

The **Track Access Charges 2020** of DB Netz AG

Valid from 15 December 2019
through 12 December 2020

We've got the future covered.



Foreword

DB Netz AG independently operates the largest railway network in Europe, which encompasses over 33,000 kilometres of track. This railway network is freely available to all access parties and railway undertakings (RUs) in a non-discriminatory manner.

As a railway infrastructure undertaking (RIU), DB Netz AG is responsible for providing, developing and advancing, and operating its railway network. DB Netz AG's mission is to provision a high-quality railway network tailored to meeting the needs of RUs in order to lay the foundation for safe and reliable railway operations. DB Netz AG creates timetables and markets train paths along with the associated services to both domestic and international customers.

In 1994, DB Netz AG was the first railway infrastructure undertaking in Europe to introduce a train path pricing system (“TPS 94”) for utilising the railway infrastructure. In 2001, the modular train path pricing system followed (“TPS 2001”) and has remained in existence up to the 2017 working timetable as a result of its non-discriminatory and transparent price structure.

In light of the legal requirements stipulated by EU Directive 2012/34 and the German railway regulation act (ERegG) that went into effect in September 2016, DB Netz AG further developed its train path pricing system (TPS), which was launched at the timetable changeover in December 2017.

The train path pricing system



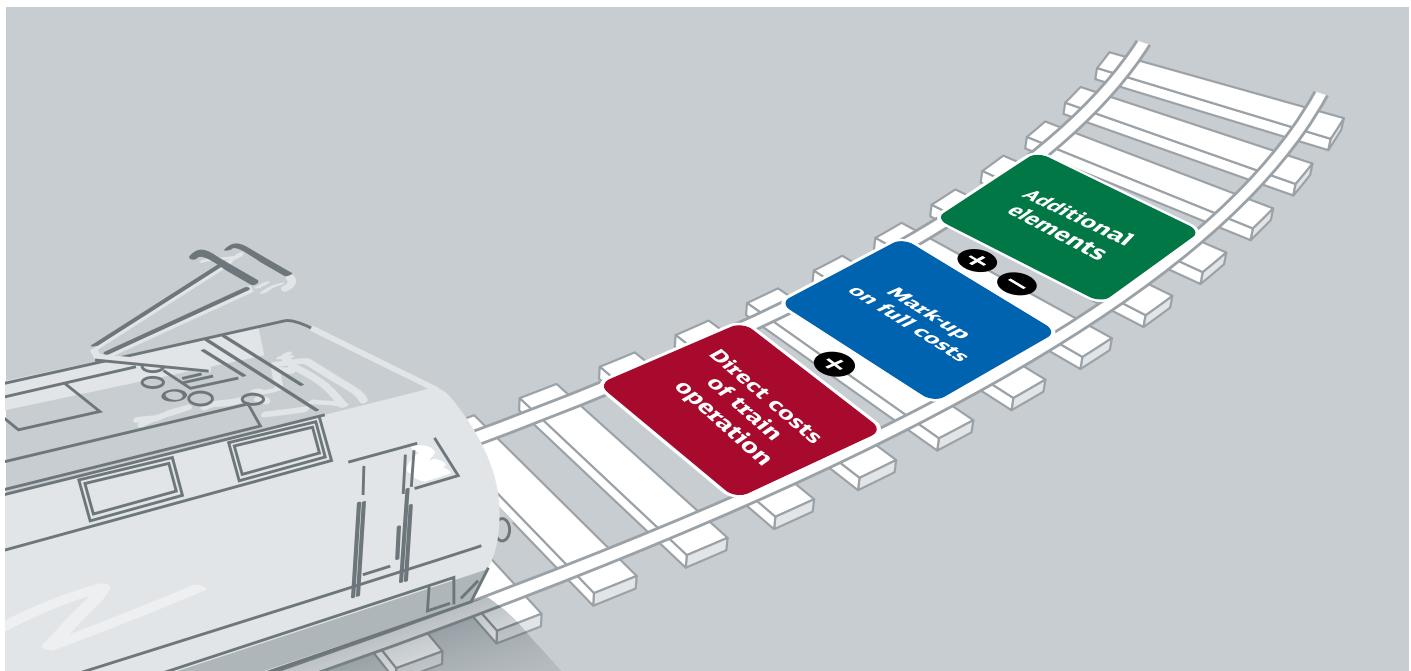
The train path pricing system of DB Netz AG

With its enhanced train path pricing system, DB Netz AG has unveiled an all-new charge-based logic. Whereas the “TPS 2001” placed its focus on the infrastructure equipment configuration of the respective track or section to calculate charges, the latest pricing system focuses on which train travels along that route. The initial question for calculating charges is that of which market segment a train can be assigned, or allocated to. The first pricing component is then calculated accordingly – the direct costs of train operation. Since these costs only cover a small portion of the total costs for provisioning the railway infrastructure maintained by DB Netz AG, the law entitles DB Netz AG to levy surcharges to cover the remainder of the costs. To this end, a distinction must be made between the transport services and market segments within the respective transport services, as well as the operative capacity of these separate markets taken into account accordingly.

Surcharges and discounts can also be used to act as incentives that promote the generation of additional traffic as well as account for the burden to the environment as a result of train operation and the effects caused by congested railway lines.

It is against this backdrop that the basic logic applied to calculating charges has been updated from the primarily infrastructure-oriented pricing scheme used by the “TPS 2001” to a more demand-oriented structure in the enhanced TPS, which takes into account the relative market capacity for the respective transport services and market segments.

The charges for train path usage are levied in the exact same manner for each applicant and RU. The following describes the charging principles of the new TPS for the minimum access package in the 2019/2020 timetable period.



