

*Annex do the Resolution No. ..../2021  
of the Management Board of CARGOTOR Sp. z o. o. ....*

**Regulations of  
CARGOTOR Sp. z o.o.  
Network Timetable 2020/2021  
(„Regulations”)**

**Warsaw 2021**

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## 1. Contact details of the Manager, including mailing address, telephone and fax numbers, e-mail

### 1.1. The Manager within the meaning of these Regulations is:

CARGOTOR Limited Liability Company

### 1.2. Company's registered office:

Warsaw

### 1.3. Mailing address:

CARGOTOR Sp. z o.o.

Lubelska 13

03-802 Warszawa

### 1.4. Details on economic activity:

Number of National Court Register (KRS):	<b>0000484401</b>
Tax Identification Number (NIP):	<b>7010403200</b>
Statistical Identification Number (REGON):	<b>146968850</b>
Share capital:	<b>20 181 000.00 PLN paid in full</b>
Safety authorization:	<b>identification number PL2120190002</b>

### 1.5. Contact:

#### Office

Tel/Fax: + 48 (22) 290 55 65

e-mail: [sekretariat@cargotor.com](mailto:sekretariat@cargotor.com)

#### Sales Department

Director of the Department: 786 851 057,

Department Employees: 512 161 047, 517 136 084

e-mail: [sprzedaz@cargotor.com](mailto:sprzedaz@cargotor.com)

#### Railway Traffic Department

Director of the Department: 600 084 215

Deputy Director: 663 293 184

Head of the Coordination Centre: 780 049 967

21-540 Małaszewicze Duże, Parkowa 1 Street

e-mail: [ruchkolejowy@cargotor.com](mailto:ruchkolejowy@cargotor.com)



### **Railway Infrastructure Maintenance Department**

Director of the Department: 798 798 930

Deputy Director: 786 859 546

e-mail: [infrastruktura@cargotor.com](mailto:infrastruktura@cargotor.com)

### **Safety and Security Department**

Director of the Department: 502 345 496

e-mail: [bezpieczenstwo@cargotor.com](mailto:bezpieczenstwo@cargotor.com)

## **2. Information regarding the way to obtain a licence referred to in art. 43 of the Act and a safety certificate referred to in art. 18b of the Act, or an indication of the website where such information is available in electronic form, free of charge**

CARGOTOR Sp. z o.o. as a Manager is not obliged to obtain a licence referred to in Article 43 of the Act of 28 March 2003 on Railway Transport (Journal of Laws 2017.2117, as amended) (hereinafter referred to as the "Act") nor the safety and security certificate referred to in Article 18b thereof.

The way how to obtain the above documents is defined on the website

<https://bip.utk.gov.pl/bip/licencjonowanie/199,Tryb-udzielania-licencji-przewoznika-kolejowego.html>

and respectively

<https://www.utk.gov.pl/pl/bezpieczenstwo-systemy/zarzadzanie-bezpieczen/najcze/11960,Najczesciej-zadawane-pytania.print>.

## **3. List of railway lines made available to applicants along with their characteristics including:**

**3.1. permissible technical speed,**

**3.2. permissible loads and classes of railway line sections,**

**3.3. assignment to individual sections of railway line of particular categories.**

List of railway lines made available to applicants along with their characteristics is included in the Attachment no. 1 and 1a to these Regulations.

## **4. List of despatch points, their location in relation to railway lines and their characteristics, in particular the length of active platforms and loading edges, their height and characteristics of the access tracks**

List of despatch points, their location in relation to railway lines and their characteristics is included in the **Attachment no. 2b** to these Regulations.

## **5. List of points adjacent to railway infrastructure of other managers excluding dormant infrastructure**

List of points adjacent to railway infrastructure of other managers excluding dormant infrastructure is included in the **Attachment no. 3** to these Regulations.

## **6. Address of website with the register of infrastructure referred to in art. 25g of the Act.**

<https://rinf.utk.gov.pl/Account/Login?ReturnUrl=%2F>

## **7. Restrictions in using railway infrastructure, including those associated with execution of Manager's tasks within the scope referred to in art. 5, para. 1, point 4 of the Act, and list of railway lines, referred to in art. 29b of the Act.**

7.1. The following may occur in the process of using railway infrastructure:

7.1.1. Sudden traffic restrictions affecting the scheduled implementation of transports due to damages to technical components of railway infrastructure.

7.1.2. Situations, about occurrence of which the Manager was warned but could not prevent it, e.g., strike, passage blockage, demonstrations etc.

7.1.3. Preventing or stopping the passage of a railway operator's train due to vehicle or its employees' failure to meet the requirements specified in the agreement for utilization of traffic capacity, the Act and regulations issued on its basis as well as requirements determined by the manager in its internal regulations.

7.1.4. Traffic restrictions affecting the scheduled transport occurred as a result of "emergency situations", including those arising from a sudden atmospheric changes and others, about which the Manager was not pre-warned.

7.1.5. Traffic restrictions, in the event of a threat to traffic safety or security of transport and associated with security and defence of the state.

7.1.6. Traffic restrictions resulting from the repairs, construction or modernization of infrastructure administered by the Manager lasting no longer than 30 calendar days.

7.2. The Manager immediately notifies about the occurrence of the restrictions referred to above:

7.2.1. The Applicant with whom an agreement for the allocation of traffic capacity has been concluded.

7.2.2. The railway operator with whom the agreement for the utilization of traffic capacity in terms of railway infrastructure has been concluded, and which was affected by the restriction in the utilization referred to above.

- 7.3. The Manager informs all entities indicated in clauses 7.2.1 and 7.2.2 above about the necessity of introducing long-term traffic restrictions lasting for more than 30 calendar days, unscheduled in the timetable of trains, including in particular those resulting from the sudden need to perform works on the railway infrastructure.
- 7.4. CARGOTOR informs the Carrier/Applicant about planned refurbishments that do not meet the criteria referred to in Annex No. VII to Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ EU. L. of 2012, No. 343, p. 32, as amended) 1 month in advance.
- 7.5. In case of temporary limitation of capacity of a railway line due to reasons such as infrastructure works specified in Annex No. VII to Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, CARGOTOR informs PKP CARGO about said limitations within deadlines resulting from Annex No. VII to this Directive.
- 7.6. The above-mentioned notifications may be made by e-mail, to e-mail addresses which are known to the Manager, and which are indicated for notifications in the capacity allocation agreement or the capacity utilisation agreement.
- 7.7. All limitations in access to railway infrastructure resulting from its technical condition or repair works are also provided on CARGOTOR Ltd. website in tab "limitations in using infrastructure".

The Manager has not made a privilege of railway lines as referred to in art. 29b of the Act.

## **8. Specific technical and organizational requirements for the use of railway infrastructure provided by the Manager**

Information on technical parameters and local restrictions caused by them are included in technical regulations of stations within Małaszewicze transshipment area, which are available in Railway Traffic Department.

Regulations of service infrastructure facilities (dispatch points) are available at the registered office of CARGOTOR Sp. z o.o. from the Safety and Security Management System Officer and on the website.

## **9. Detailed specification of services rendered as part of sharing railway infrastructure and conditions of their provision**

- 9.1. Specification of services provided as part of a minimum access to railway infrastructure:
  - 9.1.1. Examining an application to allocate traffic capacity of railway infrastructure.
  - 9.1.2. Right to use the allocated railway infrastructure, including turnouts and railway junctions within the allocated traffic capacity.
  - 9.1.3. Railway traffic control within allocated traffic capacity and providing information on traffic of trains.



9.1.4. Sharing information required for the implementation or operation of the service for which capacity has been allocated.

9.1.5. Making traction network facilities accessible if they are available.

9.2. The condition for making the railway infrastructure available as part of the minimum access is the conclusion of an agreement for the utilization of traffic capacity by a railway operator with the Manager.

9.3. Within the structure of CARGOTOR Sp. z o.o. operates the Coordination Center, whose task is to coordinate train and shunting movements based on the Regulations of the Coordination Center constituting Attachment No. 12.

## **10. Requirements and conditions specific to rolling stock, personnel, and organization of train movement**

### **10.1 Requirements for rolling stock and staff:**

10.1.1. Employees of railway operators participating in the process of utilising the railway infrastructure should get familiar beforehand with the internal instructions of the Manager and strictly follow them.

10.1.2. List of internal instructions of the Manager, regulating the operation of trains and shunting operations on the managed infrastructure:

10.1.2.1. Instruction on operation of trains, handling of technical traffic posts and shunting technique - TR-01 (R-1).

10.1.2.2. Instruction on dealing with serious accidents and incidents on infrastructure managed by CARGOTOR Sp. z o.o. - TR-02.

10.1.2.3. Instruction on train, shunting and road radiocommunication - TR-04.

10.1.2.4. Instruction on signalling - TR-05.

10.1.2.5. Instruction on dealing with transport of extraordinary shipments and dangerous goods - TR-07.

10.1.2.6. Instruction on post-events measures - TU-07.

10.1.3. Employees of rail operators participating in the process of using railway infrastructure employed on positions directly related to the operation and safety of railway traffic must be familiar with technical regulations of traffic posts and regulations of infrastructure objects (cargo terminals) to the extent necessary for safe execution of railway transport processes.

10.1.4. CARGOTOR Sp. z o.o. participates in trainings of operator's employees directly related to the operation of train, referred to in clause 10.1.3 of these Regulations, aimed at familiarizing them with local conditions and Technical Regulations of traffic posts in force at CARGOTOR Sp. z o.o. The railway operator is obliged to report the need for training at least 72 hours prior the scheduled passage will be carried out by the above-mentioned employees.

10.1.5. A railway operator, before starting transport operation, should ask in writing CARGOTOR Sp. z o.o. to provide him with appropriate extracts from instructions and regulations, which the Manager undertakes to immediately provide to railway operator in an electronic form.

10.1.6. Employees of railway operators performing activities directly related to rail traffic operations and safety, as well as drivers of certain types of railway vehicles must meet the conditions set out in the Act and the relevant implementing acts issued hereupon. This shall include drivers' knowledge on working and rest time regulations and railway line sections.

10.1.7. Requirements specific to rolling stock and railway vehicles:

10.1.7.1. Railway vehicles used by railway operators must meet the technical conditions set out in the provisions of law, including conditions specified - depending on the intended use of a vehicle - in RIC, RIV, SMGS, PPW, RID and RIP regulations respectively.

10.1.7.2. Railway vehicles should have all equipment in good working condition, including those that are subject to technical examinations required to obtain a permission to operate the type of railway vehicle based on the provisions of law. Each railway vehicle should have a return to operation or rail vehicle worthiness certificate within the meaning of the provisions of law.

10.1.7.3. All types of railway vehicles operated by the railway operator must have a type-approval certificate or authorization for placing in service issued on the basis of the provisions of law,

10.1.7.4. Trains running on lines covered by these Regulations should be fitted with a functional combined brake. Railway operators failing to meet this condition may apply for using the line on special terms, set out individually by the Manager.

10.1.8. Requirements regarding automation and telecommunications:

10.1.8.1. Locomotives must be fitted with radiocommunication devices incorporated into the "Radio Stop" system for remote stoppage of train.

10.1.8.2. Other traction vehicles (including unassisted track machines) must be fitted with radiotelephone devices, enabling communication with a train dispatcher.

10.1.8.3. Radiotelephone devices must comply with the provisions of law.

10.1.8.4. Wheel sets of rolling stock must provide electrical shorting of track rails - the resistance of a wheel set must not exceed 50 mΩ.

10.1.8.5. Elements of tests qualifying a vehicle and enabling the issuance of a service-approval certificate shall be compatibility tests that include:



10.1.8.5.1. Possibility to work with devices of systemic control of track and turnout occupancy used on the Manager's network.

10.1.8.5.2. Electromagnetic compatibility - tests for the compliance of electromagnetic compatibility must confirm that any railway vehicle does not generate interference preventing the correct operation of railway traffic control equipment (RTC) and radiocommunication devices (also on the railway vehicle).

10.1.9. Requirements specific to radiotelephone networks:

10.1.9.1. All radiotelephone devices in order to operate as part of train or shunting network radio communication must meet the following requirements:

10.1.9.1.1. Hold a valid document or a sign confirming the device's compliance with the provisions of law.

10.1.9.1.2. Hold a valid service-approval certificate issued by the President of the Office of Rail Transport (UTK) (or alternatively by the Chief Railway Inspector).

10.1.9.1.3. Hold a valid radio license (homologation) issued by the competent authority.

10.1.9.1.4. Hold a valid radiocommunication licence issued by the PKP Polskie Linie Kolejowe S.A.

10.1.9.1.5. Cooperate with devices used in the Manager's radio-telephone networks.

10.1.9.1.6. Not interfering the operation of radiotelephone networks operated within the railway Manager's area.

10.1.9.2. Devices operating in the train radiotelephone and shunting networks, cannot be made available for use by other users who are not authorised to work within these networks.

10.1.9.3. The railway operator is responsible for the efficiency and the manner of using radiotelephone devices working in radio communication networks used within the railway Manager's area.

10.1.10. Requirements regarding the special rolling stock:

The manner of marking a special rolling stock should comply with the provisions of law.

10.1.11. Requirements specific to environmental protection:

Pursuant to the provisions of law, due to implementation of transports by railway operator, it is forbidden to emit dangerous substances to water, soil or air which could result in exceeding environmental quality standards.

10.1.12. Requirements specific to organization of transport:

10.1.12.1. A railway operator, in order to utilize the capacity made available, under an agreement for use, to carry out a service which terminates at sidings operated from the Manager's track system, is obliged to present a certified

true copy of the agreement concluded with the siding owner for accepting the applicant's train or an agreement expressing such consent, or a certificate obtained from the point owner on the copy of the application for access.

10.1.12.2. As part of the route coordination process, requirements for transport organization may be formulated by the Manager aimed at optimizing the traffic capacity of railway infrastructure (e.g., duration of the siding service, number of sidings served during the train passage).

10.1.12.3. While formulating the requirements for organization of transports referred to above, the Manager will be guided by the principle of equal treatment of railway operators and take into account the interests of those who intend to use railway lines and access tracks.

10.1.13. Other requirements resulting from the specifics of routes granted by the Manager:

10.1.13.1. The Manager, as far as the possessed technical and operational capabilities allow, with the application of rules and conditions set out in the provisions of law, shall ensure the implementation of transport of any consignment of a railway operator, including extraordinary one.

10.1.13.2. The railway operator notifies about the intention to transport of an extraordinary consignment (within the meaning of the instruction TR-07) to the Manager, at least 20 days before its scheduled carriage.

10.1.13.3. The railway operator in its notification about the intention to transport of an extraordinary consignment specifies the data necessary to organize such transport (in an unambiguous manner characterizing type, technical parameters - weight and dimensions of cargo or consignment, transport itinerary, date on which the transport shall take place), provide other specific requirements, appropriate technical documentation of the consignment along with a drawing characterizing in detail this consignment.

10.1.13.4. The Manager informs the railway operator before the planned start of the service that the application has been accepted for execution and informs the railway operator of the appointed time and manner of transport of the extraordinary consignment.

10.1.13.5. The Manager may refuse to provide routes for transport of extraordinary consignment in case the technical and operational capabilities of the line do not allow its carriage or in the event of a high risk arising from this transport as well as railway operator failing to specify all parameters of the consignment.

10.1.13.6. Transport of a dangerous consignment may be carried out on terms and conditions set out in the regulations for the International Carriage of Dangerous Goods by Rail (RID) or the attachment no. 2 to SMGS, Instruction on dealing with transport of extraordinary shipments and dangerous goods - TR-07 and in applicable railway operator's internal regulations. In case of

consignment including the high-risk dangerous goods (TWR), transport may take place after prior notification by the railway operator to the Manager about the intention to carry it. Railway operator's employees carrying out the transportation of extraordinary or dangerous consignments are obliged to know and strictly follow the provisions of the "Instruction on dealing with transport of extraordinary shipments and dangerous goods - TR-07".

10.1.14. Authorized employees of the Manager have the right to perform the check of correctness of performing activities arising from the concluded agreement for utilization of traffic capacity, and in particular, control of technical condition of railway operator's rolling stock, traffic permits, accessories as well as psychophysical condition of the railway operator's employees. If any irregularities will be found, the authorized Manager's staff may demand the suspension of railway traffic.

## **10.2. Information which the operator is obliged to pass to the Manager before, during and after completing the passage of the train:**

10.2.1. Information which the operator is obliged to pass to the Manager before commencing the passage of a train:

- 10.2.1.1. Arising from applicable laws and technical regulations of traffic posts.
- 10.2.1.2. Arising from the traffic capacity utilization agreement.
- 10.2.1.3. Arising from these Regulations.

10.2.2. Information which the operator is obliged to pass to the Manager during the passage of a train:

- 10.2.2.1. Arising from the provisions of law and business instructions.
- 10.2.2.2. Arising from the traffic capacity utilization agreement.
- 10.2.2.3. Arising from these Regulations.

10.2.3. Information which the operator is obliged to pass to the Manager after completing the passage of a train:

- 10.2.3.1. Arising from the provisions of law as well as from this Regulation, in particular documents related to the settlement of services.
- 10.2.3.2. Arising from the traffic capacity utilization agreement.

