



Council of the European Union
General Secretariat

Brussels, 11 July 2025

**Interinstitutional files:
2023/0271 (COD)**

WK 9658/2025 INIT

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° Cion doc.:	ST 11718/23 + ADD 1 - 4
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010 - Presidency compromise on Annex I, section 1 to 3

In view of the Land transport working party on 17 July 2025, delegations will find in the annex a Presidency compromise proposal for Annex I, sections 1 to 3, and a proposal for a new definition in line 84e for 'capacity restrictions'.

In sections 1 and 2, the outcome of the 20th ITM is reflected in line 754, 755, 758, 759 (marked in yellow) and in table s 1, 2 and 3 (at the end of the Annex)

In Section 3, delegations will find a Presidency compromise proposal and a compromise proposal for table 3a (at the end of the Annex).

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010 (Text with EEA relevance) 2023/0271(COD)

Annex I – sections 1 to 3

Text in Draft Agreement and Presidency Compromise is compared to Council Mandate

Tables 1, 2, 3 and 3a are inserted after the 4-column document; for table 3a there is only a Council Mandate and a Presidency compromise

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
Article 4, second paragraph, point (17c)					
84e					(17c) ‘capacity restriction’ means a lessening of the capacity for reasons such as infrastructure works, including associated speed restrictions, axle load, train length, traction or structure gauge
Annex I					
751	Annex I	Annex I	Annex I DELIVERABLES AND SCHEDULE FOR CAPACITY MANAGEMENT REFERRED TO IN ARTICLES 11, 16, 18 AND 38	Annex I DELIVERABLES AND SCHEDULE FOR CAPACITY MANAGEMENT REFERRED TO IN ARTICLES 11, 16, 18 AND 38	
Annex I, first paragraph					
752	DELIVERABLES AND SCHEDULE FOR	DELIVERABLES AND SCHEDULE FOR	<i>deleted</i>	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	CAPACITY MANAGEMENT	CAPACITY MANAGEMENT			
<i>Annex I, second paragraph</i>					
753	REFERRED TO IN ARTICLES 11, 16, 18 AND 38	REFERRED TO IN ARTICLES 11, 16, 18 AND 38	<i>deleted</i>	<i>deleted</i>	
<i>Annex I, point 1.</i>					
y 754	1. Deliverables to be prepared by infrastructure managers in strategic capacity planning referred to in articles 11, 16, 17 and 18	1. Deliverables to be prepared by infrastructure managers in strategic capacity planning referred to in articles 11, 16, 17 and 18	1. Deliverables to be prepared by infrastructure managers in strategic capacity planning referred to in articles 11, 16, 17 and 18	1. Deliverables to be prepared by infrastructure managers in strategic capacity planning referred to in articles 11, 16, 17 and 18 Provisionally agreed in ITM 20	
<i>Annex I, point 1., Table 1</i>					
y 755	Table 1	Table 1	Table 1	Table 1 Provisionally agreed in ITM 20	
<i>Annex I, point 2.</i>					
756	2. Schedule for strategic capacity management referred to in articles 11, 16, 17 and 18	2. Schedule for strategic capacity management referred to in articles 11, 16, 17 and 18	2. Schedule for strategic capacity management referred to in articles 11, 16, 17 and 18	2. Schedule for strategic capacity management referred to in articles 11, 16, 17 and 18 Provisionally agreed in ITM 20	
<i>Annex I, section 2, first paragraph</i>					
g 757	1. When preparing the deliverables of strategic capacity planning for a given working timetable period, infrastructure	1. When preparing the deliverables of strategic capacity planning for a given working timetable period, infrastructure	1. When preparing the deliverables of strategic capacity planning for a given working timetable period, infrastructure	1. When preparing the deliverables of strategic capacity planning for a given working timetable period, infrastructure	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	managers shall respect the schedule set out in this section.	managers shall respect the schedule set out in this section.	managers shall respect the schedule set out in this section.	managers shall respect the schedule set out in this section.	
Annex I, Section 2, first paragraph, first subparagraph					
758	Infrastructure managers may define earlier deadlines. Such deadlines shall be harmonised at EU level and included in the European framework for capacity management referred to in Article 6.	Infrastructure managers may define earlier deadlines. Such deadlines shall be harmonised at EU level and included in the European framework for capacity management referred to in Article 6.	Infrastructure managers may define earlier deadlines. Such earlier deadlines shall be harmonised at EU level coordinated by ENIM and included in the European framework for capacity management referred to in Article 6.	<i>deleted</i> <i>Provisionally agreed in ITM 20</i>	
Annex I, Section 2, first paragraph, second subparagraph					
759	The consultation of stakeholders shall be carried out in accordance with Article 54 and shall involve at least railway undertakings and other applicants, operational stakeholders and public authorities. Infrastructure managers shall coordinate the deliverables on a continuous basis when coordinating in accordance with Article 53.	The consultation of stakeholders shall be carried out in accordance with Article 54 and shall involve at least railway undertakings and other applicants, operational stakeholders and public authorities. Infrastructure managers shall coordinate the deliverables on a continuous basis when coordinating in accordance with Article 53.	The consultation of stakeholders regarding European and cross-border matters shall be carried out in accordance with Article 54 and shall involve at least railway undertakings and other applicants, all operational stakeholders and public authorities. Infrastructure managers shall coordinate the deliverables on a continuous basis when coordinating in accordance with within the framework of the coordination process provided by Article 53.	The consultation of stakeholders regarding European and cross-border matters shall be carried out in accordance with Article 54 and shall involve all operational stakeholders. Infrastructure managers shall coordinate the deliverables on a continuous basis in the framework of the coordination process provided by Article 53. <i>Provisionally agreed in ITM 20</i>	
Annex I, section 2, Table 2					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
760	Table 2	Table 2	Table 2	Table 2 Provisionally agreed in ITM 20 outstanding issue on the consultation of the regulatory bodies on the capacity model (line 225a). PCY will return on deadline of update of the capacity supply plan to ensure that it is aligned with section 4 of annex I [ITM 20]	
Annex I, section 2, second paragraph					
761	2.By way of derogation to point 1, the following simplified and shortened schedule applies to the deliverable ‘Capacity strategy’ in relation to the working timetable periods starting in December 2029 and December 2030:	2.By way of derogation to point 1, the following simplified and shortened schedule applies to the deliverable ‘Capacity strategy’ in relation to the working timetable periods starting in December 2029 and December 2030:	2.By way of derogation to point 1, the following simplified and shortened schedule applies to the deliverable ‘Capacity strategy’ in relation to the working timetable periods starting in December 2029 2030 and December 2030 2031 :	2.By way of derogation to point 1, the following simplified and shortened schedule applies to the deliverable ‘Capacity strategy’ in relation to the working timetable periods starting in December [2030] 2029 and December [2031] 2030 : Provisionally agreed in ITM 20 The implementation deadline is still an outstanding issue	
Annex I, section 2, Table 3					
762	Table 3	Table 3	Table 3	Table 3 Provisionally agreed in ITM 20	
Annex I, section 3					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise															
763	3.Schedule for coordination, consultation and publication of capacity restrictions resulting from infrastructure works referred to in Articles 10 and 35	3.Schedule for coordination, consultation and publication of capacity restrictions resulting from infrastructure works referred to in Articles 10 and 35	3.Schedule and requirements for coordination, consultation and publication of capacity restrictions resulting from infrastructure works referred to in Articles 10 and 35																	