Minimum access package and charging principles



Minimum access package and charging principles

The following minimum access package for customers is covered by the train path charge:

- processing requests for the allocation of infrastructure capacity,
- the right to use allocated railway infrastructure capacity,
- the use of railway infrastructure, including switches and rail junctions,
- the train control including signalling, regulation, and the communication and provision of information on train movement; the manning of signal boxes for ad-hoc services outside of line operating hours pursuant to section 3.5.5 of the Network Statement 2020 is subject to a special charge provision of section 6.2.1.8.3 of the Network Statement 2020; see page 15,
- the use of facilities for line-related supply of traction current, where available,
- all other information required to implement or operate the service for which capacity has been granted

The charge for the minimum access package per market segment comprises the direct costs of train operation per market segment, and a surcharge to cover the full costs (full-cost surcharge) according to the relative viability of the relevant market segment as well as potential additional elements. The charge is generally calculated based on the contractually agreed train-path kilometres.

Train path charge =
charge for minimum access package ×
train path kilometres

A detailed description of how the direct costs of train operation were derived as well as the way in which the full-cost surcharges were calculated can be found in appendix 6.1 of the Network Statement 2020. The extent of the direct costs of train operation and the full-cost surcharges for each market segment can be found in the list of charges (appendix 6.2 of the Network Statement 2020).

Note

All charges are net charges and invoiced to the applicant plus the then valid statutory VAT. The exact scope of usage in time and place results from the respective individual usage agreement for a train path. All information provided in regard to charges is valid from 15 December 2019 to 12 December 2020. The Network Statement 2020 in conjunction with the list of charges (appendix 6.2 of the Network Statement 2020) has sole validity. You can find them online at: www.dbnetze.com/snb2020.

The following describes the market segmentation, the charges and additional components of the train path pricing system in greater detail.

Basic principles of market segmentation



Basic principles of market segmentation

The three transport types of rail freight transport, rail passenger transport and long-distance rail passenger transport, and unique segmentation criteria, are correlated to derive market segments. Detailed information on market segmentation can be found in appendix 6.1 of the Network Statement 2020.

Differentiation between the transport types

Rail freight transport

For the purposes of this Network Statement, freight rail services are all services that exclusively transport freight nationally and/or internationally. Freight Lokfahrts, measurement runs and construction machinery runs are allocated to freight rail services as well as military trains involving passenger transport and accompanying combined service trains (rollingroad).

Rail passenger transport

For the purposes of this Network Statement, passenger rail services are all services that, at a minimum, also transport passengers nationally and/or internationally or fulfil a preliminary function therefor. Passenger rail services are to be broken down into long-distance passenger rail services and local passenger rail services.

Local rail passenger transport

Local passenger rail services for the purposes of this Network Statement predominantly convey passengers on urban, suburban or regional services. Services connecting two metropolitan stations with an average speed of at least 130 kph are not providing urban, suburban or regional services. In cases of doubt, transport on all other stopping sections is providing an urban, suburban or regional service if a train is mainly conveying passengers whose journey distance does not exceed 50km or whose journey time does not exceed an hour. Additionally, train paths of public passenger rail services, which are ordered by other federal governments, are allocated to local passenger rail services. If there is doubt whether the journey distance of 50 kilometres or the journey time of one hour is being exceeded in the majority of cases, then DB Netz AG is entitled to request evidence from a competent authority of local

passenger rail services within the meaning of section 1(2) of the Regionalisation Act of entrustment with public passenger services that are subject to publicsector obligations or to ask for the submission of a representative survey, paid for by the applicant and satisfying recognised economic standards, of journey distances on the basis of tickets or duration of the instances of conveyance on the basis of traffic-flow monitoring per stopping section. For new services, an appropriate market study may be submitted in place of a survey of journey distances.

Long-distance rail passenger transport

For the purposes of this Network Statement, long-distance passenger rail services include train paths used for the conveyance of passengers and which are not local passenger rail services. Additionally, all train paths in the Charter/Nostalgia market segment are allocated to long-distance passenger rail services, regardless of their length.

Assignment of train paths to modes of transport and market segments

The decisive factor for market-segment allocation is the target timetable¹. The final segment allocation, including all of the train path allocated to the train number, only occurs on the account statement. In this case, only the allocation on the account statement is relevant.

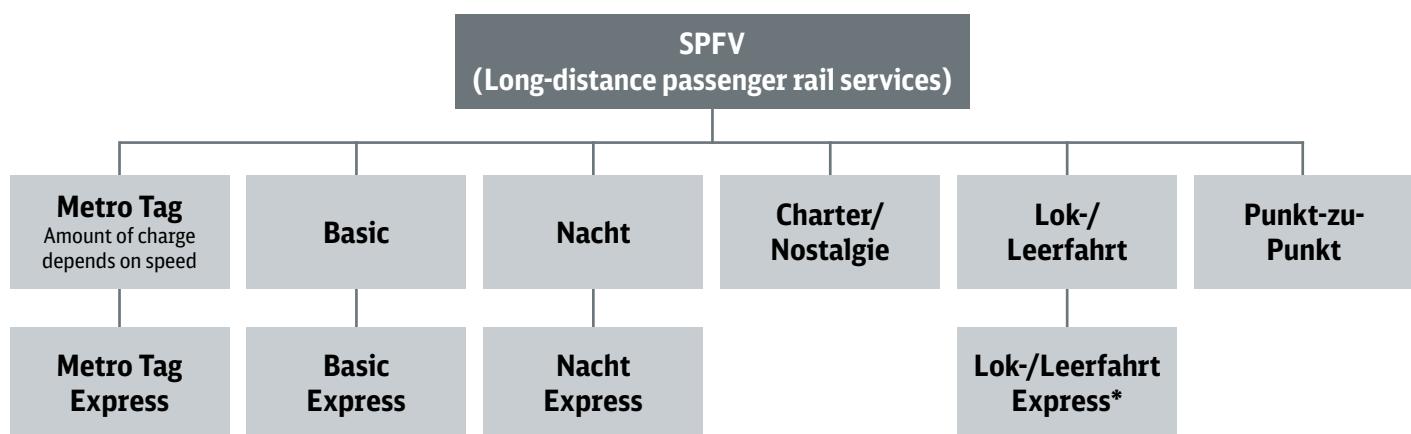
If features of the train path ordered do not match the features of the type of transport ordered or that of the market segment ordered, DB Netz AG will immediately request that the persons or entities named by the applicant or involved RU provide a plausible explanation for the information in the application. The deadlines under sections 4.2.1.1 and 4.2.2.2 of the Network Statement 2020 apply accordingly to submission of the explanation, with DB Netz AG entitled, in the event that a plausible explanation is not provided within the deadlines specified therein, to allocate the train paths to a type of transport or a market segment on the basis of the timetable information and to provide the applicant with a corresponding offer, taking this allocation into consideration.