10.2.4. The Manager has the right to request other information from the railway operator, if this is relevant to the proper use of the infrastructure or settlement of the Manager's remuneration, i.e.:

- 10.2.4.1. List of railway vehicles in the train composition R-7.
- 10.2.4.2. Order for performing shunting operations R-10.
- 10.2.4.3. Marshalling card R-11.
- 10.2.4.4. Transfer note for wagons transferred to the siding R-25.

10.2.4.5. Notification about wagons ready to be taken R-27.

and equivalents used by carriers.

10.2.5. A railway operator is obliged after accepting the train or before its start to provide the list of railway vehicles in the train set within the meaning of the Regulation of the Minister of Transport of 2 November 2006 on documents that should be held by the railway vehicle.

### **10.3. Method of transporting bulk/loose materials to prevent dusting**

10.3.1. For transporting bulk/loose materials the appropriate type of wagons (series) may be used, in accordance with their intended use, with sealed boxes that prevent the material from spilling onto the railway track.

10.3.2. In case of transporting bulk/loose materials in open wagons, cargo in addition to its uniform distribution within the cargo area, must not protrude above the side of a wagon.

10.3.3. To secure the transportation of dusting materials, loading surfaces should be covered with (wetted) aqueous colloidal solutions of film-forming substances or secure the cargo with wagon tires. The railway operator is responsible for securing the cargo.

## **11. Internal regulations of the Manager applicable to the applicant and the operator in the course of preparation and validity of the train timetable**

11.1. Currently, the Manager does not have internal regulations that would apply to applicants in the course of preparation and validity of the train timetable, apart from these Regulations and documents explicitly indicated therein.

11.2. Internal regulations applicable to the railway operator in the course of preparation and validity of the timetable include these Regulations and instructions listed in clause 10.1.2 hereof.

## **12. Procedure for submitting and processing requests referred to in § 4 items 2-4 of the Ordinance, including treatment of freight transport, international transport, and applications to allocate a train route within the framework of individual timetable of the train**

### **12.1. Templates of applications indicating the information, provision of which is mandatory**

12.1.1. Template of the Route application is included as Attachment no. 4 to these Regulations.

12.1.2. Template of the Capacity application for implementation of a standstill of railway vehicles is included as Attachment no. 5 to these Regulations.

12.1.3. The Manager does not allocate any traffic capacity to perform shunting operations due to inability to perform such operations on railway lines managed by CARGOTOR Sp. o.o. for technical reasons. The Manager allocates the traffic capacity to perform shunting operations only on track no. 14, 102a, 116, 136 and 138 within Małaszewicze

transshipment area. The characteristic of these tracks is attached as Attachment no. 11 to these Regulations. Template of a **Capacity application for performing shunting operation** is included as Attachment no. 4 to these Regulations.

**12.2. Information, whether in relation to applications referred to in art. 30 para. 10 of the Act, the Manager elaborates a simplified timetable of the train**

12.2.1. If the applicant submits a Route application later than 5 days before the scheduled start of train, the Manager elaborates the simplified timetable of the train specifying the time of departure of train from the station and the time of passage of train, not including the time of a standstill resulting from movement of other trains.

12.2.2. The procedure for submitting applications for simplified timetable of trains for railway lines not adjacent (single-network routes) to railway infrastructure controlled by other managers:

12.2.2.1. The applicant is entitled to submit a Route application for a period shorter than the validity of annual train timetable and individual timetable. Such application shall be submitted in an electronic form (e-mail).

12.2.2.2. Such an application should be sent directly to the Railway Traffic Department.

12.2.2.3. The template of such an application is included as Attachment no. 4 to these Regulations.

12.2.2.4. The application referred to above should include following information:

- a) itinerary and train/railway vehicle route,
- b) type of performed transports,
- c) type and series of traction vehicle or technical data along with traction characteristics of traction vehicle,
- d) maximum train speed,
- e) gross weight of a train/railway vehicles, whereas it is not necessary to submit an application for modifying the allocated train route (revision) if the weight will be reduced,
- f) length of train/railway vehicles, whereas it is not necessary to submit an application for modifying the allocated train route (revision) if the length will be reduced,
- g) duration of running: from - to,
- h) operates on: days of week,
- i) time of standstill at the siding/station,
- j) requested time of departure,
- k) number of wagons,



l) agreed siding operation plan /hours/.

12.2.2.5. The Manager considers applications submitted within deadline indicated in these Regulations, containing information referred to in clause 12.2.2.4 above.

12.2.2.6. The date of submission of an application sent by e-mail is the date of its receipt by the responsible Manager's employee (date of e-mail receipt).

12.2.2.7. The Manager acknowledges in electronic form the receipt of an application.

12.2.2.8. Applications failing to meet the requirements set out in these Regulations are left by the Manager without consideration, and applicant is notified about this. Due to the deadline for examination of request, the procedure for completing the application is not provided for.

12.2.2.9. The application will be examined within 2 hours from its receipt by the Railway Traffic Department (e-mail receipt).

12.2.2.10. After considering the application, the Manager drafts a proposal for a simplified train timetable and submits to the applicant a proposal for the train departure time from the departure station as well as the route and provides to the applicant in electronic form (e-mail) for acceptance or refuses to prepare a simplified timetable and informs immediately the applicant about it via e-mail.

12.2.2.11. If the simplified timetable fully covers the applicant's request, the applicant is deemed to have accepted the simplified timetable presented to the applicant by the Manager. If the simplified timetable introduces any changes in relation to the applicant's request, the applicant may refuse its acceptance in an electronic form within 30 minutes of receiving the simplified timetable. In the event of failure to submit a statement on refusal to accept a simplified timetable, the applicant is deemed to have accepted the simplified timetable proposed by the Manager without any reservations.

12.2.2.12. CARGOTOR Sp. z o.o. is entitled to request, and the applicant is obliged to provide any other information or documents necessary to examine above-mentioned application.

12.2.2.13. The application will be examined taking into account the scheduled date of passage and the order in which said application have been submitted.

12.2.2.14. Due to the deadline for examination of applications to allocate routes within the scope of simplified timetable, CARGOTOR Sp. z o.o. does not provide for the possibility of any revisions of simplified timetables.

12.2.3. The procedure for submitting applications for simplified train timetable for railway lines adjacent (multi-network routes) to railway infrastructure managed by other managers (lines 450, 865, 866, 867, 906) is set out in clause 12.9 of these Regulations.

**12.3. Procedures according to which applicants may submit applications, including information on the subject of financial guarantees referred to in art. 29d para. 3 of the Act, and the**



**method of sharing information about the database of traction vehicles for which the Manager has traction characteristics**

12.3.1. Procedure according to which applicants may submit requests:

- 12.3.1.1. Applications referred to in clause 12.1 above may be submitted only by the applicant who entered into an agreement with the Manager for the allocation of traffic capacity.
- 12.3.1.2. The applicant applies in writing (also via e-mail: [sprzedaz@cargotor.com](mailto:sprzedaz@cargotor.com)) to the Sales Department of CARGOTOR Sp. z o.o. for the conclusion of an agreement for capacity allocation.
- 12.3.1.3. The applicant submits applications referred to in clause 12.1 above in electronic form to [ruchkolejowy@cargotor.com](mailto:ruchkolejowy@cargotor.com).
- 12.3.1.4. The Route application is examined within deadlines indicated in these Regulations, depending on the timetable that applies. The procedure for examining applications within the scope of individual timetables has been described in the later part of these Regulations. Further provisions of clause 12.3. of these Regulations apply only to the Capacity application for performing shunting operations and Capacity applications for a standstill of railway vehicles, with the exception of clauses 12.3.1.7; 12.3.1.8 and 12.3.1.14, which apply to all Capacity applications.
- 12.3.1.5. Capacity application for performing shunting operation is examined within 1 hour from the time of its reception by the Railway Traffic Department (reception of e-mail).
- 12.3.1.6. Capacity application for standstill is examined by the Railway Traffic Department within 1 hour from the time of its reception (reception of e-mail).
- 12.3.1.7. The applicant is not allowed to submit a Capacity application for different types of traffic capacity if they are not related to successive operations performed with a trainset.
- 12.3.1.8. In emergency situations, when due to operational conditions, which could not be foreseen in advance, the need to perform particular shunting operation or a standstill, Capacity applications may be submitted by radiotelephone to the Railway Traffic Office. Applications submitted in this way shall include all data specified in Attachment No. 4 or respectively Attachment No. 5 to these Regulations for a specific type of capacity. The Manager examines the application provided it was submitted in an electronic form or documents specified by the Manager were presented within deadline indicated by the Manager. The applications are reported directly to the station master by an employee of the railway operator. Such notification shall be made by the radiotelephone and contain all information indicated in Attachment no. 5 to these Regulations.

- 12.3.1.9. **The Capacity application for performing shunting operations** shall include the following information:
- a) purpose of shunting operation,
  - b) location of shunting operation,
  - c) type of shunting vehicles,
  - d) gross weight of train/railway vehicles,
  - e) date of shunting operations,
  - f) number of wagons.
- 12.3.1.10. The application for an allocation of traffic capacity for a standstill of railway vehicles shall include the following information:
- a) location of the trainset,
  - b) maximum length of the trainset,
  - c) time of standstill of the trainset (date and time).
- 12.3.1.11. The Capacity application for performing shunting operation and Capacity application for the purpose of standstill of a trainset will be examined, provided they were submitted at least one hour before the scheduled date of allocation of traffic capacity.
- 12.3.1.12. Date of submitting an application sent by e-mail is the date of its receipt by an employee of the Manager responsible for it (date of e-mail receipt).
- 12.3.1.13. The Manager acknowledges in an electronic form the receipt of an application.
- 12.3.1.14. Applications failing to meet the requirements specified in § 6 item 1 point 1 and 2 of the Ordinance of the Minister of Infrastructure and Construction dated 7 April 2017, Journal of Laws 2017.755 of 10 April 2017 (hereinafter referred to as the "Ordinance") are returned by the Manager to the applicant along with an indication of the reason. In case of applications failing to meet the requirements specified in § 6 item 1 point 3 of the Ordinance or with other deficiencies in relation to the requirements of the provisions of law or the Ordinance, the Manager requests the applicant to complete the application within 5 working days.
- 12.3.1.15. CARGOTOR Sp. z o.o. notifies the applicant in an electronic form (e-mail) about accepting or rejecting the application.
- 12.3.1.16. The Manager may examine the application subject to a condition of amending it by the applicant, which will enable its examination.
- 12.3.1.17. CARGOTOR Sp. z o.o. is entitled to request, and the applicant is obliged to provide any other information or documents necessary to examine the above application. If the applicant fails to submit such information within deadline set

by the Manager - CARGOTOR Sp. z o.o. may not accept the application, of which the applicant is immediately informed.

12.3.1.18. The application will be examined taking into account the expected deadline for the allocation of traffic capacity and the order in which applications have been submitted.

12.3.1.19. Due to the deadline for examining applications specific to allocation of traffic capacity to perform shunting operations and for the purpose of a standstill of railway vehicles, CARGOTOR Sp. z o.o. does not provide for the possibility of revising the allocated traffic capacity in this respect.

12.3.2. Information on financial guarantees referred to in art. 29d para. 3 of the Act

An agreement for the allocation of traffic capacity may contain requirements concerning the applicant's submission of a Financial Guarantee to secure the payment.

12.3.3. The Manager does not have any traction vehicles.

#### **12.4. Requirements specific to applicants**

12.4.1. In order to utilize the traffic capacity for transport, which ends within the area of sidings or service facilities operated from the Manager's track system, the applicant is obliged to present a certified copy of the consent of siding's user or the manager of service infrastructure facility to accept the applicant's train, or an agreement with such consent, the confirmation obtained from the siding's user or respectively the manager of service infrastructure facility on the copy of request for an access.

12.4.2. The applicant (being also a carrier) in his application for the allocation of traffic capacity shall determine the estimated time of using infrastructure and provide other data required by the Manager to optimize the traffic capacity of railway infrastructure (e.g., duration of service of siding/service infrastructure facility, number of sidings/service infrastructure facilities served during the train passage).

12.4.3. The applicant at the request of the Manager will immediately provide additional information that is necessary to examine the applicant's request or fulfilment of an agreement for the allocation of traffic capacity or an agreement for the utilization of traffic capacity with the carrier indicated by the applicant.

#### **12.5. Schedule of drafting the annual train timetable and changes in train timetable**

12.5.1. The annual timetable for trains running only within railway infrastructure managed by CARGOTOR Sp. z o.o. (single-network routes) is elaborated by CARGOTOR Sp. z o.o.

12.5.2. The annual timetable for trains running within railway infrastructure managed by CARGOTOR Sp. z o.o. and PKP Polskie Linie Kolejowe S.A. (multi-network routes) is elaborated by PKP Polskie Linie Kolejowe S.A.

12.5.3. The Manager, based on Route applications elaborates the train timetable in accordance with the following time schedule for the preparation of the annual timetable:

12.5.3.1. The Manager based on **Route** applications submitted not earlier than 12 months before the term of annual timetable and not later than 5 months before the term of annual timetable elaborates the annual train timetable.

12.5.3.2. Based on submitted applications for the allocation of traffic capacity for international routes, the Manager agrees with other managers concerned, not later than 11 months before the term of the annual timetable the following:

- a) routes to be included in the annual timetable,
- b) time the train passes the point of network interconnection,

taking into account the anticipated traffic of trains that have priority in relation to requested multi-network routes.

12.5.3.3. Based on submitted applications for the allocation of traffic capacity for **multi-network routes**, the Manager agrees, not later than within deadline referred to in § 7 item 4 and item 2 point 3 of the Ordinance (i.e., not later than 5 months before the term of the annual train timetable), and arranged not later than one month before the beginning of the term of the annual timetable, with the managers concerned:

- a) routes to be included in the annual timetable,
- b) time of passage of the international train at the point of network interconnection,

considering the anticipated traffic of trains that have priority in relation to requested multi-network routes.

12.5.3.4. Based on applications for the allocation of traffic capacity for international routes and multi-network routes, the Manager elaborates within the deadline referred to in § 7 item 4 and item 2 point 3 of the Ordinance (i.e., not later than 5 months before the term of the annual train timetable) initial train routes along with specification of traffic capacity booked for their possible shifts resulting from further work on the annual timetable.

12.5.3.5. Based on submitted applications for the allocation of traffic capacity, the Manager elaborates within one month of the expiry of deadline referred to in clause 12.5.3.1. above, the draft of the annual train timetable, taking into account circumstances referred to in § 7 item 7 of the Ordinance.

12.5.3.6. In the event of collisions of train routes, the Manager ensures the best possible fulfilment of needs requested by the way of consultations with applicants, which include:



12.5.3.6.1. Providing applicants with information on paper or in electronic form about the collision of train routes, immediately after its disclosure, along with:

- a) necessary information specific to requested collision routes, without disclosing the identity of other applicants, unless the applicants concerned agree to such disclosure,
- b) a proposal from the Manager to resolve such collision situation, taking into account the priority in allocating train routes causing a collision, including proposals for alternative or variant routes, if they are possible,
- c) information on the criteria to be taken into account in the process of allocating the train routes and the indication of requests for the allocation of train routes equal in terms of priority in allocation of train capacity,
- d) information on the routes of trains pre-developed for other applicants on the section where the collision of routes occurs, without disclosing the identity of other applicants, unless the applicants concerned agree to such disclosure.

12.5.3.6.2. Acceptance on the part of an applicant of the proposal or submitting comments and presenting by an applicant possible concession in the scope of submitted applications, whereas lack of response of an applicant within 5 working days (working day for the purposes of these Regulations shall be understood as each day of week except of Saturday and public holidays) from the date of receipt of information from the Manager means the acceptance of the submitted proposal.

12.5.3.7. The Manager provides applicants, for their acceptance, with the **part of annual train timetable** which refers to them, not later than two months after expiry of deadline referred to in § 7 item 2 point 3 of the Ordinance.

12.5.3.8. Within one month from the date of receipt of the draft of annual train timetable, the applicant accepts the draft, submits comments, or proposes changes to its part of the draft to the extent that does not meet the requirements set out in applications submitted by him. If the applicant fails to take a position within this deadline, the applicant is deemed to have accepted the draft of the annual timetable.

12.5.3.9. If the Manager is not able to include comments or implement changes referred to above:

12.5.3.9.1. The Manager indicates the overcrowded section of infrastructure where the collision of train routes has prevented the implementation of application in accordance with the requirements set out therein, and the time of overcrowding, with the exclusion of instance when the train route assumes a derogation from requirements set out in the application in terms of time of running or times of commercial stopover up to:

- 15 minutes - for trains carrying out inter-regional transports,

- 30 minutes - for passenger trains carrying out other than inter-regional transports,
- 180 minutes - for freight trains.

12.5.3.9.2. The Manager notifies the applicant on the scope of comments and changes which he did not accept, not later than within 14 days from the expiry of deadline referred to in clause 12.5.3.8 above.

