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EDELARAUDTEE AS

RAILWAY NETWORK STATEMENT

FOR THE TIMETABLING PERIOD

from 11 December 2022 to 9 December 2023

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GENERAL INFORMATION

Edelaraudtee Aktsiaselts (public limited company) is a railway infrastructure manager that manages the public railways. This railway network statement determines the procedure and conditions for granting use of the public railways managed by the company and the conditions for railway transport and railway infrastructure managers and possessors of railway vehicles proceeding from the requirements of the Railways Act.

The statement consolidates relevant data on the company's railway infrastructure, conditions for accessing it, and the procedure for applying for and distributing capacity for the timetabling period from 11 December 2022 to 9 December 2023.

The railway network statement is available electronically to all parties interested in the matter on the company's website www.edel.ee.

Applicants for railway infrastructure capacity for the purposes of Section 86 of the Railways Act shall be issued, at their request, the Edelaraudtee AS railway network statement in hard copy at the company's location: Kaare 25, Türi. The railway network statement shall be issued to the requester free of charge.

Edelaraudtee AS shall keep the railway network statement up to date and reserves the right to make corrections to it when necessary. The notice regarding changes in the railway network statement shall be published on the company's website at www.edel.ee and sent to all persons who as of the moment of the amendment have been issued the railway network statement in hard copy.

1. Technical indicators and conditions for accessing railway infrastructure

1.1. Volume of capacity to be distributed

1.1.1. The volume of the capacity to be distributed and the data constituting the basis for calculating the volume of capacity are set forth in Annex 1 to the railway network statement.

1.1.2. The volume of the capacity to be distributed in accordance with Annex 1 to the railway network statement is the largest possible total number of trains which may be allowed to pass through a railway segment between the station of origin and the station of destination during a 24-hour period (from 17:00 to

17:00), the basis for calculating which is the criteria listed in subsection § 84 (2) of the Railways Act.

1.1.3. The basis for calculating the average travel time is the allowed travel speeds established by Edelaraudtee AS.

1.2. General description of capacity to be allocated to distribution

1.2.1. The Edelaraudtee AS railway infrastructure constituting the basis for organizing railway traffic is the timetable compiled by Edelaraudtee AS once a year. The timetable conjoins the operations of all IM/RUs operating in the field of railway maintenance and railway transport.

1.2.2. The timetable determines all of the planned movements of trains and other railway vehicles, reflecting the capacity allocated to technological windows.

1.2.3. Edelaraudtee AS train traffic shall be controlled by a train dispatcher.

1.2.4. The safety of train traffic shall be ensured by integrated use of the following safety equipment:

semi-automatic lockout;

combined road block;

electrical centralization of switches and signals;

key dependency of switches and signals;

station lockout;

automatic signalling devices and automatic barrier arms at crossings.

1.2.5. There is a single-vehicle system between Lelle and Pärnu stations.

1.2.6. The employees responsible for train traffic safety shall proceed in their work from legal acts, the technical rules for use of railways and the procedures, operating rules, and annexes thereto, established by Edelaraudtee AS thereunder. The specific official duties as regards receiving, dispatching and allowing passage of trains, and other movements of rolling stock units in stations, are set forth in the station's technical organization document and employees' job descriptions.

- 1.2.7. The conditions for maintenance of Edelaraudtee AS railway infrastructure, organization of railway traffic and granting use to other persons shall be established in the Edelaraudtee AS operating rules.
- 1.2.8. The technical data for Edelaraudtee AS railway infrastructure are set out in Annex 2 to the railway network statement.
- 1.2.9. The technical capability of railway infrastructure to handle operations possible for transport undertakings is provided as a list by each station and stop in Annex 3.
- 1.2.10. The AS Eesti Raudtee railway infrastructure has a direct connection with Edelaraudtee AS railway infrastructure (boundary) at the Tallinn-Balti - Tallinn-Väike station segment (km 3+001) and in the segment between Liiva station and AS Eesti Raudtee Ülemiste station (km 5+536).

1.3. Technical description of railway network

- 1.3.1. Edelaraudtee AS is a possessor of the public railway network on the railway paths Tallinn-Väike-Lelle-Pärnu, Lelle-Türi-Viljandi and Liiva-Ülemiste, in a total of 222 km.

The main line of the Edelaraudtee AS paths is a railway with a width of 1520/1524 mm.

The superstructure of the main lines consists of the rails R65, R50, 49E1, 54E1 and 60E1 (on station tracks, R50 and R43) wood and reinforced concrete sleepers and crushed stone ballast.

The stations Tallinn-Väike, Liiva, Kiisa, Kohila, Rapla, Lelle, Tootsi and Pärnu are located on the Tallinn-Väike-Lelle-Pärnu railway path and Türi, Võhma and Viljandi stations are located on the Lelle-Türi-Viljandi railway path.

- 1.3.2. Communication between train crews and station operators as well as with train dispatchers takes place by way of train radio communication, the conditions for use of which are updated and specified in the agreement on use of railway infrastructure. For its train radio link, Edelaraudtee AS uses the TETRA standard-based operational network ESTER administered by the Ministry of the Interior.

For radio communication during shunting, analogue communications in simplex mode is used at frequency 161.0 MHz bandwidth of 12.5 kHz.

The procedural rules for use of radio communication are described in the operating rules and the company's corresponding manual.

1.4. Connection to railway infrastructure owned by third parties

- 1.4.1. The boundaries between railway infrastructures of Edelaraudtee AS and other railway infrastructure managers and the conditions for connection between railways are determined in agreements and/or statements determining boundaries.
- 1.4.2. The rules on organization of railway traffic between Edelaraudtee AS and other railway infrastructure managers and use of signalling and communication devices are governed by legal acts and agreements entered into between Edelaraudtee AS and other railway infrastructure managers or possessors of railway infrastructure.