¹ The target timetable refers to the geographical and temporal position of the train path as agreed between DB Netz AG and the applicants pursuant to section 20 (1) ERegG.

Market segments in long-distance passenger rail services



Market segments in long-distance passenger rail services



* Only as part of a train path of the market segments “Metro Tag Express”, “Basic Express” or “Nacht Express”.

“Metro Tag” segment

The “Metro Tag” market segment covers all load runs in the long-distance passenger rail services which run between at least two metropolitan stations¹ and/or high-volume border points² and run from Monday to Friday with the exception of national holidays in the period from 6am to 8pm and from Saturday to Sunday and on national holidays from 9am to 8pm.

“Basic” segment

The “Basic” market segment covers all load runs in the long-distance passenger rail services which either

- do not run between two metropolitan stations and/or high-volume border points and run from Monday to Sunday including national holidays in the period from 6am to 11pm, or
- run as long-distance passenger rail service trains from Monday to Sunday including national holidays in the period from 8pm to 11pm and on Saturdays and Sundays and national holidays in the period from 6am to 9am.

“Nacht” segment

The market segment “Nacht” comprises all long-distance passenger rail services which either

- run in the period between 11pm and 6am or
- run completely, including any non-German sections of the train run, during the period between 11pm and 6am without commercial stop, extended by the first stop prior to the night period and after the night period

unless these involve the market segments Charter-/Nostalgie (charter/nostalgia) or Lok-/Leerfahrt (locomotive and empty runs).

If the path is subject to the second alternative of the first sentence, it has also to be allocated to the night market segment (priority criterion) if it fulfills the criteria of other time-related market segments.

¹ Metropolitan stations include all stations that saw a minimum daily passenger volume of 50,000 travellers in the public rail passenger transportation network in 2015. See appendix 6.0 of the Network Statement 2020 for a list of these stations.

² High-volume transit points include all transit points of DB Netz AG to foreign countries that are passed through by in excess of 5,250 trains in the long-distance rail passenger transport network. See appendix 6.0 of the Network Statement 2020 for a list of these transit points.

Market segments in long-distance passenger rail services



Segment change

A segment change is possible within an existing train path for the aforementioned market segments. In the event that a train path fulfils the criteria of different market segments in sectional units, the train path will be proportionately assigned to the respective market segments in accordance with the geographical and time criteria (for example, a change within an existing train path from “basic” segment to “Metro Tag” segment) except where the special precedence given to the time criterion for the “Nacht” segment determines otherwise.

“Punkt-zu-Punkt-Verkehr” segment

The market segment “Punkt-zu-Punkt-Verkehr” comprises all load runs in the long-distance passenger rail services between 6am and 11pm that satisfy the following criteria:

- No ordered connections.
- Allotment of time flexibility with respect to the timetable planning window within the meaning of section 4.2.1.6 of the Network Statement 2020 of +/- 30 minutes in reference to the departure and arrival time, i.e. a total timetable planning tolerance of 60 minutes.
- When running between metropolitan stations, they may only travel in line sections linking two adjacent metropolitan stations at an average speed of less than 130 kph, pursuant to the target timetable. Line sections linking two adjacent metropolitan stations at an average speed of at least 130 kph, pursuant to the target timetable, have to be allocated to other market segments of the SPFV (long-distance passenger rail service). Where no metropolitan stations are being linked, no average speed is stipulated for the market segment Punkt-zu-Punkt.
- A maximum of 4 runs may be operated per day of service and direction in each of the stopping sections.

All criteria must apply to the entirety of the route. Otherwise, this service must be allocated to the other market segments in the long-distance passenger rail services sector. An order on the working timetable and ad-hoc services is possible.

The train-path application must state whether the long-distance passenger rail service ordered is a “Punkt-zu-Punkt-Verkehr” service. If this does not occur, the service is allocated to the market segments of the long-distance passenger rail services sector pursuant to the geographical and temporal criteria.

“Charter-/Nostalgieverkehre” segment

“Charterverkehre” are load runs in the long-distance passenger rail services that are offered for a particular purpose that is the same for and commonly pursued by all participants. Interim stops are for only either boarding (OB (NE)) or leaving (OL (NA)) the train or those which occur due to driver recuperation (DR (LE)) or a change of personnel (CP (PW)). It is not a charter service if the relation is served by the applicant more than 30 times in the timetable period. The offer for a charter service is subject to this condition. If the relation is in fact served more than 30 times, the train paths concerned and the train paths previously assigned to this service will be retroactively assigned on the timetable to other market segments in the long-distance passenger rail services segment in accordance with the applicable provisions. The corresponding train path charge will subsequently be requested.

“Nostalgieverkehre” are load runs in the long-distance passenger rail services that are serviced using historical vehicles such as steam locomotives.

The market segment “Charter-/Nostalgieverkehre” in the long-distance passenger rail services sector may only be registered under ad-hoc services, observing the deadlines for particularly extensive processing pursuant to section 4.2.2.4 of the Network Statement 2020. If there is a working timetable application, this is first processed in ad-hoc services.

