

**From:** [Fundacja ProKolej](#)  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
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**Attachments:** [image002.jpg](#)

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Dear Sirs

According to the initially published proposal, the European Commission planned to introduce an exemption for aid in the form of compensation for discharging public service obligations in railway freight transport. However, this proposal is not included in the consulted TBER draft. In our opinion, there are freight transport services that are not profitable and can only be provided with public intervention, such as single wagonload traffic. Their operation may be, however, necessary to achieve the European Green Deal goals. For these reasons, we recommend adding a block exemption for the aid in the form of compensation for discharging public service obligations in railway freight transport.

Aid for the purchase of rolling stock should be available to all undertakings active in the transport market, not only to SMEs and newcomers to the railway transport market. The vast majority of railway services are provided by large undertakings. Limiting the aid exempted from notification only to new entrants may result in unjustified discrimination and negatively impact the implementation of the European Green Deal goals.

Under proposed article 16, concerning aid for interoperability, costs related to GSM-R are not eligible for support. TBER should also cover aid linked with the GSM-R implementation. We understand that a more modern system will replace GSM-R. The GSM-R implementation process is, however, still ongoing. Many railway vehicles in Poland need to be equipped with GSM-R. Without public support, this process will take longer and may negatively impact the railway's competitive position, threatening the shift of freight and passengers from road to rail. Therefore, aid for the GSM-R should also be covered by the TBER's proposal.



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