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QUALITY-ENVIRONMENT MANAGEMENT SYSTEM

OPERATIONAL PROCEDURE

APPLYING TARIFFS FOR RELATED ACTIVITIES BY SYNTHETIC METHOD

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Infrastructure Acces Control Department

SMCM
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1. PURPOSE

This procedure regulates the synthetic method of application - on the basis of convention- of the tariffs for related activities (ancillary services) carried out by CFR.

2. SCOPE

The procedure applies for the highlighting and invoicing by CFR of the tariffs for related activities (ancillary services).

3. REFERENCE DOCUMENTS

- Contract of activity of Compania Națională de Căi Ferate „CFR” SA;
- Contract of access to the railway infrastructure;
- The provisions of the Director General of CFR on tariffs for related activities (ancillary services), including updates or amendments thereto;
- SR EN ISO 9001:2008- Quality Management Systems. Requirements.
- SR EN ISO 14001:2005-Environmental Management Systems. User-guide requirements.

4. DEFINITIONS AND ABBREVIATIONS

a) Definitions:

The following definitions shall apply for the purposes of this procedure:

- **Related activities**– are ancillary services (related) to rail transport activity: the names of these tariffs are presented in the contract of activity of the CFR.
- **CFR** – Compania Națională de Căi Ferate „CFR” SA;



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- **Railway Undertaking** – an economic operator holding a transport licence type A, B or C and carries out rail transport operations (passengers, cargo or manoeuvre); RU are also understood as economic agents who perform manoeuvring operations in their own interest on the station lines or agents of wagons;
- **Station** - station, manoeuvring halt (HM) or commercial halt (hcv).
- **Tariff for related activities** – tariffs for related activities as provided for under the activity contract of Compania Națională de Căi Ferate „CFR” SA and approved by the provisions of the Director General of CFR, including the updates or changes thereto;

b) Abbreviations:

- **CFR** – Compania Națională de Căi Ferate „CFR” SA;
- **RU** – Railway Undertaking
- **PO** - Operational Procedure.



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5. DESCRIPTION OF THE PROCEDURE

5.1. General provisions

The procedure applies to tariffs for one or more of the related activities carried out by CFR for a RU, based on a convention concluded between CFR and RU.

The amount of benefits for each activity shall be assessed by synthetic methods. To this volume of benefits it applies the unit value of the specific tariff to that activity. For each related activity, the items constituting the amount to be invoiced are mentioned in the annex referred to in point 8. The annex comprises the main indicators/criteria/formulas underlying the calculation of the distinctly invoiced value for each related activity.

5.2. Conditions for the conclusion of the Convention

- the convention ends between CFR and RU, not more than 30 days after the request, as a rule for the period of validity of the contract of access and becomes an annex thereto;
- the convention shall be concluded for one or more of the related activities rendered by CFR;
- the CFR agreement on the capacity or willingness to provide the services requested in the subunits indicated by the RU. If CFR does not grant RU his acceptance, it duly justifies this.

5.3. Elements of the Convention

- Parties of the Convention;
- the object of the Convention (related activities subject to the Convention);
- assessing the number of elements for the activities covered by the Convention;
- the tariff applied, in accordance with the provisions of the Director General of CFR on tariffs for related activities;
- the amount of the sums relating to each activity obtained by applying the unit value of the specific tariff to that activity to the number of items evaluated and the reference period;
- terms and conditions of payment if they differ from those in the contract of access;
- CFR's right to request RU resettlement of the activities rendered in the event of the need to take over increased traffic flows or to ensure the fluency of the railway movement;
- CFR's right to restrict the provision of related activities in case of failure to pay the agreed deadlines of invoices after prior notification of the RU;
- the manner of termination of the Convention, (if different situations are assessed from the conditions of termination of the contract of access);
- other items or particulars.

The elements within the Convention may be presented in tabular form.

5.4 Disputes

The settlement of disputes shall be subject to the provisions of the contract of access, unless otherwise specified in the Convention concluded between the Parties.

CFR may terminate the Convention under the conditions laid down in the contract of access as well as in the case of finding nonconformities relating to the items covered by the RU declaration of responsibility.



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5.5. Cases where the procedure does not apply

This procedure shall not apply to related activities. For the pricing of which RU has opted for other procedures or methods, published by CFR SA in the network reference document.

6. RESPONSIBILITIES

The additional act by which the Convention becomes an annex to the Access Contract shall be signed by the leaders of the structures signatories to the contract of access.

7. RECORDINGS

- ✓ Conventions for the provision of related activities;
- ✓ Invoices;
- ✓ Acts on communications between the parties.

8. ANNEXES

Annex 1. – Pattern of calculating the main indicators/criteria/formulas

Pattern of calculating the main indicators/criteria/formulas

1. For related activities which are provided on a tariff basis approved by provisions of the Director-General of CFR:

$$S = Ne * Pr * Ts$$

Where:

- Pr = Reference period is the period for which the value of the benefit is calculated;
- Ts = The specific tariff is the tariff for the activity rendered;
- Ne = Number of items evaluated for the reference period representing the case:
 - a) The average number of wagons (rolling stock) stationed on the CFR lines (expressed in wagons);
 - (b) The average number of wagons to be handled on the CFR lines (expressed in wagons);
 - (c) The average number of manoeuvring convoys having access to the CFR lines (expressed in convoy km);
 - (d) The average number of commercial stops of passenger trains set out in the graph (expressed in number of stops);
 - (e) The average number of items in the case of other benefits incurred on a tariff basis and agreed by the parties.

2. For related activities that are provided on an estimate basis:

$$S = Ne * Pr * Vd$$

Where:

- Pr = Reference period is the period for which the value of the benefit is calculated;
- Vd = Value of the estimate for the activity rendered;
- Ne = Number of items evaluated for the reference period representing the case:
 - a) The average number of shipments with exceptional carriage or cargo on two or more wagons (including treatment and accompanying, as appropriate);
 - (b) The average number of items in the case of other benefits made on the basis of an estimate and agreed by the parties.

The assessment of the number of elements for the activities covered by the Convention may be:

- Provided by RU by means of an independent body; e.g. the fleet (number) of cars of the RU supplied through the National Register of wagons – RNV of the AFER or through its railway informatics, or through other relevant documents/bodies;
- Provided by RU by declarations on its own account of the statistical number of synthetically evaluated elements; e.g. number of carriages in the active/inactive fleet, stationary statistical media;
- Calculated and agreed between CFR and RU in the event of activities that can be predictable or whose elements can be statistically evaluated on the basis of average values of regular benefits;

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