

ORDER NO. 50/2026
of the Director of the Lower Silesian Road and Railway Authority in Wrocław

amending Order No. 5/2026 of the Director of the Lower Silesian Road and Railway Authority in Wrocław of 19 January 2026 on the introduction of the 2025/2026 Network Statement

Pursuant to Article 32(1) and (2) of the Polish Act of 28 March 2003 on Railway Transport (Journal of Laws of 2025, item 1234, as amended) and § 4(2) of the Organisational Regulations of the Lower Silesian Road and Railway Authority in Wrocław, approved by Resolution No. 1737/VII/25 of the Executive Board of the Lower Silesian Voivodeship of 12 March 2025 on the approval of the Organisational Regulations of the Lower Silesian Road and Railway Authority in Wrocław, the following is hereby ordered:

§ 1. In Order No. 5/2026 of the Director of the Lower Silesian Road and Railway Authority in Wrocław of 19 January 2026 on the introduction of the 2025/2026 Network Statement, as amended by Order No. 32/2026 of the Director of the Lower Silesian Road and Railway Authority in Wrocław of 27 March 2026, the appendix to the Order shall be replaced by the text set out in the appendix to this Order.

§ 2. This Order shall enter into force on the date of signature.

DIRECTOR
OF THE LOWER SILE-
SIAN ROAD AND RAIL-
WAY AUTHORITY IN
WROCŁAW

Mateusz Mastowski

/Document signed with a qualified

electronic signature



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The controller of personal data is the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław. Personal data are processed for the purpose of handling the matter and providing a response, in accordance with applicable law. Details: www.dsdiK.wroc.pl/rodo

**NETWORK STATEMENT
OF THE LOWER SILESIA VOIVODESHIP
LOWER SILESIA ROAD
AND RAILWAY AUTHORITY IN WROCLAW**

2025/2026

Valid from 14 December 2025 to 12 December 2026



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CHAPTER 1. GENERAL PROVISIONS

Definitions

§ 1. 1. This Network Statement has been prepared on the basis of the applicable legislation governing the activities of entities operating in the railway sector:

- Polish Act of 28 March 2003 on Railway Transport (Journal of Laws of 2024, item 697);
- Polish Act of 21 March 1985 on Public Roads (Journal of Laws of 2024, item 320, as amended);
- Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure (Journal of Laws of 2024, item 602);
- ATT – annual train timetable;
- Regulation of the Minister of Infrastructure of 12 October 2005 on the general technical conditions for the operation of railway vehicles (Journal of Laws of 2016, item 226, as amended);
- Regulation of the Minister of Infrastructure of 18 July 2005 on the general conditions governing railway traffic and signalling (Journal of Laws of 2025, item 100);
- Regulation of the Minister of Transport, Construction and Maritime Economy of 3 January 2013 on the keeping of the register and the marking of railway vehicles (Journal of Laws of 2019, item 918);
- Regulation of the Minister of Infrastructure and Construction of 16 March 2016 on serious accidents, accidents and incidents in railway transport (Journal of Laws of 2016, item 369);
- Commission Delegated Regulation (EU) 2018/762 of 8 March 2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010 (Text with EEA relevance);
- Regulation of the Minister of Infrastructure of 1 October 2025 amending the Regulation on access to railway infrastructure, hereinafter referred to as the “Amending Regulation”.

2. For the purposes of this Network Statement, the following terms and abbreviations shall have the meanings set out below:

Applicant – a Railway Undertaking, an international economic interest grouping comprising Railway Undertakings, or any other entity interested in obtaining capacity, in particular a public rail transport organiser, freight forwarder, consignor or combined transport operator;

DSDiK – the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław, acting as the infrastructure manager of railway infrastructure owned by the Lower Silesian Voivodeship;

ITT – individual train timetable as defined in § 8 of the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure;

ISZTP – the “Order and Go” Online Train Path Ordering System, a PKP Polskie Linie Kolejowe S.A. application enabling Applicants and Railway Undertakings to handle applications for the allocation of capacity;

railway line – a railway route designated by the Infrastructure Manager and suitable for the operation of trains;

PKP PLK – PKP Polskie Linie Kolejowe S.A.;

train – a railway vehicle or a formation of railway vehicles that meets the requirements applicable

to a train and has been assigned train status by the Infrastructure Manager;

DSDiK personnel – Lower Silesian Road and Railway Authority employees and other persons engaged by the Lower Silesian Road and Railway Authority in Wrocław (DSDiK) in connection with the performance of the Capacity Allocation Agreement or the Capacity Use Agreement;

Railway Undertaking personnel – employees of the Railway Undertaking and other persons engaged by it in connection with the performance of the Capacity Use Agreement;

President of UTK – the President of the Office of Rail Transport;

Railway Undertaking – an undertaking authorised under a licence to provide rail transport services or traction services;

Network Statement – the 2025/2026 Network Statement of the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław;

PKP PLK Network Statement – the 2025/2026 Network Statement of PKP Polskie Linie Kolejowe S.A.;

Regulation – the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure;

