

COLLABORATION ON TECHNICAL INPUT FOR A DELEGATED ACT ON TCRs

MANDATE FOR STAKEHOLDER ENGAGEMENT

1 Context and purpose

1.1 Context

This mandate-driven collaboration is organised in the context of the upcoming EU regulation on the use of railway infrastructure capacity in the single European railway area¹ ('capacity regulation'). The capacity regulation, once in force, will empower the European Commission (EC) to adopt delegated acts addressing technical aspects defined in the regulation. The regulation is expected to enter in force in June 2026. The European Commission customarily considers expert input when preparing delegated acts.

The purpose of this mandate-driven collaboration is to provide the EC with expert input reflecting the requirements, expectations, proposals and views of all stakeholder groups directly involved in the management and use of rail infrastructure capacity. The collaboration aims to reflect planning, operational, commercial, technical and other relevant aspects and to command the support of a broad and balanced range of players across the EU, including all operational stakeholders² such as infrastructure managers (IMs), allocation bodies, railway undertakings (RUs), non-RU applicants, PSO authorities and operators of service facilities.

Specifically, it is established to provide support and expertise for the development of technical inputs for the preparation of the delegated act referred to in Articles 11(9) and 41(11) of the Capacity Regulation, to revise section 8 of Annex I ("Schedule for changes to capacity allocated referred to in Article 41"), as well as elements of section 3 ("Schedule and requirements for coordination, consultation and publication of capacity restrictions resulting from infrastructure works referred to in Articles 11 and 37").

¹ Pending the adoption and publication of the regulation in the Official Journal (<https://eur-lex.europa.eu/>), see the most recent publicly available version (Position of the Council at first reading with a view to the adoption) at <https://data.consilium.europa.eu/doc/document/ST-16833-2025-REV-1/en/pdf>, classified as interinstitutional file 2023/0271 (COD).

² In accordance with the legal definition in Article 5(3) of the capacity regulation.

The mandate-driven collaboration is part of the RNE project “Technical Input for Delegated Acts for TCRs (TCR DA)”. The mandate is based on the project proposal for the project (see Annex I). The project leader is Philipp Koiser, the project manager is Daniel Haltner (both of RNE). On the side of IMs, an RNE Taskforce comprising representatives of the RNE Members has been established to contribute to the project and to participate in the mandate-driven collaboration. The scheduled overall project duration is from 21 May to 31 March 2027³.

RNE will seek the approval of the deliverable produced under this mandate by the members of the RNE Task Force and the ABCR for the purpose of submission as expert input to the EC in accordance with section 6. The deliverable shall not bind the participants in the mandate-based collaboration or RNE in any other context.

1.2 Objectives, criteria and benefits

The objectives and criteria set out in this section guide the execution of the mandate-driven collaboration; participants are encouraged to consider them in the procedure to approve the deliverable set out in section 6.

The mandate-driven collaboration aims to address the following expectations of operational stakeholders:

- stakeholders’ experiences in the field of TCRs, as well as their own initiatives (pilots, studies) will be reflected or documented in the deliverable;
- stakeholders are actively involved in the elaboration of the deliverable by taking part in the overall work;
- the outcomes of project will provide a significant procedural and economical improvement for stakeholders;
- the deliverable takes into account stakeholder considerations mentioned in Articles 11(9) and 41(11).

Quality criteria applying specifically to the deliverable of the mandate-driven collaboration are set out in section 3.

The mandate-driven collaboration will be considered a success if the following two conditions are met:

- the deliverables of this collaboration are approved by RNE and stakeholders, commanding wide support by the stakeholders involved in the management and use of rail infrastructure capacity;

³ The scope of the present mandate-driven collaboration concerns both work packages 1 and 2 of the global project; see page 3 of the project proposal in Annex I.

- the EC considers the proposed technical input as a joint sector proposal and incorporates (at least) its key elements in the Delegated Act under Articles 11(9) and 41(11) of the capacity regulation.

