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EUROPEAN COMMISSION

Brussels, 30.8.2010
COM(2010) 457 final

2008/0247 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 294(7)(c) of the Treaty on the Functioning of the European Union,
on the European Parliament amendment
to the Council position regarding the
proposal for a**

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

concerning a European rail network for competitive freight

AMENDING THE PROPOSAL OF THE COMMISSION

pursuant to Article 293(2) of the Treaty on the Functioning of the European Union

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1. BACKGROUND

Date of adoption by the Commission and
transmission to Parliament and the Council: 11 December 2008

European Parliament opinion (first reading) : 23 April 2009

Economic and Social Committee opinion: 15 July 2009

Committee of the Regions opinion: 7 October 2009

Council position adopted unanimously on: 22 February 2010

COREPER agreement on the compromise resulting
from the negotiations at second reading: 7 June 2010

European Parliament position (second reading): 15 June 2010

2. AIM OF THE PROPOSAL

- The proposal for a Regulation is aimed at encouraging Member States, and above all rail infrastructure managers, to develop a European rail network 'for competitive freight' made up of freight-oriented international rail corridors.
- These corridors should allow freight trains to benefit from good-quality train paths, thereby enabling them to display a higher standard of service (punctuality, journey times) than at present: a crucial factor in attracting rail freight customers. They will also make it possible to free up additional capacity for rail freight, which has been growing for a number of years (despite the effects of the economic crisis, this trend looks set to continue in the next few years).
- The Commission proposes four focal points for creating these corridors:
 - greater cooperation and harmonisation between rail infrastructure managers with regard to both the operational management of infrastructure and investment, in particular by putting in place a governance structure for each corridor;
 - increase in the reliability and the amount of infrastructure capacity allocated to rail freight on freight-oriented international rail corridors;
 - enhanced coordination between the rail network and goods terminals (maritime and inland ports, marshalling yards, etc.);

- exemplary corridors with non-discriminatory access for operators and transparency in access conditions, particularly through publication of the rules and of a substantial amount of relevant information.

3. OPINION OF THE COMMISSION ON THE EUROPEAN PARLIAMENT AMENDMENT

The European Parliament position, which was put to the vote on 15 June 2010, is the result of the compromise reached at the last trilogue, mainly regarding access to the corridor, through the setting-up of a one-stop shop and the reservation of train paths by undertakings other than railway undertakings ('authorised applicants'). This compromise was ratified by the Council in June, subject to a draft declaration by the Commission (see below).

4. CONCLUSION

Pursuant to Article 293(2) of the Treaty on the Functioning of the European Union, the Commission agrees to amend its proposal as indicated above.

The Commission would also make the following declaration (English language version is the original):

'The Commission underlines that the one-stop-shop is a joint body set up or designated by the management board of each corridor; its function is that of a coordination tool. It may be a technical body within the corridor management structure or one of the infrastructure managers concerned'.