ATT – annual train timetable;

exceptional situation – a situation in which it is impossible to fulfil obligations arising under the Capacity Use Agreement due to a sudden event beyond the control of the parties to that agreement, causing or threatening to cause disruption to operations on DSDiK lines, and which neither party, acting with due care, could have foreseen or prevented. An exceptional situation may result from the introduction of a state of emergency throughout the country or in part of its territory (a state of natural disaster, state of emergency or martial law); social protests, e.g. strikes; terrorist incidents or indications of such incidents; or other unforeseen events such as floods, fires, hurricanes, landslides, prolonged precipitation or network failures, including those resulting from decisions of public authorities, where such events lead to changes in railway operations;

SŽ – Správa železnic, státní organizace, the railway infrastructure manager in the Czech Republic;

Capacity Allocation Agreement – an agreement on the allocation of capacity concluded with an Applicant;

Capacity Use Agreement – an agreement on the use of capacity concluded with a Railway Undertaking;

Act – the Polish Act of 28 March 2003 on Railway Transport;

WTT – working train timetable;

Infrastructure Manager – an entity responsible for managing railway infrastructure or, where new infrastructure is being constructed, the entity acting as investor in its construction; the functions of the Infrastructure Manager may be performed by different entities;

RTT – replacement train timetable incorporating changes arising from planned investment, modernisation, renovation and routine maintenance works.

Basic information about the Infrastructure Manager

§ 2. 1. DSDiK is a local-government budgetary unit financed by the Lower Silesian Voivodeship Government.

2. Acting under the authority of the Executive Board of the Lower Silesian Voivodeship, DSDiK performs the tasks relating to the rights and obligations of the road authority and railway infrastructure manager as specified in the Railway Transport Act. DSDiK holds Safety Authorisation No. PL2120250002 of 7 April 2025, valid from 8 April 2025 to 8 April 2030.

3. Contact details:

Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław,

**ul. Krakowska 28, 50-425 Wrocław,
Electronic delivery address: AE:PL-80005-37935-TSCRU-26**

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Unit responsible for administrative support	tel.	(71) 39 17 196
Railway Department	tel.	Unit responsible for railway matters: 71 38 17 054 71 39 17 117 71 39 17 225 Unit responsible for safety and regulatory matters: 71 38 17 046 71 39 17 060 Unit responsible for railway calculations and settlements: 71 39 17 125 71 39 17 187 71 39 17 234

4. Complaints and requests concerning DSDiK's activities as railway infrastructure manager should be submitted in writing to its correspondence address or electronically.

General conditions

§ 3. 1. The requirements applicable to the railway infrastructure manager, Applicants and Railway Undertakings are laid down in the Railway Transport Act, implementing legislation issued under that Act, and other generally applicable provisions of law, including European Commission Regulations.

2. This Network Statement sets out the rules of cooperation and the requirements that must be met in order to obtain access to and use the railway infrastructure managed by DSDiK. These rules and requirements apply to all Applicants and Railway Undertakings.

3. The detailed relationship between Applicants and Railway Undertakings, on the one hand, and DSDiK, on the other, is governed by the Capacity Allocation Agreement or the Capacity Use Agreement, which set out the rights and obligations of the parties, as well as the commercial and legal aspects of the performance of their respective obligations.

Use, distribution and amendment of the Network Statement

§ 4. 1. The Network Statement has been prepared by DSDiK pursuant to Article 32 of the Railway Transport Act and § 27 of the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure.

2. The draft Network Statement is subject to consultation with railway market participants in accordance with § 27(3) of the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure.

3. The Network Statement is brought into force by an Order of the Director of DSDiK.

4. The Network Statement consists of a descriptive part setting out the conditions governing access to railway infrastructure, allocation of capacity and use of allocated capacity, as well as

information on charges, together with appendices containing the characteristics of the railway infrastructure and a list of internal regulations.

5. The draft Network Statement, a summary of comments received, the adopted Network Statement and any amendments thereto are published on the Infrastructure Manager's website, www.dsdik.wroc.pl, under the Railways tab.

6. The Network Statement applies throughout the period of preparation, development and validity of the 2025/2026 train timetable, i.e. until 12 December 2026.

7. Where justified, amendments may be made to the Network Statement in accordance with the rules laid down in § 27(3) of the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure.

8. Amendments resulting from changes in generally applicable law shall be introduced within the time limits specified in those provisions.

9. DSDiK updates the information contained in the appendices to the Network Statement as necessary.

10. The consultations referred to in paragraphs 2 and 7 are conducted electronically with Applicants.

11. Applicants may submit comments within 14 days of receiving the draft amendment. Failure to respond to the proposed amendment within the prescribed period shall be deemed to constitute acceptance of that amendment.

