

APPROVED  
by the Executive Board of the  
Joint Stock Company LatRailNet  
in a meeting held on 6 September 2016,  
min. no JALP-1.2/30-2016  
in Riga

## REGULATIONS

6 September 2016

No. JALP-7.6/01-2016

### **The scheme for the allocation of the public-use railway infrastructure capacity**

Issued under Article 13.<sup>2</sup> and  
Article 27(11) of the Railway Law

#### **I. General issues**

1. These regulations (hereinafter referred to as the Scheme) lay down:

1.1. the coordination process of the capacity allocation of the public-use railway infrastructure (hereinafter referred to as the railway infrastructure) carried out by the manager of the public-use railway infrastructure, State Joint Stock Company "Latvian Railway";

1.2. the procedure for the assignment of train paths;

1.3. the criteria by which to determine that train paths are not used;

1.4. operational activities in case of temporary insufficiency of the infrastructure capacity;

1.5. the maintenance notice;

1.6. the dispute settlement procedure.

2. The following terms are used in the Scheme:

2.1. **capacity allocation body** — the performer of the essential functions of the infrastructure manager, responsible for the allocation of infrastructure capacity and the assignment of the train paths;

2.2. **capacity allocation dispatcher** – a shift employee (a dispatcher) of the capacity allocation body, carrying out the operational capacity allocation and the assignment of train paths during the period of their shift;

2.3. **railway transportation dispatcher** – a dispatcher at the Train Movement Control Centre of the infrastructure manager;

2.4. **operational capacity allocation plan** – a daily planning document indicating train paths assigned to specific railway undertakings;

2.5. **temporary insufficiency of the capacity** – if the number of trains per day exceeds the throughput capacity of an infrastructure section or the processing capacity of a station.

3. The Scheme is applied to all railway undertakings, applicants and the infrastructure manager in compliance with the capacity allocation regulations issued by the Cabinet of Ministers.

4. Capacity applications are submitted no earlier than 12 months before the annual working timetable enters into force, in accordance with the capacity allocation regulations issued by the Cabinet of Ministers and the form included in Annex I of the Scheme.

5. The infrastructure manager, after coordination with the neighbouring railways, submits the number of international transboundary trains, as well as a provisional list of passenger and container trains until 15 May of the current year.

6. The infrastructure manager ensures that over the course of development of the annual working timetable changes to the paths of the international transboundary trains are kept to the minimum.

## **II. Coordination process of the allocation of the infrastructure capacity**

7. When coordinating the allocation of infrastructure capacity, the capacity allocation body complies with the priorities laid down in Article 27(3) of the Railway Law, offers applicants measures laid down in the capacity allocation regulations issued by the Cabinet of Ministers, as well as, in accordance with international agreements, cooperation and utilisation of infrastructure sections, in addition complies with the following criteria:

7.1. the importance of a service to the society, relative to any other service which will no longer be available;

7.2. within a specialized infrastructure, priority may be given to a specialized type of traffic. Such designation does not hinder the use of this infrastructure for other types of traffic, if there is sufficient infrastructure capacity;

7.3. the co-operation experience of a railway undertaking and the infrastructure manager, if any;

7.4. the planned regularity, intensity and duration of the use of the infrastructure;

7.5. the compliance of technical characteristics of trains with effective use of the infrastructure;

7.6. the information about payments for infrastructure services charged during the previous infrastructure capacity allocation period, if such information exists.

8. If applicants do not agree with the allocation of the infrastructure capacity proposed by the capacity allocation body, cannot come to an agreement and do not agree to amend the capacity applications within ten working days, the capacity allocation body:

8.1. immediately notifies the known applicants and the infrastructure manager that over the course of coordination it has not been possible to meet the capacity requests adequately and the specific infrastructure section is overloaded;

8.2. reduces or does not grant infrastructure capacity to those applicants, whose technical characteristics of trains do not ensure efficient use of infrastructure;

8.3. allocates the infrastructure capacity according to the order laid down in the Railway Law and the capacity allocation regulations issued by the Cabinet of Ministers as well as in compliance with the criteria laid down in Paragraph 7 of the Scheme.

9. The capacity allocation body tries to make optimal use of available infrastructure capacity, offering it to other applicants or for the needs of the infrastructure manager.