Annex I, section 3, point 0																				
763a			0.Capacity restrictions shall be classified depending on their duration in number of consecutive days and their impact on traffic (estimated traffic volume on a railway line per day that is cancelled, re-routed or replaced by other modes of transport) according to the following table.		Capacity restrictions shall be classified depending on their duration in number of consecutive days and their impact on traffic (estimated traffic volume on a railway line per day that is cancelled, re-routed or replaced by other modes of transport) according to the following table.															
Annex I, section 3, table 3a																				
763b			<table border="1"> <thead> <tr> <th></th> <th>Duration</th> <th>Impact on traffic</th> </tr> </thead> <tbody> <tr> <td>Major impact</td> <td>More than 30 consecutive days</td> <td>More than 10%</td> </tr> <tr> <td>High impact</td> <td>More than 7 consecutive days</td> <td>More than 5%</td> </tr> <tr> <td>Medium impact</td> <td>Temporary disruption</td> <td>More than 5%</td> </tr> <tr> <td>Minor impact</td> <td>Unscheduled</td> <td>More than 10%</td> </tr> </tbody> </table>		Duration	Impact on traffic	Major impact	More than 30 consecutive days	More than 10%	High impact	More than 7 consecutive days	More than 5%	Medium impact	Temporary disruption	More than 5%	Minor impact	Unscheduled	More than 10%		Table 3a
	Duration	Impact on traffic																		
Major impact	More than 30 consecutive days	More than 10%																		
High impact	More than 7 consecutive days	More than 5%																		
Medium impact	Temporary disruption	More than 5%																		
Minor impact	Unscheduled	More than 10%																		
Annex I, section 3, point 1																				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
764	<p>1. As regards temporary restrictions of the capacity of railway lines, for reasons such as infrastructure works, including associated speed restrictions, axle load, train length, traction, or structure gauge ('capacity restrictions'), of a duration of more than 7 consecutive days and for which more than 30 % of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport, the infrastructure managers concerned shall publish all capacity restrictions and the preliminary results of a consultation with the applicants for a first time at least 24 months and, in an updated form, for a second time at least 12 months before the change of the working timetable concerned. These infrastructure restrictions shall be included in the capacity supply plan referred to in Article 18.</p>	<p>1. As regards temporary restrictions of the capacity of railway lines, for reasons such as infrastructure works, including associated speed restrictions, axle load, train length, traction, or structure gauge ('capacity restrictions'), of a duration of more than 7 consecutive days and for which more than 30 % of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport, the infrastructure managers concerned shall publish all capacity restrictions, <u>as far as they are known</u>, and the preliminary results of a consultation with the applicants for a first time at least 24 months and, in an updated form, for a second time at least 12 months before the change of the working timetable concerned. These infrastructure restrictions shall be included in the capacity supply plan referred to in Article 18.</p>	<p>1. As regards temporary capacity restrictions of the capacity of railway lines, for reasons such as infrastructure works, including associated speed restrictions, axle load, train length, traction, or structure gauge ('capacity restrictions'), of a duration of more than 7 consecutive days and for which more than 30 % of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport, that have a high or a major impact the infrastructure managers concerned shall publish all capacity restrictions and the preliminary results of a consultation with the applicants for a first time at least 24 months to the extent they are known and, in an updated form, for a second time at least 12 months before the change of the working timetable concerned. These infrastructure restrictions shall be included in the capacity supply plan referred to in Article 18.</p>		<p>1. As regards Capacity restrictions of railway lines, for reasons such as infrastructure works, including associated speed restrictions, axle load, train length, traction, or structure gauge ('capacity restrictions'), that have with a high or a major impact the infrastructure managers concerned shall publish all be included in <u>the capacity restrictions model referred to in Article 17</u>, and the preliminary results of a consultation with the applicants for a first time at least 24 months to the extent they are known and, in an updated form, for a second time at least 12 months before the change of the working timetable concerned <u>capacity supply plan referred to in Article 18</u>.</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
Annex I, section 3, point 2					
765	2. As part of the coordination between infrastructure managers in accordance with Article 53, the entities designated in paragraph 5 of that Article shall also jointly discuss those capacity restrictions, if the impact of the capacity restrictions is not limited to one network, with interested applicants and the main operators of service facilities concerned when they are published for the first time.	2. As part of the coordination between infrastructure managers in accordance with Article 53, the entities designated in paragraph 5 of that Article shall also jointly discuss those capacity restrictions, if the impact of the capacity restrictions is not limited to one network, with interested applicants and the main operators of service facilities concerned when they are published for the first time.	2. As part of the coordination between themselves , infrastructure managers in accordance with Article 53, the entities designated in paragraph 5 of that Article shall also jointly discuss those capacity restrictions, if the impact of the capacity restrictions is not limited to one network, with interested applicants and the main operators of service facilities concerned when they are published for the first time.		2. As part of the coordination between themselves, Infrastructure managers shall jointly discuss those <u>coordinate</u> capacity restrictions <u>among themselves in accordance with Article 53</u> , if the impact of the capacity restrictions is not limited to one network, <u>as well as discuss the capacity restrictions</u> with interested applicants and the main operators of service facilities concerned when they are published for the first time. <u>if these have high or major impact.</u>
Annex I, section 3, point 3					
766	3. When publishing capacity restrictions in accordance with point (1) for a first time, the infrastructure manager shall launch a consultation with the applicants and the main operators of services facilities concerned on the capacity restrictions. Where a coordination in accordance with point (4) is required between the first	3. When publishing capacity restrictions in accordance with point (1) for a first time, the infrastructure manager shall launch a consultation with the applicants and the main operators of services facilities concerned on the capacity restrictions. Where a coordination in accordance with point (4) is required between the first	3. When publishing capacity restrictions in accordance with point (1) for a first time, the infrastructure manager shall launch a consultation with the applicants and the main operators of services facilities concerned on the capacity restrictions. Where a coordination in accordance with point (4) is required between the first		3. When publishing capacity restrictions in accordance with point (1) <u>with high or major impact</u> for a first time, the infrastructure manager shall launch a consultation with the applicants and the main operators of services facilities concerned on the capacity restrictions. Where a coordination in accordance with point (4) is

