required to compile an invoice dispute file.

c. Invoice dispute file processing

All dispute files sent to SNCF Réseau are handled according to the procedure defined in Appendix 3.5.0 above.

In terms of timing and communication channels:

Step	When	Communication channel
The response to the invoice dispute is sent to the customer.	At the latest, 45 calendar days from the date the electronic acknowledgement of receipt for	E-mail from SNCF RESEAU and acknowledgement of receipt from the claimant entity.

	<p>the dispute is sent by SNCF Réseau.</p> <p>If the response is positive, the asset is taken into account at the earliest opportunity.</p>	
--	---------------------------------------------------------------------------------------------------------------------------------------------	--

3. PRESENTATION OF THE TABLE TO BE COMPLETED AND ASSOCIATED SUPPORTING DOCUMENTS FOR DISPUTING INVOICES ISSUED BY SNCF RÉSEAU RELATING TO CHARGES

a. Complaint regarding the Market Charge (RM)

The table to be completed by the customer is presented below. It is made up of mandatory fields and other optional fields, as specified in the key.

Table as linked to train path-day:

1	2	3	4	5	6	7	8	9	10
Date de départ du sillon-jour	Numéro du sillon-jour	Segment de marché facturé par SNCF RESEAU	Segment de marché circulé	Libellé du PR Origine de la partie incriminée du SJ	Libellé du PR Destination de la partie incriminée du SJ	Référence du justificatif	Fait générateur	Montant contesté de la RM (€ HT)	Commentaire client sur la réclamation liée à ce sillon-jour
Format jj/mm/aaaa	5 à 6 chiffres					Par exemple : numéro de la commande GESICO, référence de l'Avis Régional de Trains...	Par exemple : réclamation liée à la demande (suppression de sillon non prise en compte par SNCF Réseau)	Format monétaire avec 2 décimales	Par exemple : suppression partielle/intégrale.

LEGENDE

Champs obligatoires

Champs facultatifs

In fact, an invoice concerns several train paths or train movements. It is the customer's responsibility to specify those that he is challenging. The customer alone knows the reason for this challenge, which is here represented by the heading "triggering factor", and the amount that he is disputing (the RM of the train path-day X, the RM of part of a train path-day X, etc.).

Here are a few examples:

- ✓ If the customer requests the reimbursement of the reservation charge because he has not requested the train path-day in question (triggering factor), he does not need to provide a supporting reference if "Order missing in the IS officers" is specified under this heading.
- ✓ If the customer requests reimbursement of the market charge because s/he has submitted a cancellation request prior to D-1 17h (triggering factor), s/he must provide the reference for his cancellation request to support his challenge.

b. Complaint regarding the Traffic Charge (RC)

The table to be completed by the customer is presented below. It is made up of mandatory fields and other optional fields, as specified in the key.

Table as linked to train path-day:

1	2	3	4	5	6	7	8	9	10	11	12
Date de départ su sillon-jour	Numéro du sillon-jour	Tonnage facturé par SNCF RESEAU	Tonnage circulé*	Libellé du PR Origine de la partie incriminée du SJ	Libellé du PR Destination de la partie incriminée du SJ	Référence du justificatif	Fait générateur	Montant contesté de la RC (€HT)	Le montant contesté intègre-t-il la part de la compensation FRET ?	Commentaire client sur la réclamation liée à ce sillon-jour	L'entreprise ferroviaire assurant la circulation incriminée
Format j/mm/aaaa	5 à 6 chiffres					Par exemple : un mail de SNCF Réseau informant le client de la non circulation de son train, message d'erreur lors de la déclaration...		Format monétaire avec 2 décimales	A renseigner uniquement pour les clients de l'activité Fret	Par exemple : suppression partielle/ intégrale	

*The actual tonnage of traffic corresponds to the definition specified in the main Network Statement document (§ 6.7):

- for passenger activities: at full tonnage for commercial traffic and at empty tonnage for non-commercial traffic

- for freight activities: at the consolidated gross tonnage of the convoy (locomotive + equipment towed + goods)

LEGENDE

Champs obligatoires

Champs facultatifs

Champ obligatoire, uniquement pour les clients de l'Activité Fret ou pour certains cas de contestation (cf. précisions dans le tableau)

Champ obligatoire, uniquement pour les candidats autorisés

c. Complaints regarding the charges relating to electric traffic (RCE, RCTE, RFE)

The table to be completed by the customer is presented below. It is made up of mandatory fields and other optional fields, as specified in the key.

