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Transport Studies Unit

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GLOSSARY

CESIFER	Part of the Technical Directorate of RFI that issues safety certificates
FS	Ferrovie dello Stato, the old integrated state railway company
MIT	Ministero delle Infrastrutture e dei Trasporti, Ministry of Infrastructure and Transport
PIR	RFI Network Statement
RFI	Rete Ferroviaria Italiana SpA, the Infrastructure Manager
Trenitalia	Main train operator
DL	Decreto Legislativo, parliament-approved law
DM	Decreto del Ministro, ministerial decree
DPR	Decreto del Presidente della Repubblica, presidential decree
L	Legge, parliament-approved law

1 ORGANISATIONS INVOLVED IN CARRYING OUT PUBLIC TASKS

Public tasks are distinguished according to the following clusters of activities:

- Separation, licensing and charging and safety
- Interoperability
- State aid, competition and public service obligations
- Statistics

The following organisations are involved in one or more of these clusters of activities:

- MIT (Ministry of Transport)
- RFI (Infrastructure Manager)

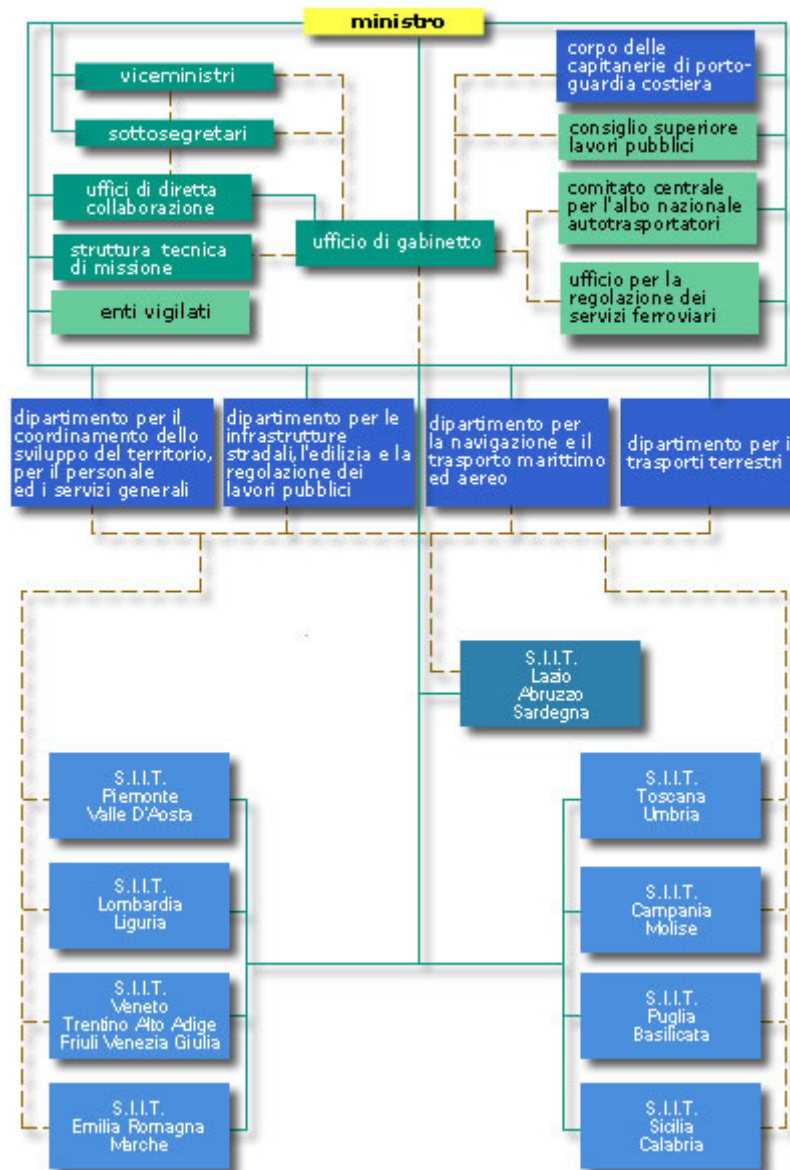
1.1 Current organisations

1.1.1 MIT

Ministero delle Infrastrutture e dei Trasporti,

- Dipartimento per i Trasporti Terrestri e per i Sistemi Informativi e Statistici,
 - Direzione Generale Del Trasporto Ferroviario
(Ministry of Infrastructure and Transport,
- Department for surface transport, information systems and statistics
 - General directorate of railway transport)
- Ufficio per la regolazione dei Servizi Ferroviari (Regulating Body)

Organisation chart



Income and expenses

Not available

Number of employees

Not available.