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	and second publication of capacity restrictions, the entities designated in accordance with Article 53(5) shall consult with applicants and the main operators of service facilities concerned a second time between the end of that coordination and the second publication of the capacity restriction.	and second publication of capacity restrictions, the entities designated in accordance with Article 53(5) shall consult with applicants and the main operators of service facilities concerned a second time between the end of that coordination and the second publication of the capacity restriction.	and second publication of capacity restrictions, the entities designated in accordance with Article 53(5) infrastructure managers which are subject to this Regulation shall consult with applicants and the main operators of service facilities concerned a second time between the end of that coordination and the second publication of the capacity restriction.		required between the first and second publication of <u>draft capacity restrictions and the final</u> capacity restrictions, the infrastructure managers which are subject to this Regulation shall consult with applicants and the main operators of service facilities concerned a second time between the end of that coordination and the second publication of the capacity restriction. <u>Infrastructure managers shall respect the deadlines set out in table 3a.</u>
Annex I, section 3, point 4					
767	4. Before publishing capacity restrictions in accordance with point (1), if the impact of the capacity restrictions is not limited to one network, the entities designated in accordance with Article 53(5), including infrastructure managers that might be impacted by the rerouting of trains, shall coordinate between themselves capacity restrictions that could involve a cancellation, re-routing of a	4. Before publishing capacity restrictions in accordance with point (1), if the impact of the capacity restrictions is not limited to one network, the entities designated in accordance with Article 53(5), including infrastructure managers that might be impacted by the rerouting of trains, shall coordinate between themselves capacity restrictions that could involve a cancellation, re-routing of a	4. Before publishing capacity restrictions in accordance with point (1), if the impact of the capacity restrictions is not limited to one network, the entities designated in accordance with Article 53(5) infrastructure managers which are subject to this Regulation, including infrastructure managers that might be impacted by the rerouting of trains, shall coordinate between themselves		4. Before publishing capacity restrictions in accordance with point (1) (+)with major, high or medium impact , if the impact of the capacity restrictions is not limited to one network, the infrastructure managers which are subject to this Regulation, including infrastructure managers that might be impacted by the rerouting of trains, shall coordinate between themselves capacity

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	train path or a replacement by other modes.	train path or a replacement by other modes.	capacity restrictions that could involve a cancellation, re-routing of a train path or a replacement by other modes.		restrictions that could involve a cancellation, re-routing of a train path or a replacement by other modes <u>in accordance with the deadlines in table 3a. The entities performing the coordination between infrastructure managers in accordance with Article 53(4) shall, if necessary, invite the applicants active on the lines concerned and the main operators of service facilities concerned to get involved in that coordination.</u>
Annex I, section 3, point 4, first subparagraph					
768	The coordination before the second publication shall be completed:	The coordination before the second publication shall be completed:	The coordination before the second publication shall be completed:	<i>deleted</i>	<u>The deadlines are presented in table 3a</u>
Annex I, section 3, point 4, first subparagraph, point (a)					
769	(a) no later than 18 months before the change of the working timetable if more than 50% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for a duration of more than 30 consecutive days.	(a) no later than 18 months before the change of the working timetable if more than 50% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for a duration of more than 30 consecutive days.	(a) no later than 18 months before the change of the working timetable if more than 50% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for capacity restrictions with a major impact duration of more than 30 consecutive days.	<i>deleted</i>	<u>The deadlines are presented in table 3a</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
<i>Annex I, section 3, point 4, first subparagraph, point (b)</i>					
770	(b) no later than 13 months and 15 days before the change of the working timetable period if more than 30% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for a duration of more than 7 consecutive days.	(b) no later than 13 months and 15 days before the change of the working timetable period if more than 30% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for a duration of more than 7 consecutive days.	(b) no later than 13 months and 15 days before the change of the working timetable period if more than 30% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for capacity restrictions with a high impact duration of more than 7 consecutive days.	<i>deleted</i>	<i>The deadlines are presented in table 3a</i>
<i>Annex I, section 3, point 4, first subparagraph, point (c)</i>					
771	(c) no later than 13 months and 15 days before the change of the working timetable period if more than 50% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for a duration of 7 consecutive days or less.	(c) no later than 13 months and 15 days before the change of the working timetable period if more than 50% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for a duration of 7 consecutive days or less.	(c) no later than 13 months and 15 days before the change of the working timetable period if more than 50% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes of transport for capacity restrictions with a medium impact duration of 7 consecutive days or less.	<i>deleted</i>	<i>The deadlines are presented in table 3a</i>
<i>Annex I, section 3, point 4, second subparagraph</i>					
772	The entities performing the coordination between infrastructure managers in accordance with Article 53(5) shall, if necessary,	The entities performing the coordination between infrastructure managers in accordance with Article 53(5) shall, if necessary,	The entities performing the coordination between infrastructure managers in accordance with Article 53(5) 53(4) shall, if		The entities performing the coordination between infrastructure managers in accordance with Article 53(4) shall, if necessary,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	invite the applicants active on the lines concerned and the main operators of service facilities concerned to get involved in that coordination.	invite the applicants active on the lines concerned and the main operators of service facilities concerned to get involved in that coordination.	necessary, invite the applicants active on the lines concerned and the main operators of service facilities concerned to get involved in that coordination.		invite the applicants active on the lines concerned and the main operators of service facilities concerned to get involved in that coordination.
Annex I, section 3, point 5					
773	5. As regards capacity restrictions of a duration of 7 consecutive days or less that need not be published in accordance with point (1) and for which more than 10% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes, that occur during the following timetable period and that the infrastructure manager becomes aware of no later than 6 months and 15 days before the change of the working timetable, the infrastructure manager shall consult the applicants concerned on the envisaged capacity restrictions and communicate the updated capacity restrictions at least four months before the change of the working timetable. The	5. As regards capacity restrictions of a duration of 7 consecutive days or less that need not be published in accordance with point (1) and for which more than 10% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes, that occur during the following timetable period and that the infrastructure manager becomes aware of no later than 6 months and 15 days before the change of the working timetable, the infrastructure manager shall consult the applicants concerned on the envisaged capacity restrictions and communicate the updated capacity restrictions at least four months before the change of the working timetable. The	5. As regards capacity restrictions of a duration of 7 consecutive days or less that need not be published in accordance with point (1) and for which more than 10% of the estimated traffic volume on a railway line per day is cancelled, re-routed or replaced by other modes, with a minor impact that occur during the following timetable period and that the infrastructure manager becomes aware of no later than 6 months and 15 days before the change of the working timetable, the infrastructure manager shall consult the applicants concerned on the envisaged capacity restrictions and communicate the updated capacity restrictions at least four months before the change of the working		5. As regards capacity restrictions with a minor impact that occur during the following timetable period and that the infrastructure manager becomes aware of no later than 6 months and 15 days before the change of the working timetable, the infrastructure manager shall consult the applicants concerned on the envisaged capacity restrictions and communicate the updated capacity restrictions at least four months before the change of the working timetable in accordance with the deadlines in table 3a. The infrastructure manager shall provide details on the offered train paths for passenger trains no later than four months and for freight trains no later than one month before