1.5. Technological restrictions preventing use of capacity

- 1.5.1 Technological limitations reducing volume of capacity or preventing the use of capacity are speed limits established on a part of capacity, the time expended on acceleration and deceleration of trains, technological windows, and deviations in train traffic, et cetera.
- 1.5.2 Edelaraudtee AS has the right to perform large-scale railway maintenance repair works that restrict train traffic up to a 24-hour period. The timetable for works is specified by railway segment and coordinated with the Technical Regulatory Authority and with the IM/RU performing railway transport on the given railway segment.
- 1.5.3 If necessary, Edelaraudtee AS may, temporarily, and for up to one 24-hour period, close or significantly limit railway traffic on the railway infrastructure in the following cases:
 - 1.5.3.1 for performing railway maintenance work that exceeds the volume of technological windows;
 - 1.5.3.2 to eliminate a direct hazard to humans, property or the environment arising due to technical condition of railway infrastructure or railway vehicles;
 - 1.5.3.3 to eliminate an extraordinary obstruction to traffic caused by an incident affecting railway safety, traffic accident or natural disaster, sudden change in weather conditions or other circumstance;
 - 1.5.3.4 in other justified and unavoidable cases.
- 1.5.4 Railway traffic may be significantly limited or temporarily closed for periods longer than 24 hours in accordance with procedure established in Government of the Republic regulation no. 75 of 18 March 2004, "Procedure for significantly restricting railway traffic and temporarily closing a railway to traffic" (most recent amendment on 28 April 2016).

- 1.5.5 Railway transport undertakings must take into account, in planning their work, railway maintenance works preventing use of railway infrastructure during the railway maintenance work season, and changes in timetable arising therefrom.
- 1.5.6 Edelaraudtee AS shall compile, for the period of planned railway maintenance works, variant timetables pursuant to the timetabling guidelines and railway capacities.
- 1.5.7 Short-term traffic interruptions occasioned by short-term railway maintenance works and the train traffic procedure stemming therefrom shall be planned in the course of daily planning of train operations depending on the capacity in use on the railway segment.

1.6 Requirements for railway vehicles

- 1.6.1 The vehicles used on Edelaraudtee AS railway infrastructure and the locomotive crews and special vehicle operators must meet the requirements set forth in legal acts, the Edelaraudtee AS operating rules and other rules established by Edelaraudtee AS. Upon loading goods to be carried on railway vehicles, it is the obligation of the railway undertaking to follow, in addition to the abovementioned requirements, international requirements and rules (above all, requirements established in the SMGS, COTIF, and the European Union and CIS Railway Transport Council).
- 1.6.2 The railway vehicles used must conform to the requirements of the technical rules for use of the railways and be registered in the railway traffic register.
 - 1.6.2.1 the actual load on any axle of a railway vehicles must not exceed 28 tonnes, or 8 tonnes/metre as distributed load.
- 1.6.3 The norms for the weight and length of freight trains allowed on Edelaraudtee AS railway infrastructure are as follows:

Area	Locomotive series	Train weight in tonnes				Train length in wagon equivalent	
		Standard weight		Critical weight		A	B
		A	B	A	B		
Unpaired direction	Paired direction	Unpaired direction	Paired direction	Unpaired direction	Paired direction		
Tallinn-Liiva	TEM15	1000	1000	1300	1750		
	TšME-3	1200	1200	1500	2000	48**	48**
	TEM18	1200	1200	1500	2000		
	M- 62	1700	1700	1700	3000		
	2TE116	4400	4400	4400	6550		
	TEM TMH	2200	2200	2300	2300		
	DF7G-E	2500	2500	2800	2800		
	TEP 70	1700	1700	1700	3000		
	TEM7	3400	3400	3700	3700		
Ülemiste-Liiva	TEM15	1000	1000	1300	1750		
	TšME-3	1200	1200	1500	1500	48	48
	TEM18	1200	1200	1500	1500		
	M- 62	1700	1700	2300	2000		
	2TE116	4400	4400	4700	4700		
	TEM TMH	2200	2200	2300	2300		
	DF7G-E	2500	2500	2800	2800		
	TEP 70	1700	1700	2300	2000		

	TEM7	3400	3400	3700	3700		
Liiva-Lelle-Võhma/Pärnu	TEM15	1000	1000	1300*	1300	48***	48***
	TšME-3	1200	1200	1500*	1500		
	TEM18	1200	1200	1500	1500		
	M- 62	1700	1700	2300*	2000		
	2TE116	6200	6200	6550	6550		
	TEM TMH	2200	2200	2300	2300		
	DF7G-E	2500	2500	2800	2800		
	TEP 70	1700	1700	2300*	2000		
	TEM7	3400	3400	3700	3700		
Võhma-Viljandi	TEM15	600	600	600	600	48	48
	TšME-3	700	700	700	700		
	M- 62	1300	1300	1300	1300		
	2TE116	2400	2400	2700	2700		
	TEM TMH	1500	1500	1700	1700		
	DF7G-E	1800	1800	2300	2300		
	TEP 70	1300	1300	1300	1300		
	TEM7	1800	1800	2300	2300		

* without a stop in Kohila station. With a stop in Kohila station, only a standard-weight train can exit in the unpaired direction. Overladen wagons are to be left in Kohila station.

** without a stop in Tallinn-Väike station. With a stop in Tallinn- Väike station, the maximum allowed train length is 27.

*** with stop in Kohila station, train length 46. The longer train with a stop will be allowed through on the basis of traffic procedures for long trains.

1.6.4 Edelaraudtee AS railway infrastructure allows use for passenger transport of railway vehicles meeting the following requirements:

Train type	Railway vehicle indicators		
	Number of wagons	Weight (gross) t	Length in wagon equivalent (standard length of 1 wagon =14 m)
DR1A	2....6	128...312	3.56...10.68
DR1B	2....6	132...316	3.56...10.68
DR1BJ	2....3	132...178	3.56....5.34
Flirt DMU	2....4	122...175	3.25....5.31

2. Principles for determining railway infrastructure user fees

The user fee for Edelaraudtee AS railway infrastructure for primary services that ensure access and for supplementary services, supplementary fee for use of railway infrastructure, use of auxiliary access and ad hoc allocations of capacity is determined on the basis of Minister of Economic Affairs and Infrastructure regulation no. 51 of 19 August 2016, “Methodology for calculating railway infrastructure user fee (hereinafter user fee)” (hereinafter methodology) (RT I, 24.08.2016, 1).