A table per charge and challenged invoice:

1	2	3	4	5	6	7	8	9	10	11
Date de départ du sillon-jour	Numéro du sillon-jour	Libellé du PR Origine de la partie incriminée du SJ	Libellé du PR Destination de la partie incriminée du SJ	Référence du justificatif	Fait générateur	Montant contesté de la redevance (€ HT)	Commentaire client sur la réclamation liée à ce sillon-jour	Type de motrice facturée par SNCF Réseau	Type de motrice utilisée	L'entreprise ferroviaire assurant la circulation incriminée
Format j/mm/aaaa	5 à 6 chiffres			Par exemple : un mail de SNCF Réseau informant le client de la non circulation de son train...		Format monétaire avec 2 décimales	Par exemple : suppression partielle/ intégrale	A renseigner uniquement pour les redevances RFE, RCE et RCTE	A renseigner uniquement pour les redevances RFE, RCE, et RCTE, si le client conteste le type de motrice facturé	

LEGENDE

Champs obligatoires

Champs facultatifs

Champ obligatoire, uniquement pour les clients de l'Activité Fret ou pour certains cas de contestation (cf.

Champ obligatoire, uniquement pour les candidats autorisés

4. COMPLAINT REGARDING OTHER INVOICES

For complaints regarding another invoice, the customer must specify the invoices challenged by providing their reference numbers, the service periods concerned (month-year of service), the amounts disputed (in euros, excluding VAT) and the work units involved.

He is also responsible for specifying the reason for the challenge and providing the proofs to support his file.

APPENDIX 3.5.2

COMPENSATION CLAIMS FOR TRAIN PATH-DAY CANCELLATIONS

1. AIM OF THIS APPENDIX

The aim of this appendix is to present the admissibility requirements that apply to complaints regarding compensation requests in the case of path-day cancellations and the specific features for the procedure to be followed as regards this.

2. ADMISSIBILITY REQUIREMENTS FOR COMPLAINTS RELATING TO COMPENSATION REQUESTS

a. Basis and conditions of the complaint

The customer is obliged to specify the basis of its complaint and to respect the relevant contractually agreed deadlines set out in the general conditions of the contract for use of the infrastructure and the contract for allocation of train paths (Appendix 3.1 of the Network Statement, Article 20).

Any compensation that may be paid by SNCF Réseau for a particular train path-day shall be payable solely to the party allocated the train path. Consequently, in the case of train paths placed at the disposition of a railway undertaking by a recipient candidate, this compensation shall cover any damage suffered by both parties.

b. Compiling the complaint package

The complaint must be made up of the following elements:

- A request stating the subject of the complaint and indicating the causal event resulting in the claimed loss and details of the compensation amount disputed;
- The elements required for its processing:
 - the list of train path-days concerned, in Excel format (see [form](#) available for download from the SNCF Réseau website, the sections of which are described in paragraph 4.a.),
 - elements justifying:
 - the facts resulting in the loss and the accountability of SNCF Réseau,
 - the assessment and justification of the damages claimed as compensation for the loss.

In cases where the documents communicated do not permit processing of the complaint, the customer will be asked to send SNCF Réseau the required supplementary documentation within a period of 90 days, with the time limit for the processing of the file by SNCF Réseau suspended pending receipt of said supplementary documentation. If these elements are not received within the 90-day deadline, the file will be rejected and deemed not to have been accepted. The customer, during the time left prior to the expiry of the closure deadline (see §4 of Appendix 3.5.0 above on deadlines), may however resend his/her complete file, making express reference, in any subsequent documents sent, to the original communication of its complaint. Once received, SNCF Réseau shall then store these supplementary documents in its tool in association with the first communication.

The complaint must not relate to more than one operative event ascribed to SNCF Réseau. Letters that mix several compensation requests for different causes should be avoided to enable quicker processing. For this purpose, SNCF Réseau recommends that customers group together all the train path-days concerned that relate to one operative event in one complaint.

SNCF Réseau is willing to help the customer to understand the elements required to compile a complaint file.

3. PROCESS FOR HANDLING COMPENSATION REQUESTS

All compensation requests sent to SNCF Réseau shall be handled according to the procedure defined in Appendix 3.5.0 above:

In terms of timing and communication channels:

Step	When	Communication channel
The complaint response is sent to the customer.	90 calendar days from the date the electronic acknowledgement of receipt for the complaint is sent by SNCF	E-mail from SNCF RESEAU and acknowledgement of receipt from the claimant entity.
Payment of compensation	30 calendar days from SNCF Réseau's receipt of the "agreed and signed" slip signed by the RU/other candidate	Bank transfer to the account of the RU/other candidate

Considering the complexity and specific nature of some files, the response deadline of 90 calendar days applies to 80% of all customer files received during the annual timetable concerned.

4. FORMAT OF TABLES TO BE COMPLETED AND ASSOCIATED SUPPORTING EVIDENCE FOR COMPENSATION REQUESTS

a. Table to be completed by the customer

The table to be completed by the customer is presented below. It is made up of mandatory fields and other optional fields, as specified in the key.