12.5.3.9.3. In case of indicating the overcrowded section of infrastructure referred to in clause 12.5.3.9.1 above, in the notification referred to in clause 12.5.3.9.2 above, the Manager provides the applicant with routes equal in terms of priority in the allocation of traffic capacity that cause a derogation from the requirements set out in applications.

12.5.3.9.4. In case of indicating routes referred to in clause 12.5.3.9.3 the Manager conducts with the participation of applicants who requested these routes, an auction of unallocated traffic capacity, as a result of which the Manager:

- determines the amount of increase in basic fee declared by applicants for the particular train routes,
- indicates the order in which applications will be examined,
- verifies the draft of annual train timetable, in terms of unallocated traffic capacity, taking into account the new order of examining the applications subjected to an auction,
- determines the amount of increase in basic fee for train routes for which it is possible, as a result of an auction, to limit derogations from the requirements set out in applications in relation to the draft of annual train timetable,
- provides applicants with a new proposal of train routes requested on the overcrowded infrastructure section, including alternative or variant routes, or refuses to allocate traffic capacity.

12.5.3.10. The applicant, in case of receiving a new proposal of train routes referred to in clause 12.5.3.9.4, fourth indent, within 5 working days from its receipt, is allowed to withdraw applications for which the draft of annual timetable does not meet the requirements set out therein. Failure to withdraw the request by the applicant is tantamount to acceptance of the proposal referred to in clause 12.5.3.9.4, fourth indent.

12.5.3.11. If it is possible to include comments and implement changes referred to in clause 12.5.3.8 above, the Manager agrees with the applicant a draft of annual train timetable, within 14 days from the date of receiving the applicant's request in this matter.

12.5.3.12. The Manager, based on the agreed draft of annual train timetable, allocates train routes, elaborates the annual train timetable, and makes it available

directly (e-mail) to the applicant concerned by the annual timetable not later than 3 months prior to its term.

12.5.3.13. The aforementioned rules represent the procedure for the elaboration of the annual train timetable, referred to in art. 30 para. 3 of the Act.

#### 12.5.4. **Schedule of changes to annual timetable**

12.5.4.1. The change to annual train timetable may take place:

12.5.4.1.1. At midnight on the second Saturday in June.

12.5.4.1.2. At another time if the Manager finds it reasonable.

Changes to annual train timetable are introduced no more frequently than every 30 days.

12.5.4.2. **Changes to annual train timetable** shall be made in accordance with the following rules:

12.5.4.2.1. The applicant has the right, once a calendar month, to submit an application correcting the previously allocated routes, i.e., to change the train movement parameters (e.g., change the route, extend, or shorten the route, change the place and time of stopovers) or supplementary application as per template included as Attachment no. 4 to these Regulations (with the note "correction").

12.5.4.2.2. The Manager shall, within one month, prepare a draft of the amended annual timetable and makes it available for the applicant to agree on the part that applies to him or informs about the lack of traffic capacity.

12.5.4.2.3. The applicant, within 7 days, accepts concerning him part of the draft of change to annual timetable or reports comments or proposes changes to the extent to which it does not meet the requirements set out in applications submitted by him and accepted by CARGOTOR Sp. z o. o.

12.5.4.2.4. If CARGOTOR Sp. z o. o., cannot consider the comments or cannot implement the changes referred to in clause 12.5.4.2.3 above, notifies the applicant about that within 7 days.

12.5.4.2.5. If it is possible to consider comments or implement changes referred to in clause above, CARGOTOR Sp. z o.o., within 14 days, agrees with the applicant a draft of the annual timetable.

12.5.4.2.6. The procedure, place, and form of submission of corrective and supplementary applications referred to above have to comply with the rules described above regarding the applications concerning the annual timetable, subject to different rules set out in the clause 12.5.4.2.

12.5.4.2.7. The Manager makes available for the applicant the change to train timetable not later than 21 days before its term.

**12.6. Date after which the Manager does not allocate traffic capacity based on IRJ applications, defined as number of days or hours prior to scheduled start of train**

12.6.1. The Manager does not allocate any traffic capacity based on applications for issuing an individual timetable (IRJ application) 5 days before the scheduled utilization of traffic capacity.

12.6.2. The Manager does not allocate any traffic capacity based on applications for issuing a simplified timetable (URJ application) 2 days before the scheduled utilization of traffic capacity.

**12.7. Way of conducting the coordination and dispute resolution processes**

12.7.1. In the event of a dispute between the submitted applications for the allocation of traffic capacity by different applicants, the Manager ensures the best possible implementation of the reported needs by conducting a coordination process with applicants concerned in accordance with the rules set out in these Regulations.

12.7.2. In case of collisions of **train routes** within the framework of the annual timetable, the provisions of clauses 12.5.6 and 12.5.3.9 of these Regulations shall apply.

12.7.3. During negotiations, the Manager immediately informs the applicants about the situation occurred and submits a proposal to resolve it, which may consist in:

12.7.3.1. Allocating a different time frame for the requested train route.

12.7.3.2. Shortening the time of train passage through the overcrowded element of infrastructure by reducing the number of stopovers, their duration, reducing the weight of train, using a railway vehicle with better parameters.

12.7.3.3. Running the train using alternative route.

12.7.3.4. Imposing restrictions - at specified times – on running of selected trains.

12.7.3.5. An auction of unallocated traffic capacity.

12.7.4. While resolving conflicts when allocating the routes, the Manager strives to find a solution which is satisfactory for the parties involved in the dispute.

12.7.5. The consultation process referred to above must end and the position that resolves the conflict must be presented within 7 days from the date of notifying the applicants about the dispute.

12.7.6. If the traffic capacity specific to a **standstill** is not sufficient, the Manager immediately notifies the applicants about situation occurred and submits a proposal to resolve it, which may consist in indicating another place of a standstill.

12.7.7. In case of insufficient **shunting** capacity, the rules indicated in clauses 12.7.3.1 and 12.7.4 above shall apply.

12.7.8. In case of collisions of train routes within the timetable other than annual, rules indicated in clauses 12.7.3.1 and 12.7.4 above shall apply.



12.7.9. In case the dispute is not resolved in the manner provided for above, each of the parties may request the competent public administration or courts to resolve the dispute.

12.7.10. Insufficient traffic capacity

12.7.10.1. If any section of railway line is found to have insufficient traffic capacity, the Manager immediately notifies a President of the Office of Rail Transport (UTK) as well as applicants who requested the allocation of traffic capacity on this section of railway line. The obligation to notify also applies if a section of railway line is found on which the Manager predicts the insufficient traffic capacity in the next annual train timetable.

12.7.10.2. The Manager, within 6 months from the date of notification referred to in clause 12.7.10.1 above, is obliged to analyse the traffic capacity on the section of railway line with insufficient capacity in accordance with § 13 of the Ordinance and submit the results of analysis to the President of UTK.

12.7.10.3. The Manager, within 6 months from the date of submitting the results of the analysis of traffic capacity, after consultations with railway operators performing transport on a section of railway line concerned, elaborates the plan aimed at increasing traffic capacity in accordance with § 14 of the Ordinance and submits it to the President of UTK.

**12.8. Priorities applied at the stage of elaboration of a timetable, including the conditions under which previous level of utilization of traffic capacity by the applicant shall be taken into account**

CARGOTOR Sp. z o.o. does not apply priorities at the stage of elaboration of a timetable.

**12.9. Rules and criteria for the allocation of traffic capacity applicable within the framework of collaboration with other managers, including the way of dealing with difficulties in determining multi-network routes**

12.9.1. These rules apply to trains running on lines adjusted to railway infrastructure managed by PKP Polskie Linie Kolejowe S.A. (lines 865, 866, 867, 906 (width 1435 mm) and 450 (width 1520 mm). For consistency, the Manager informs that these rules are also applicable to PKP PLK S.A. railway line no. 60 (width 1520 mm).

12.9.2. Applications for the allocation of traffic capacity for the infrastructure indicated in clause 12.9.1 above, the applicant submits to PKP Polskie Linie Kolejowe S.A. This applies in particular to requests regarding the annual timetable (see clause 12.5.2 of these Regulations), requests for individual timetable and requests regarding the simplified timetable.

12.9.3. Because the railway infrastructure managed by CARGOTOR Sp. z o.o. is accessible only from the infrastructure managed by PKP Polskie Linie Kolejowe S.A. the procedure and deadlines for the submission of applications referred to in clause 12.9.2. above are determined by PKP Polskie Linie Kolejowe S.A. in its Network Regulations or other document regulating this issue. List of lines adjacent to railway

infrastructure managed by PKP Polskie Linie Kolejowe S.A. constitutes the Attachment no. 3 to these Regulations (the relevant diagram is included as Attachment No. 3a).

12.9.4. The allocation by PKP Polskie Linie Kolejowe S.A. of traffic capacity is binding for CARGOTOR Sp. z o. o., if such allocation has been previously agreed with CARGOTOR Sp. z o. o. and information indicated in the Attachment no. 6 to these Regulations has been provided by the applicant within deadline for the submission of application to PKP Polskie Linie Kolejowe S.A. Such information should be addressed to the Railway Traffic Department.

12.9.5. Rules for allocating the routes for trains running along the line no. 60 with a width of 1520 mm at the Brześć - Terespol border crossing are defined by the “Minutes of the meeting of the Belarusian-Polish Border Commission on the reconciliation of the Timetable and the plan for the formation of freight trains for 2019/2020 at the border crossing points between PKP PLK and BCz dated 18 October 2018. This procedure is available on the website [www.cargotor.com](http://www.cargotor.com). In case of discrepancies between the provisions of the above procedure and these Regulations, the provisions of the above procedure shall apply.

#### **12.10. Rules for establishing communications**

CARGOTOR Sp. z o.o. does not use communications between individual trains and shunting trains.

#### **12.11. Procedure in the event of overcrowding of infrastructure section referred to in § 7 item 11 point 1 of the Ordinance, including the level of utilization of train route entitling the Manager to refuse to allocate the train route on a given section to the applicant**

12.11.1. In the event of overcrowding of infrastructure section referred to in § 7 para. 11 point 1 of the Ordinance, the Manager is entitled to refuse to allocate to the applicant an infrastructure section:

12.11.1.1. In case of its occupancy by another applicant.

12.11.1.2. In case of emergency situation, in particular a threat to safety of persons or property.

12.11.1.3. In case of implementation of tasks related to preventing or removing the effects of railway incidents or accidents.

12.11.2. In case of refusal to allocate an infrastructure section to the applicant, the Manager informs him immediately of the reason for refusal, at the same time providing possible variants for examining the application submitted by the applicant.

12.11.3. If, despite the actions, it is not possible to fulfil orders specified in the application due to limited traffic capacity on parts of lines adjacent to the point of interconnection of railway lines of different managers, the procedure in this

regard shall be implemented by the manager responsible for the cause of lack of traffic capacity.

- 12.11.4. The size of utilization of train route entitling the Manager to refuse to allocate a train route to a given applicant on particular section is under 70% of the train route allocated to a given applicant in the period covering 31 consecutive planned travels.

#### **12.12. Catalogue routes**

Currently, CARGOTOR Sp. z o.o. does not use catalogue routes.

#### **12.13. Way of providing applicants with information on free traffic capacity for the needs of an individual train timetable**

Information on free traffic capacity for the needs of an individual train timetable is provided by the Manager at the request of the applicant with whom an agreement for the allocation of traffic capacity has been concluded, in electronic or telephone form. Applications shall be directed to the Railway Traffic Department.

#### **12.14. Procedure for accepting by the applicant the individual train timetable**

- 12.14.1. The procedure for submitting applications for **individual train timetable for railway lines not adjacent** (single-network routes) to railway infrastructure managed by other managers:

12.14.1.1. The applicant with whom the Manager has priorly concluded an agreement for the allocation of traffic capacity is entitled to submit an application to allocate train route for a period longer than the validity of annual train timetable and longer than simplified timetable, or individual timetable. Such a request should be submitted in an electronic form (e-mail), after the deadline for submitting applications to allocate traffic capacity as part of the annual timetable (hereinafter referred to as "**IRJ application**").

- 12.14.1.2. In case of an IRJ application submitted by the day of providing the applicants with an annual train timetable, the Manager elaborates an **individual train timetable** within 5 working days from the date of providing the applicants with an annual train timetable, and if the annual timetable has not been elaborated, within 5 working days from the second Saturday in December.

- 12.14.1.3. For an IRJ application submitted after the date of providing the applicants with an annual train timetable and before the deadline specified in these Regulations, after which the Manager does not allocate the traffic capacity based on IRJ applications, the Manager immediately elaborates a **draft of individual train timetable**, but not later than within 5 working days from the date of submitting an IRJ application.

- 12.14.1.4. Date after which the Manager does not allocate traffic capacity based on IRJ applications is 5 working days before the scheduled deadline for the utilization of traffic capacity.

12.14.1.5. The draft of individual train timetable will be elaborated within more than 5 working days in the following cases: accident or breakdown of railway infrastructure, or another force majeure event. In this case, the Manager shall inform an applicant about the deadline for elaborating a draft of individual train timetable.

12.14.1.6. The Manager examines the IRJ applications in the following order:

- 12.14.1.6.1. The obligation to implement transport imposed by the provisions of transport law.
- 12.14.1.6.2. Restrictions arising from the need to provide traffic capacity referred to in § 7 item 1 point 1 of the Ordinance.
- 12.14.1.6.3. The best possible utilization of traffic capacity.
- 12.14.1.6.4. Scheduled travel time.
- 12.14.1.6.5. Order of submitting applications.

12.14.1.7. In order to fulfil the IRJ application it is possible to change the previously allocated traffic capacity subject to a consent of the applicants concerned.

12.14.1.8. With reference to an application for modification of the allocated train route, clauses 12.14.1.3 to 12.14.1.7 above and clauses 12.14.2 to 12.14.9 below shall apply accordingly, except that the application includes the annotation "correction".

12.14.2. IRJ application should be send to the Railway Traffic Department.

12.14.3. The template of IRJ application is included as the Attachment no. 4 to these Regulations.

12.14.4. IRJ application should include following information:

- 12.14.4.1. Itinerary and train/railway vehicle route.
- 12.14.4.2. Type of transports performed.
- 12.14.4.3. Type and series of traction vehicle or technical data along with traction characteristics of traction vehicle.
- 12.14.4.4. Maximum train speed.
- 12.14.4.5. Gross weight of train/railway vehicles, except that the reduction of weight does not require to submit an application to modify the allocated train route (correction).
- 12.14.4.6. Length of train / railway vehicles, whereas it is not necessary to submit an application for modifying the allocated train route (revision) if the length will be reduced.
- 12.14.4.7. Duration of running: from – to.
- 12.14.4.8. Running on: days of week.

- 12.14.4.9. Time of standstill at the siding/station.
- 12.14.4.10. Requested time of departure.
- 12.14.4.11. Number of wagons.
- 12.14.4.12. Agreed siding operation plan /hours/.
- 12.14.5. The Manager examines applications submitted within deadline indicated in these Regulations.
- 12.14.6. The date of submission of an application sent by e-mail is the date of its receipt by the Manager's employee responsible for it (date of e-mail receipt).
- 12.14.7. The Manager acknowledges the receipt of request using electronic form.
- 12.14.8. CARGOTOR Sp. z o.o. notifies the applicant about elaboration or refusal to elaborate an individual timetable using electronic form (e-mail).
- 12.14.9. The Manager may examine the application under condition of amending it by the applicant, which will make its examination possible.
- 12.14.10. CARGOTOR Sp. z o.o. is entitled to request, and the applicant is obliged to provide any other information or documents necessary to examine the IRJ application. If the applicant fails to submit them within deadline set by the Manager - CARGOTOR Sp. z o.o. may reject the application, about which the applicant is immediately informed.
- 12.14.11. The procedure for submitting applications for **individual train timetable for railway lines adjacent** (multi-network routes) to railway infrastructure managed by other managers (lines 450, 865 , 866 , 867, 906) is set out in clause 12.9 of these Regulations.

**12.15. Threshold rate of utilisation of train route, default of which may result in loss of right to use the train route**

If a train route is utilized less than 70% of the allocated traffic capacity by a given applicant/railway operator during the period of 31 consecutive planned passages, it may result in losing the right to use the train route. An applicant/railway operator will be informed by the Manager in a manner provided for in the agreement for the allocation of traffic capacity or in the agreement for utilisation of traffic capacity, respectively.

**13. Mode, conditions, and deadlines for making changes to train timetable**

- 13.1. Changes to the **annual train timetable** are made in accordance with the rules indicated in clause 12.5 of these Regulations.
- 13.2. Changes to **individual train timetable** are made in accordance with the rules indicated in clause 12.14.1.8 of these Regulations.
- 13.3. The Manager does not provide for changes to the **simplified timetable**.

#### **14. Way of notifying about changes concerning the technical and operational parameters and railway lines on which train routes have been allocated, including the restrictions related to works, speed restrictions and other operating restrictions, incorrect operation of railway traffic control and communication devices as well as rolling stock control and diagnostic devices**

Notification of changes regarding the technical and operational parameters of railway lines on which train routes have been allocated, including the restrictions related to works, speed restrictions and other operational restrictions, incorrect operation of railway traffic control and communication devices is available at the website [www.cargotor.com](http://www.cargotor.com). In addition, the above information will be transferred by electronic way (e-mail) to applicants using the infrastructure within the area in question, with whom the Manager concluded an agreement for the allocation of traffic capacity and to railway operators using the infrastructure within the area in question, with whom the Manager concluded an agreement for the utilisation of traffic capacity, to the addresses given in these agreements.