Legal constitution

Not relevant

Clients

RFI (public company), RU's

Some RU's (through Public Service Obligations)

Contact details for clients

General:

Ministero delle Infrastrutture e dei Trasporti

Piazzale Porta Pia, 1

00198 Roma

Tel. +39 0644121

<http://www.infrastrutturetrasporti.it/>

Railway Department:

Via Caraci 36, 00157 Roma

Tel. +39 0641583571

Fax: +39 0641583514

Ufficio per la regolazione dei Servizi Ferroviari (Rail regulator department)

Via Caraci 36, 00157 Roma

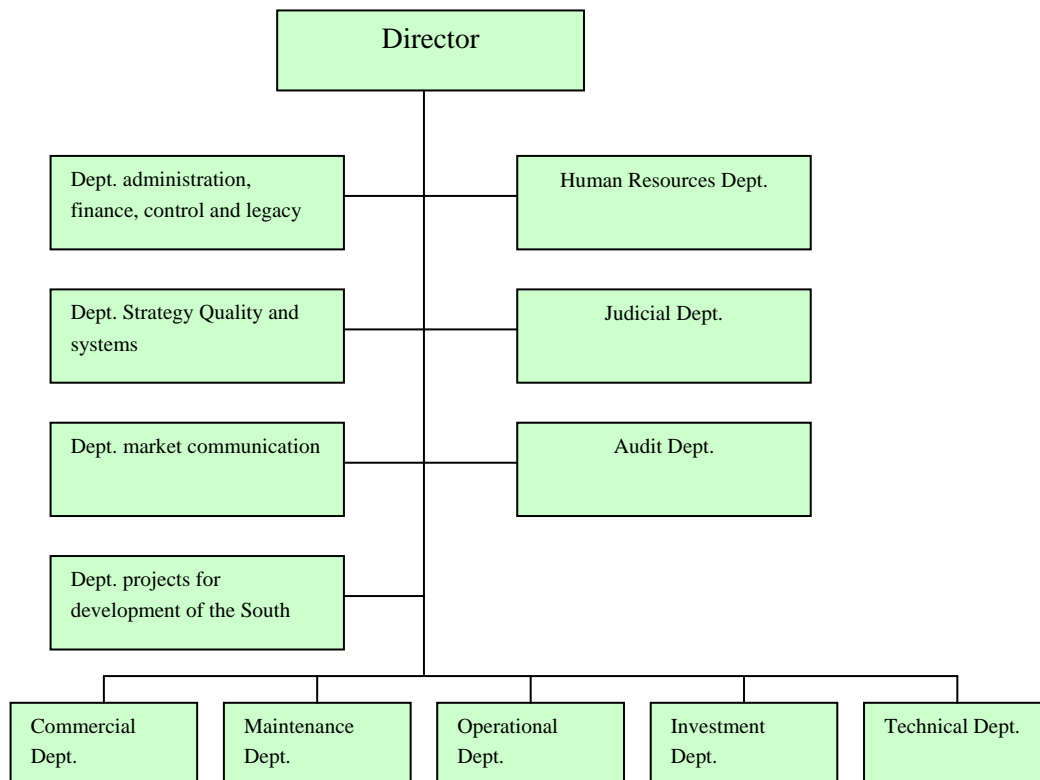
Autonomy of organisation

The railway department falls under the Minister of transport, who is controlled by the government and, eventually, by the Parliament.

1.1.2 RFI

Rete Ferroviaria Italiana SpA

Organisation chart



Income and expenses

See annex a RFI Finances. Debt restructuring in the mid-nineties led to a debt-to-equity ratio of 0,3 for FS (the holding that now owns both Trenitalia and RFI). This in turn caused financial costs to drop to almost zero.

Number of employees

Administrative	14%
Stations	40%
Rolling stock, managers and other	3%
Technical	40%
Mobile	3%
Total	35714

(2003 av.)

Legal constitution

RFI was established by DM 138T/2000, and is part of Gruppo Ferrovie dello Stato SpA, a government-owned holding company that Trenitalia (the main train operator) also belongs to.

Clients

- Separation, licensing and charging
RU's
- Interoperability and safety
RU's
- State aid, competition and public service obligations
RU's
- Statistics
Statistics agency

Contact details for clients

- Separation, licensing and charging

Assistance and orientation railway companies

RFI Rete Ferroviaria Italiana SpA
Direzione Commerciale - VENDITA
Piazza della Croce Rossa 1 - 00161 ROMA
Tel. +39 064 4242121/+39 064 4102666

Information about "PIR" (Network Statement)

RFI Rete Ferroviaria Italiana SpA
Direzione Commerciale - STAFF
Piazza della Croce Rossa 1 - 00161 ROMA
Tel. +39 064 4106229

- Interoperability and safety
Technical certification department (Florence)

Board

Via Luigi Alamanni n°4
50123 Firenze ITALIA
Tel. +39 055 2356396
Fax +39 055 2356397
E-mail cesifer@cesifer.it

Regulatory framework

Tel. +39 055 2356445
norme@cesifer.it

Information

Tel. +39 055 2356158

s.informativi@cesifer.it

Technical aspects rolling stock

Tel. +39 055 2352032

staff.pv@cesifer.it

- State aid, competition and public service obligations

Department of market communication

RFI Rete Ferroviaria Italiana SpA

Piazza della Croce Rossa 1 - 00161 – Roma

dircomu@rfi.it

Commercial Department

RFI Rete Ferroviaria Italiana SpA

Piazza della Croce Rossa 1 - 00161 – Roma

(Mon-Thu 9.00-17.00)

(Fri 9.00-15.00)