Ultimately, the collaboration aims to support the EC in its work on delegated acts under the capacity regulation. The deliverable resulting from this collaboration will set out standard procedures coordinated at European level reflecting the experience and expertise of the key stakeholders managing and using rail infrastructure. This is intended to provide the EC with solid, consolidated expert input, representing stakeholder positions in a balanced manner and, where relevant, documenting areas in which different positions prevail. As this collaboration also takes into account examples of best practices, the input provided should support effective implementation of proven and accepted procedures.

1.3 Basis for this mandate

This mandate is adopted based on the ABCR Terms of Reference (ABCR ToR) of 27 April 2026.⁴ In particular, this mandate reflects the following elements and provisions in the terms of reference:

- the purpose and scope of the ABCR set out in section 2, in particular the goal to support “*engagement and coordination with operational stakeholders other than infrastructure managers, in relation to preparatory work for the implementation of the upcoming EU Regulation on the use of railway infrastructure capacity (“Capacity Regulation”)*”;
- the tasks of the ABCR set out in section 3, in particular the “*preparation of stakeholder recommendations*”;
- the formats for stakeholder engagement set out in section 10, in particular the “mandate-driven collaboration” (see table 1 below);

⁴ Available at https://rne.eu/wp-content/uploads/ABCR_Terms-of-Reference_2026-04-27.pdf.

Table 1 Description of the ‘mandate-driven collaboration’ format for stakeholder engagement

Area	Format / procedure	Purpose	Steps	Addressees
2 Clarification and consolidation of RNE and stakeholder positions	Mandate-driven collaboration	Collaboration between RNE and operational stakeholders with a view to clarify and, where possible, consolidate requirements or expectations on a specific issue, based on an agreed mandate and documented in a deliverable / output.	- RNE and/or operational stakeholders propose an issue for collaboration and give other members of the ABCR the possibility to comment. - RNE prepares a draft mandate for collaboration, setting out the expected scope and contents of the output / deliverable and for the method to prepare it (e.g. workshop, taskforce etc.) and submits it to the ABCR to establish the member’s opinion in accordance with section 9. - RNE and ABCR members co-develop the stakeholder requirements and expectations. - ABCR members endorse the output / deliverable by positive opinion. - RNE proceeds on the issue, taking into account the output / deliverable to the extent possible.	Participants with relevant expertise and committing themselves to contribute actively

2 Scope of the mandate-driven collaboration

2.1 Overall scope of the collaboration

The overall scope of the collaboration is defined by the empowerments of the EC in Article 41(11) to amend the rules for changes to capacity rights set out in Section 8 of Annex I of the capacity regulation and in Article 11(9) to amend certain elements of Section 3 setting out the schedule and the requirements related to capacity restrictions resulting from infrastructure works . These rules should ensure efficient adaptation and rescheduling processes, possibly involving rescheduling windows for smaller works not categorised as having major, high or medium impact, as well as an effective coordination and consultation of capacity restrictions.

In practical terms, changes to capacity rights are either the result of IM driven-path alterations or of applicant-driven path modifications. RNE has published corresponding process handbooks which had been regularly updated in the past. However, experiences show that for both processes there is a major potential for improvements, especially from a multi-network point of view.

The mandate-driven collaboration is planned to take place in the period from 27 May 2026 to the end of March 2027.

2.2 Phases 1 and 2 of the collaboration

The mandate-driven collaboration will be structured in two phases, addressing the following (sub-) work packages of the RNE project (see Annex I):

- Phase 1:
 - Sub work package 1.1: Defining the general principles for the management of TCRs to ensure consistency between WP1 / phase 1 and WP2 / phase 2
 - Sub work package 1.2.: technical input for the amendment of section 8 of Annex I, i.e. within the scope of the delegated act referred to in Article 41(1)
- Phase 2:
 - Work package 2: technical input for the amendment of section 3 of Annex I, i.e. within the scope of the delegated act referred to in Article 11(9)

The present mandate covers phase 1 of the collaboration. Unless otherwise specified, all references to the collaboration in section 3 to 6 of this mandate refer to phase 1.

The 2-phases approach is intended to:

- take into account experiences and progress made in phase 1;
- to provide flexibility to optimise the synergy with DG MOVE's work scheduled to start in October 2026;
- give stakeholders the possibility to nominate the experts best placed to contribute to phase 2.