Edelaraudtee AS shall prepare the business plan based on § 73 of the Railways Act. The business plan shall, among other things, include an investment and finance plan, considering the operational programme approved by the Government of the Republic and allowing applicants for capacity to access the relevant information and enabling them to express their opinion regarding the business plan in regard to access to infrastructure, conditions for its use, and the nature, availability and development of the infrastructure.

2.1. Calculation of railway infrastructure costs

2.1.1. Edelaraudtee AS shall set out principles on the basis of which the expenses related to primary, supplementary and auxiliary services are distinguished from each other, and the principles shall be updated as needed in accordance with best practical knowledge and international practices.

2.1.2. Before establishing the user fee, the Consumer Protection and Technical Regulatory Authority shall assess the expenses of the railway infrastructure manager for each timetabling period separately based on the data from their annual report prior to the timetabling period and update the expense data underlying the user fee on the basis of

price indices published by Statistics Estonia defining inflation level for the following financial year.

- 2.1.3. The user fee shall be established on the same principle for the entire railway infrastructure manager's railway network and this must ensure the undiscriminating use by all users of the railway infrastructure capacity.
- 2.1.4. The railway infrastructure user fee shall be paid to a railway infrastructure manager who funds the fee from its economic activity.
- 2.1.5. The railway infrastructure user fee for allocation of capacity on an ad hoc basis shall consist of the railway infrastructure manager's direct expenses on such service, to which supplementary fees may be established on the basis of the principles set forth in Section 9 of the railway infrastructure user fee methodology regulation.

2.2. Principles for calculating user fee for primary railway infrastructure services

- 2.2.1. The expenses on allocation of primary railway infrastructure services consist of expenses directly related to organizing train traffic and on which supplementary fees may be established on the basis of the methodology. The direct expenses on allocation of primary railway infrastructure services are calculated in accordance with the European Commission implementing regulation (EU) 2015/909.
- 2.2.2. The expenses are attributed to the specific services that caused the expenses to be incurred. Each expense is either directly or proportionally ascribed only to one service.

2.3. User fees for supplementary and auxiliary railway infrastructure services

- 2.3.1. In calculating the user fee for supplementary and auxiliary railway infrastructure services, the basis shall be the direct expenses that are related to the service being provided, the capital expenditure, the proportional share of the railway infrastructure operator's overhead and reasonable operating profit.
- 2.3.2. In calculating direct expenses, the expenses to be taken into consideration are ones related to supplementary and auxiliary services and providing use of service facilities.

2.4. Principles for calculating overhead expenses

- 2.4.1. Overheads shall be distributed according to the proportion of service provided by the IM/RU to the total of direct expenses on all services.

2.5. Calculation of non-current assets and capital expenditure on supplementary and auxiliary railway infrastructure services

2.5.1. Capital expenditure is the expense related to acquisition of property, plant and equipment. The historical value of assets is based on amounts paid by the railway infrastructure manager and service felicity operator at the time of the acquisition of the assets. The purpose of capital expenditure is, by sale of services, to recoup the expenditures incurred on acquisition of non-current assets, during the service life of the non-current assets. The calculation of capital expenditure shall take place on the basis of the depreciation rate used in the company's accounting.

2.6. Calculation of reasonable operating profit from supplementary and auxiliary railway infrastructure services

2.6.1. The reasonable operating profit from railway infrastructure shall be found on the basis of the methodology set forth in Section 7 of the railway infrastructure user fee methodology regulation.

2.7. Grounds for finding the unit cost for railway infrastructure user fee

2.7.1. The unit cost of the railway infrastructure user fee shall be calculated on the basis of implementing regulation (EU) 2015/909.

2.7.2. The establisher of the user fee may change the average direct unit costs to take into account the different levels of wear and tear to the railway infrastructure pursuant to the parameters set forth in article 5 point (2) of implementing regulation (EU) 2015/909.

2.8. Principles for determining supplementary fees

2.8.1. The establisher of the user fee shall establish, pursuant to subsection 98 and 99 of the Railways Act, a maximum level of supplementary fee for primary services ensuring access, considering the capability of the persons operating in the railway market segments to pay it, ensuring the optimum competitiveness of the railway market segments. The supplementary fee may be reduced by Edelaraudtee AS pursuant to the market segment's capability to pay the railway infrastructure fees. The market segments shall include at least the following three segments: carriage of freight, passenger transport service provided under public service contract and other passenger transport.

2.9. Reduction of user fee

2.9.1. The establisher of the user fee may reduce the user fee solely in the extent of actual savings achieved by the railway infrastructure manager in regard to administrative costs. In determining the level of reduction, a decrease in costs already accounted for in the current user fee not be taken into consideration.

2.10. Establishment of user fee

2.10.1. The establisher of the user fee shall establish user fees for the entire timetabling period for primary, supplementary and auxiliary services no later than one month before the date for publication of the railway network statement.

2.11. Reservation fee

According to Railway Act section 102 Edelaraudtee AS may charge a reservation charge from an applicant for capacity that is allocated but not used.

3. Principles and criteria for distributing capacity

3.1. Principles for conducting proceedings on distribution of capacity

3.1.1. The purpose of proceedings on distribution of capacity is to satisfy the applications from railway undertakings in as great a degree as possible in order to obtain capacity, including for such train paths that pass through more than one railway network.

3.1.2. The railway infrastructure capacity is distributed based on the timetabling period.

3.1.3. Edelaraudtee AS may, for use of capacity, enter into an agreement with the applicant for up to five consecutive timetabling periods, with the part of the capacity to be specified separately for each timetabling period. The purpose of distribution of capacity is to ensure allocation of a part of capacity to IM/RUs which:

3.1.3.1. are capable of actually using the capacity allocated to them,

3.1.3.2. are solvent, i.e. capable of meeting the obligation of paying the user fee and other assumed obligations throughout the timetabling period.

3.1.4. In accordance with subsection 81 of the Railways Act, Edelaraudtee AS allocates, as the first priority, train paths necessary for public passenger transport on international direct connections. The first priority is applied to railway undertakings who are engaged in public passenger transport in international direct connections on the basis of international agreements and who comply with the terms and conditions of such agreements.