- *Statistics*

General information

RFI Rete Ferroviaria Italiana SpA

Piazza della Croce Rossa 1 - 00161 – Roma

Tel. +39 0644 101

Autonomy of organisation

RFI is part of Gruppo Ferrovie dello Stato SpA, a government-owned holding company that Trenitalia (the main train operator) also belongs to. Ferrovie dello Stato (FS) is the old integrated state railway company, and creating two associated companies fulfils the legal requirement of vertical separation. To what extent this gives the Infrastructure Manager complete autonomy is an interesting question; RFI seems to be fair when it comes to allocating resources to several infrastructure projects (also the branch lines operated by small operators are being well kept and expanded). There does not seem to have been any conflict regarding capacity allocation, so in general there does not seem to be a conflict of interest. On the long term, however, a complete separation might be more in line with EC regulations.

RFI requires MIT approval for particular matters, such as the charges and capacity allocation frameworks, as described in chapter 2. Furthermore it has to follow the relevant legislation.

The Ministry of Transportation defines the safety standards, at the suggestion of RFI and safeguards their application.

1.2 Authorities required by the 2nd Railway Package

1.2.1 National Safety Authority

There is currently no dedicated National Safety Authority in Italy. The MIT currently acts as Independent Investigation Body

1.2.2 Independent Investigation body

There is currently no Independent Investigation Body in Italy.

2 ORGANISATION OF PUBLIC TASKS

2.1 Separation, licensing and charging and safety

2.1.1 Investigation of accidents (2001/12)

Responsible organisation

MIT, RFI

Objectives, tasks and responsibilities

Judicial authorities inquire for accidents for legal responsibility. In case of serious accidents, MIT can activate an investigation in order to establish causes and indicate new safety guidelines to RFI. RFI inform MIT of all accidents activities and investigations results

Procedure

In case of accidents, RFI and MIT both constitute special Commissions, that can work in co-operation with judicial authorities.

Legal basis of procedure

Decisions about major accident investigations are taken by the Parliament.

2.1.2 Safety certification of rolling stock and railway undertakings (2001/12)

Responsible organisation

RFI (CESIFER Dept.), RU's

Objectives, tasks and responsibilities

CESIFER, part of the Technical Directorate of RFI, is responsible for issuing safety certificates to train operating companies. The infrastructure manager carries out certification of rolling stock. RFI is responsible for safety inspections of railway operations.

The certificate shows that the RU operates a particular line or service according to the standards set out by the Ministry, in order to guarantee a safe and reliable exploitation of the railway service.

The RU states that the personnel in charge of operating and accompanying the trains used for the service possess the education and knowledge necessary to meet the safety and operational requirements imposed by RFI.

The RU also states that the rolling stock has been registered, certified and subjected to all checks prescribed by the Railway Regulator.

RFI (CESIFER) will check regularly RU conformity to the safety standards, and can revoke a certificate, while immediately informing the authority that it.

Procedures

In order to obtain a safety certificate the RU must show that it fulfils the criteria in terms of staff, rolling stock and internal organisation.

RFI (CESIFER) will issue the safety certificate upon a RU's request, within three months. Within the same period RFI must also reveal its reasons for denying any such request.

Legal constitution

DL2003/188 Art 9, 10

2.1.3 Licensing of railway undertakings (2001/13)

Responsible organisation

MIT, RU's

Objectives, tasks and responsibilities

Once RU's possess all the required documents, they can apply for a license from MIT, provided that it has the required personnel and liability insurance for any damages to passengers, luggage, cargo, mail, other RU's, RFI and third parties. It must also specify what type(s) of service it intends to supply.

Within three months of the application, MIT shall issue the license. If it decides to deny the license, it must issue a written explanation within the same period. The license must indicate what type of (international) railway service the RU will provide. The license is valid in every EU country.

The license has unlimited validity, unless MIT finds a RU to be in breach of the regulations. MIT can request a RU at any time to show that it possesses a license and meets all the criteria that the licensing requires. In case of reasonable doubt about a RU's compliance, MIT can revoke a license. MIT can suspend a license for a period of up to one month to properly assess the situation.

In case of a non-conformity, MIT shall immediately inform other member states. It can issue a temporary license to the RU for a period of up to six months, in order to reorganise the RU – provided that safety is not at risk.

In case of RU inactivity for more than six months, MIT may suspend the license. RU's can request a motivated longer period before to start their activities.

Procedure

In order to obtain a license, RU's must show to fulfil requirements of reliability:

- Solvability;
- Professional competence (to be shown through a number of specified documents).

The evidence must be produced by:

- Record of stability (bank statements etc.);
- Proof of good state of maintenance of rolling stock.

RU's must reimburse the administrative costs for granting the license. Means of payment and the amount are defined by a decree of Ministry of Infrastructure and Transport and the Ministry of Finances.

Legal basis of procedure

DL 2003/188 Art 7-9

2.1.4 Track access (2001/12)

Responsible organisation

RFI

Objectives, tasks and responsibilities

Using the railway infrastructure is allowed on the condition that the RU shows the possession of a licence released by the state, or a similar document issued by an EU member state that legitimises railway exploitation for freight and passenger transportation. In case of mergers all parties must have the required licences.