The mandate will be updated to cover phase 2 in due course; stakeholder will be informed and involved in the planning for phase 2 on a regular basis.

3 Deliverable and supporting documentation

The main deliverable of the mandate-driven collaboration will be a document providing general principles for the management of TCRs (relevant for WP1 and WP2) and technical (expert) input, supporting the preparation of the Delegated Act under Article 41(11) of the capacity regulation. The contents of the document should cover all elements necessary in principle to prepare a (draft) delegated act. Where useful, the document may be complemented by supporting documentation.

In general terms, the report should specify procedures for path alteration and path modification, including a proposal for a few days 'rescheduling window' concept with a view to ensuring efficient adaptation and rescheduling processes.

These procedures should be based on existing best practices, reflect ongoing activities/studies, experiences with current RNE Handbooks, whilst also considering the various planning, operational, technical and commercial considerations of the stakeholders concerned.

The results of the mandate-driven collaboration will be documented in a structured and audit-proof format to be included in the final report and making use of the following components:

- Process diagrams
- Role descriptions
- Interface overviews
- Assessment criteria (SWOT analyses)

The documentation will be subject to version control and change tracking throughout the entire collaboration.

The deliverable will explicitly document contentious points where the participants cannot agree on a unique position and, where relevant, indicate alternative positions and the (groups of) participants supporting these alternatives. This should be achieved among the members of the task-force in accordance with section 6.1.

The deliverable should meet the following quality criteria:

- processes must be described in a clear and traceable manner, complying with established conventions in the rail sector and appropriate for submission to relevant decision-makers (formally correct structure and reasoning);
- consistency and continuity in the various implementation timelines (Capacity Regulation, EFCM, delegated acts under Article 41) with non-contradictory implementation scopes;
- terminology consistent with RNE documents and relevant EU law, avoiding expressions that are uncommon or misleading in English.

RNE commits to ensure consistency with the EFCM currently being drafted under the guidance of RNE.

4 Participation in the mandate-driven collaboration

The participants in the mandate-driven collaboration will comprise:

- the members of the RNE Task Force appointed by the competent RNE bodies;
- participants representing operational stakeholders.

Taskforce members representing operational stakeholders other than IMs, including but not limited to railway undertakings and other applicants, will be selected among applications received at abcr@rne.eu until 16 June 2026 10:00 CET.

Applications must meet the following criteria:

- Participants must represent an organisation, i.e. either a company classifying as operational stakeholder or an association representing operational stakeholders; participation is not limited to organisations which are member of ABCR but participation in a personal capacity is not possible;
- Demonstrable expertise within the scope of the mandate-driven collaboration (section 3), i.e. in the area of capacity management of capacity management in general (Chapter II of the capacity regulation), including in particular knowledge of applying path alteration and path modification processes in daily business;
- Availability of appropriate resources to actively contribute to the mandate-driven collaboration, indicatively amounting to a minimum availability of **11 to 15 hours per month**, out of which 3 to 7 hours per month for **regular monthly meetings**;
- Working-level proficiency in English.

In the interest of effective and efficient work within the mandate-driven collaboration, RNE aims for a number of 15-30 participants and reserves the right to select – in agreement with ABCR members – participants based on merit, i.e. according to the four criteria indicated above, and with a view to ensuring an adequate representation of:

- types of operational stakeholders (RUs, non-RU applicants, terminal operators, etc.);
- segments of the rail transport market (passenger / freight, domestic / cross-border, short- / long-distance etc.);
- different regions of the EU.

Participants may coordinate their contributions to the collaboration with other organisations, with a view to reflect a broader range of requirements and positions.

Applications received after the deadline indicated above will be considered for as long as the maximum number is not reached.

5 Working methods and organisation

The mandate-driven collaboration will be chaired by the chairman of the RNE Taskforce, Daniel Haltner of RNE. The chairman will be coordinate and steer the work of the mandate-driven collaboration in close coordination with a support team selected among the participants in the mandate-driven collaboration.