CHAPTER 2. INFRASTRUCTURE

Railway infrastructure and technical and operational parameters of the lines

§ 5. 1. The Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław manages railway infrastructure comprising:

- 1) railway line No. 303, Chocianowiec – Chocianów section, from km 6.900 to km 28.720;
- 2) railway line No. 308, Mysłakowice – Jelenia Góra section, from km 30.060 to km 37.858;
- 3) railway line No. 311, Szklarska Poręba Górna – State Border section, from km 29.844 to km 43.138;
- 4) railway line No. 316, Chojnów – Rokitki section, from km 21.832 to km 27.900;
- 5) railway line No. 317, Gryfów Śląski – Świeradów Zdrój section, from km 0.668 to km 16.544;
- 6) railway line No. 318, Bielawa Góry Sowie – Bielawa Zachodnia section, from km 24.300 to km 28.155;
- 7) railway line No. 326, Wrocław Zakrzów – Trzebnica section, from km 1.260 to km 19.903;
- 8) railway line No. 340, Mysłakowice – Karpacz section, from km 0.316 to km 7.052;
- 9) railway line No. 341, Bielawa Zachodnia – Dzierżonów section, from km 0.000 to km 5.118;
- 10) railway line No. 283, Jelenia Góra – Lwówek Śląski section, from km 2.140 to km 33.316;
- 11) railway line No. 284, Jerzmanice Zdrój – Lwówek Śląski section, from km 24.444 to km 48.175;
- 12) railway line No. 291, Szczawno Zdrój – Sobięcin section, from km 3.400 to km 17.140;
- 13) railway line No. 302, Strzegom – Marciszów section, from km 41.595 to km 73.040;
- 14) railway line No. 303, Chocianów – Przemków section, from km 28.720 to km 31.100;
- 15) railway line No. 308, Mysłakowice – Kamienna Góra section, from km 5.464 to km 30.060;
- 16) railway line No. 310, Kobierzyce – Piława Górna section, from km 0.174 to km 38.645;
- 17) railway line No. 312, Wojcieszów – Nowy Kościół section, from km 15.140 to km 33.430;
- 18) railway line No. 318, Srebrna Góra – Bielawa Góry Sowie section, from km 12.380 to km 24.300;
- 19) railway line No. 319, Strzelin – Łagiewniki section, from km 33.763 to km 51.139;
- 20) railway line No. 320, Ciepłowody – Ciepłowody section, from km 9.982 to km 13.282;
- 21) railway line No. 322, Kłodzko Nowe – Stronie Śląskie section, from km 9.700 to km 24.622;
- 22) railway line No. 323, Nowa Wieś Grodziska – Nowa Wieś Grodziska section, from km 0.303 to km 2.065;

- 23) railway line No. 327, Ścinawka Średnia – Radków section, from km 5.975 to km 14.581;
 - 24) railway line No. 327, Wolibórz – Nowa Ruda Stupiec section, from km -5.380 to km 0.000;
 - 25) railway line No. 331, Rostoka – Rostoka section, from km 13.332 to km 14.638;
 - 26) railway line No. 335, Henryków – Ciepłowody section, from km -0.279 to km 9.982;
 - 27) railway line No. 345, Kamienna Góra – Piszczowice section, from km 1.780 to km 5.464;
 - 28) railway line No. 372, Bojanowo – Góra Śląska section, from km 0.600 to km 15.305;
2. The railway lines managed by DSDiK are standard-gauge, non-electrified, single-track lines.
3. The basic technical and operational parameters of the infrastructure managed by DSDiK are set out in Appendix No. 1.
4. The technical and operating conditions applicable to the lines are available on the DSDiK website and in the PKP PLK WTT, Appendix No. 1, “Technical and Operating Conditions”.
5. A list of platforms on the railway lines is provided in Appendix No. 2.
6. DSDiK does not provide for any preferential treatment of particular types of transport services on the railway lines it manages within the meaning of Article 29b of the Act. The National Register of Infrastructure (RINF), maintained by the President of the Office of Rail Transport and available to registered users, can be accessed at <https://rinf.utk.gov.pl>.
7. Information on service facilities is provided in the *Rules for Access to Service Facilities Managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław*, available on the website <https://dsdik.wroc.pl/w> under the RAILWAYS tab.

Availability of infrastructure

§ 6. 1. Operational restrictions on the infrastructure may arise, inter alia, from:

- 1) planned track closures resulting from investment, modernisation, renovation or routine maintenance works;
- 2) rolling stock failures;
- 3) unplanned track closures caused by damage to railway infrastructure;
- 4) temporary restrictions on the use of sections of railway lines or the operation of traffic control posts;
- 5) exceptional or emergency situations;
- 6) threats to railway traffic safety or to the safe carriage of passengers and goods;
- 7) requirements relating to national security and defence;
- 8) decisions of the President of the Office of Rail Transport or other competent authorities.

2. The Infrastructure Manager shall promptly notify the Railway Undertaking, in writing or electronically, of any changes resulting from operational restrictions.

3. The schedule of planned track closures is provided in Appendix No. 3.

4. For lines subject to planned track closures, PKP PLK shall prepare the RTT based on the actual capacity available on the line, in accordance with the PKP PLK Network Statement.

CHAPTER 3. ACCESS CONDITIONS

Conditions for submitting applications for capacity allocation

§ 7. 1. An Applicant becomes entitled to submit applications for capacity allocation upon entering into a Capacity Allocation Agreement with the Infrastructure Manager.