The RU must also have the necessary "agreements" with RFI concerning administrative, technical and financial arrangements in the context of capacity allocation.

Access is given to all national and international RU's in a manner that ensures optimal use and maximum utilisation of the railway network on a non-discriminatory basis.

Procedure

RFI must give the applying RU track access, if the RU correctly produces the following documents:

- A copy of the RU's license valid for the services that the contracts foresees;
- A copy of the security certificate valid for the requested parts of the network and any deviatory routes;
- Documentation proving that the RU has paid the warrant as described in Art. 32 of the General Conditions;
- Documentation proving that the RU has met the insurance requirements as described in Art. 33 of the General Conditions;
- Documentation necessary for obtaining anti-Mafia certification, in particular situations.

Legal basis of procedure

DPR 1998/277 Art 8

PIR (RFI Network Statement), General Conditions

DL 2003/188 Art 12

2.1.5 Developing the capacity allocation framework (2001/14)

Responsible organisation

RFI

Objectives, tasks and responsibilities

RFI allocates network capacity to RU's. It must guarantee that capacity is allocated on an equal and non-discriminatory basis, and that the allocation leads to efficient and optimal utilisation of the railway infrastructure. Allocations are normally valid for one timetable period.

A RU can not transfer its obtained capacity to another operator.

Procedure

In the process of capacity allocation, RFI gives priority to:

- Services that quantitatively and qualitatively satisfy the mobility needs of citizens as stipulated in the Public Service Obligations. In case of interest from other RU's, these services may not absorb the entire capacity of the line involved;
- High-speed services that make use, totally or partially, of dedicated infrastructure, or freight services that use lines that are constructed for that very purpose;
- Services that operate on a clock-face timetable, either on one or over several lines;
- Services allowing to realise a coherent national service.

MIT can grant special rights to RU's (on a non-discriminatory basis) for particular services, if those services are indispensable for guaranteeing a good level of public transport, an efficient use of railway infrastructure or for financing of new infrastructure.

Legal basis of procedure

DPR 1999/146 Art. 8

DL 2003/188 Art 22

2.1.6 Publishing of capacity allocation framework (2001/14)

Responsible organisation

RFI, Direzione Commerciale, RU's

Objectives, tasks and responsibilities

RFI publishes its capacity allocation framework on its website.

Procedure

- The request for capacity must be made no less than eight months ahead of the new timetable entering service, for any railway operation in Italy or starting in Italy;
- Within two months RFI must either approve or reject requests. A rejection must be motivated by RFI;
- If a rejection is based on lack of capacity, RFI will (with the RU's consent) try to re-adjust the schedule in order to accommodate the capacity request. The relevant information is made available to the interested RU's;
- RFI will adopt all procedures needed to share information with its counterparts in other EU member states;
- Upon requesting capacity, the RU's must pay a deposit to RFI as a guarantee against requested capacity not being used;
- RFI is obliged to timely inform the RU's about any relevant modification to the quality or capacity of a railway line affecting international exploitation.

Legal basis of procedure

DL 2003/188 Art.13

2.1.7 Setting of infrastructure charges (2001/14)

Responsible organisation

RFI, MIT

Objectives, tasks and responsibilities

For using the infrastructure, RU's and international consortia must pay access charges, applied and collected by RFI. The level of the charges is determined by MIT at the suggestion of RFI.

The charges must reflect direct and indirect costs of running railway services and energy costs

Procedure

RFI calculates the charges on a per km basis, while the following parameters are applied:

- Saturation of the track in terms of trains per single track and usage intensity of nodes;
 - The use of platforms and catenary in connection to the weight and speed of the train and pantograph-catenary contact;
 - Speed, considering the degree of capacity absorption in relation to the type of schedule in which the train path is to be inserted;
 - Energy consumption, linked to the type of traction;
- Another parameter is used on a per path basis:

- The quality of the railway infrastructure as well as its maximum speed and technical facilities.

There are discounts for RU's that give up slots.

The charges are subject to annual revision to compensate for inflation. RFI can adjust the charges, based on criteria set by MIT, with respect to the quality, type and volume of services requested. Such changes must be published at least three months ahead of being implemented. At any time, however, the charges must be calculated, applied and collected on a non-discriminatory basis.

Coefficients may be applied in order to internalise external effects of train traffic. These may actually lead to a lowering of the user charges to reflect the rail transport's comparatively low impact on the environment. Such discounts must be reflected in the price of the final product.

Legal basis of procedure

DM 2000/43T

DM 2000/44T

DL 2003/188 Art 17-19

2.1.8 Collection of infrastructure charges (2001/14)

Responsible organisation

RFI

Objectives, tasks and responsibilities

After having calculated the access charges that apply to each operator, RFI proceeds with collecting them.

Procedure

No specific procedures defined for charges collection.

Legal basis of procedure

DL 2003/188 Art. 17

2.1.9 Publishing of charging framework (2001/14)

Responsible organisation

RFI

Objectives, tasks and responsibilities

RFI publishes the charging framework on its website:

<http://www.rfi.it/pedaggio2000/DocumentiDecreto/Decreto.asp>

Procedure

Not applicable

Legal basis of procedure

DM 2000/43T

DL 2003/188 Art. 13

2.1.10 Appeal to decisions related to charging and capacity allocation (2001/14)

Responsible organisation

MIT, RFI, RU's

Objectives, tasks and responsibilities

RU's and international transport consortia have the option to appeal against RFI's decisions on matters of capacity allocation or charging.