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	infrastructure manager shall provide details on the offered train paths for passenger trains no later than four months and for freight trains no later than one month before the beginning of the capacity restriction, unless the infrastructure manager and the concerned applicants agree on a shorter lead time.	infrastructure manager shall provide details on the offered train paths for passenger trains no later than four months and for freight trains no later than one month before the beginning of the capacity restriction, unless the infrastructure manager and the concerned applicants agree on a shorter lead time.	timetable. The infrastructure manager shall provide details on the offered train paths for passenger trains no later than four months and for freight trains no later than one month before the beginning of the capacity restriction, unless the infrastructure manager and the concerned applicants agree on a shorter lead time.		<p>the beginning of the capacity restriction, unless the infrastructure manager and the concerned applicants agree on a shorter lead time.</p> <p><i>The deleted part has been moved as part of table 3a, as it explains a specific situation.</i></p>
Annex I, section 3, point 6					
774	6. Infrastructure managers may decide to apply more stringent thresholds for capacity restrictions based on lower percentages of estimated traffic volumes or shorter durations than indicated in section 3 of this Annex or to apply criteria in addition to the ones mentioned in this Annex, pursuant to a consultation with applicants and facility operators. They shall publish the thresholds and criteria for clustering capacity restrictions in their network statements under point 3 of Annex IV of Directive 2012/34/EU.	6. Infrastructure managers may decide to apply more stringent thresholds for capacity restrictions based on lower percentages of estimated traffic volumes or shorter durations than indicated in section 3 of this Annex or to apply criteria in addition to the ones mentioned in this Annex, pursuant to a consultation with applicants and facility operators. They shall publish the thresholds and criteria for clustering capacity restrictions in their network statements under point 3 of Annex IV of Directive 2012/34/EU.	6. Infrastructure managers may decide to apply more stringent thresholds for capacity restrictions based on lower percentages of estimated traffic volumes or shorter durations than indicated in section 3 of this Annex or to apply criteria in addition to the ones mentioned in this Annex, pursuant to a consultation with applicants and facility operators. They shall publish the thresholds and criteria for clustering capacity restrictions in their network statements under point 3 2 of Annex IV of Directive 2012/34/EU.		6. Infrastructure managers may decide to apply more stringent thresholds for capacity restrictions based on lower percentages of estimated traffic volumes or shorter durations than indicated in section 3 of this Annex or to apply criteria in addition to the ones mentioned in this Annex, pursuant to a consultation with applicants and facility operators. They shall publish the thresholds and criteria for clustering capacity restrictions in their network statements under point 2 of Annex IV.

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Annex I, section 3, point 7					
775	7. Without prejudice to Article 40, the infrastructure manager may decide not to apply the periods laid down in points (1) to (5), if the capacity restriction is necessary to re-establish safe train operations, the timing of the restrictions is beyond the control of the infrastructure manager, the application of those periods would be cost ineffective or unnecessarily damaging in respect of asset life or condition, or if all concerned applicants agree. In those cases and in case of any other capacity restrictions that are not subject to consultation in accordance with other provisions of this Annex, the infrastructure manager shall consult the applicants and the main operators of service facilities concerned forthwith.	7. Without prejudice to Article 40, the infrastructure manager may decide not to apply the periods laid down in points (1) to (5), if the capacity restriction is necessary to re-establish safe train operations, the timing of the restrictions is beyond the control of the infrastructure manager, the application of those periods would be cost ineffective or unnecessarily damaging in respect of asset life or condition, or if all concerned applicants agree. In those cases and in case of any other capacity restrictions that are not subject to consultation in accordance with other provisions of this Annex, the infrastructure manager shall consult the applicants and the main operators of service facilities concerned forthwith.	7. Without prejudice to Article 40, The infrastructure manager may decide not to apply the periods laid down in points (1) to (5), if the capacity restriction is necessary to re-establish safe train operations, the timing of the restrictions is beyond the control of the infrastructure manager, the application of those periods would be cost ineffective or unnecessarily damaging in respect of asset life or condition, or if all concerned applicants agree. In those cases and in case of any other capacity restrictions that are not subject to consultation in accordance with other provisions of this Annex, the infrastructure manager shall consult the applicants and the main operators of service facilities concerned forthwith.		7. The infrastructure manager may decide not to apply the periods laid down in points (1) to (5) table 3a , if the capacity restriction is necessary to re-establish safe train operations, the timing of the restrictions is beyond the control of the infrastructure manager, the application of those periods would be cost ineffective or unnecessarily damaging in respect of asset life or condition, or if all concerned applicants agree. In those cases, and in case of any other capacity restrictions that are not subject to consultation in accordance with other provisions of this Annex, the infrastructure manager shall consult the applicants and the main operators of service facilities concerned forthwith.
Annex I, section 3, point 8					
776	8. The information to be provided by the infrastructure manager when acting in accordance	8. The information to be provided by the infrastructure manager when acting in accordance	8. The information to be provided by the infrastructure manager when acting in accordance		8. The information to be provided by the infrastructure manager

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	with points (1), (5) or (7) shall include:	with points (1), (5) or (7) shall include:	with points (1), (5) or (7) shall include:		when acting in accordance with table 3a:
Annex I, section 3, point 8, (a)					
777	(a) the planned day;	(a) the planned day;	(a) the planned day;		(a) the planned day;
Annex I, section 3, point 8, (b)					
778	(b) time of day, and, as soon as it can be set, the hour of the beginning and of the end of the capacity restriction;	(b) time of day, and, as soon as it can be set, the hour of the beginning and of the end of the capacity restriction;	(b) time of day, and, as soon as it can be set, the hour of the beginning and of the end of the capacity restriction;		(b) time of day, and, as soon as it can be set, the hour of the beginning and of the end of the capacity restriction;
Annex I, section 3, point 8, (c)					
779	(c) the section of line affected by the restriction;	(c) the section of line affected by the restriction;	(c) the section of line affected by the restriction;		(c) the section of line affected by the restriction;
Annex I, section 3, point 8, (d)					
780	(d) where applicable, the capacity of diversionary lines.	(d) where applicable, the capacity of diversionary lines.	(d) where applicable, the capacity of diversionary lines.		(d) where applicable, the capacity of diversionary lines.
Annex I, section 3, point 8, second paragraph					
781	The infrastructure manager shall publish that information, or a link where it can be found, in its network statement as referred to in point (3) of Annex IV of Directive 2012/34/EU. The infrastructure manager shall keep this information updated. In addition, infrastructure managers shall publish this	The infrastructure manager shall publish that information, or a link where it can be found, in its network statement as referred to in point (3) of Annex IV of Directive 2012/34/EU. The infrastructure manager shall keep this information updated. In addition, infrastructure managers shall publish this	The infrastructure manager shall publish that information, or a link where it can be found, in its network statement as referred to in point (3) (2) of Annex IV of Directive 2012/34/EU. The infrastructure manager shall keep this information updated. In addition, infrastructure managers shall publish this		The infrastructure manager shall publish that information, or a link where it can be found, in its network statement as referred to in point (2) of Annex IV. The infrastructure manager shall keep this information updated. In addition, infrastructure managers shall publish this information in digital

