

A BRIEF PRESENTATION OF GREECE'S REGULATORY AUTHORITY FOR RAILWAYS ("RAS")

Dear colleagues,

My name is Vasileios Tsiamantis and I am the President of Greece's newly established Regulatory Authority for Railways.

I am very happy to be here, and I want to extend my sincere thanks to Mr. Frank Jost from DG-MOVE and the SEETO for inviting me to this workshop.

We have already participated in several meetings and workshops related to our competences, and we look forward to participating in as many more meeting as we can, because we believe that through these meetings we can greatly benefit from the experiences of other regulatory bodies and relevant institutions.

I will next give you a brief presentation of our Authority, which we refer to as "RAS" – "RAS" is the transliteration of the acronym of the name "Regulatory Authority for Railways" in Greek.

I will first tell you about the establishment of RAS, the appointment of the members of the Board of Commissioners, and the staffing of RAS. I will then list our competences, targets, current actions, and our vision.

RAS was established by Law 3891/10 in October 2010.

The members of the Board of Commissioners were appointed at the end of March 2011, and have held regular meetings ever since. Besides the President and the Vice President, there are three regular and three alternate members.

In the beginning of September 2011, RAS moved into its offices at the center of Athens, close to Syntagma square. Our exact address and contact coordinates are:

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e-mail address : info@ras-il.gr (my e-mail : vtciamantis@ras-el.gr)

The website of RAS is now online.

The address of our website in Greek is <http://www.ras-el.gr/el>

The address of our website in English is <http://www.ras-el.gr/en>

In November 18, 2011 the first 14 employees of RAS assumed their responsibilities. They were transferred to RAS from a public company.

The main competencies of RAS are as follows:

- It supervises and monitors the railway market so that it operates under free competition, ensuring the fair and non-discriminatory treatment of all railway undertakings that operate or are interested in operating in Greece. It ensures the implementation of Greek and European railway-related legislation, and it issues directions, and recommendations/warnings to market participants, imposing sanctions wherever and whenever necessary, *ex officio* or in response to complaints.
- It grants licenses to railroad undertakings and revokes them according to the standing legal provisions (P.D. 41/2005).
- It monitors and checks the railroad undertakings that operate in Greece to ensure that the basic conditions under which their license was granted still apply.
- It checks the network statement of the railway infrastructure manager (OSE), particularly in regard to the framework and implementation of the levying of charges for the use of the rail infrastructure and the allocation of capacity to the railway undertakings.
- It checks on the implementation of the “performance regime” of the railway network manager.
- It monitors and checks the implementation of the “multi-annual contract” between the Greek State and the railway infrastructure manager.
- It approves the framework agreements between the railway infrastructure manager and the railway undertakings.
- It carries out the responsibilities of the National Enforcement Body (NEB) regarding EU Regulation 1371 on railway passengers’ rights.
- It prepares and proposes a regulatory framework to the Minister of Infrastructure, Transport & Networks on issues of its responsibility.
- It exchanges information and cooperates with the respective Regulatory Bodies of other EU member states towards achieving the best coordination of the decision-making principles of the Regulatory Bodies.

Aiming to help potentially interested companies to obtain licenses and access to the Greek railway infrastructure, we have prepared and submitted to the Minister of Transportation a draft of a ministerial decision, entitled “on licensing of railway undertakings”, which supplements the existing relevant legislation. This ministerial decision has already been approved and was published in the official government gazette, and in our website with an analytical guide, which we have already prepared, concerning:

- the existing legislation,
- the details of the procedure which a railway undertaking has to follow to get a license and access to the Greek national railway infrastructure, and
- the supporting documents which must accompany a license application.

The main goals of RAS are to:

- Ensure and reinforce its independence from all railway market participants.
- Ensure the fair implementation of the principles of free competition and equal non-discriminatory treatment of the undertakings which do business in the railway market in Greece.
- Contribute with its actions towards making the railway market in Greece “friendly” to undertakings that are potentially interested in accessing the railway infrastructure.
- Contribute towards promoting the potential and future of the railway market in Greece.
- Contribute towards attracting potentially interested undertakings into starting activities as railway undertakings in Greece.
- Contribute to the development, improvement, expansion and attractiveness of the railway infrastructure in Greece.
- Have a total picture of the status of the Greek railway infrastructure and of the allocation of its capacity at all times, in order to be able to identify parts of the line that may cause traffic congestion because of capacity shortage with respect to demand, and make suggestions about increasing the available capacity and preventing traffic congestion.
- Have a total picture of the railway undertakings that operate or intend to start activities in Greece at all times, in order ensure their fair and non-discriminatory operation.
- Contribute towards instilling in the Greek passenger railway market the sense of full respect, by all parties involved, for the passenger and his/her rights, as these rights are described in Regulation 1371/2007 of the European Union.

We have already started to check the railway infrastructure manager, OSE, in various aspects, such as the completeness and accuracy of the network statement, the charging scheme and the structure of infrastructure fees, the infrastructure allocation procedure, etc. We have also started checking Greece’s sole railway undertaking, TRAINOSE, in areas such as the level of account separation, passengers rights, etc.

In addition, we prepared and submitted to the Minister of *Infrastructure, Transport and Networks* (ITN) a comprehensive proposal for substantial amendments to Law 3891/10, aiming at enhancing the operation and independence of RAS.

We have already designed our short, medium and long-term actions in order to achieve the above mentioned targets, keeping in mind our vision, which is to contribute to a continuous evolving Greek railway market with a steadily increasing share in the total transport market in Greece for the benefit of its citizens and the environment.

Thank you for your attention and I look forward to cooperating with you.

Vasileios Tsiamantis
President of RAS