

PRESS RELEASE

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To mark the end of the mandate of its President, Bernard Roman, the Authority publishes the review "Six years of transport regulation (2016-2022) - From ARAFER to ART"

At the end of Bernard Roman's six-year presidency, the Transport Regulatory Authority (ART) publishes a review of its main actions and achievements over the period - the important decisions and opinions issued by the Authority, the regulatory advances enabled by its action, the key publications as part of the contribution to the public debate, as well as elements of the doctrine it has developed, for the six transport sectors that now fall under the ART's jurisdiction. This mandate thus constitutes a real "Act I" of economic regulation of transport, during which the Authority will have been keen to build an ever more effective regulation, at the service of users and mobility.

SIX YEARS OF ACTION FOR AN EVER MORE EFFICIENT REGULATION OF TRANSPORT, FOR THE BENEFIT OF ALL

In the six sectors entrusted to it by the legislator - railways, coach passenger road transport, highways under concession, the main airports, urban public transport in the Île-de-France region (RATP), as well as digital mobility data and services - the Authority has worked relentlessly to build ever more effective regulation to serve users and mobility.

Year after year, the Authority, guided by its values of independence, expertise, transparency and dialogue, has made major regulatory advances that have contributed in a concrete and decisive way to the smooth functioning of the transport sectors.

"While the Authority's competences have increased considerably in recent years, it is essential, in order to remain a strong and independent regulator, that it has the appropriate means of action as well as sufficient and sustainable human and financial resources," adds Bernard Roman, President of the Authority.

RAILWAY - THE AUTHORITY HAS FACILITATED THE ARRIVAL OF NEW OPERATORS ON THE NETWORK, CONTRIBUTING TO THE DEVELOPMENT OF RAIL TRAFFIC

In the railway sector, the Authority has actively contributed to the implementation of the required conditions to allow new operators to have access to the essential infrastructure of the railway system (network, stations, maintenance centres, etc.) in the same way as the incumbent operator, and thus participate in the development of traffic. More broadly, it has contributed to the smooth operation of the railway system in its technical, economic and financial dimensions. The opening up to competition has now become effective in 2021, with the arrival of the operator Trenitalia France on high-speed journeys in December and, as far as public service obligation (PSO) services are concerned, the award to Transdev of one of the two lots tendered by the Region Sud.

Among the notable advances made possible by the Authority's work in the railway sector are the improvements made by the infrastructure manager, SNCF Réseau, to the operational conditions of access, to the structure of charges - even if much remains to be done in this area - and the overhaul of its method of calculating the cost directly attributable to train operations on the railway network. The Authority also ensured that the incumbent operator, SNCF Voyageurs, set up separate accounts for competitive and non-competitive activities, as well as the development of a genuine regulated offer for train maintenance services.

However, Bernard Roman, President of the ART, warns that *"it is essential that the infrastructure manager continues its efforts and that a real industrial trajectory and a target vision for the network are defined as soon as possible, otherwise the network - and, more broadly, the entire railway system - will be dragged into a spiral of impoverishment"*.

COACH PASSENGER TRANSPORT - DUE TO CHEAPER JOURNEYS, THE OPENING OF THE MARKET HAS GENERATED GAINS FOR USERS ESTIMATED AT €109M PER YEAR, WHILE HAVING A POSITIVE IMPACT ON THE ENVIRONMENT

The regulator's work, opinions, decisions and studies have sought to provide the best possible support for the opening up of coach road passenger transport to non PSO services as of October 2015 - the provision of this type of service was previously only possible under agreements concluded by the public authorities.

In 2019, the "Macron" coaches enabled 10 million additional journeys, including 1.8 million that would otherwise not have been made. Above all, in addition to these new journeys, they have generated economic gains, estimated at €109 million per year, as well as environmental gains, due to the modal shift from private cars to coaches: 15,300 tonnes of CO2 emissions have been avoided, the equivalent of 400,000 Paris-Lille journeys by car.

HIGHWAYS - THE AUTHORITY'S ACTION HAS LED TO REDUCTIONS IN TOLL INCREASES OF ALMOST €300 MILLION AND FUEL PRICES OF €210 MILLION, TO THE BENEFIT OF USERS

In the highway concession sector, since 2016, the Authority has issued 15 opinions on amendments to concession contracts. By clarifying the concession grantor - the State - and encouraging it to improve negotiations with highway concession companies, the Authority has helped to reduce toll increases by nearly €300 million. Furthermore, by controlling the procedures for awarding contracts for the operation of service areas by highway concession companies, the regulator has contributed to the reduction of fuel prices, thus offering users a saving of €210 million.