#### **15. Procedures for elaborating and entities responsible for drafting the repairs schedules**

15.1. The procedure specific to drafting the repairs schedules:

15.1.1. Performance of diagnostics and drafting protocols from the measurements and technical tests of railway infrastructure and engineering structures managed by CARGOTOR Sp. z o.o .

15.1.2. Analysis of diagnostic protocols/ measurements and drawing operational conclusions.

15.1.3. Determining the urgency of works.

15.1.4. Drafting plan of repairs and overhauls for a given calendar year in consultation with the Railway Traffic Department and the Sales Department.

15.2. A detailed procedure for drafting repair schedules is included in the basic Instruction: TU-01 (Instruction for maintenance of permanent way along with railway bed and engineering structures used by CARGOTOR Sp. z o.o.), which is available at the website [www.cargotor.com](http://www.cargotor.com).

15.3. Entity responsible for drafting repair schedules: Infrastructure Maintenance Department CARGOTOR Sp. z o.o.

#### **16. Special measures to be taken in the event of disruptions in traffic of trains caused by a technical failure, incident or accident resulting in undertaking of all necessary steps to restore the normal operation, including an action plan in instances requiring notification of competent authorities**



- 16.1. In the event of disruptions in train traffic caused by technical failure, incident, or accident, CARGOTOR Sp. z o.o. immediately informs about that the applicants who have been allocated with traffic capacity on infrastructure on which the technical failure, incident or accident occurred. CARGOTOR Sp. z o.o. also informs about alternate possibilities of utilization of traffic capacity, considering the applicants' interest in implementing transports and competent authorities. A detailed action plan is provided for in the Instruction TR-02 on dealing with serious accidents, incidents and accidents on infrastructure managed by CARGOTOR Sp. z o.o. available at the website [www.cargotor.com](http://www.cargotor.com). In addition, the above information will be transferred by electronic way (e-mail) to applicants using the infrastructure within the area in question, with whom the Manager concluded an agreement for the allocation of traffic capacity and to railway operators using the infrastructure within the area in question, with whom the Manager concluded an agreement for the utilisation of traffic capacity, to the addresses given in these agreements.
- 16.2. CARGOTOR Sp. z o.o. will also take immediate action to restore previously possessed traffic capacity, about which he will immediately notify the applicants.

## **17. Control actions carried out by authorized Manager's employees**

The Manager has the right, as part of control activities, to:

- 17.1. Perform control actions regarding trains, railway vehicles and railway operator's employees to ensure that traffic is safe and complies with legal regulations.
- 17.2. Prevent passage of a train or stoppage of train in case of finding the default by the rolling stock or railway operator's employees in meeting the requirements set out in relevant regulations, rules, and agreements.
- 17.3. Perform actions controlling the railway operator's employees and rolling stock, including transport documentation and technical condition of the railway operator's rolling stock.
- 17.4. Perform control of compliance with order regulations within the railway area, in trains and railway vehicles owned by railway operator.
- 17.5. Request explanations from the railway operator regarding the way of implementation of agreement for the allocation and utilization of railway infrastructure in cases where there is justified concern of breaching the provisions of the aforementioned agreements or the threat to safety of persons or property.

## **18. Threshold rate of utilization of train route allocated on the section of railway infrastructure with insufficient traffic capacity, exceeding of which by a railway operator authorizes the Manager to deprive him of the right of its utilization**

If the railway operator utilizes a train route allocated on a section of railway infrastructure with insufficient traffic capacity at a level of less than 70% in the period covering 31 consecutive planned passages, the Manager is entitled to deprive him of the right of its



utilization. The Manager will inform the applicant/operator about depriving him of the right to utilize a train route, in case of finding out the non-utilization of route at the level of 70% in the manner provided for in the agreement for the allocation of traffic capacity or respectively in the agreement for the utilization of traffic capacity.

## **19. Way of determining and collecting fees for utilization of railway infrastructure**

### 19.1. Applicable regulations in terms of way of determining fees:

CARGOTOR Sp. z o.o. applies the same principles of collecting fees for all Applicants /carriers for the entire railway network being under its management. In addition, the Manager informs that unit rates are determined based on the actual state and partly on the planned state. The rules for determining fees have been developed based on the following provisions:

- a) Directive of the European Parliament and of the Council 2012/34/EU of 21 November 2012 (hereinafter referred to as the "**Directive**").
- b) Act of 28 March 2003 on Railway Transport.
- c) Ordinance of the Minister of Infrastructure and Construction dated 7 April 2017 on access to railway infrastructure.

CARGOTOR Sp. z o.o. may request the Applicant/carrier to present a financial guarantee referred to in Commission Implementing Regulation (EU) 2015/10 of 6 January 2015 on criteria for applicants submitting applications for the provision of railway infrastructure capacity and repealing the Regulation (EU) No 870/2014 (OJ L 3/34, 7.1.2015).

### 19.2. Draft of a pricelist referred to in art. 13 para. 13 of the Act:

The pricelist referred to in art. 13 para. 13 of the Act, forms Attachment no. 10 to these Regulations. The Manager has not drafted the market analysis, referred to in § 21 para. 17 of the Ordinance.

19.3. The draft price list for the use of railway infrastructure with a track width of 1435 mm will be published, in accordance with art. 33 para. 14 of the Act, immediately after its preparation.

### 19.4. Way of determining the category of railway line:

The line categories as defined by CARGOTOR Sp. z o.o. are indicated in Attachment No. 1.

19.5. The split of transport market applied while determining the scope of using the part of fee related to the type of transports performed referred to in § 21 item 1 of the Ordinance:

CARGOTOR Sp. z o.o. did not split the market of transports since the railway infrastructure managed by CARGOTOR Sp. z o.o. operates exclusively the freight traffic. Freight traffic is not split into types (due to cargo transported) when determining the fee.

19.6. The value of the part of fee related to the type of transports performed referred to in § 21 para. 1 of the Ordinance broken down to types of transports:



Not applicable. Currently, the Manager does not conduct a classification in terms of the types of transports performed, since the infrastructure managed by CARGOTOR Sp. z o.o. is used for freight traffic only.

## **20. Template of framework agreement if the Manager offers its conclusion**

The Manager does not offer a framework agreement.

## **21. Procedures for dispute and appeal resolution specific to matters related to the provision of railway infrastructure and an implementation plan referred to in art. 30f para. 4 of the Act**

- 21.1. Disputes and appeals regarding matters related to provision of infrastructure shall be addressed to the Management Board of CARGOTOR Sp. z o.o.
- 21.2. Disputes and appeals in matters related to the implementation plan shall be addressed to the Management Board of CARGOTOR Sp. z o.o.
- 21.3. Applications, requests, and appeals shall be submitted in writing at the registered office of CARGOTOR Sp. z o.o. with detailed description of the matter, reasoning, and proposed dispute resolution.
- 21.4. In case of formal defects of an application or an appeal, CARGOTOR Sp. z o.o. requests to remove them within 7 days from submission of such request under pain of leaving the letter without its recognition.
- 21.5. Disputes and appeals addressed to the Management Board of CARGOTOR Sp. z o.o. will be resolved within 10 working days of receipt of a letter in question, and in the case of formal defects within 10 working days of their removal.
- 21.6. Upon the consent of the parties, the dispute may be submitted for a resolution by a third party (arbitrator) ensuring impartiality of the dispute resolution, selected by the Manager, and accepted by other Party. The decision of the arbitrator binding for the Parties and the manner of breakdown of costs of proceedings before such third party, including its remuneration, the Parties agree in writing within 5 working days from the date of parties' consent to submit the dispute to the resolution by a third party. In case of failure to establish within this deadline the above-mentioned rules to prolong the deadline by the parties, the parties' declaration of submission of dispute to the resolution of a third party expires.
- 21.7. The aforementioned procedures for dispute and appeal resolution do not exclude the use of legal remedies provided for in applicable provisions of law, except that in case of submission of dispute resolution by the third party and finding out that such resolution is binding for the parties, this will be considered as an arbitration clause.

## **22. List of service infrastructure facilities linked with the Manager's network, their location in relation to railway lines, access conditions and provision**

**of services within these objects or indication of a website where such information, in an electronic form, is provided free of charge**

- 22.1. A list of service infrastructure facilities, their location in relation to railway lines constitutes the Attachment no. 7 to these Regulations with regard to infrastructure located in the Małaszewicze transshipment area. The schematic location of service infrastructure specific to railway lines forms the Attachment no. 3a, respectively.
- 22.2. Access to service facilities connected to the Manager's network shall take place in accordance with the rules applicable to the provision of infrastructure.

**23. List of service facilities owned by the Manager, their location with regard to railway lines, conditions of access and service realization in these facilities**

- 23.1. List of service facilities, their location with regard to railway lines, constitutes Attachment No. 3 to these Regulations.

**23.2. Conditions for access and provision of services in service infrastructure objects:**

23.2.1. In order to obtain an access to the service infrastructure, a railway operator is obliged to send in an electronic form to the address [ruchkolejowy@cargotor.com](mailto:ruchkolejowy@cargotor.com) an application in accordance with the template constituting the Attachment No. 4 to these Regulations, except that this application does not have to contain the following data:

- 23.2.1.1. itinerary and train/railway vehicle route,
- 23.2.1.2. maximum train speed,
- 23.2.1.3. gross weight of train/railway vehicles,
- 23.2.1.4. purpose of shunting operation,
- 23.2.1.5. location of shunting operation,
- 23.2.1.6. type of shunting vehicles,

An application may be submitted at any time. In the event of a need for an emergency exclusion of a wagon, it is allowed to submit the application by radiotelephone, which then should be confirmed by an application in an electronic form.

23.2.2. The application is examined by the Manager within 14 days of the date of receipt of its written form by the Manager. The Manager shall inform, subject to clause 23.2.6 below, about the application examination using electronic form, to the address indicated in such application or using address, from which the application has been sent or by telephone in emergency cases. The Manager does not disclose any secret information of the enterprise obtained in connection with sharing the object, whenever it was expressly indicated by the applicant along with reasoning (indication) that the information constitutes a secret of such enterprise.



- 23.2.3. The railway operator acquires the right to utilize services provided within the object after the conclusion with the Manager an agreement specifying in particular the rights and obligations of the Manager and the railway operator connected with services provided, except that the Manager, upon his own discretion, may conclude with the railway operator one agreement instead of an agreement referred to in art. 30C para. 2 of the Act (an agreement for utilization of traffic capacity between the manager and railway operator, and agreement referred to above, containing all the provisions required by these agreements).
- 23.2.4. The railway operator applies in writing (also via e-mail to: [sprzedaz@cargotor.com](mailto:sprzedaz@cargotor.com)) to the Sales Office of CARGOTOR Sp. z o.o. to conclude an agreement for the use of capacity.
- 23.2.5. The Manager may refuse to grant to any railway operator an access to facility if:
- 23.2.5.1. This railway operator may perform the scheduled railway transport on economically comparable terms using another facility provided, except situation when the operator informs the Manager that the manager of the indicated facility refused such an access.
  - 23.2.5.2. A positive examination of a request would entail a need to incur expenditures by the Manager referred to in art. 36b para. 3 of the Act.
  - 23.2.5.3. Due to the lack of sufficient traffic capacity, a positive examination of the request would prevent the Manager to meet his own reasonable needs or fulfil obligations under agreements previously concluded with other railway operators.
- 23.2.6. In case of refusal of an access to service infrastructure, the Manager justifies his refusal in writing and forwards it to the rail operator without delay, but not later than within 14 days. In case referred to in clause 23.2.5.1 above, the Manager indicates in his refusal referred to above, another facility that will enable the railway operator to perform railway transport on economically comparable terms, if the Manager has knowledge on such a facility.
- 23.2.7. The railway operator is obliged to provide a report on utilization of service infrastructure facility within a given calendar month, in no more than 3 working days after the end of a given calendar month.
- 23.2.8. CARGOTOR Sp. z o.o. does not elaborate an annual timetable for service infrastructure facilities. Access to dispatch points (cargo terminals) takes place based on a positively examined request and concluded agreement referred to in clause 22.2.3 above.
- 23.2.9. Detailed technical conditions for an access to facilities of service infrastructure outside the Małaszewicze transshipment area:
- 23.2.9.1. No facility of service infrastructure (managed by CARGOTOR Sp. z o.o.) has traffic posts, and points and derailleurs are manually shifted by shunting team of the railway operator using it.

- 23.2.9.2. Entry to the area of service infrastructure facility managed by CARGOTOR Sp. z o. o. in all locations takes place from the infrastructure managed by PKP Polskie Linie Kolejowe S.A.
- 23.2.10. Detailed data on technical access to service infrastructure facilities (outside the Małaszewicze transshipment area) can be found in Attachment no. 9 to these Regulations and in the OIU Rules, which are available on the website [www.cargotor.com](http://www.cargotor.com).
- 23.2.11. Detailed data of technical access to service infrastructure facilities located within the Małaszewicze transshipment area:
- 23.2.11.1. Service infrastructure facilities (managed by CARGOTOR Sp. z o.o.) do not have traffic posts, and points and derailleurs are manually shifted by shunting team of the railway operator, and are located in Zaborze, Raniewo, Podsędków, Wólka.
- 23.2.11.2. Service infrastructure facilities (managed by CARGOTOR Sp. z o.o.) with traffic posts, where points and derailleurs are manually shifted by employees of CARGOTOR Sp. z o.o. are situated at the following locations:
- Małaszewicze station, including MsC train announcement post, Ms1, Ms-2, Ms-4, Ms-5, Ms-51, Ms-61, Post.1 and Post.2 dependent posts,
  - Kobylany station, including MsD train announcement post and Ms-41 and Post.12 dependent posts,
  - Chotyłów station, including Cht-2 dependent post,
  - Bór station including Br train announcement post and Br-1 dependent post.
- 23.2.11.3. More detailed data on technical access to service infrastructure facilities within Małaszewicze transshipment area can be found in the Attachment no. 7 to these Regulations, in the technical regulations of stations and regulations of sidings and dispatch points, which are available at the registered office of CARGOTOR Sp. z o.o. as well as on the website [www.cargotor.com](http://www.cargotor.com).
- 23.2.12. Fees for an access to service infrastructure facilities will be included in the pricelist, draft of which constitutes the Attachment no. 10.
- 23.3. Applications for an access to service infrastructure facilities will be examined in accordance with a sequence of receipt of applications which meet the requirements specified in these Regulations and the agreement for the utilization of traffic capacity with a given railway operator .**
- 23.4. Unauthorized entry, i.e., entry to the Service Infrastructure Facility without submitting an application to the Duty Coordinator for access, results in charging an additional fee of PLN 13 000.00 net for each commenced day. The fee has been calculated based on the daily**



occupation of a 450 m long point on the unloading front. The payment of the above fee does not exclude the liability of the Carrier/Applicant for the damage caused.

**23.5. The carrier/applicant is obliged to pay a fee of PLN 6 500.00 net per day for occupation of a point on the unloading front intended for transshipment in the following cases:**

- a. failure to cancel a reservation made 48 hours before the planned date of occupation and failure to use it on time,
- b. using the reservation made for a period shorter than assigned by the Coordinating Duty Officer, provided that this point shall apply to reservations longer than one day.

**23.6. In case of a reservation of less than one day, the Carrier shall pay for the time of the agreed reservation even if the infrastructure has been cleared earlier. If the agreed booking time is exceeded, the Carrier shall be liable to pay the costs of the actual use of the infrastructure.**

## **24. Procedure to obtain derogations from requirements for knowledge of Polish language for train drivers from other European Union member states specific to railway lines or sections of railway lines including border crossings with European Union states neighbouring the Republic of Poland**

Not applicable. Railway lines (or sections of railway lines) managed by CARGOTOR Sp. z o.o. do not include border crossings with European Union states neighbouring the Republic of Poland.

## **25. Rules for introduction of substitute transportation**

Not applicable. No passenger transport is conducted on railway infrastructure managed by CARGOTOR Sp. z o.o. but only freight transport, therefore no substitute transportation is planned.