The train-path application must state whether the long-distance passenger rail service ordered is a Charter-/Nostalgieverkehr. If this does not occur, the service is allocated to the market segments of the long-distance passenger rail services sector pursuant to the geographical and temporal criteria.

Market segments in long-distance passenger rail services



“Lok-/Leerfahrt” segment

Irrespective of temporal and geographical criteria, the market segment “Lok-/Leerfahrt” comprises all train path usage in the long-distance passenger rail services sector which is not approved for use by passengers (not a load run).

The train-path application must state whether the long-distance passenger rail service ordered is a “Lok- und Leerfahrt”. If this does not occur, the service is allocated to the market segments of the long-distance passenger rail services sector pursuant to the geographical and temporal criteria.

Market segments with the suffix “Express”

If customers require special operational handling in the event of a fault or malfunction, in the long-distance passenger rail services for the segments “Metro Tag”, “Basic”, “Nacht” and “Lok-/Leerfahrt”, they can choose the suffix “Express”. This is designated accordingly in the train path request. An assignment can only be made for the entire train path.

In market segments with the suffix “Express”, trains of the long-distance passenger rail services sector are generally given priority in traffic management over all trains pursuant to Guideline 420.0201 (see Annex 2.4.2 of the Network Statement 2020) with the exception of urgent rescue trains and other trains in the long-distance passenger rail services sector with the suffix “Express”.

The following charges apply:

For the “Metro Tag” market segment, charges for travel speeds between 101 km/h and 160 km/h increase linearly with speed.

Market segments for long-distance passenger rail services	Charges for long-distance passenger rail rail services, in EUR, per train-path kilometre
Metro Tag min ($v \leq 100$ km/h)	5.33
Metro Tag max ($v \geq 160$ km/h)	12.17
Basic	4.76
Nacht	2.67
Lok-/Leerfahrt	2.65
Charter/Nostalgie	2.65
Punkt-zu-Punkt	3.41

The relevant charges for market segments with the suffix “Express” is **increased by Euro 2.00 per train path km as compared to the charge for the corresponding market segment without that suffix**.

Market segments in local passenger rail services



Market segments in local passenger rail services

Segmentation for local passenger rail service is made pursuant to § 37 of the German railway regulation act (ERegG) and resolution BK 10-16-0008 E of the Federal Network Agency (BNetzA) by German federal state. Every federal state has its own load run and empty run.

The market segment “Lok/Leerfahrt” comprises all train path usage in the local passenger rail services sector which is not planned and approved for use by passengers (not a load run). The train-path application must state the extent to which the local passenger rail service ordered is a “Lok-/Leerfahrt”. If this does not occur, the service is allocated to the market segments of the local passenger rail services sector as a load run pursuant to the geographical criteria.

SPNV (Local passenger rail services)					
Baden-Württemberg Load run	Hessen Load run	Saxony Load run	Baden-Württemberg Empty run	Hessen Empty run	Saxony Empty run
Bavaria Load run	Mecklenburg-West Pomerania Load run	Saxony-Anhalt Load run	Bavaria Empty run	Mecklenburg-West Pomerania Empty run	Saxony-Anhalt Empty run
Berlin Load run	Lower Saxony Load run	Schleswig-Holstein Load run	Berlin Empty run	Lower Saxony Empty run	Schleswig-Holstein Empty run
Brandenburg Load run	North Rhine-Westphalia Load run	Thuringia Load run	Brandenburg Empty run	North Rhine-Westphalia Empty run	Thuringia Empty run
Bremen Load run	Rhineland-Palatinate Load run		Bremen Empty run	Rhineland-Palatinate Empty run	
Hamburg Load run	Saarland Load run		Hamburg Empty run	Saarland Empty run	

Market segments in local passenger rail services



The average train path charges per market segment were calculated in accordance with § 37 of the German railway regulation act (ERegG).

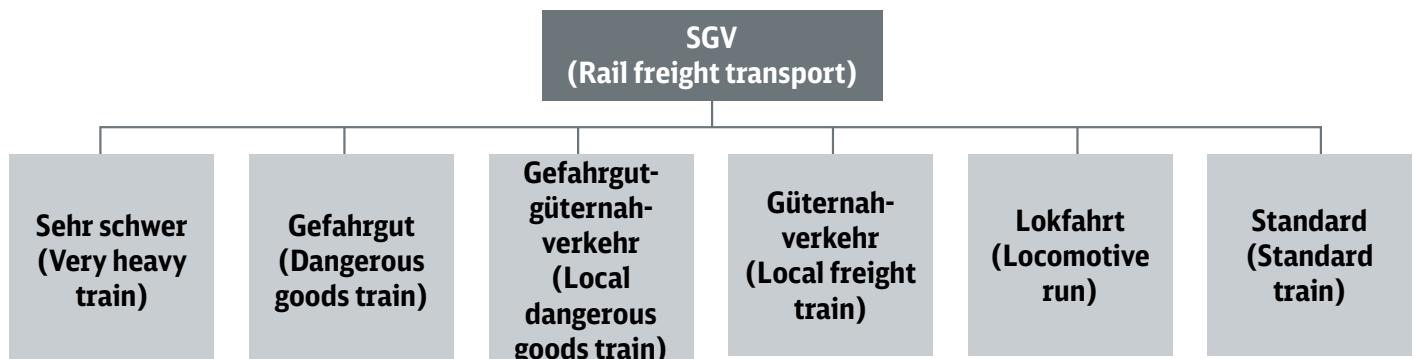
The following charges apply:

Market segments for local passenger rail services	Charges for local passenger rail services, in EUR, per train-path kilometre	
	Load run	Empty run
Baden-Württemberg	5.300	3.066
Bavaria	5.171	3.064
Berlin	5.610	3.164
Brandenburg	5.733	3.336
Bremen	5.641	3.289
Hamburg	4.950	3.029
Hessen	5.060	3.102
Mecklenburg-West Pomerania	5.595	3.206
Lower Saxony	5.375	3.343
North Rhine-Westphalia	5.156	3.073
Rhineland-Palatinate	5.344	3.046
Saarland	5.470	2.600
Saxony	5.406	3.091
Saxony-Anhalt	5.363	3.149
Schleswig-Holstein	5.467	3.113
Thuringia	5.416	3.155

Market segments in rail freight transport



Market segments in rail freight transport



“Sehr schwer” segment (Very heavy train)

The “Sehr schwer” market segment comprises all train-path uses where the wagon-train weight exceeds 3000 tonnes.