2. To enter into the Agreement, the Applicant shall submit a written application to DSDiK

specifying, in particular, the following:

- 1) its name, registered office and address;
 - 2) information enabling its clear identification, including: NIP, REGON and KRS numbers;
 - 3) the planned scope of the capacity requested;
 - 4) the type of transport service for which the Applicant intends to apply for capacity.
3. Where an Applicant intends to apply for capacity for passenger rail services other than occasional services, the Applicant shall specify the planned scope of the capacity requested only to the extent for which it has entered into a public service contract, submitted a declaration by the public rail transport organiser of its intention to include the trains in a public service contract, or obtained a decision granting open access.
4. Applications for capacity allocation shall be submitted and considered in accordance with the rules set out in §§ 17-21.
5. Capacity allocated to an Applicant may not be transferred to another Applicant or used for a type of transport service other than that specified in the application for capacity allocation.
6. An Applicant that is not a Railway Undertaking may designate different Railway Undertakings to use the capacity allocated under individual applications. Only one Railway Undertaking may be designated in each application for capacity allocation.
7. An Applicant that is itself a Railway Undertaking may not designate another Railway Undertaking to use the capacity allocated to it.

Conditions for obtaining access to railway infrastructure

- § 8.** 1. A Railway Undertaking becomes entitled to use the railway infrastructure upon entering into a Capacity Use Agreement.
2. Before entering into a Capacity Use Agreement, the Railway Undertaking shall submit the following to the Infrastructure Manager:
- 1) a certified copy of a valid licence referred to in Article 43 of the Act;
 - 2) a certified copy of a valid safety certificate referred to in Article 18b of the Act;
 - 3) a declaration that the rolling stock used for train operations will comply with the requirements laid down in the Regulation of the Minister of Infrastructure of 12 October 2005 on the general technical conditions for the operation of railway vehicles;
 - 4) a declaration undertaking to notify the Infrastructure Manager of any amendment, suspension or withdrawal of the licence and/or safety certificate.
3. The documents referred to in paragraph 2 shall be submitted in Polish or accompanied by certified translations of the originals into Polish.
4. A Railway Undertaking that submitted the documents referred to in paragraph 2 to DSDiK for previous timetable periods and whose documents remain valid for the 2025/2026 timetable may, before entering into a Capacity Use Agreement for the 2025/2026 timetable, submit a declaration confirming their continued validity. If any of those documents are amended, paragraph 2 shall apply.

Licences and safety certificates

- § 9.** 1. The President of the Office of Rail Transport is the competent authority for granting, refusing to grant, amending, suspending or revoking licences to undertakings established in the Republic of Poland.

Contact details:

Urząd Transportu Kolejowego

Al. Jerozolimskie 134, 02-305 Warsaw. www.utk.gov.pl

2. The President of the Office of Rail Transport is also responsible for issuing, renewing, amending and withdrawing safety certificates and for maintaining and updating the relevant register, as part of the supervision of entities whose activities affect railway traffic safety and the safe operation of railways. The contact details of the Office of Rail Transport are provided in paragraph 1.

General commercial terms

§ 10. The detailed terms of cooperation between Applicants and Railway Undertakings and the Infrastructure Manager are set out in the Capacity Allocation Agreement or the Capacity Use Agreement. These agreements define the rights and obligations of the parties and the commercial and legal arrangements governing the performance of their respective obligations.

Framework agreement

§ 11. 1. During the validity of the 2025/2026 ATT, DSDiK does not intend to enter into agreements reserving capacity beyond the period covered by the ATT.

2. At the duly justified request of an Applicant, DSDiK may enter into an agreement reserving capacity beyond the period covered by the ATT, subject to Article 31 of the Act.

Operating rules

§ 12. 1. Applicants and Railway Undertakings using railway infrastructure managed by DSDiK shall comply with:

1) the DSDiK internal regulations listed in Appendix No. 4;

2) the PKP PLK S.A. internal regulations governing railway traffic listed in Appendix No. 4.

2. For cross-border traffic, the rules governing railway traffic laid down in separate agreements, regulations or contracts shall also apply.

3. The Railway Undertaking shall comply with the rules and conditions governing railway traffic on railway lines laid down pursuant to the Regulation of the Minister of Infrastructure of 18 July 2005 on the general conditions governing railway traffic and signalling.

4. New internal regulations and amendments to existing regulations are brought into force by Orders of the Director of DSDiK.

5. DSDiK shall notify Railway Undertakings of amendments to the internal regulations listed in Appendix No. 4

and to the documents referred to in paragraph 2 no later than 7 days before those amendments enter into force.

6. Internal regulations, agreements and technical regulations shall be provided free of charge in electronic form at the request of the Railway Undertaking.

Personnel

§ 13. Employees of the Railway Undertaking whose duties are directly related to railway traffic operation and safety, as well as train drivers, shall hold the qualifications required under the Act and the relevant implementing legislation issued pursuant to it.