Procedure

Within two months after the date of receiving all the necessary information concerning an appeal, MIT must issue its ruling.

Legal basis of procedure

DL 2003/188 Art. 37

2.2 Interoperability and safety

2.2.1 Drawing up Technical Specifications for Interoperability (TSIs) (96/48 and 2001/16, art. 5)

Responsible organisation

RFI

Objectives, tasks and responsibilities

RFI adopts TSI's, that the RU's must observe.

Procedures

No procedures defined.

Legal constitution

DL 2004/268 Art. 3

2.2.2 Appointing of Member State representative in the Advisory Committee (96/48 and 2001/16, art 21)

Responsible organisation

Not applicable.

Objectives, tasks and responsibilities

Not applicable.

Procedure

Not applicable.

Legal basis of procedure

Not applicable.

2.2.3 Regulation of interoperability (96/48 and 2001/16, art 8 and 20)

Responsible organisation

RFI

Objectives, tasks and responsibilities

Operators and manufacturers are not allowed to bring constituents on the market that do not meet the TSI's, failure to observe this regulation will result in a penalty. Suspension and withdrawal of constituents shall be communicated to the Commission, other member states and the Notified Body.

Procedures

None

Legal constitution

DL 2004/268 Art 5 n° 10; Art 7 n° 1, 9; Art 10 n° 4.

2.2.4 Authorisation of (sub)systems (96/48 and 2001/16, art 14)

Responsible organisation

RFI

Objectives, tasks and responsibilities

RFI authorises the use and sale of subsystems only if they meet the requirements as specified in the Annex of the interoperability directives.

Procedures

None

Legal constitution

DL 2004/268 Art. 6 n° 1, and technical Annex III

2.2.5 Control on (sub/system) operation and maintenance in accordance with regulations (96/48 and 2001/16, art 14)

Responsible organisation

RFI

Objectives, tasks and responsibilities

In case a (sub)system does not comply with a TSI anymore, RFI must inform the relevant bodies in all EU member states.

Procedures

None

Legal basis of procedure

DL 2004/268 Art. 6 n° 1, and technical Annex III

2.2.6 Approval of Notified Bodies (96/48 and 2001/16, art. 20) please indicate which are the approved Notified Bodies and their relevant tasks

Currently, the notified bodies in Italy are:

RINA S.p.a.

CONSORZIO SCIROTUV

Responsible organisation

Transport Ministry, Applicant Notified Body

Objectives, tasks and responsibilities

See procedures

Procedures

Any entity wishing to be recognised by the Italian state as a notified body in one or more sectors of interoperability must present the required documents and match the regulations as presented in the Annex of the interoperability directives. If the request is approved, the Ministry will inform the Commission and other Member States immediately, indicating the area of competence of the Notified Body.

Legal constitution

DL 2004/268 Art 7 n° 1, 9; Art 10 n° 5 and Annex VII

2.2.7 Assessment/control of Notified Bodies (96/48 and 2001/16, art. 20)

Responsible organisation

Ministry of Transport

Objectives, tasks and responsibilities

If a notified body fails to comply with one or more of the requirements, the Ministry will inform the Commission and other Member States.

Procedures

Not applicable

Legal constitution

DL 2004/268 Art. 10 n° 5

2.2.8 Assessment of conformity and/or suitability of (sub)systems for use (96/48 and 2001/16, art 13)

Responsible organisation

Manufacturers, Notified Bodies, MIT, RFI

Objectives, Tasks And Responsibilities

The manufacturer or its authorised representative must comply with technical specifications as described in Annex IV in order to be eligible for an EC declaration of conformity. A Notified Body can give this declaration.

If an interoperability constituent is also subject to any other Directives, then these other Directives must also be observed.

In case the manufacturer or its authorised representative does not meet the above requirements, the responsibility passes on to the RU that assembles or uses the components concerned.

Procedures

In case of a non-conformity, RFI or MIT can urge a manufacturer to restore conformity of a component. Should the non-conformity persist, then RFI or MIT must take adequate measures to have the component removed from the market.

Legal constitution

DL 2004/268 Art 5 n° 5-8, 17 and Annex IV

2.3 State aid, competition and public service obligations

2.3.1 Monitoring of competition (1017/68, 2001/12 and 01/2003)

Responsible organisation

Not applicable

Objectives, tasks and responsibilities

Not applicable.

Procedure

Not applicable

Legal basis of procedure

Not applicable

2.3.2 Enforcing of competition (01/2003)

Responsible organisation

Not applicable

Objectives, tasks and responsibilities

Not applicable

Procedure

Not applicable

Legal basis of procedure

Not applicable

2.3.3 Complaint handling related to competition (01/2003)

Responsible organisation

MIT

Objectives, tasks and responsibilities

Any controversy or dispute, either of technical or legal nature that may rise between the concessionaires will be filed at an arbitration court.