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	information in digital format in accordance with Article 9 and 62.	information in digital format in accordance with Article 9 and 62.	information in digital format in accordance with Article 9 and 62.		format in accordance with Article 9 and 62.
Annex I, section 3, point 9					
782	9.As regards the capacity restrictions of a duration of at least 30 consecutive days and affecting more than 50% of the estimated traffic volume on a railway line, the infra-structure manager shall provide the applicants upon their request during the first round of consultation with a comparison of the conditions to be encountered under at least two alternatives of capacity restrictions. The infrastructure manager shall design those alter-natives on the basis of the input provided by the applicants at the time of their requests and jointly with them.	9.As regards the capacity restrictions of a duration of at least 30 consecutive days and affecting more than 50% of the estimated traffic volume on a railway line, the infra-structure manager shall provide the applicants upon their request during the first round of consultation with a comparison of the conditions to be encountered under at least two alternatives of capacity restrictions. The infrastructure manager shall design those alter-natives on the basis of the input provided by the applicants at the time of their requests and jointly with them.	9.As regards the capacity restrictions of a duration of at least 30 consecutive days and affecting more than 50% of the estimated traffic volume on a railway line, the infra-structure with a major impact, the infrastructure manager shall provide the applicants upon their request during the first round of consultation with a comparison of the conditions to be encountered under at least two alternatives of capacity restrictions. The infrastructure manager shall design those alter-natives alternatives on the basis of the input provided by the applicants at the time of their requests and jointly with them.		9.As regards capacity restrictions with a major impact <u>as referred to in table 3a</u> , the infrastructure manager shall provide the applicants upon their request during the first round of consultation with a comparison of the conditions to be encountered under at least two alternatives of capacity restrictions. The infrastructure manager shall design those alternatives on the basis of the input provided by the applicants at the time of their requests and jointly with them.
Annex I, section 3, point 9, first subparagraph					
783	The comparison shall, for each alternative, include at least:	The comparison shall, for each alternative, include at least:	The comparison shall, for each alternative, include at least:		The comparison shall, for each alternative, include at least:
Annex I, section 3, point 9, first subparagraph, point (a)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
784	(a) the duration of the capacity restriction,	(a) the duration of the capacity restriction,	(a) the duration of the capacity restriction,		(a) the duration of the capacity restriction,
Annex I, section 3, point 9, first subparagraph, point (b)					
785	(b) the expected indicative infrastructure charges due,	(b) the expected indicative infrastructure charges due,	(b) the expected indicative infrastructure charges due,		(b) the expected indicative infrastructure charges due,
Annex I, section 3, point 9, first subparagraph, point (c)					
786	(c) the capacity available on diversionary lines,	(c) the capacity available on diversionary lines,	(c) the capacity available on diversionary lines,		(c) the capacity available on diversionary lines,
Annex I, section 3, point 9, first subparagraph, point (d)					
787	(d) the available alternative routes, and	(d) the available alternative routes, and	(d) the available alternative routes, and		(d) the available alternative routes, and
Annex I, section 3, point 9, first subparagraph, point (e)					
788	(e) the indicative travel times.	(e) the indicative travel times.	(e) the indicative travel times.		(e) the indicative travel times.
Annex I, section 3, point 9, second subparagraph					
789	Before making a choice between the alternatives of capacity restrictions, the infrastructure manager shall consult the interested applicants and take into account the impacts of the different alternatives on those applicants and on the users of the services.	Before making a choice between the alternatives of capacity restrictions, the infrastructure manager shall consult the interested applicants and take into account the impacts of the different alternatives on those applicants and on the users of the services.	Before making a choice between the alternatives of capacity restrictions, the infrastructure manager shall consult the interested applicants and take into account the impacts of the different alternatives on those applicants and on the users of the services.		Before making a choice between the alternatives of capacity restrictions, the infrastructure manager shall consult the interested applicants and take into account the impacts of the different alternatives on those applicants and on the users of the services. <i><u>If the analysis of alternative capacity restrictions concerns more than one infrastructure manager, the infrastructure managers shall coordinate</u></i>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
					in accordance with Article 53.
Annex I, section 3, point 9, third subparagraph					
790	The analysis of alternative capacity restrictions shall include situations concerning more than one infrastructure manager. In this case, the infrastructure managers shall coordinate the planning of alternative of the capacity restriction in accordance with Article 53.	The analysis of alternative capacity restrictions shall include situations concerning more than one infrastructure manager. In this case, the infrastructure managers shall coordinate the planning of alternative of the capacity restriction in accordance with Article 53.	The analysis of alternative capacity restrictions shall include situations concerning more than one infrastructure manager. In this case, the infrastructure managers shall coordinate the planning of alternative of the capacity restriction in accordance with Article 53.		integrated in line 789
Annex I, section 3, point 10					
791	10. As regards the capacity restrictions of a duration of more than 30 consecutive days and affecting more than 50 % of the estimated traffic volume on a railway line, the infrastructure manager shall establish criteria for which trains of each type of service should be re-routed, taking into account the applicant's commercial and operational constraints, unless those operational constraints result from managerial or organisational decisions of the applicant, and without prejudice to the aim of reducing costs of the	10. As regards the capacity restrictions of a duration of more than 30 consecutive days and affecting more than 50 % of the estimated traffic volume on a railway line, the infrastructure manager shall establish criteria for which trains of each type of service should be re-routed, taking into account the applicant's commercial and operational constraints, unless those operational constraints result from managerial or organisational decisions of the applicant, and without prejudice to the aim of reducing costs of the	10. As regards the capacity restrictions of a duration of more than 30 consecutive days and affecting more than 50 % of the estimated traffic volume on a railway line with a major impact , the infrastructure manager shall establish criteria for which trains of each type of service should be re-routed, taking into account the applicant's commercial and operational constraints, unless those operational constraints result from managerial or organisational decisions of the applicant, and without prejudice to the aim of		10. As regards capacity restrictions with a major impact, the infrastructure manager shall establish criteria for which trains of each type of service should be re-routed, taking into account the applicant's commercial and operational constraints, unless those operational constraints result from managerial or organisational decisions of the applicant, and without prejudice to the aim of reducing costs of the infrastructure manager in accordance with Article 30(1) of Directive 2012/34/EU. The

