

Schienen-Control – Overview of the year 2018

2018 saw some significant developments in the Austrian railway sector. While the volume of rail freight (net tonnage transported) declined, there were several improvements in transport performance (net or gross ton-kilometres travelled); with these indicators competitors could increase their market shares still further. The growth in rail passenger transport was at times considerable.

1. Developments on the railway market

In absolute terms, the net ton-kilometres travelled in the rail freight sector rose from 23.494 billion to 23.734 billion in 2018, once again breaking the previous year's record. The total gross ton-kilometres travelled rose likewise from 45.973 billion to 46.639 billion. In contrast, the net tonnage transported fell from 118.8 million to 117.9 million. The competition was largely able to compensate for the declining net tonnage reported by Rail Cargo Austria and made up the net ton-kilometre and gross ton-kilometre figures in full; this means that its market share continued to grow rapidly, reaching 33.3 percent (volume) and 30.7 percent / 28.9 percent (transport performance) respectively.

2018 saw significantly stronger growth in the rail passenger transport sector than in previous years, due in particular to the expansion of local railway services. The number of persons transported and the passenger-kilometres travelled rose sharply by 6.6 and 4.7 percent respectively; the total passenger figure of 309.9 million broke the previous record (290.6 million). However, the average distance travelled was down almost one kilometre on the previous year.

At the end of 2018, there were 69 railway undertakings in Austria. The newcomers since last year are DPB Rail Infra Service (Austria), LINEAS (Belgium), Retrack (Germany) and Railtrans International (Slovakia). Moreover, Steiermarkbahn und Bus was hived off from Steiermärkische Landesbahnen in summer 2018 during the course of restructuring measures. In all, 46 companies were authorised to run trains on ÖBB tracks. These included four undertakings in the ÖBB group and ten undertakings in which foreign incumbents had direct or indirect holdings (dominant undertakings).

2. Developments on the European market

April 2019 saw the publication of the seventh market report by Independent Regulators' Group-Rail (IRG-Rail), which focuses on developments in rail transport during 2017. A total of 29 countries provided statistical analyses for this purpose. The current report focuses on the competition for the market with an analysis on the outcome of awarding procedures for Public Service Obligations (PSO) relating to passenger transport in the member states. Investigations were also made into strategies used by incumbents from the various countries to obtain access to passenger transport markets abroad with the aim of regaining market shares lost in their own countries.

In 2017, Austria again led the European Union in terms of railway use. With 1,435 kilometres per inhabitant and year, Austria is once again ahead of France (1,419 kilometres) and Sweden (1,317 kilometres).

3. The liberalised traction current market in 2018

Following the liberalisation of the Austrian traction current market in 2016 and the further development of the charging model during the following year, the Schienen-Control Kommission reviewed the charges for 2018. This review was largely based on the decisions made during the preceding years, as ÖBB-Infrastruktur had continued to employ the model from the previous years as well, having made only minor changes.

The Schienen-Control Kommission reviewed the charges set by ÖBB-Infrastruktur for 2018 with due consideration of the costs actually incurred. Only two amendments were made with regard to the cost positions recognised. One related to “Costs of supply contracts”, a position recognised during previous years after being approved by Schienen-Control Kommission. The second amendment was purely formal, based on the fact that the cost position previously booked as a “risk item” is now designated “Anticipated additional costs” in the tariff calculations.

While reviewing the cost positions, the Schienen-Control Kommission found that certain costs could not be recognised, some due to their origin and others due to the amount involved. A notice was therefore issued on 28 November 2018 enjoining the infrastructure operator to reduce its charges.

Traction current tariffs 2019

At the end of November 2018, ÖBB-Infrastruktur raised the traction current tariffs for 2018 by almost 45 percent at short notice in order to pass on a marked rise in the system usage fees charged for the 50 Hz network to traction current customers through the current conversion tariff. The rise in system usage fees was caused by an increase in the tariffs specified for the higher network levels in the regulation on system usage fees passed by E-Control in 2018. A competition monitoring procedure culminated in a decision dated 16 January 2018 in which the Schienen-Control Kommission instructed ÖBB-Infrastruktur to retain the original tariffs for the 2018 tariff period. The Federal Administrative Court confirmed Schienen-Control’s decision in its judgement of January 2019.

The conditions and tariffs for access to the traction current network valid in 2019 were published on 9 November 2018 in the NWS for 2019.

4. Schienen-Control Kommission procedures

In 2018, the Schienen-Control Kommission was involved in a number of procedures relating to various issues in the rail transport sector. Extracts from some of these are provided below.

Conflicts relating to the assignment of train paths for the 2019 timetable

While compiling the railway timetable for 2019, conflicts arose between train path requests from two railway undertakings providing long-distance services. The allocation body accordingly conducted a coordination procedure with the railway undertakings involved; however, despite several coordination meetings, no consensus could be reached. The allocation body subsequently assigned individual train paths varying by a few minutes from the original request to one of the two railway undertakings.

The railway undertaking lodged an appeal with the Schienen-Control Kommission in accordance with section 72 Railway Act (EisbG) and applied to have the requested train paths assigned to it. In the end, the Schienen-Control Kommission rejected the railway undertaking’s appeal.

Approval of supplements

The Schienen-Control Kommission conducted several procedures relating to the approval of supplements on track access charges. These charges, which are paid to obtain access to the railway infrastructure, are in principle calculated in line with the costs directly incurred by the operation of trains.¹ These costs are regulated in greater detail in Commission Implementing Regulation (EU) 2015/909, in which the equivalent term “direct costs” is used.

During the current procedures, the Schienen-Control Kommission is reviewing firstly the full costs and secondly the costs incurred directly through the operation of trains. To this end, the Schienen-Control Kommission first sent requests for information to the infrastructure manager and subsequently also consulted an official expert, who investigated the full costs and direct costs by viewing the infrastructure manager’s accounting systems. The Schienen-Control Kommission also reviewed the lawfulness of the market segments determined by the infrastructure manager and the suitability and correct application of the model used to determine the sustainability of the market segments.

Review of container terminal charges

Operators of service facilities are required to offer services to railway undertakings that are transparent, appropriate, economically realistic and sufficiently unbundled so that the railway undertakings are not obliged to pay for services they do not need.² The Schienen-Control Kommission took this as an occasion to review the charges imposed by the most important terminal operators. This review encompassed the charges for entry, for the first container transshipment from the train, and for delays.

Ticket sales at passenger stations

During the year under review, the Schienen-Control Kommission handled several procedures relating to ticket sales at passenger stations. The railway undertaking’s right to access passenger railway stations also encompasses suitable locations for ticket sales.³ In this context, the Schienen-Control Kommission’s procedures related to ticket sales at the Wien Hauptbahnhof / Vienna Main Station, the Praterstern railway station in Vienna and the Linz Hauptbahnhof / Main Station.

The full report (in German) can be retrieved from the Schienen-Control website free of charge:

<https://www.schienecontrol.gv.at/de/>

¹ Section 67 par. 1 EisbG.

² Section 58b par. 4 EisbG.

³ Section 58b par. 1 line 1 EisbG.