“Gefahrgut” segment (Dangerous goods train)

The “Gefahrgut” segment comprises all train-path usage where the relevant train is transporting only dangerous goods according to the Dangerous Goods Conveyance Act and the regulation GGVSEB based thereon (including the RID) – see Guideline 402.0202A1 and Annex 2.4.2 of the Network Statement – and if the train travels further than 75 km on a train path or has a rake of more than 370 metres, or the wagon-train weight of up to 3000 tonnes is not exceeded.

“Gefahrgutgüternahverkehr” segment (Local dangerous goods train)

The “Gefahrgutgüternahverkehr” market segment comprises all train path usage where the relevant train travels no further than 75 km on a train path, has a maximum rake of 370 metres, weighs no more than 3000 tonnes and transports exclusively dangerous goods.

Train paths for local dangerous goods block-trains may not be ordered geographically adjacently within four hours of one another, unless this involves a return run on the identical route to the original starting point or “comprehensive train-handling” has taken place.

“Güternahverkehr” segment (Local freight train)

The “Güternahverkehr” market segment comprises all train path usage where the relevant train travels no further than 75km on a train path, has a maximum rake of 370 metres, weighs no more than 3000 tonnes and does not exclusively transport dangerous goods.

Train paths for local freight services may not be ordered geographically adjacently within four hours of one another, unless this involves a return run on the identical route to the original starting point or “comprehensive train-handling” has taken place.

“Lokfahrt” segment (Locomotive run)

The “Lokfahrt” market segment comprises train path usage with locomotives; the train configuration may not consist of any detachable wagons. Furthermore, construction machinery, including operationally integral, non-detachable components thereof as ancillary vehicles (eg tamping machines, but not with additional wagons) are covered by the market segment if they too are run without detachable wagons.

The train-path application must state whether the freight rail service ordered is a Lokfahrt. If this does not occur, the service is allocated to the other market segments of the freight rail services sector pursuant to the segmentation criteria.

Market segments in rail freight transport



“Standard” segment (Standard train)

All train path usage instances of the rail freight transport system that are not assigned to the “Sehr schwer”, “Gefahr-gut”, “Gefahrgutgüternahverkehr”, “Güternahverkehr” or “Lokfahrt” market segments are assigned to the “Standard” market segment.

Additional market segments in the rail freight transport sector arise from combining the aforementioned segments with further planning or operational characteristics.

The customer decides whether to make use of the further planning or operational characteristics. This is designated accordingly in the train path request. The characteristics can only be used and ordered for an entire train path.

Planning characteristics

Z-Flex

R-Flex

Planning characteristics include the “Z-Flex” time flexibility and “R-Flex” spatial/geographical flexibility options available to all freight rail transport activities in the working timetable, except for the segment “Lokfahrt”. Train-path applications with the suffix “Z-Flex” or “R-Flex” cannot be registered with reference to capacity agreed under a framework agreement.

“Z-Flex”

In market segments with the suffix “Z-Flex”, temporal design-tolerance flexibility within the meaning of section 4.2.1.6 of the Network Statement of +/- 120 minutes will be granted for rail freight train paths in relation to the departure and arrival time and the time of every stop ordered by the customer ie total timetable construction of 240 minutes.

“R-Flex”

In market segments with the suffix “R-Flex”, temporal design-tolerance flexibility within the meaning of section 4.2.1.6 of the Network Statement of +/- 120 minutes will be granted for rail freight train paths in relation to the departure and arrival time ie total design tolerance of 240 minutes, as well as flexibility with regards all possible itineraries when the

starting and end point are retained. The only binding geographical factors for constructing the train path are the starting and end points.

If the train-path application contains scheduled stops for path construction, there is no geographical flexibility.

By way of derogation, registering scheduled stops for path construction does not impair geographical flexibility under the following conditions:

- the train path exceeds a running time of four hours;
- a maximum of one scheduled stop is registered for every complete four-hour running time period, without providing a specific time; and
- the sole reason given for the stop is a change of personnel (CP) or driver recuperation (DR) (see Directive 402.0202A01, Annex 2.4.2 of the Network Statement).

Operational characteristics

Express

Schnell (Fast)

If the applicant requires special operational handling in the event of a fault or malfunction, he can choose either “Express” or “Schnell” in the freight rail transport system. The operational characteristics “Express” and „Schnell“ can be combined with each of the aforementioned segments except for “Lokfahrt” and „Sehr schwer“ and are available on both the working timetable and ad-hoc services.

“Express”

In market segments with the suffix “Express”, trains of the freight rail services sector are generally given priority in traffic management over all trains pursuant to Guideline 420.0201 (see Annex 2.4.2 of the Network Statement) with the exception of urgent rescue trains and trains in the long-distance passenger rail services sector with the suffix “Express” as well as other freight rail service trains with the suffix “Express”. The performance of “Qualified Estimates” (QE) and “Conceptional Estimates” (CE) in construction operations management is governed by Guideline 402.0305 (see Annex 2.4.2 of the Network Statement).

Market segments in rail freight transport



“Schnell” (Fast)

In market segments with the suffix „Schnell” (Fast), trains of the freight rail services sector are generally given priority in traffic management over all trains in the freight rail services sector pursuant to Guideline 420.0201 (see Annex 2.4.2 of the Network Statement) with the exception of urgent rescue trains and other trains with the suffix “Express” or “Schnell”. The performance of “Qualified Estimates” (QE) and “Conceptional Estimates” (CE) in construction operations management is governed by Guideline 402.0305 (see Annex 2.4.2 of the Network Statement).