3.1.5. As the second priority, in accordance with subsection 81 of the Railways Act, parts of capacity necessary for domestic public passenger transport are allocated. The Ministry of Economic Affairs and Communications shall notify Edelaraudtee Infrastruktuuri AS of the need to carry out domestic public passenger transport by the date specified in subsection 85 of the Railways Act, which is 9 months before the start of the timetabling period.

- 3.1.6. The proceedings for distributing capacity are to be carried out so that the use of the capacity being allocated is used to the maximum extent possible.

3.2. Applicants for capacity and criteria for satisfying applications

- 3.2.1. Applicants for capacity must be railway undertakings who have an activity licence for railway passenger or freight transport and, in the case of an application for ad hoc capacity, possessors of railway vehicles that are not railway undertakings.
- 3.2.2. A railway infrastructure manager that is not a railway undertaking may apply for capacity if it is obliged to act on behalf of a railway undertaking that has submitted an application for obtaining a train path passing through more than one railway network. The application for capacity shall be made for use by and on account of the railway undertaking.
- 3.2.3. Railway transport undertakings that are not established in a Member State of the European Union may be given a part of capacity by a railway infrastructure manager if the part of capacity remains unallocated for the reason that no application has been submitted for it by a railway undertaking founded in a Member State of the European Union.
- 3.2.4. Applications for allocation of capacity shall be submitted to Edelaraudtee AS. The application must include the precise business name, registry code and address of the applicant. A document indicating the authority of the person that signed the application for submitting the application must be appended to the application. The application must be prepared in Estonian and signed by the applicant.
- 3.2.5. Upon submitting an application for allocation of capacity, the applicant shall certify that:
- 3.2.5.1. they meet the requirements set forth in legal acts;
- 3.2.5.2. there are no legal or economic impediments to allocation of capacity;
- 3.2.5.3. they have read the material conditions of the agreement on use of railway infrastructure specified in clause 3.9 of the railway network statement and undertake to comply with them;
- 3.2.5.4. shall use the capacity allocated to them pursuant to the principle set forth in clause 3.10 of the railway network statement throughout the capacity distribution period;
- 3.2.5.5. are acquainted with all requirements arising from legal acts governing transport of hazardous goods and undertake to comply with them, if the capacity is desired to be used for transport of hazardous goods.

3.3. Deadlines for conducting proceedings on capacity

- 3.3.1. The railway infrastructure capacity distribution period shall coincide with the timetabling period and last 12 months. Applications for capacity distribution must be submitted to Edelraudtee AS at least 9 months before the start of the timetabling period.
- 3.3.2. Edelraudtee AS shall prepare a draft of the timetable for the next capacity distribution period and post it publicly on its website four months after the deadline set forth in clause 3.3.1. Edelraudtee AS shall confirm the timetable at least two months before the start of the timetabling period.

3.4. Preparation of timetable

- 3.4.1. The basis for the timetable is the requirements set forth in the Edelraudtee AS operating rules.
- 3.4.2. After the data received from railway undertakings, Edelraudtee AS shall draw up a draft timetable which shall be available on the Internet on the website approved by the Competition Authority www.edel.ee.
- 3.4.3. Interested parties have the right to submit their written opinion regarding the draft timetable within 30 days of the publication of the draft timetable. Edelraudtee AS shall take into account the proposals made to it, where possible.
- 3.4.4. After making decisions on distribution of capacity and receiving opinions regarding the draft timetable, Edelraudtee AS shall compile the timetable.

3.5. Coordination proceedings for distributing capacity

- 3.5.1. Should it emerge upon review of applications for capacity that more than one applicant desires the same capacity or overlapping capacity, Edelraudtee AS shall organize coordination procedure and take a coordination decision.

3.6. Declaring capacity depleted

- 3.6.1. If the total volume of the justified applications submitted by qualified applicants for a given railway segment exceeds the capacity subject to distribution in that segment as specified in Annex 1 of the railway network statement and it is thus not possible to satisfy all applications, Edelraudtee AS shall declare capacity depleted.

3.7. Distribution of capacity in the event that capacity is declared depleted

- 3.7.1. In the event of depletion of capacity, Edelraudtee AS shall organize distribution of capacity and take a decision on distribution of capacity.

3.8. Application for and distribution of capacity on an ad hoc basis

- 3.8.1. In order to use capacity on an ad hoc basis, the railway undertaking or possessor of railway vehicles shall submit an application to Edelaraudtee AS at least 5 working days before the planned date for use of the capacity. The application must specify the applicant's details, the station of origin, the station of destination, the desired date of train movement, time, type of railway vehicle and weight. If the railway vehicle possessor is not a railway undertaking, the application must be accompanied by confirmation from the railway undertaking for execution of the ad hoc transport on in the name of the railway undertaking. In application for, allocation and use of ad hoc capacity for international passenger transport, international agreements and contracts between railways shall also serve as a basis.
- 3.8.2. Edelaraudtee AS shall review the application submitted and compile an allocation of ad hoc capacity or denial of allocation accompanied with corresponding reasoning.
- 3.8.3. If the no contract on use of railway infrastructure governing use of ad hoc capacity has been entered into between the railway undertaking applying for ad hoc capacity or carrying out transport for a designated purpose in the name of the railway vehicle possessor on the basis of the contract specified in clause 3.8.1 of the railway network statement and Edelaraudtee AS, a corresponding agreement must be concluded before the ad hoc capacity is allocated.

3.9. Agreement on use of railway infrastructure

- 3.9.1. The railway undertaking has the right to use Edelaraudtee AS railway infrastructure, in the scope allocated to it, on the basis of the agreement on use of railway infrastructure. The use of railway infrastructure without an agreement on use of railway infrastructure is possible only on the basis specified in clause 3.9.6 of the railway network statement.
- 3.9.2. The agreement on use of railway infrastructure shall be entered into with railway undertakings on equal circumstances on equal conditions for up to five consecutive timetabling periods. Different conditions of agreement may be applied with respect to different railway undertakings (except for the conditions set forth in clause 3.9.5 of the railway network statement) only in justified cases and this shall not be considered a violation of the prohibition on discrimination against railway undertakings. The special conditions may pertain to data related to undertaking, the railway vehicles necessary for providing railway transport service, or be in dependence on the category of transport (passenger/freight transport) etc.
- 3.9.3. A railway undertaking that conforms to the conditions set forth in clause 3.9.4 of the railway network statement and who has been allocated capacity and issued safety certificates shall undertake to enter into, with Edelaraudtee AS an agreement on use of railway infrastructure. The agreement, the material conditions of which are listed in clause 3.9.5 of the railway network statement, shall be concluded in writing at least 1 month before the start of the timetabling period, with Edelaraudtee AS undertaking

to disclose to the railway undertaking allocated the capacity the draft agreement no later than 2 months before the start of the timetabling period.