AIRPORT CHARGES - THANKS TO THE REGULATOR, AIRLINES, IN A COMPETITIVE SITUATION, HAVE BEEN BETTER PROTECTED FROM THE EXCESSIVE EFFECTS OF THE AIRPORT OPERATORS' MONOPOLY SITUATION

Thanks to the Authority's action, airlines in a competitive situation are better protected from the excessive effects that the monopoly situation held by airport operators may have. One of the regulatory objectives pursued by the Authority in the airport sector, when it receives a request for approval of a tariff proposal, is to ensure that the evolution of the level of airport charges is moderate in order, in particular, to protect airlines from excessive tariff increases. Thus, by refusing excessive fee increases on six occasions, the Authority, supported by the Council of State, has allowed savings of nearly 43 million euros for the carriers.

In addition, the Authority has contributed to the establishment of a better regulatory framework, which has already led to two new missions being entrusted to it by the legislator, which the Authority took on without delay: determining the principles governing the rules for allocating the assets, income and expenses of the airports under its jurisdiction, and ensuring the economic and financial monitoring of the airports it regulates.

In this respect, according to Bernard Roman, President of the Transport Regulatory Authority: *"In the airport sector, the approximation of the regulatory framework in place with the one existing in the other sectors regulated by the Authority constitutes a line of progress the legislator could take into account to provide the sectoral regulator with all the powers necessary to carry out an efficient regulation, for the benefit of users and mobility"*.

URBAN PUBLIC TRANSPORT IN THE ÎLE-DE-FRANCE REGION - THE AUTHORITY'S ACTION IS ALREADY IN LINE WITH THE PROSPECT OF OPENING UP TO COMPETITION

In 2021, the Authority approved, for the first time, RATP's accounting separation rules and the remuneration trajectory for RATP as manager of the historical metro and RER infrastructure for the period 2021-2024. The Authority's action is in line with the prospect of opening up the Ile-de-France urban public transport sector to new players, which will take place as soon as the Greater Paris public transport network is brought into service and by 2039, in the case of the historic metro and RER services currently operated by RATP.

DIGITAL MOBILITY DATA AND SERVICES - THE WORK UNDERTAKEN BY THE AUTHORITY IN THE CONTEXT OF THIS NEW REGULATORY MISSION WILL PROMOTE THE DEVELOPMENT OF DIGITAL TRANSPORT SERVICES

The aim of opening up mobility data is to encourage the development of digital transport services, such as applications for directions, timetables, travel or other mobility services. As part of its new regulatory mission relating to digital mobility data and services, the Authority has already developed the tools, set up partnerships, organised hearings and consultations and carried out monitoring missions enabling it to prepare the concrete implementation of this regulation, in particular the carrying out of the first checks on data sets.

TOWARDS AN "ACT II" OF ECONOMIC REGULATION OF TRANSPORT

"While the Authority's action has reached a high level of maturity in its three main sectors of intervention - railways, highways and airports - I wanted, in this review, to be able to open up a few avenues of reflection on what could be an "Act II" of regulation, in which a regulator with extended and strengthened powers would implement ever more effective regulation at the service of users and mobility", concludes Bernard Roman, President of the ART.

For further details:

- [The review "Six years of transport regulation \(2016-2022\) - FROM ARAFER TO ART" \(in French\)](#)
- [The video on the review " Six years of transport regulation \(2016-2022\) - FROM ARAFER TO ART \(in French\)](#)

About the French Transport Regulatory Authority, ART

Since 2010, the French railway sector has had an independent authority to accompany its gradual opening to competition: the Autorité de régulation des activités ferroviaires (Araf). The law n°2015-990 of August 6, 2015 for growth, activity and equal economic opportunity extended the regulator's powers to road activities - coach transport and highways.

On October 15, 2015, Araf became the Autorité de régulation des activités ferroviaires et routières (Arafer), with the mission of contributing to the proper functioning of public service and competitive activities, for the benefit of rail and road transport customers.

Competent for the regulation of airport charges since 1 October 2019, Arafer became the Autorité de régulation des transports (ART) on that date. Lastly, the law n° 2019-1428 of 24 December 2019 on the orientation of mobility extended ART's powers and missions to include the opening of mobility and ticketing data, as well as the regulation of infrastructure manager activities and security activities carried out by RATP in the Île-de-France Région.

Its opinions and decisions are adopted by a college of five¹ independent members chosen for their economic, legal or technical skills in the field of digital services or transport, or for their expertise in competition matters.

It has been chaired since August 2016 by Bernard Roman.

¹ Law No. 2019-1428 of 24 December 2019 on the orientation of mobilities established a transformation of the governance of the ART's college, which will gradually become five permanent members (the two current temporary members will end their mandate and will not be replaced)