## **26. Mode, deadline, and manner of introducing amendments and updates in Network Regulations in case such necessity occurs**

**26.1. Amendments to these Regulations with regard to rights and obligations of applicants or railway operators, in particular the conditions of an access to railway infrastructure and service infrastructure will be introduced by CARGOTOR Sp. z o.o. after previous consultations with applicants, with whom the Manager has concluded agreements for the allocation of traffic capacity and operators with whom the Manager has concluded agreements on the utilization of traffic capacity or agreements referred to in art. 36c para. 1 of the Act.**

**26.2. Amendments to these Regulations may be introduced at any time, in particular in case of:**



- 26.2.1. Changes in actual state, including changes in characteristics of the railway infrastructure or service infrastructure managed.
  - 26.2.2. Submission of an application by an applicant or railway operator.
  - 26.2.3. Amendments in provisions of law or adjusting these Regulations to provisions of law or amended interpretation of law.
  - 26.2.4. Occurrence of other justified reason, including the need for clarification of Regulations or changes in its scope, after prior notification of applicants and railway operators referred to in clause 26.2.1 above, and will enter into force on the date indicated in the notification, but not earlier than 14 days from the notification of the above entities.
- 26.3. Notification and consultations may take place in writing or electronic form, including the posting of planned amendments to these Regulations on the website [www.cargotor.com](http://www.cargotor.com).**
- 26.4. CARGOTOR Sp. z o.o. will notify those who gave comments about inclusion or non-inclusion of their comments in the planned amendments, if they have been sent within the deadline for submitting comments indicated in the notice of a planned amendment, to following e-mail address: [regulamin@cargotor.com](mailto:regulamin@cargotor.com).**

## **27. Other provisions**

- 27.1. CARGOTOR Sp. z o.o. takes part in co-ordinating the international train routes running on the line no. 60 with a width of 1520 mm at the Brześć - Terespol border crossing in accordance with the procedure for allocating freight train routes to Polish railway operators performing railway transports through Belarusian Polish border crossing on 1520 mm track dated 9 September 2015. This procedure is available on the website [www.cargotor.com](http://www.cargotor.com). In case of discrepancies between the provisions of the above procedure and these Regulations, the provisions of the above procedure shall apply.
- 27.2. CARGOTOR Sp. z o.o. also manages the railway infrastructure covering the 1520 mm track gauge. Art. 36 of the Act limits the application of art. 29-35 of the Act among others to railway infrastructure including railway lines with a width other than 1435 mm.
- 27.3. The Manager may allow the start of train, whose reporting of readiness for departure, due to reasons attributable only to railway operator, was delayed not more than 12 hours.
- 27.4. For the sake of consistency of information as for the rules of making available the railway infrastructure covering 1520 mm tracks, the Manager informs that making this infrastructure available in terms of elaboration of annual timetable, individual timetable and simplified timetable takes place on the same terms and conditions as indicated in these Regulations.
- 27.5. Attachments to these Regulations form an integral part thereof.

27.6. The Manager will update the characteristics of railway infrastructure covered by these Regulations at least once per year in accordance with data included in national infrastructure register.

## **28. Applicability of these Regulations**

**28.1. For the timetables being valid until 11 December 2021 and related price lists, regulations, and agreements, as well as their amendments, the existing regulations, and Network Regulations for 2020/2021, as well as the allocation of train routes and use of allocated train routes by railway operators on the infrastructure managed by CARGOTOR Sp. z o.o., shall apply.**

**28.2. The provisions of these Regulations regarding service infrastructure are applied for making available the facilities of railway infrastructure.**

## **29. Attachments:**

- 1) List of railway lines made available to applicants along with their characteristics.
  - 1a) List of railway lines with a width of 1520 mm.
- 2) List of dispatch points (cargo terminals), their location in relation to railway lines and their characteristics.
- 3) List of contact points to railway infrastructure of other managers excluding inoperative infrastructure.
  - 3a) Schematic location of service infrastructure in relation to railway lines - located outside the Małaszewicze transshipment area.
- 4) Template of Route application (Path request).
- 5) Template of Capacity request for implementation of a standstill of railway vehicles.
- 6) Information transferred in case of allocation of traffic capacity, in force within a framework of cooperation with other managers.
- 7) List of service infrastructure facilities linked with the Manager's network, as well as their location in relation to railway lines.
  - 7a) Tabular list of railway infrastructure and service infrastructure facilities with the assignment of services provided - Małaszewicze transshipment area.
- 8) List of services provided within the scope of service infrastructure managed by CARGOTOR Sp. z o.o.
- 9) Detailed data of technical access to service infrastructure facilities (outside of the Małaszewicze transshipment area).
- 10) Price list for 2020/2021 timetable.
- 11) List of railway tracks (shunting) made available to applicants in Małaszewicze transshipment area along with their characteristics.

12) Regulations of the Coordination Centre.



**Attachment No. 1** List of railway lines made available to applicants along with their characteristics.

a. with a width of 1435 mm; the lines are electrified along the entire length

Line No.	Line name	START POINT			END POINT			DIVERGING FROM LINE		REACHING LINE		INFRASTRUCTURE MANAGER	REMARKS
		NAME	KM	TYPE	NAME	KM	TYPE	NO	KM	NO	KM		
1	2	3	4	5	6	7	8	9	10	11	12		13
865	MAGDALENKA - MAŁASZEWICZE CENTRALNE (MSC)	MAGDALENKA	197.783	R 1	MAŁASZEWICZE CENTRALNE (MSC)	200.900	group of railway tracks	2	197.783			CARGOTOR Sp. z o.o.	
866	MAGDALENKA - MAŁASZEWICZE ROZRZĄDOWA (MSR)	MAGDALENKA	197.873	R 4	MAŁASZEWICZE ROZRZĄDOWA (MSR)	199.300	group of railway tracks	865	197.873			CARGOTOR Sp. z o.o.	
867	MAŁASZEWICZE CENTRALNE - MAŁASZEWICZE (MSE)	MAŁASZEWICZE CENTRALNE (MSC)	200.900	group of railway tracks	MAŁASZEWICZE (MSE)	202.189	R 191			2	202,189	CARGOTOR Sp. z o.o.	
906	CHOTYŁÓW - MĘTRAKI	CHOTYŁÓW	0.000	R 28	MĘTRAKI	5.697	K.O.	2	189.738			CARGOTOR Sp. z o.o.	

**Attachment No. 1a**

List of railway lines with a width of 1520 mm made available to applicants, along with their characteristics. Lines are not electrified on their entire length.

Line No.	Line name	START POINT			END POINT			DIVERGING FROM LINE		REACHING LINE		INFRASTRUCTURE MANAGER	REMARKS
		NAME	KM	TYPE	NAME	KM	TYPE	NO	KM	NO	KM		
1	2	3	4	5	6	7	8	9	10	11	12		13
450	KOBYLANY-WÓLKA-KOBYLANY	Kobylany station RzP No. 664 (connector before switch rail)	-1.157 km 205.247 related to line No. 2 Warszawa-Terespol		Kobylany station Rkpd No. 619 (center of turnout)	27.358 km 204.048 related to line No. 2 Warszawa-Terespol		60 PKP PLK S.A. (Kobylany-Terespol)	205.247 related to line No. 2 Warszawa-Terespol			CARGOTOR Sp. z o.o.	

## **Attachment No. 2**

**List of dispatch points (cargo terminals), their location in relation to railway lines and their characteristics. Particularly the length of active loading and unloading edges, their height, and the parameters of the access tracks.**

1. Dispatch points, height of loading edges, their height.

### **1) Baby**

Loading and unloading yard with an edge length of 200 m.

### **2) Białystok Fabryczny**

Loading and unloading yard with a length of 204 m, asphalt surface.

### **3) Brzoza Bydgoska**

Loading and unloading yard with a length of 330 m hardened using fieldstones.

### **4) Chociw Łaski**

Loading and unloading yard with a length of 290 m lined with concrete slabs.

### **5) Ciechanów**

Loading and unloading yard with a length of 405 m lined with concrete slabs.

### **6) Ełk**

Loading and unloading yard with a length of 362 m and a surface of paving stones.

### **7) Giżycko**

Loading and unloading yard with a length of 302 m and a surface of paving stones.

**8) Gornice**

Loading and unloading yard with a length of 300 m, concrete surface, and side loading ramp with a height of 1.2 m and a length of 180 m, concrete surface.

**9) Itawa**

Loading and unloading yard with a length of 260 m, surface of granite blocks.

**10) Jasło**

Loading and unloading yard with a length of 77 m, surface of granite blocks.

**11) Łomża**

Loading and unloading yard with a length of 559 m, asphalt surface.

**12) Nekla**

Loading and unloading yard with a length of 300 m, asphalt surface.

**13) Nowy Sącz**

Side loading ramp, with a height of 1.2 m and a length of 100 m, surface made of granite blocks plus loading and unloading yard with a length of 100 m, surface made of granite blocks.

**14) Olecko**

Loading and unloading yard with a length of 83 m with a surface hardened using granite blocks plus side loading ramp with a height of 1.2 m and a length of 64 m with a concrete surface.

**15) Ostaszewo Toruńskie**

Loading and unloading yard with a length of 239 m and a fieldstone surface.

**16) Ozorków**

Loading and unloading yard with a length of 229 m, asphalt surface.

**17) Pabianice**

Loading and unloading yard with a length of 580 m and concrete surface.

**18) Piotrków Trybunalski**

Loading and unloading yard with a length of 380 m and concrete surface.

**19) Poddębice**

Loading and unloading yard with a length of 154 m and concrete surface plus side loading ramp with a height of 1.2 m and a length of 20 m, concrete surface.

**20) Rusiec Łódzki**

Loading and unloading yard with a length of 350 m, asphalt surface.

**21) Rybnik**

Loading and unloading yard with a length of 295 m, asphalt surface.

**22) Rzeszów Staroniwa**

Side loading ramp with a height of 1.2 m and length of 280 m, surface of granite blocks.

**23) Sanok**

Loading and unloading yard with a length of 360 m and a surface of paving stones.

**24) Sitkówka Nowiny**

Loading and unloading yard with a length of 210 m and concrete slab surface.

**25) Sokółka**

Loading and unloading yard with a length of 585 m and concrete slab surface.

**26) Spytkowice**

Loading and unloading yard with a length of 101 m and concrete slab surface.

**27) Suwałki**

Loading and unloading yard with a length of 450 m with hardened gravel surface, concrete slabs locally, concrete curbs on the railway track side.

**28) Szepietowo**

Loading and unloading yard with a length of 535 mb and a surface of paving stones.

**29) Tarnów**

Side loading ramp with a height of 1.2 m and a length of 266 m with granite blocks, plus loading and unloading yard with a length of 300 m and granite blocks.

**30) Targowiska**

Side loading ramp with a height of 1.2 m and a length of 85 m with granite blocks, plus loading and unloading yard with a length of 163 m and granite blocks.

**31) Terespol Pomorski**

Loading and unloading yard with a length of 163 m, concrete surface.

**32) Tomaszów Mazowiecki**

Loading and unloading yard with a length of 290 m, soil surface.

**33) Warszawa Białołęka**

Loading and unloading yard with a length of 578 m, soil surface.

**34) Zduńska Wola**

Loading and unloading yard with a length of 100 m, asphalt surface.

**35) Zgierz**

Loading and unloading yard with a length of 150 m, asphalt surface.

**36) Żabno**

Loading and unloading yard with a length of 233 m, asphalt surface.

2. At dispatch points where the height of the loading edge is not indicated, the height is at the level of the rail head. The loading edge lengths given are based on the active edges. There are no platforms at the above expeditionary points.

3. Parameters of access tracks to the above-mentioned dispatch points can be found in the OIU Rules, which are available on the website [www.cargotor.com](http://www.cargotor.com).

### **Attachment No. 3**

#### **List of contact points to railway infrastructure of other managers excluding inoperative infrastructure.**

##### **1. Railway lines**

List of contact points with railway infrastructure of other managers (PKP PLK S.A.) of lines 865, 866, 906 is contained in Attachment No. 1 to these Regulations in column „DIVERGENT FROM LINE“, and in case of line 867 – is contained in Attachment No. 1 to these Regulation in column „REACHING LINE“; and in case of line 450 - is contained in Attachment 1a to these Regulations in column „DIVERGING FROM LINE“.

##### **2. Dispatch points (freight terminals)**

###### **1) Baby**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Baba station on the one hand is located on track no. 8 at the end of turnout no. 5 (maintained by PKP PLK S.A.) located at km 128.890, and on the other hand at the beginning of turnout no. 21 (maintained by PKP PLK S.A.) located at km 129.740 on Baba station according to the mileage of railway line No. 1 Warszawa - Katowice.

###### **2) Białystok Fabryczny**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Białystok Fabryczny station is located in the area of control station "Bf" at the junction of insert 26-31 and the end of turnout No. 31 at km 4.232 of railway line No. 37 Białystok - Zubki Białostockie.

###### **3) Brzoza Bydgoska**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Brzoza Bydgoska station is located at the end of turnout No. 7 at km 354.045 of railway line No. 131 Chorzów Batory - Tczew.

###### **4) Chociw Łaski**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Chociw Łaski station is located on track no. 16 at the end of turnout no. 6 at km 145.829 and at the beginning of turnout no. 10 at km 146.138 of railway line No. 131 Chorzów Batory - Tczew.



### **5) Ciechanów**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Ciechanów station is located on track no. 26 at the end of turnout no. 401 at km 97.910 of railway line No. 9 Warszawa Wschodnia Osobowa - Gdańsk Główny.

### **6) Ełk**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Ełk station is located in the circle of executive signal tower "Eo1" on track no. 14 at the end of turnout no. 124 , and on track no. 12 at the end of turnout no. 123.

### **7) Giżycko**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Giżycko station is located in the circle of executive signal tower Go1 on track No. 12 at the end of turnout No. 39 at km 151.198 of railway line No. 38 Białystok - Bartoszyce.

### **8) Gomunice**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Gomunice station is located at the beginning of turnout no. 6 and track insert 6/16 at km 176.605 of railway line No. 1 Warszawa Centralna - Katowice and at the beginning of turnout no. 19 and track insert 17/19.

### **9) Iława**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Iława station for track no. 66 is located at the beginning of turnout no. 301 at km 209.251 of railway line No. 9 Warszawa Wschodnia Osobowa - Gdańsk Główny.

### **10) Jasło**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Jasło station is located in the circle of executive signal tower "Js-1" on track no. 4 at the end of turnout no. 101 at km 45.4+68.06 and at the end of turnout no. 12 at km 45.6+08,47 of railway line No. 108 Stróże - Krościenko.

### **11) Łomża**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Łomża station is located in the circle of executive signal tower "Łm" on track no. 18 at the end of turnout no. 16 at km 16.432 of railway line No. 49 Śniadowo - Łomża.

### **12) Nekla**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Podstolice - Kostrzyn Wielkopolski route is located at the beginning of turnout No. 6 (contact with track No. 3b) at km 269.032 of railway line No. 3 Warszawa Zachodnia - Kunowice.

### **13) Nowy Sącz (currently on track No. 9 a point is closed)**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Nowy Sącz station is located on track no. 9 behind the Wk3 derailer and on track no. 11 behind the Wk6 derailer at km 87.847 of railway line No. 96 Tarnów - Leluchów / State border.

### **14) Olecko**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Olecko station is located in the circle of executive signal tower "OI" on track no. 8 in range of Wk3 derailer at km 27.124 of railway line No. 41 Ełk - Gołdap.

### **15) Ostaszewo Toruńskie**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Ostaszewo Toruńskie station for track no. 3 is located at the end of turnout no. 1 at km 9.509 of railway line No. 207 Toruń Wschodni - Malbork and at the end of turnout no. 6 at km 9.886 of railway line No. 207 Toruń Wschodni - Malbork.

### **16) Ozorków (currently this point is closed)**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) is located on Ozorków station and diverge from track no. 3 by turnout no. 11 at km 36.400 of line No. 16 Łódź Widzew - Kutno and turnout no. 22 at km 36.900 of railway line No. 16 Łódź Widzew - Kutno.

### **17) Pabianice**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Pabianice station is located for track no. 14 at the end of turnout no. 65 at km 13.960 and for track no. 16 at the end of turnout no. 68 at km 14.050 of railway line No. 14 Łódź Kaliska - Tuplice.

### **18) Piotrków Trybunalski**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Piotrków Trybunalski station is located at the end of turnout no. 107 at km 145.307 and behind the end of turnout no. 159 at km 145.965 of railway line No. 1 Warszawa Centralna - Katowice.

### **19) Poddębice**

Contact point with railway infrastructure of other managers (PLK and CARGOTOR) on Poddębice station is located on track no. 5 at the end of turnout no. 11 at km 202.828 of railway line no. 131 Chorzów Batory - Tczew and at the end of turnout no. 13 at km 203,045 of track no. 5.

### **20) Rusiec Łódzki**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Rusiec Łódzki station is located at the end of turnout No. 7 at km 135.772 and at the end of turnout No. 13 at km 136.344 of railway line No. 131 Chorzów Batory - Tczew.

### **21) Rybnik**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Rybnik station in signal district "RbA" is located at the end of turnout no. 42 at km 39.279 and in signal district "RbB" at the beginning of turnout no. 101 at km 39.643 of railway line No. 140 Katowice Ligota - Nędza.

### **22) Rzeszów Staroniwa**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Rzeszów Staroniwa station is located in the circle of executive signal tower "Rs-2" at the end of turnout 51 at km 2.367 of railway line No. 106 Rzeszów Główny - Jasło.

### **23) Sanok**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Sanok station is located at the beginning of turnout no. 7 at km 107.930 of railway line No. 108 Stróże - Krościenko and the beginning of turnout no. 14 at km 108.321 of this line.

### **24) Sitkówka Nowiny**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Sitkówka Nowiny station is located at the end of turnout no. 87 at km 197.469 of railway line No. 8 Warszawa Wschodnia Osobowa - Gdańsk Główny and at the beginning of turnout no. 171 at km 197.767.