3.9.4. Edelaraudtee AS is not obliged to grant use to the railway undertaking and the railway undertaking does not have the right, regardless of whether the agreement on use of railway infrastructure has been concluded, to commence use of railway infrastructure before it has complied with all of the following conditions:

3.9.4.1. the railway undertaking complies with all of the requirements for railway undertakings stemming from legal acts and the rules established by Edelaraudtee AS and has all of the necessary permits, certificates, registrations, and procedures governing the railway undertaking's railway transport activities;

3.9.4.2. the railway undertaking has, for the 2022/2023 timetabling period, insurance conforming to the requirements of clause 3.9.5.4 of the railway network statement and has submitted to Edelaraudtee AS a copy of a policy certifying such;

3.9.4.3. the railway undertaking lacks any previously assumed obligations to Edelaraudtee AS which arise from the agreement on use of railway infrastructure and which have become collectible, including the amounts payable for the last month of the previous timetabling period for access to supplementary services and auxiliary services, fees for primary railway infrastructure access services that due to adjustments in the user fee became larger than the prepayment, and contractual penalties arising from the agreement.

3.9.4.4. the railway undertaking has paid the prepayment set forth in the agreement on use of railway infrastructure or presented a bank guarantee;

3.9.4.5. undertakes to use the capacity allocated to it;

3.9.5. The railway undertaking may use the railway infrastructure pursuant to the agreement on use of railway infrastructure, which sets forth, among other things:

3.9.5.1. term for use of railway infrastructure;

3.9.5.2. user fee and terms of payment of the user fee;

3.9.5.3. in the case of an agreement on use of railway infrastructure entered into for longer than one consecutive timetabling period, the capacity for each timetabling period shall be specified separately;

3.9.5.4. the obligation of the railway undertaking to enter into a liability insurance agreement with an insurance company registered in a European Union Member State at least on the conditions set forth in Section 3 of the Railways Act.

3.9.5.5. traffic organization in addition to as provided in the abovementioned rules;

- 3.9.5.6. conditions for cancellation of the agreement on use of railway infrastructure;
 - 3.9.5.7. circumstances considered material breach of agreement on use of railway infrastructure;
 - 3.9.5.8. consequences of termination of agreement on use of railway infrastructure;
 - 3.9.5.9. procedure governing liability of the railway undertaking and Edelraudtee AS and procedure for resolution of disputes.
- 3.9.6. If a railway undertaking with priority in distribution of capacity and Edelraudtee AS do not reach agreement on conditions for use of railway infrastructure for the timetabling period or calendar year, Edelraudtee AS shall enable the railway undertaking to use railway infrastructure on the conditions agreed for the previous timetabling period or calendar year, except for the user fee, until a new agreement is reached. If a railway undertaking receives priority for the first time and does not reach agreement with Edelraudtee AS as to conditions for use of railway infrastructure in passenger transport, the conditions for use of railway infrastructure until an agreement is reached shall be determined by the director general of the Consumer Protection and Technical Regulatory Authority, considering the conditions of other agreements concluded with railway undertakings providing public passenger transport.

3.10. Obligation to use capacity

- 3.10.1. The railway undertaking is prohibited from assigning or ceding to a third party, in part or in full, the capacity allocated to it.
- 3.10.2. A railway undertaking to which capacity has been allocated is obliged to make the most efficient use possible of the capacity allocated to it.

3.11. Undistributed capacity

- 3.11.1. Information on the undistributed capacity shall be posted on the Edelraudtee AS website www.edel.ee.
- 3.11.2. Applications for undistributed capacity must be submitted to Edelraudtee AS.

3.12. Capacity increase plan

- 3.12.1. Within six months of declaring capacity depleted, Edelraudtee AS shall conduct an analysis of capacity. The purpose of the analysis is to determine the reasons for the depletion of capacity and financial and technical measures for eliminating the depletion and achieving additional capacity.

- 3.12.2. In conducting the analysis of capacity, railway infrastructure users shall be consulted for the purpose of collection of information. After the analysis of capacity is conducted, Edelaraudtee AS shall submit the analysis results to the railway undertaking and the Technical Regulatory Authority for submission of positions and proposals.
- 3.12.3. Within six months of conducting the analysis of capacity, Edelaraudtee AS shall compile the capacity increase plan. In compiling said plan, Edelaraudtee AS shall take into account the proposals of railway infrastructure users.
- 3.12.4. The capacity increase plan shall be submitted to the Technical Regulatory Authority for approval. Edelaraudtee AS shall publish the railway infrastructure capacity increase plan on its website, www.edel.ee, after it has been approved by the Consumer Protection and Technical Regulatory Authority.

4. Application for activity licence and safety certificate

4.1. Activity licence

- 4.1.1. In accordance with the Railways Act of the Republic of Estonia, an undertaking must have an activity licence for operating in the following areas of activity:
- 4.1.1.1. management of public railway infrastructure;
 - 4.1.1.2. railway passenger transport;
 - 4.1.1.3. railway freight transport;
 - 4.1.1.4. technical maintenance and repair of railway vehicles used on public railways or for railway transport;
 - 4.1.1.5. construction of railway vehicles.
- 4.1.2. The Competition Authority shall resolve applications for activity licences for management of public railway infrastructure, railway passenger transport and railway freight transport. The conditions for applying for activity licences, validity of activity licences and revocation of activity licences is established in sections 12-16 of the Railways Act.

4.2. Safety certificate

- 4.2.1. A railway undertaking may be engaged in passenger transport or freight transport on public railways if it holds valid parts A and B of the safety certificate.