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Presidency Compromise
	infrastructure manager in accordance with Article 30(1) of Directive 2012/34/EU. The infrastructure manager shall publish in the network statement those criteria.	infrastructure manager in accordance with Article 30(1) of Directive 2012/34/EU. The infrastructure manager shall publish in the network statement those criteria.	reducing costs of the infrastructure manager in accordance with Article 30(1) of Directive 2012/34/EU. The infrastructure manager shall publish in the network statement those criteria.		infrastructure manager shall publish in the network statement those criteria.
Annex I, section 3, point 11					
792	11. ENIM shall publish the information required under point (8) on its website.	11. ENIM shall publish the information required under point (8) on its website.	11. ENIM shall publish the information required under point (8) on its website.		11. ENIM shall publish the information required under point (8) on its website.
Annex I, section 3, point 12					
793	12. The Commission shall review the implementation of section 3 of this Annex until 31 December 2024 and propose a legislative proposal if necessary.	12. The Commission shall review the implementation of section 3 of this Annex until 31 December 2024 and propose a legislative proposal if necessary.	<i>deleted</i>		<u><i>deleted</i></u>

Commission Proposal Table 1

Deliverable	Contents
Capacity strategy (Article 16)	<ul style="list-style-type: none"> – Planned development of physical infrastructure, including new construction, upgrades, renewals and closures /decommissioning; – Forecasted development of demand for rail transport services; – Strategic guidance on capacity utilisation by Member States, including an outlook on the evolution on public service obligations; – Capacity allocated in framework agreements and capacity required to provide transport services under public service contracts; – Infrastructure declared highly utilised or congested; – Major capacity restrictions resulting from infrastructure works.
Capacity model (Article 17)	<ul style="list-style-type: none"> – All information included in the capacity strategy, where relevant updated and further detailed – Volume of capacity available to applicants by rail transport market segment and/or by allocation process – Volume of capacity required for infrastructure works by impact on traffic (categories) – Geographical scope: at least the lines included in the TEN-T core and extended core network – Geographical detail: breakdown in appropriate planning sections reflecting infrastructure and demand characteristics – Temporal scope: one working timetable period – Temporal detail: at least annual overview (capacity restrictions) and one or more representative day/days (capacity available for requests)
Capacity supply plan (Article 18)	<ul style="list-style-type: none"> – All information included in the capacity model, where relevant updated further detailed – Pre-planned capacity available for requests, defined in the form of capacity objects – Capacity restrictions, defined in the form of capacity objects – Alternative capacity available during capacity restrictions – Alternative capacity available in the event of network disruptions

EP Mandate Table 1

Deliverable	Contents
Capacity strategy (Article 16)	<ul style="list-style-type: none"> – Planned development of physical infrastructure, including new construction, upgrades, renewals and closures /decommissioning; – Forecasted development of demand for rail transport services; – Strategic guidance on capacity utilisation by Member States, including an outlook on the evolution on public service obligations; – Capacity allocated in framework agreements and capacity required to provide transport services under public service contracts; – Infrastructure declared highly utilised or congested; – Major capacity restrictions resulting from infrastructure works.
Capacity model (Article 17)	<ul style="list-style-type: none"> – All information included in the capacity strategy, where relevant updated and further detailed – Volume of capacity available to applicants by rail transport market segment and/or by allocation process, <u>including safeguarded capacity for later requests and capacity assigned by Framework Agreements</u> – Volume of capacity required for infrastructure works by impact on traffic (categories) – Geographical scope: at least the lines included in the TEN-T core and extended core network – Geographical detail: breakdown in appropriate planning sections reflecting infrastructure and demand characteristics – Temporal scope: one working timetable period – Temporal detail: at least annual overview (capacity restrictions) and one or more representative day/days (capacity available for requests)
Capacity supply plan (Article 18)	<ul style="list-style-type: none"> – All information included in the capacity model, where relevant updated further detailed – Prep-planned capacity available for requests, defined in the form of capacity objects – Capacity restrictions, defined in the form of capacity objects – Alternative capacity available during capacity restrictions – Alternative capacity available in the event of network disruptions

Council Mandate Table 1

Deliverable	Contents
Capacity strategy (Article 16)	<p>– Geographical scope of the capacity strategy: lines covered by the strategic capacity planning pursuant to Article 12(6); – Planned development of physical infrastructure, including new construction, upgrades, renewals and closures /decommissioning, detailing the characteristics of that infrastructure; – Forecasted development of demand for rail transport services; – The strategic guidance on capacity utilisation by Member States, including an outlook on the evolution on public service obligations where Member States have provided such guidance; – Capacity allocated in framework agreements and capacity that may be required to provide transport services under public service contracts; – Information about the availability and utilisation of railway infrastructure, including infrastructure declared highly utilised or congested; – Major Planned infrastructure works resulting in capacity restrictions resulting from infrastructure works with major impact.</p>
Capacity model (Article 17)	<p>– All information included in the capacity strategy, where relevant updated and further detailed – Total volume of capacity available, including multi-network capacity, to applicants by network section including volume of capacity available to applicants by rail transport-market segment for different segment of rail transport services and/or by allocation process – Volume of capacity required for reserved for capacity restrictions resulting from infrastructure works by impact on the estimated traffic (categories) – Geographical scope: at least the lines included in the TEN-T core and extended core network volume, as laid down in section 3 of Annex I. – Geographical detail: breakdown in appropriate planning sections reflecting infrastructure and demand characteristics – Temporal scope: one working timetable period – Temporal detail: at least annual overview (capacity restrictions) and one or more representative day/days (capacity available for requests)</p>
Capacity supply plan (Article 18)	<p>– All information included in the capacity model, where relevant updated and further detailed – Pre-planned Capacity available for allocation to applicants for the working timetable period to which the capacity supply plan refers: (i) Where applicable under Article 18(4) and in accordance with Article 18(4) and (5), pre-planned capacity available for requests, including multi-network capacity, defined in the form of capacity objects in accordance with Article 18(5); (ii) capacity, which has not been pre-planned by the infrastructure manager; (iii) capacity, which is available in the service facilities referred to in Article 29(1). – Capacity which is not available for allocation to applicants: (i) capacity restrictions, defined in the form of capacity objects, including capacity restrictions referred to in point 1, section 3, of this Annex; (ii) capacity already allocated through framework agreements in accordance with Article 31 or through the multi-annual rolling planning process in accordance with Article 33; (iii) capacity reserved for purposes other than those set out in points (i) and (ii), which shall be clearly indicated by the infrastructure manager; (iv) other capacity already allocated, when updating the capacity supply plan during the working timetable to which the capacity supply plan refers. – Alternative capacity available during capacity restrictions – Alternative capacity available in the event of network disruptions – Restrictions applicable for the use of specialised infrastructure referred to in Article 24.</p>