The following charges apply:

Market segments for rail freight transport services	Charges for rail freight transport, in EUR, per train-path kilometre
Standard (Standard train)	2.98
Sehr schwer (Very heavy train)	4.22
Gefahrgut (Dangerous goods train)	3.63
Gefahrgutgüternahverkehr (Local dangerous goods train)	2.00
Güternahverkehr (Local freight train)	1.78
Lokfahrt (Locomotive run)	1.78

The relevant charges for market segments with the suffix **“Z-Flex” and “R-Flex” are reduced by Euro 0.10 per train path km as compared to the charge for the corresponding market segment without those suffixes.** For market segments with the suffix “R-Flex”, the length of the shortest route in kilometres for the agreed relation is used as a basis for the train-path kilometres pursuant to section 6.2.1.4.9 of the Network Statement.

The relevant charge for market segments with the suffix **“Schnell” (Fast)** is increased by **Euro 0.50 per train path km as compared to the charge for the corresponding market segment without that suffix.**

The relevant charge for market segments with the suffix **“Express”** is increased **by Euro 2.00 per train path km as compared to the charge for the corresponding market segment without that suffix.**

Federal funding for track access by rail freight transport (TraFoeG)

Since 1 July 2018 rail freight transport (SGV) receives a proportional funding for track access charges given by the German Federal Government. This funding should provide sufficient incentive to secure the existing environmentally friendly SGV and to transfer freight traffic onto the railways.

The German Federal Government provides annually 350 million Euro for this funding. All train paths which are accessed by rail freight transport are funded - with the exception of construction machinery runs, measurement runs and rescue trains.

DB Netz AG supports the process according to the federal funding, for example the application for funding, the requests for the release of funding amounts or the allocation of funding amounts.

All information about the federal funding for track access by rail freight transport (TraFoeG), especially about the funding amounts or the application for funding, are published on the following web page: www.dbnetze.com/trafoeg.

Other charge components



Other charge components

New sector discount

In order to promote the development of new railway services, DB Netz AG grants all applicants time-limited discount in the form of a **percentage decrease to the standard usage charge ie not including the noise-related component of the charge**, see 6.2.1.8.2 of the Network Statement.

In order to receive the discount, the applicant must apply to DB Netz AG for the reduction no later than when registering the train path. For a service to be considered new, the applicant must set out in writing that it is a service that has been newly acquired for rail in intermodal competition, or is completely new, and runs on at least 10 train paths in a 12-month period upon the commencement of operations.

A rail service is not considered to be new for the purposes of receiving a new service discount if:

- the route has been changed;
- existing itineraries are extended on the section that was already in use previously;
- existing itineraries are shortened;
- there is a quantitative exchange between rail transport market segments;
- empty and Lokfahrts that are not a necessary consequence of a train path for which the discount for promoting new services is granted;
- there is a quantitative exchange between applicants (intramodal acquisition).

The discount is granted for a period of 12 months from the commencement of operations.

Charge for issuing an offer

The costs involved in processing requests for the allocation of train paths are contained in the train-path charge. Therefore, failure to take up a train path once an application has been submitted will result in a processing charge being levied for issuing the offer. This provision does not apply in case of a coordination procedure according to 4.2.1.7.1 of the Network Statement and if the Applicant raises reasonable objections according to 4.2.1.12.3 of the Network Statement.

The charge for issuing an offer is calculated on the basis of the timetable costs within the scope of the directly train-related cost multiplied by train-path kilometres of the constructed train paths multiplied by the number of days of service applied for.

$$\text{Charge for issuing an offer} = \text{Timetable costs} \times \\ \text{Train path km} \times \text{Number of days of service}$$

The timetable costs per market segment that form the basis for determining the charge for issuing an offer are specified in Annex 6.2 of the Network Statement 2020 (list of charges). The maximum fee amounts to 498 Euro for long-distance rail passenger transport, 521 Euro for local rail passenger transport and 499 Euro for rail freight transport.

NDTAC

DB Netz AG introduced a noise-based train-path pricing system (LaTPS) at the timetable changeover on 09-12-2012 for rail freight transport and is therefore fully committed to sustainably reducing railway traffic noise.

The introduction of this noise-based train-path pricing system is part of DB Netz AG's desire to support and promote the funding programme of the Federal Ministry of Transport and Digital Infrastructure (BMVI) aimed at freight wagon keepers as well as serves as a financial incentive to convert to and use low-noise freight wagons. The overarching objective is to considerably and sustainably reduce rail transport noise by 2020.

Other charge components



The noise-based train-path pricing system targets only RUs, and starting with the working timetable changeover for 2019/2020, it will levy an **additional 7.0% fee to the train path charge for noisy freight trains and a mileage-specific bonus totalling EUR 0.5 per axle kilometre (maximum of EUR 211 per axle) for the active use of freight wagons that have been converted with low-noise technology.**

Low-noise freight trains do not pay a surcharge if, depending on the day of service and train number, corresponding formal verification in line with the format template requirements of DB Netz AG (downloadable version at www.dbnetze.com/latps) is affixed/attached by way of self-declaration by the first business day of the month. A train is regarded as being a low-noise train when at least 90% of its freight wagons operate at low noise levels by design.

The revenue generated by the LaTPS (NDTAC) is used exclusively to finance, or fund, the bonus programme. The requirement for applying or qualifying for the bonus is consistent adherence to the limit values as defined by the “Technical specification for interoperability (TSI) (noise)” by way of converting to K shoes and LL shoes.