- 4.2.2. Part A of the safety certificates shall be issued to an undertaking which has a safety management system conforming to the requirements of the Railways Act.
- 4.2.3. Part B of the safety certificate shall be issued to an undertaking whose railway vehicles and personnel conform to the requirements of the Railways Act and legal acts enacted thereunder and if the undertaking is capable of complying with requirements in the field of railway safety.
- 4.2.4. Part A of the safety certificate issued to an undertaking registered in another EU member state by that member state shall be valid in Estonia in the extent of the transport specified in part A of the safety certificate for being engaged in passenger transport or freight transport, respectively. In accordance with the Railways Act, the existence of Part A of the safety certificate is a precondition for the issue, to an undertaking from an EU member state, of part B of the safety certificate.
- 4.2.5. Part A and B of the safety certificate are issued by the Consumer Protection and Technical Regulatory Authority. Procedure for applying for, issuing, amending and renewing the safety certificate is established in section 3 of the Railways Act.

5. Procedure for resolution of disputes and lodging of complaints

- 5.1. If the applicant believes that it has been treated in a discriminatory manner or otherwise unfairly in the distribution of capacity, it has the right of recourse to the Competition Authority.
- 5.2. The Competition Authority shall review the complaint in accordance with procedure specified in subsection § 109 of the Railways Act.
- 5.3. If the applicant or railway infrastructure manager does not agree with the decision of the Competition Authority, it has the right of recourse to a court. If the decision for distribution of capacity has been challenged, the capacity shall be used pursuant to the challenged decision until the dispute is resolved.
- 5.4. In the event that the distribution body's decisions are invalidated or annulled, the railway undertaking or other railway vehicle possessor has the right to seek compensation solely for direct proprietary damage.

6. Access to service facilities and determining corresponding user fee

6.1. Service facilities

- 6.1.1. Station buildings:

Station building	Description of service
Kiisa	Use of station building
Kohila	Use of station building
Rapla	Use of station building
Lelle	Use of station building
Türi	Use of station building
Võhma	Use of station building
Viljandi	Use of station building
Tootsi	Use of station building
Pärnu	Use of station building

6.1.2. Collection tracks:

Collection track	Length(km)
Liiva 4	0.569
Liiva 5	0.518
Kohila 5	0.412
Rapla 2A	0.198
Rapla 2	0.702
Rapla 3	0.709
Lelle 3A	0.689
Lelle 3B	0.164
Lelle 4	0.661
Pärnu I	0.874
Pärnu 3	0.712

Türi 1	0.833
Türi 3	0.619
Türi 8	0.084
Võhma 3	0.170
Viljandi I	0.618
Viljandi 1A	0.155
Viljandi 2	0.426

6.2. Operator of service facilities

6.2.1. In accordance with subsection 95 (1) of the Railways Act, the operator of service facilities is Edelaraudtee AS.

6.3. Access to service facilities and services provided therein

6.3.1. Edelaraudtee AS shall ensure all railway undertakings access in a non-discriminatory manner to the service facilities specified in clause 6.1 and the services provided therein.

6.3.2. If the railway undertakings' applications overlap, Edelaraudtee AS shall attempt to satisfy all applications to as great an extent possible.

6.3.3. If a service facility specified in clause 6.1 has not been used in two consecutive years and the railway undertakings have expressed the desire for access to the facility and have a justified need for access, Edelaraudtee AS shall promptly notify the interested parties that the facility may be operated as a service facility either partially or in full on the basis of a contract of use, or that it is not possible to use the service facility due to ongoing reorganization.

6.4. Establishment of user fee for service facilities

6.4.1. Before determining a user fee for service facilities, the railway undertaking shall assess, on the basis of its accounting data, the expenses related to operation of service facilities in the annual year preceding the timetabling period and adjust the direct costs and overheads to be included in the makeup of the user fee on the basis of the consumer price index published by Statistics Estonia, which specifies the inflation level for the next financial year. The price index to be applied shall be of the same value as the one used by the Consumer Protection and Technical Regulatory Authority for determining the rates

for user fees for primary railway infrastructure services for the upcoming timetabling period.

6.4.2. The user fee shall be established separately for each service facility and the railway infrastructure user fee must ensure the undiscriminating use of the public railway by all users of railway infrastructure capacity. A single user fee shall be established for collection tracks

6.4.3. In establishing the user fee, the railway undertaking's expenses related to operation of the relevant service facility shall be considered. The said expenses are the direct costs related to the service provided, capital expenditure, proportional share of the railway infrastructure operator's overheads and reasonable operating profit.

7. Proceedings on distribution of international train paths

7.1. Passenger train paths

7.1.2. To organize international train paths, Edelaraudtee AS shall engage in cooperation with AS Eesti Raudtee.

7.2. Freight train paths

7.2.1. To enter freight trains on to the timetable, the railway freight operator must order a capacity from Edelaraudtee AS.

8. Annexes to railway network statement

The annexes to the railway network statement listed below are integral parts of the railway network.

Annex 1. Indicators for railway segments and general description of the capacity to be distributed

Annex 2. List of Edelaraudtee AS railways

Annex 3. List of operations carried out on Edelaraudtee AS railways

Annex 4. Data for calculation of ordered train-kilometres

Edelaraudtee AS railway network statement
from 11 December 2022 to 9 December 2023

Indicators for railway segments and general description of capacity to be distributed 2022/2023

Annex 1

Seq. no.	Railway segment	Average travel time (min)		Capacity of railway segment (pairs of trains per 24-hour period)	Capacity covered by agreements on use of infrastructure		Capacity subject to distribution (pairs of trains per 24-hour period)
		Passenger train paired/unpaired	Freight train paired/unpaired		Passenger train	Freight train	
1	Tallinn – railway boundary km 2+947 - Tallinn-Väike*	7/7	19/17	35.5	0	0	35.5
2	Liiva-Ülemiste	-	17/16	31.6	0	0	31.6
3	Tallinn-Väike-Liiva	4/4	10/10	61.8	0	0	61.8
4	Liiva-Rapla	37.5/37.5	57/61	26.7	0	0	26.7
5	Rapla-Lelle	12/12	21/24	30.5	0	0	30.5
6	Lelle-Pärnu	-	99/98,5	11	0	0	11
7	Lelle-Türi	18/18.5	25/26	25.1	0	0	25.1
8	Türi-Viljandi	30/29	59/64	21.1	0	0	21.1