10. In case of the infrastructure capacity allocation in more than one railway network in the European Union, as well as in a railway network that is connected to the third countries, the capacity allocation body applies the order and criteria used to assess and allocate the infrastructure capacity for domestic transportation that have been laid down in the capacity allocation regulations issued by the Cabinet of Ministers and in this Scheme.

11. In cooperation with the infrastructure manager, the capacity allocation body may propose organising international train paths to facilitate the transportation of freight, covered by special service train requests.

### **III. Order of assignment of train paths**

12. The assignment of train paths takes place on the basis of the approved annual working timetable, which in accordance with the capacity allocation regulations issued by the Cabinet of Ministers and in consultation with the substantially interested parties has been confirmed as compliant with the approved plan for the allocation of the infrastructure capacity by the capacity allocation body.

13. The infrastructure manager:

13.1. according to the approved plan for the allocation of infrastructure capacity, sends the annual working timetable to the capacity allocation body at least 30 calendar days before the date it enters into force;

13.2. constantly and timely provides the capacity allocation body with the latest statistics related to transportation processes as well as with information about train arrivals from neighbouring railways.

14. The capacity allocation body considers that actual and technological conditions are equal and optimum utilisation of the infrastructure can be achieved if:

- 14.1. traffic does not exceed the allocated infrastructure capacity;
- 14.2. railway undertakings provide traction and locomotive crew to all the trains at their disposal;
- 14.3. railway undertakings take trains to the predetermined final destination according to the technological and technical rules;
- 14.4. the infrastructure manager ensures an unimpeded minimum access package;
- 14.5. passenger and special freight train traffic takes place according to the approved working timetable or according to a working timetable which has been amended in the specified order;
- 14.6. freight train traffic takes place without delays, without affecting the capacity of infrastructure sections, according to the regular working hours of locomotive crews;
- 14.7. overloading of technical stations with trains that have not been dispatched in time does not occur;
- 14.8. delivery of goods takes place on time to ensure a rhythmic operation of freight terminals.

15. A capacity allocation dispatcher, in equal actual and technological conditions, assigns train paths in an operational capacity allocation plan by previous train arrival sequence and readiness for departure, while taking into account capabilities to receive trains at their final destination.

16. By the train arrival sequence, train paths are assigned:

- 16.1. from turn-around points and from unloading stations, a capacity allocation dispatcher plans train dispatch according to the arrival sequence of the locomotives, taking into account proposals made by railway undertakings and the dislocation of the fleet of locomotives within the railway network;
- 16.2. in case unloading stations do not have enough traction for the removal of trains with empty wagons, a capacity allocation dispatcher provides a dispatch of a backup locomotive in the operational capacity allocation plan, from the railway undertaking who had brought these wagons for unloading or uses the traction of another railway undertaking after coordinating with its owner.

17. Not later than four hours before the start of the reference period, railway undertakings and a railway transportation dispatcher electronically (to the email address in the Riga region: LRNjsd1@ldz.lv; in the Daugavpils region: LRNjsd2@ldz.lv; in the Jelgava region: LRNjsd3@ldz.lv) submit to the capacity allocation body proposals (if any)

regarding possible train dispatch. Proposals on appointing passenger and service trains, which have been previously appointed by telegraphic orders (for example, 4th address telegrams), do not need to be submitted.

18. On the basis of proposals submitted by railway undertakings and a railway transportation dispatcher, a capacity allocation dispatcher draws up an operational capacity allocation plan two times per day (not later than at 15:00 and at 03:00), approves it and sends it to the Train Movement Control Centre and railway undertakings for execution.

19. If over the course of the execution of the confirmed operational capacity allocation plan any disruption in train movements has suddenly emerged and it has become necessary to make changes to the set sequence of train movements between different railway undertakings, the capacity allocation body, subject to the operational situation and the principle of equal access, immediately makes the decision on these changes and gives instructions accordingly to railway undertakings and the infrastructure manager by using the official electronic means of communication. To the railway undertakings that do not provide an optimal utilisation of the infrastructure capacity, operational measures that are laid down in Paragraph 23 of the Scheme, can be applied.

