

Office of Rail Transport

<https://utk.gov.pl/en/market-regulation-and-l/access-to-railway-infra/domestic-open-access/5124,Open-access-for-domestic-passenger-services.html>
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Open-access for domestic passenger services

Railway undertaking, which did not signed public service contract (with competent authority or local competent authority), may apply for access to railway infrastructure upon decision of the President of the UTK granting open access to particular domestic train route.

The President of the UTK shall issues such decision granting an open access, if the economic equilibrium of public service contract is not compromised by the proposed new service, or if such a request wasn't made by any entity.

Administrative decision granting the access to rail infrastructure for the proposed domestic passenger service is issued for a period not exceeding consecutive five years.

Open-access for domestic passenger services - a transition period (until the end of 2017)

According to Article 78 of *National act on public transport*, passenger railway undertakings providing regular passenger services, do not need to submit an administrative decision granting them the open access for particular domestic train routes to infrastructure manager, at the time of placing requests for train paths for the working timetables till the end of the year 2017. Rail operators mentioned above do not have also to submit public service contract to infrastructure manager.

Passenger railway undertakings providing regular passenger services may provide their services

on the basis of their existing entitlements not longer than until 31 December 2017.

Following the end of the transitional period, i.e. starting from the timetable 2017/2018, infrastructure managers will plan their annual timetables considering:

1. public service contracts, or
2. administrative decisions granting the open access

Therefore, railway undertakings will be obliged to have public service contract signed with the competent authority or local competent authority, or an administrative decision granting them the open access for domestic passenger services, issued by the President of the UTK. These documents must be submitted by the passenger rail undertaking to the infrastructure manager

together with the request for train paths/capacity allocation.