Procedure

In case of a dispute, a arbitration court will be formed, composed of five members: one from MIT, one from the Finance Ministry, two from the plaintiff and one from the State Council that will also act as a chairman. In case this committee fails to give a verdict within 30 days of the complaint, the case will be passed on to the State Council. The committee must rule according to the law.

Legal basis of procedure

DM 1993/225T Art 21.

2.3.4 Evaluation of annual PSO claims/economic disadvantages (1191/69)

Responsible organisation

MIT, regional governments

Objectives, tasks and responsibilities

MIT and a RU can enter a PSO contract for a period of three years, with annual revision, to guarantee proper public transport.

Procedure

In order to qualify for a PSO grant, MIT and the RU must sign a contract that specifies at least the following points:

- Quality and quantity of the line concerned;
- Quality and quantity of the transport service according to norms of continuity, frequency and capacity;
- Quality and quantity of complementary transport;
- The passenger timetable;
- Whether the service meets the requirements;
- The price of the services, possibly also describing ticket prices if affected;
- Additional clauses for modifying the contract in case of unforeseeable changes;
- Sanctions in case of non-compliance, keeping the present concession in mind.

Similar contracts may be reached between the RU and regional governments. Within the scope of this project, it was not possible to analyse all PSO contracts of the RU's.

In 2003, Trenitalia received €481m under a PSO contract with the State, and €1,225m in PSO contracts with the regional governments¹. The latter deal with regional suburban services, the former with long-distance traffic.

Open tendering has been introduced, leading to more transparency. But the only three open tenders so far involved regional railways that were not operated by Trenitalia, these will still follow.

Legal basis of procedure

DM 1993/225T Art. 14

L 1985/210 Art. 18

2.4 Statistics

2.4.1 Collection of financial data from railway undertakings (1192/69)

Responsible organisation

RU's

Objectives, tasks and responsibilities

RU balance sheets must keep separate accounts for activities related to freight transport, as well as for any Public Transport services. In case of vertically integrated transport systems, separate accounts must be shown for infrastructure management and transport operation. Any funds received from public financing cannot be transferred to other sectors but must remain in the sector for which they had been assigned.

Procedure

Every railway company must make its annual balance sheets public.

Legal basis of procedure

DL 2003/188 Art. 5

2.4.2 Collection of financial data from infrastructure managers (1108/70)

Responsible organisation

RFI, MIT

¹ Bilancio di Esercizio al 31 Dicembre 2003, Conto Economico, A-1-a, A-1-c

Objectives, tasks and responsibilities

RFI is obliged to produce a financial report to the state, as described in the contract between RFI and the state (“Contratto di Programma”) that is signed every three years.

Procedure

Every year, RFI sends a financial report to MIT that is up to international accounting standards, with a cost breakdown that is detailed enough to provide a good understanding of RFI’s financial situation.

Legal basis of procedure

DL 2003/188 Art. 15

2.4.3 Provision of financial data on infrastructure management’s expenses (1108/70)

Responsible organisation

RFI, MIT

Objectives, tasks and responsibilities

RFI is obliged to produce a financial report to the state, as described in the contract between RFI and the State (“Contratto di Programma”) that is signed every three years.

Procedure

Every year, RFI sends a financial report to MIT that is up to international accounting standards, with a cost breakdown that is detailed enough to provide a good understanding of RFI’s financial situation.

Legal basis of procedure

DL 2003/188 Art. 15

2.4.4 National contribution to Community statistics on rail transport to Eurostat (91/2003)

Responsible organisation

Not applicable

Objectives, tasks and responsibilities

Not applicable

Procedure

Not applicable

Legal basis of procedure

Not applicable

3 TRAIN OPERATING COMPANIES

3.1 List of train operating companies

Freight operations

Trenitalia

FNME - Ferrovie Nord-Milano Esercizio

Railtraction

Many smaller companies

Passenger operations

Trenitalia

FNME - Ferrovie Nord-Milano

Many smaller companies

3.2 Safety license

The following table lists the RU's in possession of a safety license and the date of their certification:

Ferrovie dello Stato S.p.A.	23.05.2000
Trenitalia S.p.A.	30.10.2000
Metronapoli S.p.A.	31.01.2001
Ferrovie Nord Milano Esercizio S.p.A.	25.07.2001
Rail Traction Company S.p.A.	11.10.2001
Del Fungo Giera Servizi Ferroviari S.p.A.	15.07.2002
Rail Italy S.r.l.	30.07.2002
SATTI S.p.A.	19.12.2002
SERFER Servizi Ferroviari Srl	28.04.2003
Hupac S.p.A.	6.05.2003

3.3 Market shares/transport volumes

	Train	Gross train	Passenger		Freight	
	kilometres	tonne-km	Passengers	Passenger-km	Tonnes	Tonne-km
<i>FNME/FNC</i>	7.8	1,613	50.6	1,153	0.2	19
<i>FS SpA</i>	321.5	88,400	497.9	45,221	82.1	20,297
<i>Railtraction</i>	0.8	838	-	-	1.9	456

In millions. Source: UIC (2003)

4 NGO'S

The following NGOs are active:

4.1 Industry associations

FEDERTRASPORTO

Was created in October 1993 as an associated member of Confindustria, the Italian Confederation of Industries. Its statutory mission is to integrate the modes of transport in Italy. It is also the main representative body of companies and corporations in the industry of land, sea and air transport, infrastructure and connected services, including the most important associations such as Confitarma (maritime sector); Anita, Anav and Aiscat (road sector); Agens (rail), Assaereo and Assaeroporti (air sector), Assointerporti and Assologistica (logistic).

