



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Camera dei Deputati for its Opinion on the Fourth Railway Package proposals {COM (2013)25 to 31 final}.

The Commission welcomes the positive feedback which the Camera dei Deputati expressed in the Opinion as regards the overall goals of the Fourth Railway Package and the importance which the Camera dei Deputati attaches to the completion of the Single European Railway Area. The Commission also shares the view of the Camera dei Deputati that the ‘political’ and ‘technical pillar’ of the Fourth Railway Package proposals form a coherent set of rules which should be discussed and adopted at the same time.

In this context, the Commission would like to thank the Italian Presidency for taking the lead in the Council, pursuing progress on the Fourth Railway Package proposals, and in particular on the ‘political pillar’, i.e. the proposals on governance and market opening, both for commercial rail services and for services provided under Public Service Obligations. This pillar is crucial to achieve the ambitious aims of the package to open up markets and establish appropriate rules to maintain a level playing field between undertakings, while preserving Member States' prerogatives as regards public service contracts. Thanks to the impulse given by the Italian Presidency, and although a final compromise may still take time to materialise, progress was made in the Council as regards the broad lines of the future legislative texts, as reflected in the Presidency's Progress Report. The Latvian Presidency is now building on this work to further advance the file. As regards the ‘technical pillar’, which, as the Camera dei Deputati rightly points out, is designed to reduce the administrative burden currently hampering the growth of railway undertakings while simplifying rules and procedures, trilogues with the European Parliament, started under the Italian Presidency, are progressing under the Latvian Presidency, and prospects for an agreement appear to be promising.

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The Commission would also like to thank the Camera dei Deputati for the specific points of view expressed on some of the difficult issues raised by the Fourth Railway Package proposals.

The Commission can confirm that these points have all been raised in the political debate and are being discussed constructively and in an open spirit both within and between the institutions.

The Commission would like to reassure the Camera dei Deputati that the work towards solutions that are acceptable both to the Member States and the European Parliament will be continued, while respecting the spirit of the legislative proposals. It is the Commission's hope that, through a comprehensive, balanced and fair legislative package the Commission can lay the groundwork for a revitalised railway sector capable of providing a significant contribution to the Union's goal of an efficient, competitive and sustainable transport system which can act as an engine for future growth.

As regards the political pillar, the Commission welcomes the opinion of the Camera dei Deputati that the deadline for market opening for domestic passenger services by rail should not be postponed, but should remain set at 2019, as in the original proposal.

The Commission takes note of the Camera dei Deputati support for the proposal of 'reciprocity clause' introduced by the European Parliament, and is open to discussion as regards the need for additional measures to accompany market opening during the transitional period. In the negotiations at the Council level, only a few Member States expressed the need for a reciprocity clause. Some others proposed to envisage gradual forms of market opening during the transitional period.

As regards the European Parliament's proposal to continue allowing vertically integrated structures with a 'holding model', subject to clear governance and financial transparency rules, this idea has been constructively discussed also within the Council. In particular, the Latvian Presidency has proposed a compromise text which incorporates this principle. The Commission has expressed openness to shifting the focus of its proposal from structural models to effective rules applicable, to the extent possible, across different models.

The points made above are based on the initial proposal presented by the Commission which, as explained above, is currently in the legislative process involving both the European Parliament and the Council, in which your government is represented.

The Commission hopes that these clarifications address the concerns raised by the Camera dei Deputati and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Violeta Bulc
Member of the Commission*