

APPROVED  
by the decision No. JALP-1.3./43-2020  
of the Executive Board of the  
Joint Stock Company "LatRailNet"  
in a meeting held on 13 May 2020  
(min. No. JALP-1.2./43-2020)

REGULATIONS  
Riga

13 May 2020

No. JALP-7.6/04-2020

**Amendments to the JSC LatRailNet regulations Nr.JALP-7.6/02-2017 of 30 June 2017 "The Collection Scheme"**

1. Amend the JSC LatRailNet regulations No.JALP-7.6/02-2017 of June 30 2017 "The Collection Scheme" (hereinafter - the Scheme) as follows:

1.1. Express Paragraph 15 of the Scheme as follows:

"15. The reference period of the assurance payment for the allocated part of the railway infrastructure capacity in market segments referred to in Paragraph 48 of the Charging Scheme, where the transportation is performed using pre-assigned train paths, is the current period of the annual working timetable which the decision on railway infrastructure capacity allocation is referred to. Applicants request pre-assigned train paths for each market segment together with their capacity application to the capacity allocation body for the next period of the annual working timetable, but the infrastructure manager applies the initial payment for the number of the requested pre-reserved train paths for the following period of the annual working timetable in the amount of 25% of the railway infrastructure capacity assurance charge  $M_{rezer\ gr\ s}$  for each specific market segment in accordance with the following formula:

$$NKM_{rezer\ gr\ s} = 0,25 \times M_{rezer\ gr\ s} \times DR_{ceļ\ uztur\ gr\ s} + N, \text{ where}$$

<b><math>NKM_{rezer\ gr\ s}</math></b>	– the initial railway infrastructure capacity assurance payment to be made by an applicant within a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths ( <i>euro</i> );
<b><math>M_{rezer\ gr\ s}</math></b>	– the amount of the railway infrastructure capacity assurance charge set by the charging body within a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths ( <i>euro</i> per train km, without value added tax);
<b><math>DR_{ceļ\ uztur\ gr\ s}</math></b>	– the amount of the performance indicator of the number train km indicated by an applicant in relation to applicant's trains in a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths in the following period of the annual working timetable which the decision on railway infrastructure capacity allocation is referred to;
<b>N</b>	- fees and taxes to be paid by the applicant in accordance with the legislation in force in the Republic of Latvia ( <i>euro</i> ).";

1.2. Express Paragraph 16 of the Scheme as follows:

"16. The final payment for the actual usage of pre-reserved train paths within market segments provided by Paragraph 48 of the Charging Scheme where the transportation is performed using pre-assigned train paths is applied to the actual railway undertaking in the amount of 75% of the railway infrastructure capacity assurance charge  $M_{\text{rezer gr s}}$  for each specific market segment adding a surcharge based on the direct costs for the exceeding amount of train kilometers in accordance with the following formula:

$$KM_{\text{rezer gr s}} = 0,75 \times M_{\text{rezer gr s}} \times DR_{\text{ceļ uztur gr s}} + TI_{\text{rezer gr s}} \times \Delta DR_{\text{ceļ uztur gr s}} + N, \text{ where}$$

$KM_{\text{rezer gr s}}$	– the final railway infrastructure capacity assurance payment to be made by the railway undertaking in a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths ( <i>euro</i> );
$M_{\text{rezer gr s}}$	– the amount of the railway infrastructure capacity assurance charge set by the charging body within a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths ( <i>euro</i> per train km, without value added tax);
$DR_{\text{fakt ceļ uztur gr s}}$	– the actual amount of the train km performance indicator in relation to the railway undertaking's trains in a specific market segment of the relevant service group where transportation is performed using pre-assigned train paths;
$\Delta DR_{\text{ceļ uztur gr s}}$	– the exceeded amount of the performance indicator of train km in relation to the railway undertaking's trains in a specific market segment of the relevant service group where transportation is performed using pre-assigned train paths;
$TI_{\text{rezer gr s}}$	– the average direct unit costs set by the charging body in relation to all cost parameters for a performance indicator unit of one train km of the respective market segment in a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths ( <i>euro</i> per train km, without value added tax);
$N$	– fees and taxes to be paid by the applicant in accordance with the legislation in force in the Republic of Latvia ( <i>euro</i> ).";