The research centre promotes studies on transport and publishes a report twice a year on the current situation of transport in Italy.

ASSTRA

This association represents public and private companies which provide licensed railway services managed by the Government, urban, regional and bus chartering, as well as inland shipping services, cable cars and railway transportation for seaports. Furthermore, it represents the public companies of local passenger transport.

4.2 User groups

UTP

UTP (Associazione Utenti Trasporti Pubblici, the PT users organisation) is an association created in 1982, it is a non-profit organisation, and non-political. The objective of the UTP is to protect the economic and legal interests of the public transport users in Italy.

UTP has an active part in lobbying when user rights are violated. It proposes researches and studies and is involved in information campaigns.

UNIONE NAZIONALE CONSUMATORI

Unione Nazionale Consumatori is the oldest consumers' and users' association. It was established in 1955, and for a few years, it used to communicate with the consumers only by spoken word. Later, it published "Le scelte del consumatore", the daily newspaper dealing with the issues of consumption and consumers, through which it maintains a steady relation with various public, cultural and social organisations and with all media.

ASSOUTENTI

ASSOUTENTI was created in 1982. Individual members or other associations of consumers and users are part of the ASSOUTENTI.

ADICONSUM

Adiconsum is member of the National Council of Consumers, founded by the Ministry of Industry according to Law n. 281/ 98 about consumer rights and consumer protection; Adiconsum is also an ordinary member of the IMQ, the Italian Institute for Quality certification.
Trade unions

FILT

FILT (Federazione Italiana Lavoratori Trasporti) it is part of the National Trade Union (CGIL), and its principal aim is to maintain the political and organisation union of the employees and to protect the economic and professional interests of employees in the railway sector.

UIL TRASPORTI

UIL Trasporti (Unione Lavoratori Italiani Trasporti) it is part of the UIL. It is an impartial organisation, and it is member of the International Transport Workers' Federation (I.T.F.) and of the C.E.S. (Confederazione Europea dei Sindacati)

FIT-CISL

FIT (Federazione Italiana Trasporti) it is the part of the CISL, that looks after the interests of the workers in transport in general.

4.3 Environmental groups

AMBIENTE E LAVORO

Ambiente e Lavoro is an Association promoting environmental protection of sites that are of national interest, without profit goals, recognised by the Department of the Environment of Italian Republic through Departmental Decree 1988/3/1 (State Journal 1988/5/19). Its aim is to pursue a good and healthy environment in everyday life and at work.

AMICI DELLA TERRA

Amici della Terra is a national, non-profit, non-governmental organisation. It defends the interests of the environment. It is part of the "Friends of the Earth International" and it acts in Italy and at International level together with "Friends of the Earth International" and other associations.

LEGA AMBIENTE

LEGA AMBIENTE promotes environmental awareness and defends the interests of the environment. It promotes the active participation of the citizen in the protection of the environment.

4.4 Other

None

5 FURTHER FACTS AND STATISTICS

5.1 Complaint statistics and information

C-444/99: Commission vs Italy (Combined Transport)

Parties:

Commission of the European Communities, (applicant) vs. Italian Republic (defendant)

Case:

Application for a declaration that, by keeping in force a system of authorisations and quotas for combined transport operations between Member States, despite having converted all special authorisations into general authorisations, the Italian Republic has failed to fulfil its obligations under Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ 1992 L 368, p. 38), in particular Article 2 thereof.

Verdict:

The court

1. Declares that, by keeping in force a system of authorisations and quotas for combined transport operations between Member States and despite having converted all special authorisations into general authorisations, the Italian Republic failed in its obligations under Article 2 of Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States;
2. Orders the Italian Republic to pay the costs.

Older cases:

C-6/92: Federazione sindacale italiana dell'industria estrattiva and others vs. the European Commission

Commission Decision 91/523/EEC of 18 September 1991 abolished the support tariffs applied by Italian local railways for the carriage of bulk ores and products produced and processed in Sicily and Sardinia. In 1992, these railways appealed against this decision, filing their case at the European Court of Justice. The court argued that a Commission decision prohibiting State aid for the transport of ores by railway is not of individual concern to undertaking, and it therefore dismissed the case as inadmissible.