Rolling stock

§ 14. 1. The Railway Undertaking shall ensure that the rolling stock used:

1) complies with the technical requirements laid down in the Regulation of the Minister of Infrastructure of

12 October 2005 on the general technical conditions for the operation of railway vehicles;

2) carries the documents required under the Regulation of the Minister of Transport of 2 November 2006 on documents to be carried on board railway vehicles, and is marked in accordance with the Regulation of the Minister of Transport, Construction and Maritime Economy of 3 January 2013 on the keeping of the register and the marking of railway vehicles;

3) has, for each railway vehicle, a return-to-service document issued by the Railway Undertaking confirming that the vehicle is technically fit for service;

4) is fitted with wheelsets capable of electrically shunting the rails – the resistance of a wheelset must not exceed 50 ohms (Ω).

2. The permissible imbalance of loads between bogies, axles and the wheels of a given axle of a railway vehicle

must not exceed the values specified in § 6 of the “UK-8 Instruction on the Rules for the Rail Transport of Exceptional Consignments of the Lower Silesian Road and Railway Authority in Wrocław”.

3. Powered railway vehicles operating on lines equipped with lineside automatic train braking equipment must be fitted with operational onboard equipment compatible with the lineside equipment.

4. Traction vehicles used in regular passenger services must be equipped with radio communication equipment connected to the “Radio-Stop” remote train stopping system. Alternatively, the Infrastructure Manager shall take other measures to maintain the required level of safety by applying the risk assessment process referred to in Article 2 of Commission Implementing Regulation (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009.

5. Other traction vehicles must be equipped with radio communication equipment enabling communication with the traffic controller, in accordance with the guidance set out in the “Technical and Operational Requirements for Fixed/Mobile Radio Equipment for Radio Networks with Selective Group Calling le-105”.

6. Equipment operating on train and shunting radio networks must not be made available to users who are not authorised to use those networks.

Transport of exceptional consignments

§ 15. 1. Trains carrying exceptional consignments are operated under the ATT or ITT once the transport conditions have been agreed in advance.

2. Detailed rules governing the organisation and handling of exceptional consignments are set out in the DSDiK “UK-8 Instruction on the Organisation of the Transport of Exceptional Consignments”.

3. The Applicant or Railway Undertaking shall notify DSDiK of its intention to dispatch an exceptional consignment

at least 30 days before the planned train run. Where, as a result of a railway incident or for operational reasons, transport conditions need to be prepared for an exceptional consignment, i.e. a railway vehicle with $V_{max} = 20$ km/h, those conditions shall be prepared without undue delay in order to restore traffic on the line as quickly as possible.

4. DSDiK shall determine the conditions for the transport of exceptional consignments on lines managed by DSDiK in accordance with the Instruction referred to in paragraph 2.
5. The Applicant or Railway Undertaking shall submit an application for authorisation to transport an exceptional consignment to the PKP PLK Railway Traffic Management Centre, in accordance with the cooperation agreement between infrastructure managers concerning the interconnection of railway lines, the applicable train timetable and the PKP PLK Network Statement.
6. Under the cooperation agreement between infrastructure managers concerning the interconnection of railway lines, PKP PLK shall prepare, in accordance with the PKP PLK Network Statement, the train timetable for trains carrying exceptional consignments.
7. Where a track closure occurs on DSDiK infrastructure for reasons attributable to DSDiK, DSDiK shall, in consultation with the Railway Undertaking, update any previously issued authorisations for the transport of exceptional consignments.

CHAPTER 4. CAPACITY ALLOCATION

Introduction

- § 16.** 1. Capacity is allocated on the basis of applications submitted by Applicants that have entered into a Capacity Allocation Agreement.
2. The applications referred to in paragraph 1 may concern the allocation of capacity for a train path, the allocation of new capacity, or the modification of allocated capacity.
 3. In an application for the allocation of capacity for a train path, the Applicant shall indicate any related applications that must be processed in order for the requested train path to be allocated.
 4. Only applications for capacity allocation that have been submitted within the prescribed time limit and contain the information referred to in § 4(1)-(4) and § 5(1) of the Regulation shall be considered.

Submission of applications for train path allocation

- § 17.** 1. Under the cooperation agreement between DSDiK and PKP PLK concerning the interconnection of railway lines, an Applicant wishing to use railway lines managed by DSDiK shall submit an application to PKP PLK for the allocation of capacity for a train path under the ATT, ITT or RTT, in accordance with the rules set out in the PKP PLK Network Statement.
2. Applications for the allocation of capacity for a train path under the ATT or ITT shall be submitted electronically via ISZTP at <https://skrz.plk-sa.pl> or using the OCTOPUS service in the AKTIV version of SKRJ provided by PKP PLK, in accordance with the rules set out in the PKP PLK Network Statement.
 3. PKP PLK accepts applications for train path allocation under the ATT and ITT for the 2025/2026 train timetable within the time limits specified in the PKP PLK Network Statement.
 4. PKP PLK prepares and allocates train paths and notifies Applicants of the train paths allocated under the ATT and ITT in accordance with the PKP PLK Network Statement.
 5. The draft ATT is prepared taking into account § 3(7) of the Regulation.
 6. DSDiK does not provide shunting services; however, shunting may be carried out in specified circumstances, provided that the Railway Undertaking ensures the availability of personnel holding the appropriate and valid authorisations and qualifications to perform shunting operations.

Amendments to the train timetable

§ 18. 1. Under the cooperation agreement between DSDiK and PKP PLK concerning the interconnection of railway lines, PKP PLK updates the train timetable by introducing amendments in accordance with the rules and within the time limits set out in the PKP PLK Network Statement.