### **25) Sokółka**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Szepietowo station is located in in the circle of executive signal tower "Sp" and diverge from track no. 6 by turnout no. 8 at km 127.050 and in the circle of executive signal tower "Sp1" and diverge from track no. 6 by turnout no. 16 at km 127.842 of railway line No. 6 Zielonka - Kuźnica Białostocka.

## **26) Spytkowice**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Spytkowice station is located at the end of turnout no. 35 at km 42.373 of railway line No. 94 Kraków Płaszów - Oświęcim.

## **27) Szepietowo**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Szepietowo station is located in in the circle of executive signal tower "Sp" and diverge from track no. 6 by turnout track no. 8 a/b at km 127.050 and in the circle of executive signal tower "Sp1" and diverge from track no. 6 by turnout track no. 16 at km 127.842 of railway line No. 6 Zielonka - Kuźnica Białostocka.

## **28) Tarnów**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Tarnów station is located at the beginning of turnout no. 79 located at km 77.996 of railway line No. 91 Kraków Główny Osobowy - Medyka.

## **29) Targowiska**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Targowiska station is located at the end of turnout no. 4 at km 75.598 and at the end of turnout no. 5 at km 75.900 of railway line No. 108 Stróże - Krościenko.

## **30) Terespol Pomorski**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Terespol Pomorski station is located behind the end of turnout no. 20 at km 410.237 of line No. 131 Chorzów Batory - Tczew.

## **31) Tomaszów Mazowiecki**

Contact points with railway infrastructure of other managers (PKP PLK S.A.) on Tomaszów Mazowiecki station is located at the end of turnout no. 52 at km 56.219 and at the end of turnout no. 33 at km 55.879 of the line No. 25 Łódź Kaliska - Dębica.

## **32) Warszawa Białołęka**

Contact point with railway infrastructure of other managers (PKP CARGO CONNECT Sp. z o.o.), on Warszawa Praga station is located on tracks no. 197 and 198, for track no. 198 is located at the end of turnout no. 89 at km 13.081 of railway line No. 9 Warszawa Wschodnia Osobowa - Gdańsk Główny, and for track no. 197 at the end of turnout no. 90 at km 13.052 of line no. 9.

### **33) Zduńska Wola**

Contact point with railway infrastructure of other managers (PLK and CARGOTOR) on Zduńska Wola station is located at km 41.788 of line No. 14 Łódź Kaliska - Tuplice on track No. 51, at the end of turnout No. 54.

### **34) Zgierz (currently on track No. 11 a point is closed)**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Zgierz station is located at the end of turnout no. 25 at km 57.941 of line No 15 Bednary - Łódź Kaliska.

### **35) Żabno**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Żabno station is located at the end of turnout no. 1 at km 15.766 and at the end of turnout no. 3 at km 16.150 of railway line No. 115 Tarnów - Szczucin.

### **36) Suwałki**

Contact point with railway infrastructure of other managers (PKP PLK S.A.) on Suwałki station is located for track no. 18 at the end of turnout no. 28 at km 98.711 of line No. 40 Sokółka - Suwałki.



**ATTACHMENT NO. 4**

APPLICATION	No.	Month	Year

- Route application (path request)  
 Entry/exit/from siding in Małaszewicze area  
 Shunting on track No. 14, 102a, 116, 136 and 138  
 Access to service facility objects

Simplified timetable      Annual timetable      Individual timetable      Correction

- Route**                      International                      Multi-network                      Single-network

CARGOTOR SP. z o.o. Dział Ruchu Kolejowego Ul. Parkowa 1 21-540 Małaszewicze	Received by:		Applicant:	
	CARGOTOR Sp. z o.o.		Name:	
	Date:		Address:	
	Time:			
Phone:	signature + stamp			Phone:
Fax:				Fax:
E-Mail:				E-Mail:

Description	REQUIRED	Data
Relation and route of train/railway vehicles	NO	
Type of carriage performed	NO	
Type and series of the motive power unit or technical data including traction characteristics of the motive power unit	YES	
Maximum train speed	NO	
Gross weight of train/ railway vehicles	YES	
Length of train/ railway vehicles	NO	
Running time from — to	YES	
Running on: days of week	NO	
Standing time on siding/station	NO	
Requested time of departure	NO	
Number of wagons	NO	
Agreed siding service plan	NO	
Shunting purpose	YES	
Place of shunting	YES	
Type of shunting vehicles	YES	

**Statement of the Applicant:**

- I hereby declare that the operation of trains will be entrusted to staff holding all necessary qualifications.
- I hereby declare that rolling stock meeting the conditions specified in regulations issued based on art. 20 of Act on Railway Transport will be used for execution of the passages.

**Signature of the applicant's representative**

First and last name		Date
Contact data	Phone:	
	Fax:	
	E-mail	
		Signature + stamp

**Information from a representative of CARGOTOR Sp. z o.o. :**

Application accepted for realization		Application rejected due to
Allocated departure time		
First and last name		First and last name
Signature + stamp		Signature + stamp
Date		Date

**ATTACHMENT NO. 5**

APPLICATION	No.	Month	Year

 Capacity request for railway vehicle stopover

CARGOTOR SP. z o.o. Dział Ruchu Kolejowego Ul. Parkowa 1 21-540 Małaszewicze	Received by:		Applicant:	
	CARGOTOR Sp. z o.o.		Name:	
	Date:		Address:	
	Time:			
Phone:	signature + stamp		Phone:	
Fax:			Fax:	
E-Mail:			E-Mail:	

Description	REQUIRED	Data
Standing place of railway vehicle set	YES	
Max. length of vehicle set	YES	
Standing duration of railway vehicle set (date and time)	YES	

**Signature of the applicant's representative**

First and last name			Date
Contact data	Phone:		Signature + stamp
	Fax:		
	E-mail		

**Information of the representative of CARGOTOR Sp. z o.o. :**

Application accepted for realization		Application rejected due to
Allocated departure time		
First and last name		First and last name
Signature + stamp		Signature + stamp
Date		Date



**Attachment No. 6**

**Information transferred in case of allocation of traffic capacity, in force within a framework of cooperation with other managers.**

- a) train timetable prepared by PKP PLK S.A., which shows date of entry to and exit from the railway infrastructure managed by CARGOTOR Sp. z o. o. covered by clause 12i) of the Regulations,
  - b) train/railway vehicle route and relation,
  - c) type and series of the traction vehicle or technical data including traction characteristics of the traction vehicle,
  - d) maximum train speed,
  - e) gross weight of train/railway vehicles,
  - f) length of train/railway vehicles
  - g) running dates: from – to,
  - h) running on: days of week,
  - i) the railway undertaking's name, business address, telephone number, fax number, e-mail address and website address, if any,
- except that the data in points (b) to (i) will be provided if they do not result from the timetable referred to in point (a).

**Attachment No. 7**
**List of service infrastructure facilities linked with the Manager's network, as well as their location in relation to railway lines.**

No.	Location	Name of OIU	OIU Operator	OIU Operator's website
1.	Małaszewicze transshipment area	Adampol S.A. Service Facility in Małaszewicze Małe	Adampol S.A.	<a href="http://www.adampolsa.com.pl/obiekt-infrastruktury-uslugowej-w-malaszewiczach/">http://www.adampolsa.com.pl/obiekt-infrastruktury-uslugowej-w-malaszewiczach/</a>
2.	Małaszewicze transshipment area	Railway petrol stations	PKP Energetyka S.A.	<a href="https://www.pkpenergetyka.pl/Ustawa-o-transporte-kolejowym/Obiekty-infrastrukturyuslugowej">https://www.pkpenergetyka.pl/Ustawa-o-transporte-kolejowym/Obiekty-infrastrukturyuslugowej</a>
3.	Małaszewicze transshipment area	Transshipment terminals in Małaszewicze transshipment area	PKP CARGO Centrum Logistyczne Małaszewicze Sp. z o.o.	<a href="http://www.clmalaszewicze.pl/dokumenty.html">http://www.clmalaszewicze.pl/dokumenty.html</a>

In performance of the obligation under art. 5 of the Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services (OJ L. 307, 23.11.2017, p. 1), CARGOTOR Sp. z o.o. informs that until the date of publication of the Network regulation it has not received from the operators of service facilities the information referred to in art. 5 para. 1 points a) and b).

**Attachment No. 7a**

List of railway station tracks							
Location	Track No.	Track length (m)	Activities	Hauling passage (YES/NO)	Line/ siding	Traction YES/NO	Classification
	6	1045*	Min. access		L906	YES	railway infrastructure
<b>Station</b>	<b>8</b>	<b>787</b>	Access to freight terminals and sidings	YES	L 906	YES	service facilities
<b>BÓR</b>	<b>10</b>	<b>754</b>	Marshalling /formation, stopover	YES	L 906	NO	service facilities
	<b>12</b>	<b>754</b>	Stopover	NO	L 906	NO	service facilities
	<b>10</b>	<b>1120*</b>	Min. access		L 906	YES	railway infrastructure
<b>Marshalling yard</b>	<b>12</b>	<b>831</b>	Access to freight terminals and sidings	YES	L 906	YES	service facilities
<b>CHOTYLÓW</b>	<b>14</b>	<b>752</b>	Access to freight terminals and sidings	YES	L 906	YES	service facilities
	<b>16</b>	<b>752</b>	Marshalling /formation, stopover	YES	L 906	YES	service facilities
	<b>1a</b>	<b>**</b>	Min. access	YES	L865	YES	railway infrastructure
	<b>2a</b>	<b>**</b>	Min. access	YES	L865	YES	railway infrastructure
	<b>3</b>	<b>949</b>	Access to freight terminals and sidings	NO	L865	YES	service facilities
<b>Station</b>	<b>4</b>	<b>797</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
<b>MAŁASZEWICZE</b>	<b>5</b>	<b>852</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>6</b>	<b>773</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>7</b>	<b>852</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>8</b>	<b>723</b>	Stopover	NO		YES	service facilities
	<b>9</b>	<b>855</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>10</b>	<b>654</b>	Stopover	NO		YES	service facilities
	<b>11</b>	<b>805</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>12</b>	<b>694</b>	Stopover	NO		YES	service facilities
	<b>13</b>	<b>849</b>	Stopover	NO		NO	service facilities
	<b>14</b>	<b>753</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>15</b>	<b>827</b>	Access to freight terminals and sidings	YES	L867	YES	service facilities
	<b>16</b>	<b>717</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>17</b>	<b>854</b>	Access to freight terminals and sidings	YES	L867	YES	service facilities
<b>Station</b>	<b>18</b>	<b>845</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
<b>MAŁASZEWICZE</b>	<b>19</b>	<b>854</b>	Access to freight terminals and sidings	YES	L867	YES	service facilities
	<b>20</b>	<b>722</b>	Access to freight terminals and sidings	YES	L865	YES	service facilities
	<b>21</b>	<b>827</b>	Access to freight terminals and sidings	YES	L867	YES	service facilities
	<b>22</b>	<b>719</b>	Stopover	NO		NO	service facilities
	<b>23</b>	<b>865</b>	Access to freight terminals and sidings	YES	L867	YES	service facilities
	<b>24</b>	<b>657</b>	Stopover	NO		NO	service facilities
	<b>25</b>	<b>659</b>	Marshalling /formation, stopover	YES	L867	YES	service facilities
	<b>26</b>	<b>701</b>	Stopover	NO		NO	service facilities
	<b>27</b>	<b>616</b>	Marshalling /formation, stopover	YES	L867	YES	service facilities
	<b>29</b>	<b>616</b>	Marshalling /formation, stopover	YES	L867	YES	service facilities
	<b>31</b>	<b>839</b>	Stopover	NO		YES	service facilities
	<b>32</b>	<b>934</b>	Marshalling /formation, stopover	YES	L866	YES	service facilities
	<b>33</b>	<b>910</b>	Marshalling /formation, stopover	YES	L866	YES	service facilities
	<b>34</b>	<b>895</b>	Marshalling /formation, stopover	YES	L866	YES	service facilities
	<b>35</b>	<b>882</b>	Marshalling /formation, stopover	YES	L866	YES	service facilities
	<b>41</b>	<b>840</b>	Marshalling /formation, stopover	YES	L866	YES	service facilities

Location	List of railway station tracks		Activities	Hauling passage (YES/NO)	Line/ siding	Traction YES/NO	Classification
	Track No.	Track length (m)					
	42	819	Marshalling /formation, stopover	YES	L866	YES	service facilities
	43	836	Marshalling /formation, stopover	YES	L866	YES	service facilities
	44	839	Marshalling /formation, stopover	YES	L866	YES	service facilities
	45	881	Marshalling /formation, stopover	YES	L866	YES	service facilities
	51	881	Marshalling /formation, stopover	YES	L866	YES	service facilities
	52	839	Marshalling /formation, stopover	YES	L866	YES	service facilities
	53	828	Marshalling /formation, stopover	YES	L866	YES	service facilities
	54	821	Marshalling /formation, stopover	YES	L866	YES	service facilities
	55	842	Marshalling /formation, stopover	YES	L866	YES	service facilities
<b>Station</b>	<b>60</b>	<b>793</b>	Access to freight terminals and sidings	NO	L866	NO	service facilities
<b>MALASZEWICZE</b>	<b>61</b>	<b>928</b>	Marshalling /formation, stopover	YES	L866	YES	service facilities
	62	974	Weighing, stopover	NO	L866	YES	service facilities
	63	1222	Access to freight terminals and sidings	NO	L866	YES	service facilities
	98	495	Access to freight terminals and sidings	NO	L866	NO	service facilities
	148	130	Access to freight terminals and sidings	NO		NO	service facilities
	30	255	Access to freight terminals and sidings			NO	service facilities
	14	786	Shunting	NO		YES	railway infrastructure
	102a	176	Shunting	NO		NO	railway infrastructure
	116	440	Shunting	NO		YES	railway infrastructure
	136	187	Shunting	NO		YES	railway infrastructure
	138	23	Shunting	NO		YES	railway infrastructure
	152	283	Access to freight terminals and sidings	NO	L866	YES	service facilities
	170	1392	Access to freight terminals and sidings	NO	L865	NO	service facilities
	902a	425	Access to freight terminals and sidings	NO		NO	service facilities
	902b	161	Access to freight terminals and sidings	NO		NO	service facilities
	1000	926	Access to freight terminals and sidings	NO		NO	service facilities

List of railway station tracks					
Location	Track No. (TUI)	Track length (m) (TUI)	Activities (TDS/TRK)	Hauling passage (yes/no) (TRK)	line /siding (TUI)
	1S		MIN. ACCESS	YES	LINE 450
	2W	276	MARSHALLING/FORMATION	NO	
<b>Kobylany</b>	4S	850	WEIGHING	NO	
	5S	820	ACCESS TO FREIGHT TERMINALS AND SIDINGS	NO	
	6S	944	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	8S	905	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	10S	938	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	10W	256	MARSHALLING/FORMATION	NO	
	12S	1000	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	12W	697	MARSHALLING/FORMATION	NO	
	14S	939	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	16S	901	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	18S	917	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	20S	1008	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	22S	980	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/ MARSHALLING	YES	LINE 450
	24S	985	STOPOVER	NO	
	400s	389	ACCESS TO FREIGHT TERMINALS AND SIDINGS	NO	LINE 450
	400as	47	ACCESS TO FREIGHT TERMINALS AND SIDINGS	NO	LINE 450
	430S	330	ACCESS TO FREIGHT TERMINALS AND SIDINGS	NO	
	431S	384	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	NO	
	442S	365	ACCESS TO FREIGHT TERMINALS AND SIDINGS	NO	
	2S	877	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	YES	LINE 450
	3S	893	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	YES	LINE 450
	7S	956	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	YES	LINE 450
	9S	852	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	YES	LINE 450
	11S	836	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	YES	LINE 450
	13S	927	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	YES	LINE 450
	436S	1031	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	NO	
	433S	310	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	NO	
	432S	468	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	NO	
	450S	181	STOPOVER	NO	
	451S	130	STOPOVER	NO	
	443S	468	ACCESS TO FREIGHT TERMINALS AND SIDINGS	NO	
	444S	1205	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	NO	
	445s	1070	ACCESS TO FREIGHT TERMINALS AND SIDINGS/ STOPOVER/	NO	

List of non-accessible tracks		
Location	Track No. (TUI)	Length of track (m) (TUI)
Małaszewicze	28	81
	30	346
	54	672
	55	665
	72	377
	74	385
	80	795
	82	377
	84	446
	86	679
	88	437
	100	863
	138	151
	140	109
	142	109
	144	28
	174	576
	175	43
	184	181
	216	337
	218	347
	220	308
	222	317
	224	233
	298	373
	299	202
	300	328
	302	328
	304	62
	415	376
174E	267	
54E	27	
55E	29	
86A	114	
Kobylany	446s	975
	540s	471
	541s	167
	542as	471
	542s	193
	543s	118

## Attachment No. 8

**List of services provided within the scope of service infrastructure managed by CARGOTOR Sp. z o.o. The scope of services provided within the service infrastructure in the Małaszewicze transshipment area includes:**

1.1. services in the framework of access to facilities related to train service:

1.1.1. use of tracks and formation / shunting equipment,

1.1.2. use of stabling tracks,

1.1.3. access to freight terminals and sidings.