The following general principles and working methods provide the basis for the collaboration:

- participants representing IMs and operational stakeholders contribute actively to the mandate-driven collaboration;
- the collaboration involves iterative consultations with relevant RNE working groups;
- regular feedback loops and transparent documentation of stakeholder input;

- Evidence that stakeholder initiatives (e.g. studies, pilot projects) have been considered.

The tasks of participants include:

- active participation in regular monthly meetings (including preparation and follow-up);
- active participation in specific meetings and events such as live simulations;
- collecting and consolidating feedback within the organisation(s) which participants represent, notably on the practical feasibility of proposals discussed in the collaboration;
- contribute to drafting the deliverable described in section 3.

The specific activities within this mandate-driven collaboration include:

- surveying existing studies, studies in development and best practise examples; evaluation and analysis of these documents;
- analysing strengths and weaknesses of current processes for path alteration and path modification, taking into account multi-network and domestic approaches;
- monitoring developments related to the preparation of the Delegated Act under Article 41(11);
- workshops with participants representing IMs and operational stakeholders;
- development of technical input supporting the EC in drafting the Delegated Act referring to Article 41(11)
- consultation of draft input with stakeholders including a potential live simulation
- finalisation of technical input to be submitted for the EC Drafting the Delegated Act referring to Article 41(11).

RNE continuously coordinates (intermediate) working results of the mandate-driven collaboration with other RNE WGs through an iterative process.

6 Approval of the deliverable and subsequent steps

6.1 Approval of the deliverable

The deliverable will be approved by positive opinions of both groups involved in the mandate-driven collaboration:

- Infrastructure managers and allocation bodies;
- operational stakeholders other than IMs.

The opinion of both groups will be established simultaneously to minimize the time required for approval:

- The RNE Taskforce will adopt the deliverable in accordance with its terms of reference;

- The ABCR will approve the deliverable following a positive opinion of the ABCR members. The opinion of the ABCR will be established in accordance with section 9 of the terms of reference of the ABCR, i.e. either by consensus or by establishing a positive opinion through a formal opinion-gathering in which the number of 'yes' opinions is at least two thirds of the total number of 'yes', 'no', and 'abstention' opinions expressed (two-thirds majority).

For contentious issues where no unique position achieves a positive opinion of the ABCR and the RNE Task Force, the chair of the mandate-driven collaboration may propose, in close cooperation with all participants, alternative positions complemented by an indication of the (group(s) of) participants supporting each position.

If within the duration of the mandate-driven collaboration (see section 2) positive opinion can be achieved, the approval process will be aborted. The last version of the deliverable submitted for an establishment of a position as well as the divergent positions presenting the approval will be documented and published.

6.2 Subsequent steps

In accordance with section 1, the deliverable will be submitted to the European Commission, including any documentation of alternative positions as described above. The submission and publication will be complemented by a documentation of the procedure to prepare and approve the deliverable. RNE will publish the deliverable and complementary documentation on its website. All participants in the mandate-driven collaboration are free to publish and communicate the deliverable as they deem fit.

As the mandate-driven collaboration is carried out in the context of the RNE project "Technical Input for Delegated Acts for TCRs (TCR DA)", the project results will be formally adopted by the competent RNE bodies. This approval will not result in changes to the deliverable adopted in accordance with section 6.1.

6.3 Amendment of the mandate for phase 2 of the collaboration

As stated in section 2, the mandate will be revised in due course to include phase 2 of the collaboration.

Annex I – Project proposal of the RNE project

Note: The changes included in version 3 of the project proposal (to reflect DG MOVE's planning) are subject to approval by the competent RNE governance structures; the proposal is provided for informational and transparency reasons.