### 1.3. Express Paragraph 16.<sup>1</sup> of the Scheme as follows:

"16.<sup>1</sup> If a train path assigned to an applicant in market segments provided by Paragraph 48 of the Charging Scheme where transportation is performed using pre-assigned train paths is cancelled in the cases referred to in Subparagraph 20.2 of the Capacity Allocation Scheme and the respective applicant has not agreed to move those paths to other time or route offered by the infrastructure manager, or it is cancelled in the case referred to in Paragraph 16.<sup>2</sup> of the Scheme due to the applicant's request, then the infrastructure manager compensates the collected railway infrastructure capacity assurance payment referred to in Paragraph 15 of the Scheme by decreasing railway undertaking's following regular payment for actual usage of pre-reserved train paths applying the compensation  $AM_{\text{rezer gr s}}$  according to the following formula:

$$AM_{\text{rezer gr s}} = 0,25 \times M_{\text{rezer gr s}} \times DR_{\text{ceļ uztur gr s}} + N, \text{ where}$$

- AM** rezer gr s – the railway infrastructure capacity assurance payment compensation applicable to the railway undertaking for the cancelled train paths in a specific market segment of the relevant service group where transportation is performed using pre-assigned train paths (*euro*);
- M** rezer gr s – the amount of the railway infrastructure capacity assurance charge set by the charging body in a specific market segment of the relevant service group where transportation is performed using pre-assigned train paths (*euro per train km*, without value added tax);
- DR** ceļ uztur gr s – the amount of train km performance indicator in relation to the railway undertaking's trains in a specific market segment of the relevant service group where transportation is performed using pre-assigned train paths corresponding to the number and length of actually cancelled trains;
- N** – fees and taxes to be paid by the infrastructure manager in accordance with the legislation in force in the Republic of Latvia (*euro*).";

1.4. Supplement the Scheme with Paragraph 16.<sup>2</sup>as follows:

"16.<sup>2</sup> The applicant has rights to request the cancellation of a pre-assigned train path that has been paid for in accordance with the provisions of Paragraph 15 of this scheme in the following calendar month by sending through the official means of communication a relevant application for the cancellation of a specific train path in the following calendar month to the capacity allocation body and the infrastructure manager not later than 15 calendar days before the first date of the following calendar month when the usage of the pre-assigned train path was planned.";

1.5. Express the Sub-paragraph 19.6 of the Scheme as follows:

"19.6. detailed information regarding the value of discounts mentioned in Chapter II of the Scheme set by the charging body for the relevant market segment, if any, during the invoicing period (*euro*).";

1.6. Express the Sub-paragraph 19.7 of the Scheme as follows:

"19.7. detailed information regarding the number of train km requested for reservation as mentioned in Paragraph 15 of the Scheme and cancelled as mentioned in Paragraph 16.<sup>1</sup> of the Scheme (according to the number and length of actually cancelled train paths) in a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths (*train km*).";

1.7. Express the Sub-paragraph 19.8 of the Scheme as follows:

"19.8. the amount of the total compensation of the railway infrastructure capacity assurance payment for cancelled train paths in a specific market segment of the relevant service group where the transportation is performed using pre-assigned train paths mentioned in Paragraph 16.<sup>1</sup> of the Scheme (*euro*).";

1.8. Express Paragraph 19.<sup>1</sup> of the Scheme as follows:

"19.<sup>1</sup> The infrastructure manager sends the applicant the invoice for the payment referred to in Paragraph 15 of the Scheme, in accordance with the decision on the railway infrastructure capacity allocation, 20 calendar days before the annual working timetable, which the decision on the railway infrastructure capacity allocation is related to, or its amendments enter into force and sets the payment deadline of 15 calendar days; the infrastructure manager sends the actual railway undertaking the invoice and invoicing information for the payment referred to in Paragraph 16 of the Scheme two times a week together with the regular invoice and invoicing information about freight transportation mentioned in Paragraph 20 of the Scheme and sets the payment deadline of 5 working days.";

2. The charging body publishes these amendments on its website on the internet and submits information about it to the public-use railway infrastructure manager for inclusion in the railway infrastructure network statement.
3. These amendments enter into force upon their publication.
4. A complaint regarding these amendments in accordance with the ninth part of Article 12 of the Railway Law may be submitted to the State Railway Administration no later than a month after the date of their publication.

JSC LatRailNet

the Finance Director

for Charging Affairs

M.Andiņš

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