The length of the LaTPS (NDTAC) funding period is eight years. The last payout of the bonus will be in 2012 for matters that were justified in the scheduled timetable period for 2019/2020. Following the LaTPS funding period, the Law Prohibiting the Operation of Noisy Freight Wagons (*Gesetz zum Verbot des Betriebs lauter Güterwagen*, or *SchienenlärmSchutzgesetz*) will come into force from 13 December 2020. This law will considerably restrict the ability to operate non-converted freight wagons on the German rail network.

Further information such as can be found in the brochure entitled, “Quiet freight trains – Transport systems for reducing noise in railway traffic” from DB Netz AG is available online at www.dbnetze.com/latps.

Movements outside line operating hours

Signal-box occupancy is paid for with the train-path charge if the order falls under the working timetable or the signal box is already occupied for ad-hoc services. There is an additional charge if signal-box occupancy for ad-hoc services exceeds the line operating hours specified in section 3.5.5 of the Network Statement.

There is only a claim to service if the applicant registers the service at least two weeks prior to the intended train run.

The charge amounts to 30 euros/30 minutes or part thereof.

At least three man-hours shall be charged for each shift or part thereof. This refers to those cases where unscheduled line operation cannot be covered by a legally permissible extension of a shift that is already in progress. If several applicants or involved RUs simultaneously use a line outside the regular line operating hours, the additional charges for staffing the operating control points shall be shared out equally between the corresponding applicants or involved RUs.

If it is necessary to extend line operating hours in relation to existing single-use agreements due to rerouting arising from engineering works, no special charge is levied. Equally, no special charge is levied if movement occurs outside of line operating hours and DB Netz AG is accountable for this.

Incentives and penalty payments



Incentives and penalty payments

Compensation for additional train path costs for work-related rail freight transport diversions in the working timetable

Under the following conditions, rail freight transport train paths registered in the working timetable pursuant to section 4.2.1 Network Statement (except for "Lokfahrt") are treated like train paths attributed to the "R-Flex" market segment pursuant to section 6.2.1.4.9, 6.3.1 in conjunction with Annex 6.2 Network Statement with regard to **the calculation of the charges** levied for the days of service concerned:

- The train path was ordered for the working timetable pursuant to section 4.2.1 Network Statement.
- Due to construction work published in the planning parameters (pursuant to Guideline 402.0305) and considered in the working timetable, at least one registered route point (operating control points) in the individual infrastructure utilisation contract cannot be implemented, or due to such construction work, an application by the applicant via a diversion was stipulated between the applicant and DB Netz AG prior to the preparation of the working timetable, or the applicant applied for the train path via a diversion route due to a total closure as a result of such construction work.

Incentive system to reduce disturbances

Currently the incentive system to reduce disturbances is modified. Latest news are available online at www.dbnetze.com/anreizsystem.

Reduced charges for non-contractual condition/reduction upon request

Notwithstanding any reduction demand from the applicant, DB Netz AG itself reduces the payable usage charge in the case of the faults listed below if these, due to a disruption, have resulted in additional delay minutes as per Guideline 420.9001 (Annex 6.5.1 Network Statement 2020) coded at least in the amount stated below. For the purposes of this procedure, disruption shall mean the sum of additional delays at the measuring points that are attributed to a disruption or an event. Reduction shall take place independently of whether DB Netz AG is responsible for such fault.

Codings for delay reasons

a) Faults with the infrastructure:

- VU 22 (structures)
- VU 23 (track)
- VU 30 (temporary speed restriction for repairs)
- VU 31 (engineering work)
- VU 32 (irregularities in engineering work)
- VU 83 (grease film)

b) Faults with the command and control system:

- VU 21 (telecommunication systems)
- VU 24 (level crossing safety systems)
- VU 25 (command/control system)

c) Faults in providing traction current:

- VU 20 (catenary systems)

d) Staff-related faults:

- VU 12 (scheduling faults)
- VU 18 (DB Netz AG operational staff)
- VU 28 (DB Netz AG technical staff)

Automatic reduction takes place where the additional delay minutes due to a disruption (sum of additional delay minutes at the measuring points attributed to a disruption) exceed a specific threshold value for that type of transport. This threshold value is 6 minutes for long-distance rail passenger transport and regional and local rail passenger transport as well as for the "Schnell" (Fast) and "Express" market segments of rail freight transport; for all other rail freight transport market segments, the corresponding threshold value is 31 minutes.

The following reduction amounts are to be applied to each type of transport:

- 3.00 EUR per additional minute of delay for long-distance rail passenger trains
- 2.00 EUR per additional minute of delay for local rail passenger trains
- 1.00 EUR per additional minute of delay for rail freight trains

The reduction amounts will be awarded up to the full total of the track access charge in question.

Incentives and penalty payments



Faults that are not listed or referenced in section 6.4.3.1 of the Network Statement 2020 can be claimed in line with the general provisions of civil law. The same likewise applies to faults listed under section 6.4.3.1 if and to the extent any claims asserted due to such faults are based on the values specified therein.

Charging arrangement for diversions due to construction work after conclusion of the individual usage agreement (ENV)

If the route of a contractually agreed train path deviates from the ENV (diversion) due to construction work not taken into consideration for such train path in the ENV, only the train path charge for the route to which the ENV relates is invoiced. In case the diversion results in a lower train path charge, the lower charge will be applied.

This provision does not apply to train paths where the applicant or the involved RU was already aware of the amended route at the time of accepting the train path offer. In this case, the train-path charge is billed for the route actually used.

No train path charge is to be paid for additional train paths that become necessary due to construction work not included in the ENV. These train paths include, among others, feeder and collection runs to rail replacement services, turning runs due to construction-related restrictions, feeder and collection runs to stabling or refuelling facilities other than those normally used, feeder and collection runs of traction units or additional traffic due to a change to the train characteristics (e.g. unloading due to lower tonnage rating of a diversion route).

The train path request form for construction-specific additional train paths and a guide to be completed can be found online at www.dbnetze.com/formulare.