2026

RNE PROJECT PROPOSAL

Overview	
Full Name	Technical Input for Delegated Acts for TCRs
Short name	TCR DA
Business Area	Capacity Management
Start date	21.05.2026
End Date	31.03.2027
Project Manager	Daniel Haltner
Project Leader	Philipp Koiser
Relevance to EU Funding	Yes (CEF Technical Assistance III)
Type	Large
Deadline for delivering up-dated Project plan	June 2026
Priority	High
Expected budget	80 000€ (Already covered in Capacity Management budget)
Source of financing	CEF Technical Assistance III

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Description
Referring to the final version of the Capacity Regulation, the EC will publish two Delegated Acts (DA) related to TCRs. On the one hand, the DA, as mentioned in Art. 41 ("Changes to capacity rights after allocation") and on the other hand, the empowerment for COM to adopt a DA in Art. 11(9) ("Scheduling of capacity restrictions resulting from infrastructure works"). It is expected that the EC will reach out to the sector for technical advice. RNE members have a high interest in a coherent TCR process. To satisfy both requirements, this project aims on providing technical input from the sector to EC's DA developments.
Scope Baseline
Changes to capacity rights after allocation (Current scope of work until end of September 2026) Changes to capacity rights are either IM driven path alterations or applicant driven path modifications. RNE has published corresponding process handbooks which had been regularly updated in the past. However, experiences show that for both processes there is a major potential for improvements especially from a multi-network point of view. Regarding Annex I.8, the EC intends, through the proposed DA, to introduce windows for the rescheduling of smaller works that are not categorised as projects with major, high or medium impacts. Scheduling of capacity restrictions resulting from infrastructure works (Foreseen in 2027) This topic is one of the most criticised issues by the applicants. Despite Annex VII, 2012/34 EU, the corresponding processes for all phases in the capacity management from advanced capacity planning until the running timetable do not always work as intended in practice. The main goal of this project is to provide a sector input for the general process for handling TCRs in timetabling with a focus on inefficiencies of the current process and difficulties of implementation. RNE's specific aim is for the EC to ideally fully incorporate the project's findings into its drafting process. By involving the relevant stakeholders, the aim is also to prevent other interested parties from preparing their own contributions for the EC.

Project Requirements
Quality: - Processes must be described in a clear, traceable and sector-appropriate manner; deliverables must be GA- and MB-compliant (formally correct structure and reasoning). - Consistency and continuity in the various implementation timelines (EFCM, DA on art.41, art. 11(9)) with non-contradictory implementation scopes. - Consistent terminology in accordance with RNE, EC, and existing regulations. - Consistency between WP1 and WP2 to avoid contradictions in the Capacity Framework. - Not a complete departure from the current EFCM, while still providing an improved approach
Stakeholder and collaboration: - Active participation of IMs and operational stakeholders within the task force. - Iterative consultations with relevant RNE working groups. - Regular feedback loops and documentation of stakeholder input. - Evidence that stakeholder initiatives (e.g. studies, pilot projects) have been considered. - Acceptance of the domestic/national level approaches to the topic of both WPs.
Documentation: - Creation of structured, audit-proof documentation, including: - Process diagrams - Role descriptions - Interface overviews - Assessment criteria (SWOT analyses) - The final documents must be compatible with EC standards for delegated acts. - Version control and change tracking throughout the entire project.
Time and Planning - WP1 must be completed and delivered to the EC by the end of September 2026. - WP2 likely needs to be completed by the end of January 2027 - Compliance with the milestones set out in the proposal (including GA decisions and TF launch dates). - Early risk identification in the event of resource bottlenecks or delays.

Collaboration and communication:

- Regular project meetings and status updates.
- Call for nominations was sent out on 23.04.2026, all RNE members were approached and asked to provide experts.
- Transparent information sharing and discussions with IMs, operational stakeholders, and internal RNE groups.
- Provision of documents in clearly structured formats (Word, PDF, etc).

Benefits

The proposals for standard procedures coordinated at the European level developed as part of this project would help the EC to avoid duplication in the drafting of the delegated act.

This project takes into account examples of best practices, which should also make it easier to implement such proven and accepted procedures.