2. The timetable update includes:

- 1) consideration of applications for the allocation of new train paths;
- 2) consideration of applications for train path allocation concerning modifications to allocated train paths, including: shortening or extending the train path, changing stopping locations and times, changing train length and gross weight, changing the class of powered railway vehicle, changing the declared braked-weight percentage, and changing train speed;
- 3) preparation of proposed changes to allocated train paths where such changes are necessary as a result of changes to railway infrastructure parameters;
- 4) preparation of proposed changes to allocated train paths where such changes become possible as a result of changes to railway infrastructure parameters or the changes referred to in points 2 and 3.

3. The timetable update consists in introducing changes requested by means of a separate application, except for cancellation of a train path, which may only be made in accordance with § 24.

4. Applications for amendments shall be submitted via ISZTP.

5. Where amendments requested as part of an ATT update would result in changes to the train timetables of other Applicants, the ATT shall be updated only with the consent of the Applicants concerned.

6. Changes to the train timetable resulting from investment works, repairs or railway line maintenance works shall be introduced.

7. Before commencing preparation of the draft RTT, DSDiK shall inform Applicants that work on the RTT has begun and notify them of the track closures to be included in the RTT for the relevant period,

including closures requiring the introduction of rail replacement services.

8. Under the cooperation agreement concerning the interconnection of railway lines, PKP PLK shall prepare the RTT for the relevant periods during which the modified traffic arrangements apply, in accordance with the PKP PLK Network Statement, and shall send it to Applicants by electronic means.

Modification of allocated capacity

§ 19. 1. An Applicant may submit an application to modify allocated capacity.

2. Under the cooperation agreement between DSDiK and PKP PLK concerning the interconnection of railway lines, PKP PLK considers applications to modify allocated capacity in accordance with the rules set out in the PKP PLK Network Statement.

3. Applications to modify allocated capacity shall be submitted via ISZTP using the “Modification of allocated capacity” tab or via the OCTOPUS interface provided by PKP PLK in the active section.

4. A reduction in train weight does not require an application to modify the allocated train path; however, such an application may be submitted up to the time the train is dispatched.

Coordination and resolution of train path conflicts, congested infrastructure

§ 20. 1. Under the cooperation agreement between DSDiK and PKP PLK

concerning the interconnection of railway lines, where conflicts arise between submitted applications for train path allocation or between train paths already allocated on DSDiK lines, PKP PLK carries out a coordination process in accordance with the rules set out in the PKP PLK Network Statement.

2. If, despite the measures referred to in paragraph 1, it is not possible to satisfy the requests set out in the applications for train path allocation in a manner consistent with the Applicants' expectations, DSDiK shall promptly notify the President of UTK and the Applicants concerned that a railway line managed by DSDiK, or a section thereof, is congested, except in the cases referred to in § 7(11)(1) of the Regulation. DSDiK shall also notify them of any railway line or section thereof on which insufficient capacity is expected during the next ATT planning period.

3. For congested railway lines managed by DSDiK, or sections thereof, DSDiK shall submit to the President of UTK the results of the capacity analysis and a capacity enhancement plan, in accordance with the rules set out in the Regulation.

4. Train paths on congested sections of railway lines shall be allocated on the basis of the results of the auction referred to in § 7(11)(4) of the Regulation, conducted in accordance with the rules set out in Appendix 5.

Capacity allocation

§ 21. 1. Capacity for train movements required for maintenance, revitalisation and modernisation works shall be allocated in accordance with the rules set out in this Chapter.

2. Train movements for the purposes referred to in paragraph 1 shall be carried out in accordance with the relevant train timetable or line traffic regulations, pursuant to agreements concluded with DSDiK.

3. No charges shall be levied for train movements ordered by DSDiK for its own infrastructure maintenance purposes.

4. To enter into a Capacity Allocation Agreement for the 2025/2026 timetable, an Applicant that is a Railway Undertaking shall submit a written application for conclusion of the Capacity Allocation Agreement using the form set out in Appendix 9.

5. Where Applicants intend to submit applications for the allocation of capacity for passenger rail services other than occasional services, the Applicant shall specify, in the Capacity Allocation Agreement,

the planned scope of capacity requested to the extent covered by a public service contract it has entered into, or by a declaration from the public rail transport organiser of its intention to include the trains under such a contract.

Rail replacement services

§ 22. 1. Where access to railway infrastructure is restricted for reasons attributable to DSDiK, the Railway Undertaking may provide passenger services using road vehicles with capacity appropriate to the number of passengers. Such services must be operated by a road transport operator holding the required licences. The rail replacement transport solution selected should be cost-effective, i.e. it should achieve the best possible outcome at the lowest possible cost.

2. Rail replacement services required as a result of planned track closures shall be planned as part of the preparation and coordination of the RTT. DSDiK personnel shall cooperate with the Railway Undertaking's personnel in determining the locations of replacement stops within the railway area managed by DSDiK.