Draft Agreement Table 1

Deliverable	Contents
Capacity strategy (Article 16)	<p>– Geographical scope of the capacity strategy: lines covered by the strategic capacity planning pursuant to Article 12(6); – Planned development of physical infrastructure, including new construction, upgrades, renewals and closures /decommissioning, detailing the characteristics of that infrastructure; – Forecasted development of demand for rail transport services; – The strategic guidance on capacity utilisation by Member States, where Member States have provided such guidance; – Capacity allocated in framework agreements and capacity that may be required to provide transport services under public service contracts; – Information about the availability and utilisation of railway infrastructure, including infrastructure declared highly utilised or congested; – Planned infrastructure works resulting in capacity restrictions with major impact.</p>
Capacity model (Article 17)	<p>– All information included in the capacity strategy, where relevant updated and further detailed – Total volume of capacity available, including multi-network capacity, to applicants by network section including volume of capacity available by rail transport <u>market segment for different segment of rail transport services and/or by allocation process, including safeguarded capacity for later requests and capacity assigned by Framework Agreement</u> market segment for different segment of rail transport services and/or by allocation process – Volume of capacity reserved for capacity restrictions resulting from infrastructure works by impact on the estimated traffic volume, as laid down in section 3 of Annex I. – Geographical detail: breakdown in appropriate planning sections reflecting infrastructure and demand characteristics – Temporal scope: one working timetable period— Temporal detail: at least annual overview (capacity restrictions) and one or more representative day/days (capacity available for requests)</p>
Capacity supply plan (Article 18)	<p>– All information included in the capacity model, where relevant updated and further detailed – Capacity available for allocation to applicants for the working timetable period to which the capacity supply plan refers: (i) Where applicable under Article 18(4) and in accordance with Article 18(4) and (5), pre-planned capacity available for requests, including multi-network capacity, defined in the form of capacity objects in accordance with Article 18(5); (ii) capacity, which has not been pre-planned by the infrastructure manager; (iii) capacity, which is available in the service facilities referred to in Article 29(1). – Capacity which is not available for allocation to applicants: (i) capacity restrictions, defined in the form of capacity objects, including capacity restrictions referred to in point 1, section 3, of this Annex; (ii) capacity already allocated through framework agreements in accordance with Article 31 or through the multi-annual rolling planning process in accordance with Article 33; (iii) capacity reserved for purposes other than those set out in points (i) and (ii), which shall be clearly indicated by the infrastructure manager; (iv) other capacity already allocated, when updating the capacity supply plan during the working timetable to which the capacity supply plan refers. – Alternative capacity available during capacity restrictions – Alternative capacity available in the event of network disruptions – Restrictions applicable for the use of specialised infrastructure referred to in Article 24.</p>

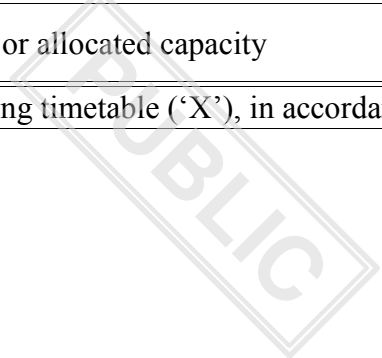
Commission Proposal Table 2

Deliverable	Milestone	Deadline (at latest)
Capacity strategy (Article 16)	Publication of the first elements of the capacity strategy	X-60
	First consultation of stakeholders	X-58
	Publication of the draft strategy and second consultation of stakeholders	X-38
	Publication of final capacity strategy following final coordination between infrastructure managers	X-36
Capacity model (Article 17)	Start of preparation	X-36
	Consultation of applicants and operational stakeholders	X-24
	Publication of draft capacity model	X-21
	Coordination with applicants and operational stakeholders	X-19
	Publication of final capacity model following final coordination between infrastructure managers	X-18
Capacity supply plan (Article 18)	Start of preparation	X-18
	Consultation of applicants and operational stakeholders	X-14
	Publication of capacity restrictions referred to in point (1) of section (3) of this Annex	X-12
	Publication of final capacity supply plan following final coordination between infrastructure managers	X-11
	Publication of capacity restrictions referred to in point (5) of section (3) of this Annex	X-4
	Re-purposing of capacity reserved for allocation through the working timetable for other allocation processes	X-2
	Update of capacity supply plan to reflect any changes to pre-planned or allocated capacity	Until X+12 without delay
Note: (1) 'X-m' means 'm' months before the date of entry into force of the working timetable ('X'), in accordance with section 4.		

EP Mandate Table 2

Deliverable	Milestone	Deadline (at latest)
Capacity strategy (Article 16)	<i>Publication of the first elements of the</i> Capacity strategy <u>elaboration phase</u>	X-60
	First consultation of stakeholders	X-58
	Publication of the draft strategy and second consultation of stakeholders	X- 38 <u>48</u>
	Publication of final capacity strategy following final coordination between infrastructure managers	X-36
	<u>Publication of capacity model</u>	<u>X-18</u>
	<u>Publication of final capacity supply plan following IM and ERP consultation</u>	<u>X-11</u>
Capacity model (Article 17)	Start of preparation	X-36
	Consultation of applicants and operational stakeholders	X-24
	<u>Coordination between infrastructure managers and operation participants and feasibility assessments for provided capacity needs that might not be fully considered in the draft capacity model</u>	<u>X-22</u>
	Publication of draft capacity model <u>and start of the second consultation with the applicants and operation participants</u>	X-21
	Coordination with applicants and operational stakeholders	X-19
	Publication of final capacity model following final coordination between infrastructure managers	X-18
Capacity supply plan (Article 18)	Start of preparation	X-18
	Consultation of applicants and operational stakeholders	X-14
	<u>Regulatory Body shall analyse the draft capacity supply plan and may take a decision requiring the infrastructure manager to amend the capacity supply plan</u>	<u>X-14 to X-13</u>
	Publication of capacity restrictions referred to in point (1) of section (3) of this Annex	X-12
	Publication of final capacity supply plan following final coordination between infrastructure managers	X-11
	<u>Update of capacity supply plan for late requests</u>	<u>X-6,5</u>
	Publication of capacity restrictions referred to in point (5) of section (3) of this Annex	X-4

	Re-purposing of capacity reserved for allocation through the working timetable for other allocation processes	X-2
	Update of capacity supply plan to reflect any changes to pre-planned or allocated capacity	Until X+12 without delay
Note: (1) 'X-m' means 'm' months before the date of entry into force of the working timetable ('X'), in accordance with section 4.		