1.2. additional services:

1.2.1. weighing of the wagon,

1.2.2. removal of contamination of tracks, ramps, yards,

1.2.3. removing damage to tracks, ramps, yards,

1.2.4. storage on the square, ramp, ground,

1.2.5. training of railway undertaking's employee in local conditions,

1.2.6. making available of the "Network Regulation 2020/2021" in paper form

1.2.7. making available of extracts from the regulations and other documents.

2. The scope of provided services within the service infrastructure which includes railway terminals (i.e., outside of the Małaszewicze transshipment area) includes:

2.1. services within the access to facilities related to train handling:

2.1.1. access to terminals up to 12 hours,

2.1.2. access to terminals exceeding 12 hours,

2.1.3. use of stabling tracks.

2.2. additional services:

2.2.1. weighing of the wagon (if a scale is available),

2.2.2. removal of contamination of tracks, ramps, yards.

2.2.3. removing damage to tracks, ramps, yards,

2.2.4. storage of goods on the square, ramp, ground,

2.2.5. training of railway undertaking's employee in local conditions,

2.2.6. making available of the "Network Regulation 2020/2021" in paper form,

2.2.7. making available of extracts from the regulations and other documents .

3. Other services provided to contractors performing activities not related to operating activities of CARGOTOR Sp. z o. o.:

3.1. Performing works on the premises of CARGOTOR Sp. z o. o.:

3.1.1. handing over the construction site,

3.1.2. supervision of the work carried out,

3.1.3. periodic occupation of the area of CARGOTOR Sp. z o. o.

3.2. Reconciliation of documentation:

3.2.1. reconciliation of documentation (conceptual, construction, executive),

3.2.2. industry assessment (confirmation of facts),

3.2.3. consent to conduct works according to previously agreed documentation,

3.2.4. coordination of documentation and acceptance to carry out works within the managed railway area,

3.2.5. coordination on the Regulations for the operation of railway sidings,

3.2.6. coordination on substantive changes to the Regulations for the operation of railway sidings,

3.2.7. coordination of track system layout,

3.2.8. issuing conditions of carriage of extraordinary consignments.



Attachment No. 9

Detailed data of technical access to service infrastructure facilities (outside of the Małaszewicze transshipment area).

1. Baby

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
8	cargo, siding, delivery and receiving	PRkpd 5	PR 21	849	UR 5	UR 21	817	48

2. Białystok Fabryczny

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
18	cargo, siding, delivery and receiving	PR 31	KO 18	566	UR 31	Z1(KO18)	540	31

3. Brzoza Bydgoska

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
5	cargo, siding, delivery and receiving	KR 7	KT 5	468	UR 7	Z1	440	25

4. Chociw Łaski

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
16	cargo, siding, delivery and receiving	KR 6	PR 10	310	UR 6	PR 10	293	17

5. Ciechanów

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
26	cargo, siding, delivery and receiving	PR 401	KO	575	U 401	Z1	531	31

## 6. Ełk

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
12	cargo, siding, delivery and receiving	PR 123	KO	220	UR 123	Z1	160	9
14	cargo, siding, delivery and receiving	PR 124	KO	318	UR 124	Z1	256	15

## 7. Giżycko

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
12	cargo, siding, delivery and receiving	PR 34	PR 18	462	PR 34	Km 0,417	310	18

## 8. Gomonice

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
7	<b>Name / purpose</b>	PR 6	PR 19	604	PR 6	PR 19	604	35
9	cargo, siding, delivery and receiving	PR 16	KR 17	391	UR 16	UR 17	358	21

## 9. Iława

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
304	sidetrack	PR 306	KT	386	U 306	Z 1	325	19
305	sidetrack	PR 306	KT	414	U 306	Z 1	353	20
306	cargo, siding, delivery and receiving	PR 305	KT	432	U 305	Z 1	389	22
307	cargo, siding, delivery and receiving	PR 305	KT	446	U 305	Z 1	403	23

## 10. Jasło

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
4	cargo, siding, delivery and receiving	PR 101	PR 12	200	UR 101	UR 12	106	6

### 11. Łomża

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
18	cargo, siding, delivery and receiving	PR 16	KO	615	UR 16	Z1	559	32

### 12. Nekla

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
3	cargo, siding, delivery and receiving	PR 6	PR 1	562	UR 6	UR 1	470	27
3a	rib	PR 1	KO	42	PR 1	Z1	32	1
5	cargo, siding, delivery and receiving	PR 6	PR 2	516	UR 5	UR 2	392	23
7	cargo, siding, delivery and receiving	PR 5	PR 3	415	UR 4	PR 3	324	19
7a	cargo, siding, delivery and receiving	PR 3	KO	96	UR 3	Z1	65	3
9	cargo, siding, delivery and receiving	PR 4	KO	235	Km 0,083	Z1	142	8

### 13. Nowy Sącz

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
9	cargo, siding, delivery and receiving	KR 10	KO	101	Tm 11	KO	80	4
11	cargo, siding, delivery and receiving	KR 10	KO	204	Tm 10	KO	180	10

### 14. Olecko

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
8	cargo, siding, delivery and receiving	PR 13	Km 0,197	197	Wk 3	Km 0,197	147	8

### 15. Ostaszewo Toruńskie

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	

3	cargo, siding, delivery and receiving	KR 1	KR 6	377	Wk 1	Wk 2	312	18
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#### 16. Ozorków

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
5	cargo, siding, delivery and receiving	KR 11	KR 21	289	UR 12	UR 21	195	11
7	cargo, siding, delivery and receiving	PR 13	KR 21	188	PR 13	UR 21	169	9
9	cargo, siding, delivery and receiving	KR 13	KO	72	UR 13	KO	60	3

#### 17. Pabianice

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
14	cargo, siding, delivery and receiving	KR 65	KO	222	UR 65	KO	200	11
16	cargo, siding, delivery and receiving	KR 65	KO	443	UR 68	KO	335	19

#### 18. Piotrków Trybunalski

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
56	cargo, siding, delivery and receiving	KR 107	KR 160	750	UR 107	UR 160	701	41
60	cargo, siding, delivery and receiving	KR 107	PR 116	145	UR 107	PR 116	120	7

#### 19. Poddębice

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
7	cargo, siding, delivery and receiving	KR 11	PR 12	168	UR 11	PR 12	154	9
27	cargo, siding, delivery and receiving	KR 12	KO	147	UR 12	KO	130	7

## 20. Rusiec Łódzki

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
5	cargo, siding, delivery and receiving	KR 7	KR 12	517	Wk2	UR 12	482	28
7	cargo, siding, delivery and receiving	KR 8	PR 11	415	UR 8	PR 11	392	23
27	cargo, siding, delivery and receiving	KR 11	KO	137	UR 11	KO	121	7

## 21. Rybnik

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
30	cargo, siding, delivery and receiving	PR 42	SR 101	419	Tm 23	Tm 51	306	18

## 22. Rzeszów Staroniwa

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
4	cargo, siding, delivery and receiving	PR 51	KO	522	Wk 10	Z1	447	26

## 23. Sanok

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
11	cargo, siding, delivery and receiving	PR 7	PR 14	409	PR 7	UR 14	375	22

## 24. Sitkówka Nowiny

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
38	cargo, siding, delivery and receiving	PR 87	PR 171	410	UR 87	UR 171	300	17

### 25. Sokółka

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
11	cargo, siding, delivery and receiving	PR 101	PR 103	679	UR 101	UR 103	585	34

### 26. Spytkowice

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
10	cargo, siding, delivery and receiving	KR101	KO	102	UR 101	KO	71	7
12	siding	KR 101	KO	103	UR 101	KO	71	7

### 27. Suwałki

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
18	cargo, siding, delivery and receiving	PR 28	KO	537	UR 28	Z1	481	28

### 28. Szepietowo

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
8	cargo, siding, delivery and receiving	SR 8	PR 16	792	railway crossing	Wk 3	676	39

### 29. Tarnów

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
14	cargo, siding, delivery and receiving	PR 52	PR 73	379	Tm 28	UR 73	291	17
26	cargo, siding, delivery and receiving	PR 73	KO	408	UR 73	Z1	362	21
28	cargo, siding, delivery and receiving	PR 94	KO	444	Km-0,370	Z1	370	21

### 30. Targowiska

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
4	cargo, siding, delivery and	KR 4	KR 5	302	UR 4	UR 5	258	15

	receiving							
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### 31. Terespol Pomorski

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
5	cargo, siding, delivery and receiving	PR 21	Z1	405	UR 21	Z1	349	20
7	cargo, siding, delivery and receiving	PR 21	Z1	78	UR 21	Z1	34	2

### 32. Tomaszów Mazowiecki

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
7	cargo, siding, delivery and receiving	PR 33	KR 52	308	PR 33	UR 52	295	17
7a	cargo, siding, delivery and receiving	KR 33	KO	74	UR 33	KO	57	3

### 33. Warszawa Białołęka

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
197	cargo, siding, delivery and receiving	PR 90	KO	170	UR 90	Z1	115	7
198	cargo, siding, delivery and receiving	PR 89	KO	597	UR 89	Z1	539	31

### 34. Zduńska Wola

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
51	cargo, siding, delivery and receiving	KR 57	KO	220	UR 57	KO	205	12
52	cargo, siding, delivery and receiving	KR 58	KO	178	UR 58	KO	156	9

### 35. Zgierz

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
11a	cargo, siding, delivery and receiving	KR 25	KO	265	UR 25	KO	228	13

11	cargo, siding, delivery and receiving	KR 25	KO	252	UR 25	KO	242	14
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### 36. Żabno

Track No.	Name / purpose	Length of track						Capacity - no. of 4-axle wagons
		general			usable			
		from	to	[m]	from	to	[m]	
2	cargo, siding, delivery and receiving	PR 1	PR 3	382	Wk 1	PR 3	322	18
2a	cargo, siding, delivery and receiving	PR 3	KO	80	UR 3	Z1	25	1





## PRICE LIST

**Rates for minimum access to railway infrastructure  
managed by CARGOTOR Sp. z o.o. located on 1435  
mm wide tracks for timetable 2020/2021**

Warsaw 2020

## Introduction

This price list contains unit rates of charges for min. access to railway infrastructure managed by CARGOTOR Sp. z. o.o. (hereinafter referred to as the "Cargotor" or "Manager").

1. The price list is valid from 12 December 2020.
2. Basic services which are provided to railway undertakings:
  - Min. access to railway infrastructure including:
    - a. handling of Capacity requests,
    - b. right to use the allocated railway infrastructure,
    - c. use of turnouts and junctions to the extent necessary for the train to pass on the allocated route or to perform shunting movements,
    - d. directing traffic within the allocated capacity and providing information on train movements,
    - e. providing information required to implement or operate the service, for which railway infrastructure capacity has been allocated,
    - f. making overhead contact line equipment available, if available.
3. The basic charge for minimum access to railway infrastructure shall be set as the product of train-km realized and the rate for a given category of railway line, type of train and total gross train weight as specified in the allocated train route.
4. The shunting charge for minimum access to railway infrastructure is determined as a product of realized train - kilometres and the rate appropriate for a given category of railway line, type of train defined in allocated train route and average gross train weight defined by the Manager.
5. The Manager charges a reservation fee for capacity ordered and allocated but not used by the railway undertaking.
6. The reservation charge is calculated based on value of the basic charge for the planned train passage and a coefficient depending on the date of cancellation of the allocated route.
7. VAT will be added to the fees included in the price list according to the applicable regulations.
8. The Manager shall define the maximum time for which railway vehicles may be parked within the minimum access to the railway infrastructure for 2 hours. When the railway vehicles are at stopover during this time, no charge shall be levied for the allocated capacity for the purpose of parking the railway vehicles.

## Małaszewicze Transshipment Center area

### Minimum access

#### Basic charge for min. access to railway infrastructure

The unit rates of the basic charge for minimum access to the railway infrastructure located on 1435 mm gauge tracks are valid only for freight trains and apply to the following elements of the railway infrastructure:

- line No. 865 Magdalenka - Małaszewicze Centralne (MsC) of 6 064 m length (two tracks of 3 032 m length each),
- line No. 866 Magdalenka - Małaszewicze Rozrządowa (MsR) of 1 427 m length,
- line No. 867 Małaszewicze Centralne (MsC) - Małaszewicze (MsE) of 1 198 m length,
- line No. 906 Chotyłów - Mętraki of 5 697 m length,
- access tracks to other entities' service infrastructure facilities, of 523 m length.

The unit rates of the basic charge for minimum access to railway infrastructure for trains are shown in the table below:

	Formula to calculate the unit rate [PLN/pockm]
Basic charge using overhead contact line equipment	$8,4560 + 19,5038 \times \frac{M}{1000}$
Basic charge without using overhead contact line equipment	$7,9111 + 19,5038 \times \frac{M}{1000}$

where:

M – a distributed total gross weight of the train including the weight of active locomotives and the weight of the train composition planned for the allocated train route.

Shunting fee for min. access to railway infrastructure

Shunting fee unit rates for min. access to railway infrastructure located on the 1435 mm gauge track are valid for freight trains only and apply on the following elements of railway infrastructure:

- track No. 14 Małaszewicze (MsB) - Małaszewicze Rozrządowa (MsR) of 752 m length,
- track No. 102a Małaszewicze (MsB) - Małaszewicze Centralne (MsC) of 176 m length,
- track No. 116 Małaszewicze (MsB)- Małaszewicze Centralne (MsC) of 440 m length,
- track No. 136 Małaszewicze (MsB) - Małaszewicze Centralne (MsC) of 187 m length,
- track No. 138 Małaszewicze (MsB) - Małaszewicze Rozrządowa (MsR) of 23 m length.

The unit rates of the shunting charge for minimum access to railway infrastructure for trains are shown in the below table:

	<b>Unit rate</b>
Shunting fee with use of overhead contact line	<i>6.78 PLN / pockm</i>
Shunting fee without use of overhead contact line	<i>5.86 PLN / pockm</i>

### **Reservation fee**

The infrastructure manager charges a reservation fee for the requested and allocated capacity which has not been used by the railway undertaking at the amount specified in clauses 2.2.1 and 2.2.2.

The reservation fee referred to in the points below shall not be charged in case of:

1. failure to complete the passage for reasons attributable to CARGOTOR Sp. z o.o. or in case of an emergency situation,
2. the Railway Undertaking applied to the President of UTK for issuing a decision on the use of capacity in the scope specified in art. 33 para. 3 of the Act on Railway Transport.

## Fees charged to the applicant

The Manager charges fees to the applicant as specified below:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	The applicant has not used the allocated capacity and/or has not designated a railway undertaking which is to use the allocated capacity, or the railway undertaking designated by the applicant has not concluded an agreement with the Manager to use the capacity	100% (no less than 1000 PLN)

## Fees charged to the railway undertaking

The Manager charges the railway undertaking the fees set out in table below:

- a) In case where, for reasons attributable to the carrier, all or part of an allocated train route in the annual timetable is not used, the reservation fee for the unused section of the allocated train route shall be as follows:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	<ul style="list-style-type: none"> <li>failure to submit a resignation of allocated train route</li> <li>resignation for the period from the date of submitting the resignation to the day preceding the implementation of the train timetable change, for which the deadline for submitting applications has not yet expired</li> </ul>	25%
2	In case of submission of cancellation of the allocated train route for the period from the date of implementation of train timetable change, for which the deadline for submission of applications has not yet expired, until the end of the annual train timetable period	5%

- b) In case where, for reasons attributable to the railway undertaking, all or part of an allocated train route in a mode other than that adopted for the annual timetable, the reservation fee for the unused section of the allocated train route shall be as follows:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	Failure to resign from an allocated route or to submit it less than 12 hours before the train is scheduled to run	25%
2	Submission of resignation from an allocated route within a period of no less than 12 hours and less than 36 hours before the train is scheduled to run	20%

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
3	Submission of resignation from an allocated route within a period of no less than 36 hours and less than 72 hours before the train is scheduled to run	15%
4	Submission of resignation from an allocated route within a period of no less than 72 hours and less than 30 days before the train is scheduled to run	10%
5	Submission of resignation for the allocated route more than 30 days before the train is scheduled to run, excluding passages based on an individual timetable	1%



## PRICE LIST

**rates for service infrastructure facilities managed by  
CARGOTOR Sp. z o.o. located on 1435 mm gauge  
tracks for timetable 2020/2021**

Warsaw 2020

## Introduction

This price list contains unit rates of charges for min. access to service infrastructure facilities managed by CARGOTOR Sp. z. o.o. (hereinafter referred to as the "Cargotor" or "Manager").

