

The CNMC compels Adif and Adif AV to enhance the information they provide to companies on the available capacity for new routes

- It suggests bringing forward by at least three months the deadlines Adif and Adif AV use to allocate capacity on their network.
- They will have to disclose the criteria for prioritising requests from some companies over others when there is insufficient capacity.
- These measures are aimed at increasing transparency in the sector and making it more competitive with other modes of transport.

Madrid, 5 March 2024.- Adif and Adif AV inform railway companies of the annual capacity allocated for their routes only two months in advance of the start of the service schedule (the second Saturday of December). These deadlines prevent railway companies from further anticipating ticket sales, which puts trains at a disadvantage compared to buses and planes.

Schedule

In other European countries, the procedure ends three to three and a half months before the start of the service schedule. The European Commission has proposed in its draft [Regulation on Capacity](#) to bring forward the schedule by up to six months in all Member States.

In its resolution ([STP/DTSP/060/23](#)), the CNMC proposes to the Ministry of Transport and Sustainable Mobility to bring forward the deadlines in Spain to improve the competitiveness of the railway sector.

Criteria for prioritisation

The CNMC stipulates that Adif and Adif AV will be required to publish the criteria used to prioritise requests from companies when there is insufficient capacity. In addition, they will have to disclose further in advance the capacity allocated to each applicant.

Applicants will be able to assess, well in advance of the start of the service schedule, whether Adif and Adif AV have handled their requests in an objective and non-discriminatory manner and, if necessary, lodge a dispute with the CNMC.

Capacity estimates

The information on available capacity — published in the [Network Statement](#) and in Adif and Adif AV's capacity manuals — is not sufficient for companies to offer

new rail routes.

The CNMC will compel Adif and Adif AV to report periodically on their capacity estimates for the different sections of the network, integrating station capacity — initially, focusing on stations operating at full capacity.

They should do so in a processable format so that companies can add network sections and check the available capacity on the entire commercial route.

Efficient use of capacity

During the service schedule, Adif and Adif AV allow modifications to the allocated capacity at no cost — unless the reserved train path is cancelled less than 24 hours in advance. This flexibility is highly beneficial, but it must be ensured that other railway companies can take advantage of the capacity that ultimately remains unused.

Adif and Adif AV can establish an additional infrastructure charge for cancelling the capacity reservation. Activating this additional charge and designing it to increase as the scheduled train service date approaches would create incentives for the efficient use of capacity.

Related content:

- ([STP/DTSP/060/23](#))
- [Press release](#) (4/12/2023): The CNMC requires Adif and Adif Alta Velocidad to update the validity and content of their Rail Network Statements