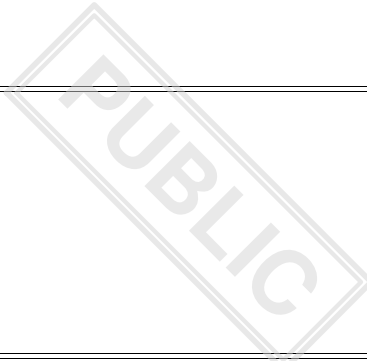


Council Mandate Table 2

Deliverable	Milestone	Deadline (at latest)
Capacity strategy (Article 16)	Publication of the first elements Start of the capacity strategy phase	X-60
	First consultation of operational stakeholders	X-58
	Publication of the draft strategy and _____ Second	X-39
	consultation of operational stakeholders on the draft strategy	X-38
	Publication of final capacity strategy following final coordination between infrastructure managers	X-36
Capacity model (Article 17)	Start of preparation	X-36
	Consultation of Capacity needs announcements by applicants and potential applicants and consultation of operational stakeholders	X-24
	Publication of draft capacity model	X-21
	Coordination with applicants and operational stakeholders	X-19
	Publication of final capacity model following final coordination between infrastructure managers	X-18
Capacity supply plan (Article 18)	Start of preparation	X-18
	Consultation of applicants and operational stakeholders	X-14
	Publication of capacity restrictions referred to in point (1) of section (3) of this Annex	X-12
	Publication of final capacity supply plan following final coordination between infrastructure managers	X-11
	Publication of capacity restrictions referred to in point (5) of section (3) of this Annex	X-4
	Re-purposing of capacity reserved for allocation through the working timetable for other allocation processes	X-2
	Update of capacity supply plan to reflect any changes to pre-planned or allocated capacity	Until X+12 without delay
Note: (1) 'X-m' means 'm' months before the date of entry into force of the working timetable ('X'), in accordance with section 4.		

Draft Agreement Table 2

Deliverable	Milestone	Deadline (at latest)
Capacity strategy (Article 16)	Start of the capacity strategy <u>elaboration</u> phase	X-60
	First consultation of operational stakeholders <u>and ERP</u>	X-58
	Publication of the draft strategy	X-39
	second consultation of operational stakeholders <u>and ERP</u> on the draft <u>capacity</u> strategy <u>and</u>	X-38
	Publication of final capacity strategy following final coordination between infrastructure managers	X-36
Capacity model (Article 17)	Start of preparation <u>(+ add a reference linked to line 394a - TO BE CONFIRMED)</u>	X-36
	Capacity needs announcements by applicants and potential applicants and consultation of operational stakeholders <u>and ERP</u>	X-24
	Publication of draft capacity model <u>and start of the second consultation of applicants, operational stakeholders and ERP on the draft capacity model</u>	X-21
	Coordination <u>End of consultation</u> with applicants and operational stakeholders <u>and ERP</u>	X-19
	Publication of final capacity model following final coordination between infrastructure managers	X-18
Capacity supply plan (Article 18)	Start of preparation	X-18
	Consultation of applicants and operational stakeholders <u>and ERP</u>	X-14
	<u>Regulatory Body shall analyse the draft capacity supply plan and may take a decision requiring the infrastructure manager to amend the capacity supply plan</u>	<u>X-14 to X-13</u>
	Publication of capacity restrictions referred to in point (1) of section (3) of this Annex	X-12
	Publication of final capacity supply plan following final coordination between infrastructure managers	X-11
	<u>Update of capacity supply plan for late requests</u>	<u>X-6,5</u>
	Publication of capacity restrictions referred to in point (5) of section (3) of this Annex	X-4
<i>Re-purposing of capacity reserved for allocation through the working</i>	X-2	



<i>timetable for other allocation processes</i>		
<i>Update of capacity supply plan to reflect any changes to pre-planned or allocated capacity</i>	<i>Until X+12 without delay</i>	
	<u><i>Re-purposing of capacity reserved for allocation through the working timetable for other allocation processes</i></u>	<u><i>X-2</i></u>
	<u><i>Update of capacity supply plan to reflect any changes to pre-planned or allocated capacity</i></u>	<u><i>Until X+12 without delay</i></u>
Note: (1) 'X-m' means 'm' months before the date of entry into force of the working timetable ('X'), in accordance with section 4.		

Commission Proposal Table 3

Capacity strategy (Article 16)	Publication of the draft strategy and consultation of stakeholders	X-38
	Publication of final capacity strategy following final coordination between infrastructure managers	X-36

EP Mandate Table 3

Capacity strategy (Article 16)	Publication of the draft strategy and consultation of stakeholders	X-38
	Publication of final capacity strategy following final coordination between infrastructure managers	X-36

Council Mandate Table 3

Capacity strategy (Article 16)	Publication of the draft strategy and consultation of stakeholders	X-38
	Consultation of operational stakeholders on the draft strategy	X-37
	_____ Publication of final capacity strategy following final coordination between infrastructure managers	X-36

Draft Agreement Table 3

Capacity strategy (Article 16)	Publication of the draft strategy and consultation of <u>operational</u> stakeholders <u>and ERP</u>	X-38
	Consultation of operational stakeholders on the draft strategy	X-37
	_____ Publication of final capacity strategy following final coordination between infrastructure managers	X-36

Council Mandate Table 3a

	<u>Duration</u>	<u>Impact on traffic</u>
<u>Major impact</u>	<u>More than 30 consecutive days</u>	<u>More than 50%</u>
<u>High impact</u>	<u>More than 7 consecutive days</u>	<u>More than 30%</u>
<u>Medium impact</u>	<u>7 consecutive days or less</u>	<u>More than 50%</u>
<u>Minor impact</u>	<u>Unspecified</u>	<u>More than 10%</u>

Presidency compromise Table 3a

	Duration	Impact on traffic	<u><i>Consultation on capacity restrictions with major or high impact</i></u>	<u><i>Publication of draft capacity restrictions with major or high impact</i></u>	<u><i>Coordination of capacity restrictions with impact on more than one network</i></u>	<u><i>Publication of final capacity restrictions</i></u>
Major impact	More than 30 consecutive days	More than 50%	<u><i>X-25</i></u>	<u><i>X-24</i></u>	<u><i>X-18</i></u>	<u><i>X-12</i></u>
High impact	More than 7 consecutive days	More than 30%	<u><i>X-25</i></u>	<u><i>X-24</i></u>	<u><i>X-13.5</i></u>	<u><i>X-12</i></u>
Medium impact	7 consecutive days or less	More than 50%			<u><i>X-13.5</i></u>	<u><i>X-12</i></u>
Minor impact	Unspecified	More than 10%			<u><i>X-5.5</i></u>	<u><i>X-4</i></u>
<u><i>Less than minor impact</i></u>	<u><i>Unspecified</i></u>	<u><i>Less than 10%</i></u>			<u><i>[T-4.5]</i></u>	<u><i>[T-4]</i></u>

(1) 'X-m' means 'm' months before the date of entry into force of the working timetable ('X') in accordance with section 4

(2) 'T-m' means 'm' months before the date of the planned capacity restriction in question.

As regards capacity restrictions with a minor impact that occur during the following timetable period and that the infrastructure manager becomes aware of no later than 6 months and 15 days before the change of the working timetable, the infrastructure manager shall consult the applicants concerned on the envisaged capacity restrictions and communicate the updated capacity restrictions.