1. This price list is valid from 12 December 2020.
2. Services provided within the access to service infrastructure facilities in the Małaszewicze region:
  - a. use of tracks and equipment for forming/marshalling trains,
  - b. use of siding tracks,
  - c. access to freight terminals and side-tracks.
3. Services within the framework of access to service infrastructure facilities at dispatching points - Freight Terminals:
  - a. access to freight terminals up to 12 hours,
  - b. access to freight terminals for more than 12 hours,
  - c. access to freight terminals – Stopover.
4. Additional services:
  - a. weighing of the wagon,
  - b. removing contamination of tracks, ramps, yards,
  - c. removal of damage to tracks, ramps, yards,
  - d. storage on yard, ramp, ground,
  - e. training of railway undertaking's employee on local conditions,
  - f. making the Regulations available in paper form,
  - g. providing extracts from the Regulations and other documents,
  - h. access to devices,
  - i. issuing conditions of transport for an extraordinary shipment, referred to in § 5 section 4 item 1 - Instruction TR – 07,
  - j. issuing conditions of transport for an extraordinary shipment, referred to in § 5 section 4 item 2 - Instruction TR – 07,
  - k. issuing of crossing conditions for rolling stock requiring operational restrictions and directed for repair.
5. VAT will be added to the fees included in the price list according to the applicable regulations.
6. For entry to the Service Infrastructure Facility without prior submitting an application for access to the Duty Coordinator, an additional fee of PLN 6 500.00 net for each commenced day will be charged. Pursuant to clause 22.4.



7. The Manager shall levy the charges on the railway undertaking as set out in the table below:

- a) If for reasons directly attributable to the carrier, the carrier fails to use allocated capacity under the booking procedure, the reservation charge for the capacity remaining unused shall be:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	Failure to resign from an allocated route or to submit it less than 12 hours before the train is scheduled to run	25% (proposal - 100%)
2	Submission of resignation from an allocated route within a period of no less than 12 hours and less than 36 hours before the train is scheduled to run	20%
3	Submission of resignation from an allocated route within a period of no less than 36 hours and less than 72 hours before the train is scheduled to run	15%
4	Submission of resignation from an allocated route within a period of no less than 72 hours and less than 30 days before the train is scheduled to run	10%
5	Submission of resignation for the allocated route more than 30 days before the train is scheduled to run, excluding passages based on an individual timetable	1%

## Małaszewicze Transshipment Centre area - Access to service infrastructure facilities.

Unit rates of basic charge for access to facilities related to train operation valid for remaining elements of the railway infrastructure are shown in the table below:

No.	Name of service	Unit rate	Comment
1	Access to service facilities to form or dismantle a train	21.74 PLN / wagon	<p>The charge for dismantling a trainset shall be calculated based on the instruction submitted by the carrier for dismantling a trainset on at least two tracks. The number of wagons to be taken out of the track on which the train is located shall be accepted for settlement, provided it is indicated in the instruction submitted by the carrier. If the number of wagons to be pulled out for dismantling is not indicated, the fee shall be charged for the number of wagons on the train.</p> <p>The charge for forming a trainset shall be calculated based on the instruction submitted by the carrier for forming a trainset from wagons on at least two tracks. The number of wagons in the set-up shall be accepted for settlement.</p>
2	Use of sidings	5.20 PLN / (h / track)	The fee is calculated from the moment the track is occupied until it is released.
3	Access to freight terminals and sidetracks	55.85 PLN / entry or departure of one, not connected wagon or locomotive	The fee will be charged separately for entry and separately for leaving of one not connected wagon or locomotive in one relation (no return)

The Manager shall levy the charges on the railway undertaking as set out in the table below:

- a) In case of not using by railway undertaking, due to its fault, the whole or a part of allocated train route in a mode different than annual timetable, reservation charge for unused section of allocated train route shall be:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	Failure to resign from an allocated route or to submit it less than 12 hours before the train is scheduled to run	25%
2	Submission of resignation from an allocated route within a period of no less than 12 hours and less than 36 hours before the train is scheduled to run	20%
3	Submission of resignation from an allocated route within a period of no less than 36 hours and less than 72 hours before the train is scheduled to run	15%
4	Submission of resignation from an allocated route within a period of no less than 72 hours and less than 30 days before the train is scheduled to run	10%
5	Submission of resignation for the allocated route more than 30 days before the train is scheduled to run, excluding passages based on an individual timetable	1%

### Rates for access to service facilities: Freight terminals.

Unit rates of basic charge for access to facilities related to train operation are valid on service infrastructure facilities on freight terminals located in Poland.

Unit rates of basic charge for access to facilities related to train operation shall apply to other elements of the railway infrastructure.

No.	Name of service	Unit rate	Comment
1	Access to freight terminals up to 12 hours	4.48 PLN/locomotive or wagon/h	The service concerns entry for transshipment purposes. The fee concerns: locomotive per hour or wagon per hour
2	Access to freight terminals exceeding 12 hours	13.43 PLN/locomotive or wagon/h	The service concerns entry for transshipment purposes. The fee concerns: locomotive per hour or wagon per hour
3	Access to freight terminals up to 12 h and exceeding 12 h - stopover	5.20 PLN/locomotive or wagon/h	The service applies to entry for stopover purposes only. The fee applies to locomotive per hour or wagon per hour.

The Manager shall levy the charges on the railway undertaking as set out in the table below:

In case the carrier fails to use the booked capacity for reasons directly attributable to the carrier, the booking fee for the unused period shall be:

No.	Condition for charging a fee	Rate [% of transshipment charge according to price list].
1	Failure to resign from an allocated route or to submit it less than 24 hours before the train is scheduled to run	100%
2	Submission of resignation from an allocated route within a period of no less than 24 hours and less than 48 hours before the train is scheduled to run	30%
3	Submission of resignation from an allocated route within a period of no less than 48 hours and less than 72 hours before the train is scheduled to run	15%
4	Submission of resignation from an allocated route within a period of no less than 72 hours before the train is scheduled to run	1%

## Additional services

The unit rates for additional charges are set out in the table below:

No.	Name of service	Unit rate	Comment
1	Weighing of wagon	43.37 PLN / wagon	The fee is calculated based on the printout given to the Carrier
2	Removal of contamination of tracks, ramps, yards	As per separate calculation	Charge based on the extent and type of pollution
3	Removing damage to tracks, ramps, yards	As per separate calculation	Charge based on the extent and type of damages
4	Storage on yard, ramp, ground	As per separate calculation	The fee depends on the agreed period, place, and size of the stored material
5	Training of the carrier's employees directly related to train traffic operation referred to in clause 10.1.3 of the Regulations to familiarize them with local conditions and Technical Regulations of traffic posts being in force at CARGOTOR Sp. z o.o.	89.46 PLN/h	The fee depends on the agreed time, place, and size of the group to be trained

No.	Name of service	Unit rate	Comment
6	Providing the "Regulations for granting access to railway infrastructure and allocation of train routes as well as use of train routes allocated to railway undertakings on infrastructure managed by CARGOTOR Sp. z o.o. for 2020/2021, in paper form	142.90 PLN /pcs	Fee for publishing in paper form
7	Provision of extracts from the regulations and other documents	1.86 PLN / page	Preparation and transfer printout documents
8	Assistance in operating a train with exceeded gauge	As per separate calculation	Fee depending on agreed time, route, and size of train set
8.1	Issuing conditions of transport for an extraordinary shipment, referred to in § 5 section 4 item 1 – Instruction TR - 07	160.00 PLN	Applies to one document issued /consent for the carriage of an extraordinary consignment/
8.2	Issuing conditions of transport for an extraordinary shipment, referred to in § 5 section 4 item 2 – Instruction TR - 07	80.00 PLN	Applies to one document issued /consent for the carriage of an extraordinary consignment/
8.3	Issuing passing conditions for rolling stock, requiring operational restrictions, being sent for repair.	80.00 PLN	Applies to one document issued /consent for the carriage of an extraordinary consignment/

## PRICE LIST

**access rates to service facilities and minimum access to railway infrastructure managed by CARGOTOR Sp. z o.o. located on 1520 mm wide tracks for timetable 2020/2021**

Warsaw 2020

## Introduction

This price list contains unit rates of charges for min. access to railway infrastructure managed by CARGOTOR Sp. z o.o. (hereinafter referred to as the "Cargotor" or "Manager").

1. The price list is valid from 12 December 2020.
2. Basic services which are provided to railway undertakings:
  - 2.1 Minimum access to railway infrastructure covering:
    - a. handling of Capacity requests,
    - b. right to use the allocated railway infrastructure,
    - c. use of turnouts and junctions to the extent necessary for the train to pass on the allocated route or to perform shunting movements,
    - d. directing traffic within the allocated capacity and providing information on train movements,
    - e. providing information required to implement or operate the service, for which railway infrastructure capacity has been allocated,
    - f. making overhead contact line equipment available, if available.
  3. Services within the access to service infrastructure facilities in the Małaszewicze area:
    - a. use of tracks and equipment for forming/marshalling trains,
    - b. use of siding tracks,
    - c. access to freight terminals and side-tracks.
  - 3.1 Additional services:
    - g. weighing of the wagon,
    - h. removing contamination of tracks, ramps, yards,
    - i. removal of damage to tracks, ramps, yards,
    - j. storage on yard, ramp, ground,
    - k. training of railway undertaking's employee on local conditions,
    - l. making the Regulations available in paper form,
    - m. providing extracts from the regulations and other documents.
4. The basic charge for minimum access to railway infrastructure shall be set as the product of train-km realized and the rate for a given category of railway line, type of train and total gross train weight as specified in the allocated train route.
5. The Manager charges a reservation fee for capacity ordered and allocated but not used by the railway undertaking.

6. The reservation charge is calculated based on value of the basic charge for the planned train passage and a coefficient depending on the date of cancellation of the allocated route.
7. VAT will be added to the fees included in the price list according to the applicable regulations.

## Małaszewicze Transshipment Center area

### Minimum access

#### Basic charge for min. access to railway infrastructure

The unit rates of the basic charge for min. access to the railway infrastructure located on 1520 mm gauge tracks are valid only for freight trains and apply to the following elements of the railway infrastructure:

- connecting tracks with line No. 60 (PKP Polskie Linie Kolejowe S.A.) in Kobylany, of 750 m length,
- line No. 450 Kobylany-Wólka-Kobylany, of 28 515 m length.

The unit rates of the basic charge for minimum access to railway infrastructure for trains are shown in the table below:

	Formula to calculate the unit rate [PLN/pockm]
Basic charge	$8,5206 + 23,1324 \times \frac{M}{1000}$

where:

M – a distributed total gross weight of the train including the weight of active locomotives and the weight of the train composition planned for the allocated train route.

### Reservation fee

The infrastructure manager charges a reservation fee for the requested and allocated capacity which has not been used by the railway undertaking at the amount specified in clauses 2.2.1 and 2.2.2.

The reservation fee referred to in the points below shall not be charged in case of:

1. failure to complete the passage for reasons attributable to CARGOTOR Sp. z o.o. or in case of an emergency situation,
2. the Railway Undertaking applied to the President of UTK for issuing a decision on the use of capacity in the scope specified in art. 33 para. 3 of the Act on Railway Transport.



## Fees charged to the applicant

The Manager charges fees to the applicant as specified below:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	The applicant has not used the allocated capacity and/or has not designated a railway undertaking which is to use the allocated capacity, or the railway undertaking designated by the applicant has not concluded an agreement with the Manager to use the capacity	100% (no less than 1000 PLN)

## Fees charged to the railway undertaking

The Manager charges the railway undertaking the fees set out in table below:

- c) In case where, for reasons attributable to the railway undertaking, all, or part of an allocated train route in the annual timetable is not used, the reservation fee for the unused section of the allocated train route shall be as follows:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	<ul style="list-style-type: none"> <li>failure to submit a resignation of allocated train route</li> <li>resignation for the period from the date of submitting the resignation to the day preceding the implementation of the train timetable change, for which the deadline for submitting applications has not yet expired</li> </ul>	25%
2	In case of submission of cancellation of the allocated train route for the period from the date of implementation of train timetable change, for which the deadline for submission of applications has not yet expired, until the end of the annual train timetable period	5%

- d) In case where, for reasons attributable to the railway undertaking, all, or part of an allocated train route in a mode other than that adopted for the annual timetable, the reservation fee for the unused section of the allocated train route shall be as follows:

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
1	Failure to resign from an allocated route or to submit it less than 12 hours before the train is scheduled to run	25%
2	Submission of resignation from an allocated route within a period of no less than 12 hours and less than 36 hours before the train is	20%

No.	Condition for charging a fee	Rate [% of basic charge for the train's scheduled passage]
	scheduled to run	
3	Submission of resignation from an allocated route within a period of no less than 36 hours and less than 72 hours before the train is scheduled to run	15%
4	Submission of resignation from an allocated route within a period of no less than 72 hours and less than 30 days before the train is scheduled to run	10%
5	Submission of resignation for the allocated route more than 30 days before the train is scheduled to run, excluding passages based on an individual timetable	1%

## Access to service facilities on 1520 mm track gauge infrastructure

Unit rates of basic charge for access to facilities related to train operation valid for remaining elements of the railway infrastructure are shown in the table below:

No.	Name of service	Unit rate	Comment
1	Access to service facilities to form or dismantle a train	21.74 PLN / wagon	<p>The charge for dismantling a trainset shall be calculated based on the instruction submitted by the carrier for dismantling a trainset on at least two tracks. The number of wagons to be taken out of the track on which the train is located shall be accepted for settlement, provided it is indicated in the instruction submitted by the carrier. If the number of wagons to be pulled out for dismantling is not indicated, the fee shall be charged for the number of wagons on the train.</p> <p>The charge for forming a trainset shall be calculated based on the instruction submitted by the carrier for forming a trainset from wagons on at least two tracks. The number of wagons in the set-up shall be accepted for settlement.</p>
2	Use of sidings	5.20 PLN / (h / track)	The fee is calculated from the moment the track is occupied until it is released.
3	Access to freight terminals and sidetracks	55.85 PLN / entry or departure of one, not connected wagon or locomotive	The fee will be charged separately for entry and separately for leaving of one not connected wagon or locomotive in one relation (no return)

## Additional services

The unit rates for additional charges are set out in the table below:

No.	Name of service	Unit rate	Comment
1	Weighing of wagon	43.37 PLN / wagon	The fee is calculated based on the printout given to the Carrier
2	Removal of contamination of tracks, ramps, yards	As per separate calculation	Charge based on the extent and type of pollution
3	Removing damage to tracks, ramps, yards	As per separate calculation	Charge based on the extent and type of damages
4	Storage on yard, ramp, ground	As per separate calculation	The fee depends on the agreed period, place, and size of the stored material
5	Training of the carrier's employees directly related to train traffic operation referred to in clause 10.1.3 of the Regulations to familiarize them with local conditions and Technical Regulations of traffic posts being in force at CARGOTOR Sp. z o.o.	89.46 PLN/h	The fee depends on the agreed time, place, and size of the group to be trained
6	Providing the "Regulations for granting access to railway infrastructure and allocation of train routes as well as use of train routes allocated to railway undertakings on infrastructure managed by CARGOTOR Sp. z o.o. for 2020/2021, in paper form	142.90 PLN /pcs	Fee for publishing in paper form
7	Provision of extracts from the regulations and other documents	1.86 PLN / page	Preparation and transfer printout documents
8	Assistance in operating a train with exceeded gauge	As per separate calculation	Fee depending on agreed time, route, and size of train set
8.1	Issuing conditions of transport for an extraordinary shipment, referred to in § 5 section 4 item 1 – Instruction TR - 07	160.00 PLN	Applies to one document issued /consent for the carriage of an extraordinary consignment/

No.	Name of service	Unit rate	Comment
8.2	Issuing conditions of transport for an extraordinary shipment, referred to in § 5 section 4 item 2 – Instruction TR - 07	80.00 PLN	Applies to one document issued /consent for the carriage of an extraordinary consignment/
8.3	Issuing passing conditions for rolling stock, requiring operational restrictions, being sent for repair.	80.00 PLN	Applies to one document issued /consent for the carriage of an extraordinary consignment/

## Attachment No. 11

List of railway tracks (shunting) made available to applicants in Małaszewicze transshipment area along with their characteristics. Tracks are an element of another railway road within the meaning of Annex 1 to the Act.

Track No.	Name	Name of starting point	Starting km / contact km before switch rail [relating to LK No. 2]	Name of end point	End km /end km related to LK No. 2	Diverging from line	General length [m]	Allowed technical speed (km/h) – acc. To Instruction TU-01	Permissible load	Class of railway track	Manager
14		RzP nr 62	0,000/ 198,811	sem. E14 <sup>m</sup>	0,752 (semaphore E14 <sup>m</sup> )	866	752	30	221 kN (22,5 ton)	5	CARGOTOR
136		RzP nr 262	0,000/ 200,318	Rail connector before sem. G <sup>m</sup>	0,187 (connector before sem. G <sup>m</sup> )	-	187				
102a		RzP nr 283	0,000/ 200,319	Rail connector before sem. J <sup>m</sup>	0,176 (Rail connector before sem. J <sup>m</sup> )	-	176				
116		RzP nr 27	0,000/ 200,556	Rail connector before sem. H <sup>m</sup>	0,440 (Rail connector before sem. H <sup>m</sup> )	-	440				
138		RzP nr 251	0,000/ 199,925	Rail connector before sem. F <sup>m</sup>	0,023 (Rail connector before sem. F <sup>m</sup> )	-	23				