

1. Are any freight locomotive types missing from the appendix to the draft regulation text? This must concern types that meet the conditions in Article 5 of the draft regulation text, the preconditions from the ERTMS 2019 program decision and for which conversion is desired for rail freight transport in the Netherlands.

The most relevant (and TSI-compliant) corridor locomotive of today and the foreseeable future, the Siemens Vectron, is missing from the listed types in Art 5.1. The first Vectron was introduced in 2010 and authorized by ILT in Sep 2017 for use in the Netherlands, including BI2.3.0d.

Since Q3 2023, Vectrons have been produced with Baseline 3.4. Before that date, a limited number ran on BI2.3.0d like the BR189 / ES64F4 but has an expected commercial life outreaching that of the BR189 / F4 with 15+ years.

The upgrade to BL3.4 is a major upgrade that comes against significant costs. This has a major influence on the pricing to the extent it can be shared with the lessee. This modern, state-of-the-art loco type will become less competitive to others if not considered.

2. To what extent does the maximum subsidy per locomotive type cover 50% of the costs of the eligible activities?

In scope are upgrade costs, which consist of Equipment (ETCS incl ATB STM), replacement UDS displays, wheel sensors/odometry, GSMR modification, supplier works, ECS/RSC test runs, commissioning, re-authorization, transport, driver, downtime (works + re-authorization), project management (OEM).

Out of scope appear: ECMII engineer, ECMIV mechanic and driver training, ETCS Key management, GSMR sim cards, and new test equipment to perform maintenance and failure analysis. Furthermore, the impact of reduced availability/reliability and additional maintenance caused by e.g. (emergency) braking resulted from child diseases.

Upgrade costs are continuously rising, more steeply than indicated, due to increased labour/parts/energy and scope changes; since 2018, we have seen an 80-90% increase on various variants; a cap would further limit the compensation. We believe 20-25% of the costs would be covered, due limited scope / cap.

3. An obligation has been included in the draft regulation that locomotives are registered in the Netherlands on at least ten days per year in the first three calendar years after conversion (Article 10). How do you view the amount of “ten” in this obligation?

We understand that Dutch subsidy is connected to commercial activities in the Netherlands. With operators, such agreements can be made. As a lessor we have a limited/no influence on where our fleet is operated, therefore we do not agree with this position. The requirement did also not apply when the original prototyping project was initiated.

Background: Our fleet of predominantly Multisystem (MS) locomotives reflects the rail freight demand, which generally (est. 95%) supersede national boundaries. Our lease agreements include a maximum deployment area covering the countries the lessee can use to drive. As the ‘ten days’ fall outside of our area of influence, it does not have our preference. Please note that the resp. Locomotives are on lease for approximately 3+ years ahead in NL + various other countries.

I want to propose the following solution to RVO:

- 1) Make relevant lease agreements subject to an auditor statement on the grounds of covering deployment area NL, which will lie in the area of influence of the lessor.
- 2) Restrict exports outside the EU for three years.

Please note that MS locomotives are more costly than single-country-authorized vehicles. As a lessor, It is commercially relevant to deploy such locomotives over the entire range of its total authorized area (e.g., to operate a DE-AT-CH-IT-NL locomotive between NL and IT on the entire Rhine Alpine Corridor). Our lessees pay, in line with additional costs a surplus for additional deployment areas. It can, therefore, be assumed that all countries within the deployment area are utilized for that reason.

Few remarks:

- Please consider the following proposed exemption: Extensive downtime due to heavy maintenance due to an accident executed outside of the Netherlands.
- How to monitor this? Via ProRail? We do not have the technical capability or additional resources to monitor our entire fleet to guarantee a specific number of days.

4. Do the draft regulations include provisions with negative consequences for your business operations? Can you explain how these provisions negatively affect you?

The draft regulation does not appear to have negative repercussions for commercial activity.

5. Are there any contradictions, inaccuracies, or impossibilities in the arrangement?

N/A

6. Are there any other points that you would like to include in this consultation based on the draft regulations?

Art 5.2-3: We understand this arrangement will co-exist and potentially overlap with the CEF fixed unit contribution; please clarify in writing.