Deliverables

WP1	Sub work package 1.1: Defining the general principles for the management of TCRs to ensure consistency between WP1 and WP2 Sub work package 1.2: Descriptions for path alteration and path modification (incl. proposal for a time slices concept) with a view to ensuring efficient adaptation and re-scheduling processes. These should be based on existing best practices, integration of ongoing activities/studies, experiences with current RNE Handbooks, whilst also considering the various planning, operational, technical, and commercial considerations of the stakeholders concerned. ⇒ Technical input for EC Drafting the Delegated Act referring to Art. 41
WP2	Revision of the TCR processes covering all relevant phases from the Advanced Capacity Phase until the running timetable, where the elements set out therein have proven ineffective or have led to major difficulties of implementation, or where the sector has developed new and widely accepted best practices, with a view to reducing further the impact of capacity restrictions resulting from TCRs, while taking into account planning, operational, technical and commercial considerations of the stakeholders concerned. This proposal should be acknowledged by the EC as a sector development of new and widely accepted best practices. ⇒ Technical input for EC Drafting the Delegated Act referring to Art. 11(9)

Expectations of external operational stakeholders
Applicants expect that their experiences in the field of TCRs, as well as their own initiatives (pilots, studies) will be considered by RNE.
Applicants expect active involvement in the elaboration of RNE's technical inputs by taking part in the overall work.
The outcome of the project will provide a significant procedural and economical improvement for applicants.
Considering the requirement under Article 11(9) and 41(11) regarding the various considerations of the stakeholders and the applicants' experience.

Criteria of success
The deliverables of this project are approved by RNE decision makers and widely supported by the stakeholders.
EC acknowledges the proposed technical input as a sector proposal and considers it an important basis for elaborating the Delegated Acts on TCRs

Expected risks*
Time pressure due to the two deadlines at the end of September 2026 for WP1 and at the end of January 2027 for WP2
Availability of resources and commitments by Task Force members
Disagreement among RNE's members
Disagreement among or with external stakeholders involved regarding the outcome/deliverables and their involvement.

* For Small and Internal Projects, please provide just a list of possible risks. For Large Projects, a dedicated Risk Management procedure should apply.

Involved stakeholders / Required human resources	
RNE Task Force & stakeholder collaboration	
WP Leader(s)	1-2 persons
RNE Task Force Members	2-3 Staff members from JO plus nominated IMs representatives
Participants in mandate-driven stakeholder collaboration	- Members of the RNE Taskforce - Participants representing operational stakeholders in line with the mandate for the stakeholder collaboration
Decision-making body	- RNE & members: RNE MB & GA - Operational Stakeholders: ABCR members

Main milestones	
1	14.04.2026: CM HLG meeting: presentation and endorsement of this project proposal
2	21.05.2026: GA approval of project proposal and call for IM nominations
3	27.05.2026: Launch of Task Force and stakeholder collaboration for working on WP1 deliverable
4	Latest 25.09.2026: RNE and ABCR written approval on WP 1 deliverable
5	Latest 30.09.2026: WP 1 deliverable and submitted to EC as technical sector input for the revision of section 8 of Annex I via the Delegated Act under Article 41
6	Latest 25.01.2027: RNE and ABCR approval of WP 2 deliverable
7	Latest 31.01.2027: WP 2 deliverable and submitted to EC as technical sector input for the revision of elements of section 3 of Annex I via the Delegated Act under Article 11 and related to article 37

Working Method / Tasks
WP 1 • Strength and weakness analysis of current processes for path alteration and path modification: multi-network and domestic approaches. • Detailed elaboration of the project with the introduction of timetable slices developed by DB InfraGO, ProRail, SBB-I and a few operational stakeholders. • Monitoring of developments related to the planned EC Delegated Act on TCRs. • Collaboration involving IMs and external, operational stakeholders, including through workshops and a potential live simulation. • Finalisation of technical input to be submitted for the EC Drafting the Delegated Act (section related to Art. 41).
WP 2 • Strengths and weaknesses analysis of current TCR processes: multi-network and domestic approaches. • Collaboration involving IMs and external, operational stakeholders, including through workshops and a potential live simulation. • Review of existing and development of new/modified process in line with requirements from Art. 11(9). The solutions proposed in the collaboration are continuously coordinated with other RNE WGs through an iterative process. • Finalisation of processes to be used as input for the EC Drafting the Delegated Act (section related to Art. 37).