3. DSDiK shall reimburse the Railway Undertaking for any additional costs incurred

in operating rail replacement services where the need for such services arises for reasons attributable to DSDiK. The additional costs referred to above shall be calculated as the difference between the cost of the minimum access package that the Railway Undertaking would have incurred if the train had operated without restrictions attributable to DSDiK and the full invoiced cost incurred by the Railway Undertaking for the provision of rail replacement services. The full costs referred to above mean the amount invoiced by the provider of the rail replacement service for the provision of a road vehicle and driver.

4. For the purpose of settling the costs of rail replacement services, the Railway Undertaking shall submit a declaration confirming that it has assessed the efficiency and reasonableness of the arrangements for those services, together with a declaration that the additional costs of the rail replacement services have not been reimbursed by the public transport organiser, in accordance with Appendices Nos. 6 and 7 to this Network Statement.

5. The costs of rail replacement services shall be settled in accordance with the Capacity Use Agreement.

6. Where rail replacement services are introduced by the Railway Undertaking for the reasons referred to in § 26 or as a result of unplanned track closures not included in the RTT, the arrangements shall be agreed with DSDiK on an operational basis. Before introducing rail replacement services, the Railway Undertaking shall notify DSDiK of:

- 1) the date and time when the rail replacement service will commence;
- 2) the trains to be replaced by the rail replacement service;
- 3) the route to be operated by the rail replacement service.

The above information shall also be provided in writing.

7. The Railway Undertaking shall bear the costs of measures taken to maintain the continuity and safety of railway traffic where the circumstances requiring the introduction of rail replacement services are attributable to the Railway Undertaking. As part of those measures, the Railway Undertaking shall provide information on the changed traffic arrangements at the existing railway stops and at the replacement bus stops. At each railway stop, the information shall show the exact location of the replacement stop and the walking route to it on a map. At each replacement bus stop, it shall indicate which railway stop it replaces.

Cancellation of allocated capacity

§ 23. 1. An Applicant may cancel all or part of an allocated train path.

2. Under the cooperation agreement between DSDiK and PKP PLK concerning the interconnection of railway lines, PKP PLK accepts cancellations of allocated train paths in accordance with the rules set out in the PKP PLK Network Statement.

3. Cancellation of an allocated train path shall be made via ISZTP.

4. A reservation charge in the amount specified in § 34 shall be levied for failure to use an allocated train path.

5. The Applicant shall receive confirmation that the cancellation has been accepted. The confirmation is generated automatically by ISZTP and sent by e-mail to the address of the person submitting the cancellation.

If ISZTP is unavailable, cancellation of all or part of an allocated train path shall be submitted to the competent PKP PLK train timetable construction unit for the relevant area.

6. If incorrect information is provided in an application for cancellation of allocated capacity, the cancellation will not be accepted.

Actions to be taken in the event of disruption

- § 24.** 1. Detailed rules governing the actions to be taken in the event of disruption, the appointment and operation of railway commissions, the classification of events and potentially dangerous situations, and the documentation of proceedings are set out in the “UK 5 Instruction on the Rules of Procedure in Cases of Serious Accidents, Accidents and Railway Incidents of the Lower Silesian Road and Railway Authority in Wrocław”, listed in Appendix No. 4.
2. The Capacity Use Agreement sets out the notification procedures applicable, inter alia, to events relevant to maintaining the safety and continuity of railway traffic, the safety of persons, property or the environment, and disruptions to the implementation of the train timetable.
3. Where deviations from the train timetable arise through the fault of either party to the Capacity Use Agreement, including the cases referred to in § 26(1), the parties shall be liable to each other and to other users of the railway lines for any resulting disruption to railway operations.
4. In accordance with the Act, DSDiK shall suspend or restrict traffic on all or part of a railway line where railway traffic safety or the safe carriage of passengers and goods is at risk.
5. DSDiK shall notify the Railway Undertakings concerned of any disruptions affecting their operations. Where operational disruptions occur, DSDiK shall take measures aimed at restoring normal operating conditions, taking account of the interests of the Railway Undertakings concerned and after consulting them. Such measures may include, inter alia: reducing train speeds, cancelling trains, shortening train routes, combining trains, instructing passengers from trains cancelled en route to transfer to the next available trains travelling in the same direction, including trains operated by another Railway Undertaking, and ordering additional stops. Once passengers have been transferred to another train, the original train shall continue over the remaining section of its route as an empty passenger train to a station agreed with the Railway Undertaking.
6. DSDiK may use a railway vehicle and the personnel of a Railway Undertaking to remedy operational disruptions, in particular where damaged rolling stock needs to be recovered. Where the additional use of a powered railway vehicle is required for reasons attributable to the Railway Undertaking, the resulting costs shall be settled in accordance with the Capacity Use Agreement.
7. The Railway Undertaking and DSDiK shall each bear the documented direct costs arising from measures taken to maintain the continuity and safety of railway traffic and to mitigate the consequences of events or potentially dangerous situations caused by circumstances attributable to that party.
8. Payments arising from the obligations referred to in paragraph 7 shall be settled in accordance with the Capacity Use Agreement.