Accident statistics

Company	2002
FS Spa	491
Rete Ferroviaria Italiana - RFI	37.112
Trenitalia	57.714
Metropolis	1.953
Other Companies	5.328
TOTAL	102.598

Source. Gruppo Ferrovie dello Stato, yearly averages

	2002
Typical accidents	
accidents	88
deaths	20
injuries	29
Atypical accidents	
accidents	94
deaths	53
injuries	45

Source. Gruppo Ferrovie dello Stato, yearly averages

More recent or detailed statistics were not available at RFI or FS at the time of writing (April 2005). PoIPI

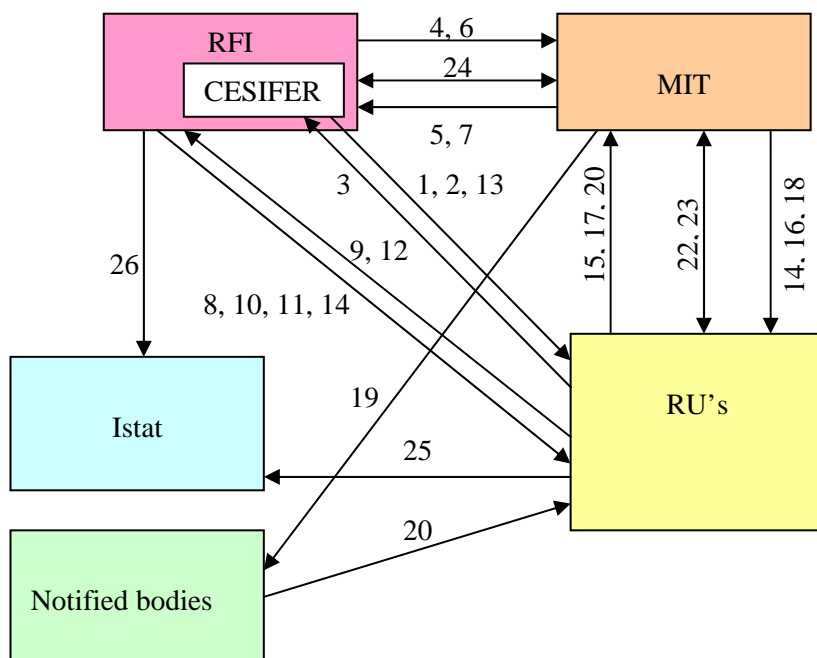
6 PLEASE POGRAPHICAL OVERVIEW

RFI issues safety certificates to RU's through its CESIFER department (1) and is responsible for safety inspections of railway operations (2). The RU's must show that all its rolling stock, equipment and staff operate according to all relevant requirements (3). RFI must suggest new standards to MIT (4) for endorsement (5). RFI must develop framework for track access charges and send it to MIT (6) for endorsement (7). RFI is responsible for publishing the charging framework (8) and collecting the charges (9). RFI must develop a capacity allocation framework, publish it (10) and allocate capacity to the RU's (11) while considering the RU requests (12). RFI checks (sub) systems for their compliance with TSI's (13), and in case of a non-conformity RFI and/or MIT can take measures to have a component removed from the market (14).

In case all conditions are met, the RU can ask MIT for a license to operate on the network (15) that MIT should either grant or deny within a particular amount of time (16). In case of conflicts between RFI and a RU concerning charges or capacity allocation, the RU can ask MIT for a ruling (17) that MIT should give within two months (18). MIT could also approve and inspect Notified Bodies (19), which can certificate for components to be used by the RU's (20). Similarly, if a RU's files a complaint concerning competition (21), MIT will form an arbitrage court to deal with the matter, which will include representatives from the RU as well (22). MIT and a RU can enter a contract concerning PSO's (23).

In case of accidents, RFI and MIT form a special commission for investigation (24).

RU's are supposed to supply statistical data to Istat, the statistics Institute (25). Also RFI supplies Istat with statistical data (26).



ANNEX A RFI FINANCES

Results in Euros

	2003	2002
Income		
Commercial revenue	834,653,156	860,523,871
Sales of passenger and maritime traffic	12,629,561	12,286,954
Charges and other infrastructure revenue	658,909,999	648,406,425
Other revenues	163,113,596	199,830,492
Increments of immobilisations by internal labour	355,848,514	382,789,938
Other income	3,533,975,223	3,537,746,885
Subsidies	386,486,390	1,466,075,061
<i>In the sense of EC regulations</i>	<i>382,100,000</i>	<i>1,452,892,000</i>
<i>Other</i>	<i>4,386,390</i>	<i>13,183,061</i>
Infrastructure reorganisation fund	1,926,372,277	1,823,314,244
Ordinary maintenance fund	977,000,000	0
Other income	244,116,556	248,357,580
Total Income	4,724,476,893	4,781,060,694

Expenses

Goods sold and consumed	328,469,601	360,384,707
Servives	691,898,606	672,169,833
Enjoying 3rd party goods	55,605,849	50,231,395
Personnel	1,529,936,855	1,497,629,997
Amortisation and writing off	1,936,297,815	1,832,536,912
Variations of raw material value	47,229,054	42,611,727
Risk provision	76,339,726	261,199,145
Other provisions	16,761,610	3,650,817
Various management costs	39,045,125	40,144,343
Total production costs	4,721,584,241	4,760,558,876
Financial income	14,103,546	12,673,533
Extraordinary income	135,140,712	151,045,438
Extraordinary costs	150,669,039	137,210,979
Total extraordinary	-15,528,327	13,834,459
Result before taxes	1,467,871	47,009,810
Tax	0	-45,000,000
Net Result	1,467,871	2,009,810

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