The sample below is expected in order to conduct the investigation of the complaint:

-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-	-9-
Date de départ du sillon-jour	Heure de départ du sillon-jour	Numéro du sillon-jour	Libellé du PR Origine de la partie incriminée du SJ	Libellé du PR destination de la partie incriminée du SJ	Fait générateur	Evaluation du préjudice (montant réclamé €)	Référence du justificatif	Commentaire client sur la réclamation liée à ce sillon
Format jj/mm/aaaa	Format hh:mm:ss	5 à 6 chiffres			Par exemple : Réclamation liée à des difficultés opérationnelles (suppression par SNCF Réseau d'un sillon-jour attribué ferme)	Format monétaire avec 2 décimales, évaluation si possible du préjudice par sillon-jour	Par exemple : numéro de la commande GESICO	

Légende :

Champs obligatoires

Champs facultatifs

b. Justifying elements to be provided for all complaints in addition to the table when submitting a compensation request

All compensation requests brought to the attention of SNCF Réseau must clearly state the causal link between the operative event and the alleged damage and must provide proof to support and evaluate this damage.

Proof to evaluate the damage vary depending on each case. These elements may be financial, contractual, operational, etc. If necessary, SNCF Réseau may submit them to an external expert for an opinion on the evaluation, both in terms of reliability and acceptability.

APPENDIX 3.5.3

REQUESTS FOR REFUND OF THE COSTS INCURRED BY A RAILWAY UNDERTAKING SUPPLYING RESCUE SERVICES

1. AIM OF THIS APPENDIX

The aim of this appendix is to present the admissibility requirements and the specific processes for handling requests for refund of the costs incurred by a railway undertaking supplying rescue services.

2. ADMISSIBILITY CONDITIONS FOR REQUESTS FOR REFUND OF THE COSTS OF RESCUE TRAINS

a. Basis and deadline for the refund request

In accordance with Article 7.4 of the general conditions applicable to the contract for use of the infrastructure and the contract for allocation of train paths (Appendix 3.1 of the Network Statement), any railway undertaking that has provided the rescue of a broken-down train may seek reimbursement from SNCF Réseau for the costs and operating inconvenience associated with this rescue.

This request must be made known to SNCF Réseau within a maximum of one year from the date of the rescue of the broken-down train.

b. Compiling the file for requesting a refund of the costs incurred by a railway undertaking supplying rescue services

The refund request must contain the following elements:

- A request with a subject specifying that the request concerns a refund of the costs of rescue trains.
- the elements required for its processing:
 - for each rescued train, supporting document OP00508 "provision to SNCF Réseau of means of the railway undertaking" provided by the COGC. This document is mandatory.
 - the elements justifying the costs incurred by the undertaking providing the rescue services and the operating inconveniences suffered,
 - the list of train path-days concerned (trains rescued) in electronic form in Excel format (using the form available for download from the SNCF Réseau website). These train path-days must be identified according to the sections listed in paragraph 3.

In cases where the documents communicated do not permit processing of the complaint, the customer will be asked to send SNCF Réseau the required supplementary documentation within a period of 90 days, with the time limit for the processing of the file by SNCF Réseau suspended pending receipt of said supplementary documentation. If these supplementary documents are not received within the 90-day deadline, the file will be rejected and deemed not to have been accepted. The customer, during the time left prior to the expiry of the closure deadline (see §4 of Appendix 3.5. above on deadlines), may however resend his/her complete file, making express reference, in any subsequent documents sent, to the original communication of its complaint. Once received, SNCF Réseau shall then store these supplementary documents in its tool in association with the first communication.

SNCF Réseau is willing to help the railway undertaking to understand the elements required to compile a compliant request file for the processing of rescue trains.

c. Process for requests for a refund of the costs incurred by a railway undertaking supplying rescue services

All requests for the refund of the costs incurred by a railway undertaking supplying rescue services sent to SNCF Réseau are handled according to the procedure described in Appendix 3.5.0 above.

In terms of timing and communication channels:

Step	When	Communication channel
The complaint response is sent to the customer.	90 calendar days from the date the electronic acknowledgement of receipt is sent by SNCF Réseau.	E-mail from SNCF RESEAU and acknowledgement of receipt from the claimant entity.
Payment of compensation	30 calendar days from SNCF Réseau's receipt of the "agreed and signed" slip signed by the RU/other candidate	Bank transfer to the account of the RU/other candidate

Considering the complexity and specific nature of some files, the response deadline of 90 calendar days applies to 80% of all customer files received during the annual timetable concerned.

3. PRESENTATION OF THE TABLE TO BE COMPLETED AS LINKED TO THE RESCUED TRAIN

The information required for the model below is necessary in order to conduct the investigation of the request (8 columns).

-1-	-2-	-3-	-4-	-5-	-6-	-7-	-8-
Client secouru	Date de départ du train secouru	Heure de départ du train secouru	Numéro du train secouru	Libellé du PR Origine (train secouru)	Libellé du PR destination (train secouru)	Coût de la mise en place du train de secours	Commentaire
	Format jj/mm/aaaa	Format hh:mm:ss	5 à 6 chiffres			Format monétaire avec 2 décimales, chiffrage des coûts liés à la mise en place du train de secours	

Légende :

Champs obligatoires

Champs facultatifs

This data is also required by SNCF Réseau for re-invoicing the costs of rescue trains to the railway undertakings rescued. In essence, this constitutes the proof that SNCF Réseau presents to customers to support this re-invoicing (excluding the confidential data of the railway undertaking that has provided the rescue).

Network Statement