#### **IV. Criteria by which to determine that train paths are not used**

20. Non-use of trains paths is established by the capacity allocation body according to the following criteria:

20.1. due to the fault of applicants:

20.1.1. railway undertakings have not informed the capacity allocation body timely (four and more hours before the start of train path assignment planning period or at all about the changes in train dispatching (the number of unused train paths);

20.1.2. the assignment of train paths is not planned because the consignee refuses to accept wagons for unloading or because the unloading does not take place in the agreed amount (the number of trains not dispatched);

20.1.3. trains that have been set in the capacity application to be dispatched according to the train schedule do not use the assigned train paths at least five times a month (or according to the threshold quota specified in the infrastructure network report) unless it has happened due to reasons which are not of an economic nature and which could not have been affected by the applicant;

20.2. due to the fault of the infrastructure manager:

20.2.1. the extension of the technological breaks ("windows") (number of trains not dispatched);

20.2.2. the infrastructure maintenance is not provided to the degree set in the infrastructure network report (number of trains cancelled).

21. In case of a particularly overloaded infrastructure, the capacity allocation body requests the cancellation of a previously assigned train path that has been used less than five calendar days in at least one month (or according to the threshold quota specified in the infrastructure network report) unless it has happened for reasons, which are not of an economic nature and which could not have been affected by the applicant.

## **V. Operational measures in case of temporary insufficiency of the infrastructure capacity**

22. Temporary insufficiency of the infrastructure capacity may occur in at least one of the following cases:

22.1. the infrastructure manager is not able to provide the infrastructure capacity specified in the infrastructure network report;

22.2. traffic exceeds the allocated infrastructure capacity;

22.3. technological standards in the train processing stations are exceeded and train sets have been prohibited from movement;

22.4. a railway undertaking does not provide the norms of the working timetable;

22.5. time periods specified in the annual working timetable for trains, which have been set in the capacity application to be dispatched according to the train schedule, are not complied with;

22.6. cargo terminals are not able to receive freight trains;

22.7. neighbouring networks do not accept cargo according to the planned number of trains;

22.8. an uncoordinated extension of technological breaks (“windows”) has taken place;

22.9. a train is delayed;

22.10. an emergency situation has occurred or the elimination of the consequences of an accident is taking place;

22.11. a damage to traction or wagons has occurred.

23. If the capacity allocation body establishes that reasons for the overload can be prevented within the train path assignment process, it offers railway undertakings to participate in the following operational activities:

23.1. to assign additional trains, if there is such a possibility;

23.2. to provide train passage through bypasses and alternate routes, if any:

23.2.1. after coordinating with the railway undertaking, if the throughput capacity is limited due to scheduled maintenance work;

23.2.2. after informing the railway undertaking in order to normalize the work of the hub station;

23.3. to reduce the allocated infrastructure capacity down to the actually required for those rail undertakings that do not have trains ready for departure;

23.4. to decide on the assignment of train paths to those railway undertaking's trains that are ready for departure and will be accepted at the final destination;

23.5. to move a freight train set of one railway undertaking using the traction from another railway undertaking, after the railway undertakings have specifically agreed to such activity;

23.6. to stop a train set in an intermediate station, including those with the traction of another railway undertaking, after the railway undertakings have specifically agreed to such activity;

23.7. to review train dispatch sequence if cargo unloading is not provided;

23.8. to decide on the moving sequence of trains with less weight and shorter length within the infrastructure;

23.9. with the consent of the respective railway undertakings, to include the traction of one railway undertaking in the freight train of another railway undertaking;

23.10. to identify other activities according to the laws and regulations.

24. In case the set sequence of train movements needs to be changed, the capacity allocation body updates the operational capacity allocation plan and informs railway undertakings about the changes made by phone (providing recording of the conversation).

## **VI. Maintenance notice**

25. The infrastructure manager submits the maintenance notice to the capacity allocation body in writing according to the form included in Annex II of the Scheme.

26. If due to unscheduled maintenance the infrastructure capacity is not available, the infrastructure manager notifies the railway undertakings and the capacity allocation body as soon as possible.

## **VII. Dispute settlement procedure**

27. The capacity allocation body applies the dispute settlement procedure starting from the moment when an applicant has submitted objections regarding the infrastructure capacity allocation in writing (using the official, including electronic means of communication).

