Rules for use of lines or sections of lines for which a timetable is not prepared

1. The use of lines/line sections, for which, timetable is not prepared due to technical condition of the line, is executed according to the principles included in par. 2-7.

2. The railway undertaking applies to relevant PLK's Regional Department for use of lines/sections, for which maximum technical speed included in **Annexes 2.1 (P), 2.1 (A), 2.1 (T)** is 0 km/h, and this Department is obliged to consider application within period no longer than 5 calendar days from the submission date, provided that applicant meets requirements described in par. 3.

   A written application which does not meet the requirements referred to in par. 3, gives no right to any claims to PLK concerning journeys preparation on lines/line section listed in the application.

3. The railway undertaking's application for use of lines/line sections referred to in par. 1 must include in particular:

   1) indication of the PLK Regional Department to which the line/line section belongs; when the line/line section belongs to two or more PLK's Regional Department, the application can be submitted to any of them;

   2) the name, headquarters and address of the applicant (railway undertaking);

   3) the date of preparing the application;

   4) the specification of lines/line sections requested by the railway undertaking to be used;

   5) the time period of use of lines/line sections for train journeys;

   6) a description of type of goods;

   7) a declaration of volume of operational performance in gross-tonne-kilometres (btkm) and trainkilometres (pockm) on the line/line section requested by the railway undertaking;

   8) indication of the parameters of the railway undertaking's trains, in particular: train type, traction, expected parameters i.e. average gross weight, number of wagons and train length, axle load, maximum speed;

   9) suggestion of traffic schedule, allowing execution of journeys at the requested lines/line sections or on adjacent line sections.

4. After processing of technical, organisational, operational and economic aspects – in agreement with the railway undertaking on technical and operational conditions and coverage of expenses connected with it – the relevant PLK Regional Department, prepares regulations concerning traffic management on the line/line section for which timetable is not prepared. The above-mentioned regulations will be prepared in accordance with rules and conditions of railway traffic management specified in [Decree of the Minister of Infrastructure of 18 July 2005 on general conditions concerning railway traffic management and signalling](), as well as PLK's internal regulations indicated in **Annexes 3.1 and 3.2**.

5. Preparation costs of regulations concerning traffic management on the line/line section for which timetable is not prepared are borne by the railway undertaking.

6. Regulations concerning traffic management on line/line section for which a timetable is not prepared – developed in a way described above and approved according to PLK's internal regulations – are the basis for preparing access contract for use of the line/line section for which a timetable is not prepared.

7. In the contract referred to in par. 6, an access charge for use of the line/line section for which a timetable is not prepared, is determined on the basis of separate calculation, including:

   1) the necessary costs of adaptation of the line/line section to traffic operations;

   2) operational and maintenance costs of the line/line section in the part that is recognised as a direct result of a particular train journey.

In the case of later use of these sections in the duration of a given train timetable by other railway undertakings, part of these costs will be proportionally reimbursed to the first one who paid for the whole preparation of the line/section.

In the case of a line/line section where timetable preparation was possible during the last timetable period, the unit rates of basic charge for minimum access to railway infrastructure are applied.