Charging arrangements for rail replacement services or emergency bus services

In cases where the railway infrastructure cannot be used for a specific period of time as a result of planned measures such as construction, unforeseen faults or reasons that the RU must account for from a vehicle equipment and/or personnel perspective, the rules and regulations defined for rail replacement services (cf. Network Statement 2020, section 3.5.6.1) or emergency bus services (cf. Network Statement 2020, section 3.5.6.2) go into effect.

If rail replacement services need to be set up due to planned implementation measures, the organisational efforts behind the rail replacement services are the responsibility of the respective RU. No usage charges shall be levied for the train path for as long as the work continues. The costs for the rail replacement services are borne entirely by the applicant or the involved RU.

Setup and organisation of the emergency bus services are also the responsibility of the respective RU. The costs for the emergency bus service shall be paid by the party accountable for the temporary non-availability.

If DB Netz AG is deemed accountable for the temporary non-availability, DB Netz AG will bear the costs of emergency bus services on the basis of market rates only. In addition, DB Netz AG will waive the train path charge for the line section which cannot be used. Claims to reduced charges for non-contractual condition pursuant to section 6.4.3 of the Network Statement are excluded.

If the applicant or the involved RU is accountable for the cause of the temporary non-availability, such party must bear the costs of emergency bus services.

The same applies if neither DB Netz AG nor an applicant or involved RU is deemed accountable for the cause of the non-availability.

Amendments and cancellation



Amendments and cancellation

Amendments

An amendment by the applicant after conclusion of the contract is only possible up to the scheduled departure. An amendment fee is charged depending on the expense associated therewith. The following issues constitute amendments for which an amendment fee is charged.

- Amended speed without amendment to the day of service
- Amended time of day without amendment to the day of service
- Amended routing with same origin and destination

The amendment fee corresponds to the share of costs that are incurred as a direct result of train operation for the processing of requests for the allocation of train paths (timetable costs).

The amendment fee is calculated by multiplying the timetable costs according to the working timetable by the number of train-path kilometres affected by the amendment, multiplied by the number of amended days of service (linearly up to a cap for each type of transport).

**Amendment fee per day of service =
timetable costs × affected train path km**

Type of traffic	Upper limit, amendment fee in EUR
Long-distance rail passenger transport	498
Local rail passenger transport	521
Rail freight transport	499

The timetable costs per market segment that form the basis for determining the amendment fee are specified in the list of charges (Annex 6.2 of the Network Statement 2020).

Amendments to types of transport are not permitted. In addition, an amendment of the total train path from load runs to empty runs is also not permitted, i.e. an amendment from load runs to empty runs is permitted for parts of a train path only.

If the applicant can change the market segment while maintaining the train path, i.e. none of the above issues is fulfilled, DB Netz AG charges no separate amendment fee for such market segment change. Whether or not a market segment change is permitted results from the market segment description in section 6.2.1.1 of the Network Statement.

Cancellation rules

The cancellation rules should provide sufficient incentive to cancel assigned capacities early on in order to use the railway infrastructure as efficiently as possible.

Cancellation by the applicant after conclusion of the contract has already been concluded is only possible up to the scheduled departure. Whether or not cancellation fees are levied depends on the cancellation issue and the time of cancellation.

The following issues constitute cancellations for which a cancellation fee is charged:

- Amended starting and/or end point;
- route shortening;
- amended speed provided that the amendment also results in an amended day of service;
- amended time of day provided that the amendment also results in an amended day of service;
- cancellation of a train path or part of a train path on one or several days of service; and/or
- amended day of service.

Amendments and cancellation



Minimum cancellation fee

For cancellations up to the 31st day prior to the departure of the train, a minimum cancellation fee will be charged for the day of service cancelled depending on the expense associated therewith.

The minimum cancellation fee corresponds to the share of costs that are incurred as a direct result of train operation for the processing of requests for the allocation of train paths (timetable costs).

The minimum cancellation fee is calculated by multiplying the timetable costs according to the working timetable by the number of train-path kilometres affected by the amendment, multiplied by the number of amended days of service.

$$\text{Minimum cancellation fee per day of service} = \text{timetable costs} \times \text{affected train path km}$$

Type of traffic	Upper limit, minimum cancellation fee in EUR
Long-distance rail passenger transport	498
Local rail passenger transport	521
Rail freight transport	499

The timetable costs per market segment that form the basis for determining the minimum cancellation fee are specified in the list of charges (Annex 6.2. of the Network Statement 2020).

Increased cancellation fee

For cancellations within the space of 30 days prior to departure of the train, an increased cancellation fee will be charged for every cancelled day of service in connection with the cancelled train path charge and the time of the cancellation. A minimum cancellation fee will not be charged on days of service for which an increased cancellation fee is incurred.

The share of direct costs of train operation that is saved due to the cancellation is deducted when determining the increased cancellation fee. To this end, the saved direct costs of train operation for maintenance and depreciation are deducted from the charge for the cancelled train path.

This results in the calculation basis for the cancellation fee. The resulting cancellation fee is a staggered percentage share of this calculation basis. DB Netz AG used the following percentages as a basis to create incentives for an efficient use of rail infrastructure capacity:

Time of cancellation	Percentage of calculation basis
Between 30 days and 5 days (including) before departure	15 %
Between 4 days and 24 hours before departure	30 %
24 hours or less before departure	80 %

This results in the cancellation fees per train-path kilometre cancelled as specified in the list of charges (Annex 6.2. of the Network Statement 2020).

The increased cancellation fee per day of service and per market segment is calculated as follows:

$$\text{Increased cancellation fee per day of service} = \text{train path km} \times \text{applicable cancellation fee}$$

If the applicant cancels several days of service, the relevant increased cancellation fee is determined for each day of service and added up for the affected days of service. If a train path is cancelled and/or amended on different days of service, the relevant increased cancellation fee per day of service and the relevant minimum cancellation charge per day of service are added up.

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