28. The capacity allocation body has a duty to review the objections within two working days after receiving them and to offer the applicant to take specific measures, and to amend the capacity application, if necessary. Regarding the aforementioned, the capacity allocation body is obliged to immediately notify the applicant in writing (using the official, including electronic means of communication).

29. The applicant is obliged to submit a written response to the capacity allocation body about agreeing or refusing to amend the capacity application within five working days from

the submission of the objections (using the official, including electronic means of communication).

30. The capacity allocation body decides on the allocation of infrastructure capacity within ten working days since the start of the dispute settlement procedure (the receiving of objections).

### **VIII. Closing questions**

31. This Scheme is published online by the capacity allocation body on its website and submitted to the infrastructure manager for inclusion in the railway infrastructure network statement.

32. This Scheme enters into force upon its publication.

JSC LatRailNet  
Capacity Allocation Director

T. Lukonen



Annex I  
to JSC LatRailNet  
regulations No. JALP-7.6/01-2016  
on September 6, 2016  
“The scheme for the allocation of the public-use railway infrastructure capacity”

### CAPACITY REQUEST

No.	Name of the infrastructure section <sup>1</sup>	Number of trains <sup>2</sup>	Final destination <sup>3</sup>	Travelling frequency <sup>4</sup>	Type of traction unit (series) <sup>5</sup>	Train weight and length <sup>6</sup>	Speed limits of traction unit <sup>7</sup>	Dislocation of traction unit <sup>8</sup>	Work of locomotive crews <sup>9</sup>	Additional preparation operations <sup>10</sup>	Additional train maintenance sites <sup>11</sup>	Special passing conditions <sup>12</sup>	Official means of communication <sup>13</sup>

1 - must indicate the name of an infrastructure section according to the one mentioned in the railway infrastructure network statement. Railway undertakings, which have a changing number of trains within the limits of a single section, must divide the section in subsections according to stations in which number of trains changes;

2 - must indicate the estimated number of trains per day on average;

3 - must indicate the estimated distribution of trains over the final stations of the route by indicating the desired stops for each train for passenger transportation;

4 - must indicate travelling frequency or train movement conditions for seasons, months or days of the week, as well as add the preferred time of train movement between the final stations of the section, if it is essential;

5 - must indicate the type of traction unit (series);

6 - must indicate the planned train weight and length (in physical units), which can be pulled by the respective traction unit within the applied infrastructure section (subject to all restrictions). In order to determine the length of passenger trains, the number of wagons must be identified;

7 - must indicate the highest possible speed of the traction unit within the infrastructure station (subject to all restrictions);

8 - must indicate the permanent location and turn-around point of traction units within the infrastructure section;

9 - must indicate the working order for locomotive crews at the particular train route, including at the turn-around points (also including information about whether any rest is provided for at those points);

10 - must indicate operations required to prepare a traction unit for movement (adding a breakdown by type of operation and the required time);

11 - must indicate the planned locations of technical service sites along the route (if required);

12 - must indicate special conditions affecting the time and conditions of train movement (if any), adding a detailed explanation;

13 - must indicate the official means of communication used with the applicant (contact information).

In addition, the applicant must indicate the approximate time of train dispatch or arrival within the route of train movement, if it is relevant to the applicant, or include a note that the train path assignment can happen operationally

Annex II  
to JSC LatRailNet  
regulations No. JALP-7.6/01-2016  
on September 6, 2016

“The scheme for the allocation of the public-use railway infrastructure capacity”

### MAINTENANCE NOTICE

No.	Name of the infrastructure section <sup>1</sup>	Period of maintenance <sup>2</sup>	Number of technological trains <sup>3</sup>	Speed limit at the maintenance site <sup>4</sup>	Description of maintenance works	Miscellaneous <sup>5</sup>

1 – the name of the infrastructure section that has requested maintenance, according to the one mentioned in the railway infrastructure network statement, specifying the specific location within the section, including infrastructure sections that are required to move the technological trains necessary for maintenance;

2 – the planned maintenance periods and breaks required in train movement in the annual working timetable, number and length of the breaks;

3 – the planned number of technological trains and the required traction units;

4 - speed restrictions at the maintenance site, including the adjacent roadways (if any);

5 - other conditions affecting the time and conditions of the technological train movement (if any), adding a detailed explanation.