* Capacity for Tallinn – Tallinn-Väike railway boundary) from the AS Eesti Raudtee network statement

LIST OF EDELARAUDTEE AS RAILWAYS

Track no.	Station/station segment	Type of track	Length/m	Track boundaries		Railway traffic reg no.
				Beginning	End	
	LIIVA-ÜLEMISTE	open track	5270	signal AÜ		20-00896

TALLINN-VÄIKE-LELLE-PÄRNU railway

II	Tallinn-Väike	main track	1259,2	signal A	signal B	20-00851
1	Tallinn-Väike	receiving-dispatching track	654,6	switch 1	switch 2	20-00852
116	Tallinn-Väike	connecting track	275	switch 6	boundary	20-00927
4	Tallinn-Väike	buffer end-loading siding	115,3	switch 5	end-loading siding barrier	20-00847
3	Tallinn-Väike	receiving-dispatching track	565,4	switch 3	switch 4	20-00850

	Tallinn-Väike-Liiva	open track	1919	signal B	signal A	20-00919
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II	Liiva	main track	1438	signal A	signal B	20-00844
III	Liiva	main track	266	signal Aü	switch 7	20-00843
1	Liiva	receiving-dispatching track	849	switch 9	switch 36	20-00841
3	Liiva	receiving-dispatching track	1097	switch 5	switch 24	20-00840
4	Liiva	receiving-dispatching track	882	switch 11	switch 32	20-00839
5	Liiva	receiving-dispatching track	675	switch 19	switch 34	20-00818

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11	Liiva	connecting track	56	switch 21	is. lock M11	20-00817
101	Liiva	exit track	819	switch 26	SW boundary	20-00837
102	Liiva	exit track	531	switch 14	switch 2	20-00836
103	Liiva	exit track	318	switch 4	end-loading siding barrier	20-00865
11a	Liiva	connecting track	138	switch 16	siding boundary	20-00815
28/30	Liiva	crossover 28/30	85	switch 28	switch 30	20-00816
1/3	Liiva	crossover 1/3	77	switch 1	switch 3	20-00842

	Liiva-Kiisa	open track	15794	signal B	signal A	20-00906
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I	Kiisa	main track	1731,1	signal A	signal B	20-00834
2	Kiisa	receiving-dispatching track	460,6	switch 1	switch 2	20-00833

	Kiisa-Kohila	open track	6669,3	m		20-00905
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II	Kohila	main track	1307	signal A	signal B	20-00768
1	Kohila	receiving-dispatching track	850	switch 3	switch 2	20-00766
2	Kohila	receiving-dispatching track	857	switch 1	switch 4	20-00766
5	Kohila	receiving-dispatching track	730	switch 5	switch 6	10-00765

	Kohila-Rapla		19593	signal B	signal A	20-00904
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I	Rapla	main track	2048	signal A	signal B	20-00853
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Edelaraudtee AS railway network statement
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2	Rapla	receiving-dispatching track	894	switch 5	switch 22	20-00854
3	Rapla	receiving-dispatching track	1061	switch 1	switch 16	20-00855
4	Rapla	pass-through track	967	switch 3	switch 20	20-00856
5	Rapla	loading track	1136	switch 18	TS boundary	20-00859
7	Rapla	loading track	160	switch 30	end-loading siding barrier	20-00861
8	Rapla	loading track	201	switch 28	end-loading siding barrier	20-00862
10	Rapla	loading track	213	switch 4	end-loading siding barrier	20-00863
11	Rapla	buffer end-loading siding	105	switch 6	barrier post 6	20-00864
13	Rapla	buffer end-loading siding	117	switch 7	end-loading siding barrier	20-00928
2a	Rapla	connecting track	376	switch 24	switch 2	20-00858
14/12	Rapla	crossover	92	switch 14	switch 12	20-00865

	Rapla-Lelle	open track	15469	signal B	signal A	20-00903
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I	Lelle	main track	1800	signal A	signal B	20-00926
II	Lelle	main track	1460	switch 1	signal BT	20-00925
3	Lelle	receiving-dispatching track	1012	switch 3	switch 6	20-00924
4	Lelle	receiving-dispatching track	758,7	switch 5	end-loading siding barrier	20-00923
10/8	Lelle	main track crossover 10/8	103	switch 10	switch 8	20-00921
4/2	Lelle	main track crossover	102	switch 4	switch 2	20-00920

Edelaraudtee AS railway network statement
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	Lelle-Tootsi	open track	37980	signal B	signal A	20-00902
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I	Tootsi	main track	1599	signal A	signal B	20-00890
2	Tootsi	receiving-dispatching track	907	switch 11	switch 6	20-00895
5	Tootsi	buffer end-loading siding	269	switch 11	end-loading siding barrier	20-00894
7	Tootsi	loading track	348	switch 11	end-loading siding barrier	20-00892
5/7	Tootsi	crossover 5-7	92	switch 5	switch 7	20-00893

	Tootsi-Pärnu	open track	23155	signal B	signal A	20-00901
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I	Pärnu	main track	1525	signal A	signal B	20-00885
2	Pärnu	receiving-dispatching track	1416	switch 7	switch 104	20-00887
3	Pärnu	receiving-dispatching track	876	switch 11	switch 18	20-00886
4	Pärnu	receiving-dispatching track	872	switch 13	switch 16	20-00884
5	Pärnu	receiving-dispatching track	910	switch 14	end-loading siding barrier	20-00883
14	Pärnu	loading track	376	switch 104	end-loading siding barrier	20-00881
18	Pärnu	loading track	2857	switch 100	RRL switch 221	20-00880
19	Pärnu		51	switch 104	barrier post	20-00869
22	Pärnu	connecting track	48	switch 204	barrier post	20-00868

