

The CNMC analyses the Draft Regulation on Adif's and Adif AV's railway charges for 2024

- Railway charges are the fees that railway companies must pay to Adif and Adif Alta Velocidad (Adif High Speed) for using their infrastructures.
- These charges have been separated from the General State Budget since 2022, and this is the first time they will be approved by means of a regulation.
- Adif AV proposes to freeze the high-speed railway charges, but even so, the revenue will increase by more than 125 million compared to 2022.
- On the Madrid-Barcelona line, the proposed rebate of fees will need to be changed in order to achieve the objective of boosting rail traffic.

Madrid, 24 January 2024.— The CNMC has reviewed the Draft Regulation on the railway charges for 2024 proposed by Adif and Adif Alta Velocidad (AV) — the managers of the Spanish railway network —, which will require several modifications ([STP/DTSP/050/23](#)).

Railway charges are fees that passenger transport companies — Renfe, Ouigo, Iryo — and freight transport companies must pay to Adif and Adif AV for using their infrastructures (tracks, stations, etc.).

[Law 26/2022, of 19 December 2022](#) separated railway charges from the General State Budget Act and stipulated that they are to be approved by means of a regulation issued by the railway managers.

High-speed railway charges

Adif AV proposes to freeze them. According to the CNMC's analysis, the current railway charges do not exceed the expected direct costs. Nevertheless, the increase in traffic due to liberalisation will increase revenue by more than 125 million euros compared to 2022.

In addition, Adif AV proposes to reclassify certain variable gauge services (VL2) to high-speed international gauge services (VL1), such as the Madrid-Galicia line, which the CNMC considers reasonable.

In any case, the railway charges for all variable gauge services (VL2) should be revised because they produce a similar wear and tear on high-speed lines as VL1.

Adif AV will not be able to levy a surcharge to variable gauge services in the Southern corridor (Madrid-Cádiz/Huelva) since it has not justified that the market can bear it, as required by law.

Rebates in railway charges

When operators' traffic exceeds certain thresholds, discounts or rebates are applied to railway charges. The aim is to boost rail transport, so the target traffic must be realistic and increase in line with the planned traffic.

The CNMC has a negative assessment of the design of Adif AV's rebates because the effective discounts on charges are lower in 2024 than in 2023.

In the Madrid-Barcelona corridor, despite the increase of the maximum discount from 25% to 35%, the discount actually applied would be 21% in 2024, compared to 25% in 2023, contrary to what was announced by Adif AV when it began to draft the regulation.

Conventional network and facilities

The proposal is to freeze charges on the conventional network, but the CNMC warns that the costs of this network are substantially increased — by 100 million euros— while traffic remains constant. The direct costs of the conventional network are only 20% lower than those of the high-speed network.

Charges for railway service facilities (passenger stations, sidings, etc.) are also frozen. For station charges, actual costs are lower than expected. The CNMC warns Adif and Adif AV that they must ensure that the charge does not exceed the actual costs of provision plus a reasonable profit, as set out in the [Communication on cost orientation](#).

Related content:

- [STP/DTSP/050/23](#): Regulation on Adif's and Adif AV's railway charges for 2024
- [Press release](#) (25/03/2023): The CNMC submits to public consultation the criteria to supervise Adif's railway charges
- [COMMUNICATION/DTSP/001/22](#): Communication on the cost orientation of prices in railway service facilities