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32	Pärnu	exit track	530	switch 201	switch 207	20-00877
33	Pärnu	loading track	277	switch 213	end-loading siding barrier	20-00876
34	Pärnu	loading track	446	switch 212	end-loading siding barrier	20-00875
35	Pärnu	loading track	352	switch 209	end-loading siding barrier	20-00874
38	Pärnu	loading track	738	switch 208	end-loading siding barrier	20-00873
39	Pärnu	loading track	397	switch 211	end-loading siding barrier	20-00872
40	Pärnu	loading track	372	switch 215	end-loading siding barrier	20-00871
12/10	Pärnu	crossover 12/10	92	switch 12	switch 10	20-00879
6/8	Pärnu	crossover 6/8	92	switch 6	switch 8	20-00878

	Lelle-Türi	open track	24586,7	signal B2	signal A	20-00899
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II	Türi	main track	1689,4	signal A	signal B	20-00907
1	Türi	receiving-dispatching track	993	switch 3	switch 2	20-00918
3	Türi	receiving-dispatching track	910,9	switch 5	switch 6	20-00917
4	Türi	receiving-dispatching track	758,3	switch 9	switch 4	20-00916
7	Türi	draw-out track	628	switch 1	end-loading siding barrier	20-00914
8	Türi	loading track	358	switch 17	end-loading siding barrier	20-00913

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9	Türi	trestle track	337	switch 19	end-loading siding barrier	20-00912
10	Türi	loading track	570	switch 21	end-loading siding barrier	20-00911
11	Türi	loading track	231	switch 23	end-loading siding barrier	20-00910

	Türi-Võhma	open track	20178	signal B	signal A	20-00898
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I	Võhma	main track	1400	signal A	signal B	20-00891
2	Võhma	receiving-dispatching track	1067	switch 1	switch 2	20-00889
3	Võhma	receiving-dispatching track	291	switch 4	end-loading siding barrier	20-00888

	Võhma-Viljandi		29998	signal B	signal A	20-00897
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I	Viljandi	main track	1273,9	signal A	switch 10	20-00832
2	Viljandi	receiving-dispatching track	597,2	switch 5	switch 4	20-00831
3	Viljandi	receiving-dispatching track	905,2	switch 1	switch 2	20-00830
7	Viljandi	railway vehicle collection track	601	switch 18	end-loading siding barrier	20-00828
8	Viljandi	loading track	246	switch 32	end-loading siding barrier	20-00827
9	Viljandi	loading track	468,6	switch 10	end-loading siding barrier	20-00826
12	Viljandi	draw-out track	146,3	switch 10	end-loading siding barrier	20-00824
19	Viljandi	connecting track	45	switch 19		20-00814

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17	Viljandi	connecting track	245	switch 17	RRL switch 123	20-00822
20	Viljandi	connecting track	145	switch 21	end-loading siding barrier	20-00820

Total length of railway network **261506 m**

**including Tallinn-Lelle-Pärnu segment,
total** **168458 m**

**including Lelle-Türi-Viljandi segment,
total** **89237 m**

including Liiva-Ülemiste segment, total **5536 m**

Annex 3

OPERATIONS PERFORMED ON EDELARAUDTEE AS RAIL NETWORK

No.	Name of station/stop	Operations performed			Technical operations			
		Embarkation and disembarkation of passengers	Waiting platforms		Freight transport operations	Receiving-dispatching of trains	Shunting operations	Coupling and decoupling trains
			Location in station	Measurements/m				
	Tallinn-Lelle-Pärnu railway							
1	TALLINN-VÄIKE station	+	between tracks	4.7*150.5		+	+	+
2	LIIVA station	+	between tracks	4.7*150.5	1, 3	+	+	+
3	Valdeku stop	+		3*150				
4	Männiku stop	+		3*150				

5	Saku stop	+	3*150.5					
6	Kasemetsa stop	+	3*150					
7	KIISA station	+	between tracks	4.7*150.5		+		
8	Roobuka stop	+	3*150.5					
9	Vilivere stop	+	3*150					
10	KOHILA station	+	distal	3*150	3	+	+	+
			between tracks	4*150				
11	Lohu stop	+	3*150					
12	Hagudi stop	+	4.7*150.5					
13	RAPLA station	+	distal	3*150	1, 3	+	+	+
			between tracks	4*150.5				
14	Keava stop	+	3*150					
15	LELLE station	+	distal	3*150.5		+	+	<i>Joining of passenger</i>
			between	4*150.5				

			tracks					<i>trains</i>
16	Koogiste stop	+	3*35					
17	Eidapere stop	+	3*30					
18	Viluvete stop	+	3*35					
19	TOOTSI station	+	between tracks	4.7*35		+		
20	Tori stop	+	3*30					
21	Pulli stop	+	3*126					
22	PÄRNU freight station	+	distal	3*150	1, 3	+	+	+
23	Pärnu (Papiniidu) stop	+	3*87.5					
	Lelle-Türi-Viljandi railway							
24	Käru stop	+	3*35					
25	TÜRI station	+	distal	3*150.5	1, 3	+	+	+
			between tracks	4.7*150.5				
26	Taikse stop	+	3*30					
27	Kärevere stop	+	3*35					

28	Ollepa stop	+		3*35				
29	VÕHMA station	+	distal	3*150.5	1	+	+	+
30	Olustvere stop	+		3*150.5				
31	Sürgavere stop	+		3*35				
32	VILJANDI station	+	distal	3*150.5	1, 3	+	+	+

Marking of freight transport operations:

- 1 Receiving and dispatching wagon shipments permitted to be kept on station's open lots
- 3 Receiving and dispatching of wagon shipments and goods in small shipments using whole wagons only on branch lines and non-public places

Date for calculation of ordered train-kilometres 2022/2023**Annex 4**

Railway infrastructure segment	length, km
Tallinn-Tallinn-Väike	0.900
Tallinn-Väike-Liiva	3.132
Liiva-Kiisa	17.468
Kiisa-Kohila	8.338
Kohila-Rapla	21.362
Rapla-Lelle	17.500
Lelle-Türi	26.100
Türi-Võhma	21.800
Võhma-Viljandi	30.800
Lelle-Tootsi	39.200
Tootsi-Pärnu freight	25.047
Pärnu freight-Papiniidu	3.766
Liiva-Ülemiste	5.529