Procedure in the event of incidents or potentially dangerous situations in railway transport

- § 25.** 1. Where an event occurs in railway transport, namely a serious accident, accident or incident, the persons involved in the train operation process shall act in accordance with the Regulation of the Minister of Infrastructure and Construction of 16 March 2016 on serious accidents, accidents and incidents in railway transport and with Instruction UK-5 on the rules of procedure in cases of serious accidents, accidents and railway incidents.
2. Any employee of the Railway Undertaking or DSDiK who becomes aware that an event may occur or has occurred, in particular one of the events referred to in paragraph 1, shall:
- 1) notify an employee of the nearest traffic control post;

- 2) take all available measures to eliminate the hazard, prevent it from spreading and mitigate its consequences;
3. Where an event or potentially dangerous situation referred to in paragraph 1 has caused or may cause an immediate risk of environmental damage, contamination of infrastructure components, a risk of explosion or fire, or any other hazard affecting railway operations, the employee of the Railway Undertaking or DSDiK shall immediately notify an employee of the nearest traffic control post. The required notifications shall then be made through that post in accordance with the Regulation referred to in paragraph 1, and all possible measures shall be taken to eliminate the hazard.
4. DSDiK and the Railway Undertaking shall jointly:
 - 1) provide assistance to injured persons;
 - 2) take measures to minimise the adverse consequences of the events or potentially dangerous situations referred to in paragraph 1;
 - 3) assist in remedying the damage and restoring railway traffic as quickly as possible;
 - 4) assist in determining the causes of the events or potentially dangerous situations referred to in paragraph 1;
 - 5) assist in removing sources of environmental contamination and remedying their effects.
5. Once the investigation into an event causing losses to either party to the Capacity Use Agreement has been completed, DSDiK shall appoint a team to determine the extent of the losses and responsibility for them. The Railway Undertaking may also appoint such a team if DSDiK has not done so within 7 days of completion of the railway commission's work. The team shall comprise duly authorised representatives of DSDiK and the Railway Undertaking. Minutes of each team meeting shall be drawn up by the party that appointed the team and signed by all team members. In addition to determining the amount of the losses and responsibility for them, the minutes of the final meeting shall specify the method and deadline for financial settlement. The team shall base its work on the record of the railway commission's final findings or the report of the State Commission for Railway Accident Investigation.
6. The findings of the team referred to in paragraph 5 shall be binding on all parties to the proceedings.

If the parties are unable to agree on the amount of the losses incurred or the extent of their respective liability, the matter shall be resolved through legal proceedings.
7. Claims arising from events or potentially dangerous situations referred to in paragraph 1 that are not attributable to DSDiK shall be pursued independently by the entities concerned.
8. The detailed rules for settling costs arising from the events referred to in paragraph 1 are set out in the Capacity Use Agreement.
9. Where, as a result of an event referred to in paragraph 1 for which the Railway Undertaking is responsible, DSDiK railway infrastructure is damaged, the damaged infrastructure shall be repaired either by DSDiK or, at DSDiK's discretion, by third parties acting on its behalf. The Railway Undertaking shall bear all related costs on the basis of the record of final findings or the final report, in accordance with paragraphs 5 and 6.
10. For train movements operated by DSDiK or the Railway Undertaking for the purpose of dealing with the consequences of the events referred to in paragraph 1 on lines managed by DSDiK, no train timetable shall be prepared for the section affected by the event, and the train movement shall be carried out in accordance with the relevant internal regulations of PKP PLK S.A.

Allocation of capacity for service facilities

§ 26. Access to service facilities shall be granted in accordance with the rules set out

in the *Rules for Access to Service Facilities Managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław*, available at www.dsdik.wroc.pl under the *Railways* tab.

CHAPTER 5. SERVICES

Scope of services

§ 27. 1. DSDiK provides access to railway infrastructure in accordance with the agreements concluded and subject to the rules and conditions set out in this Network Statement and in the internal regulations listed in Appendix No. 4.

2. DSDiK provides the following services:

- 1) services forming part of the minimum access package to railway infrastructure, as listed in § 28;
- 2) access to service facilities.

Minimum access to railway infrastructure

§ 28. The minimum access package to railway infrastructure includes:

- 1) processing applications for capacity allocation;
- 2) allowing the use of railway infrastructure, including track points and junctions, within the allocated capacity;
- 3) railway traffic management and the provision of information on train movements;
- 4) provision of the information required to introduce or operate services for which capacity has been allocated.

Access to service facilities and provision of services

§ 29. The conditions for access to service facilities and the list of services provided are set out in the *Rules for Access to Service Facilities Managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław*, available at www.dsdik.wroc.pl under the *Railways* tab.

CHAPTER 6. CHARGES

Rules for determining charges

§ 30. 1. DSDiK applies the same charging rules to all Applicants and Railway Undertakings across the entire railway network under its management.

2. Charges for access to railway infrastructure have been determined on the basis of Article 33 of the Act, Chapter 10 of the Regulation and the Amending Regulation.

3. The basic charge referred to in § 31 is calculated on the basis of the allocated train path.

4. Where railway lines or sections of railway lines have been notified to the President of UTK as congested within the meaning of Article 34(1) of the Act, DSDiK shall, for the period of congestion, charge the successful bidder an increased basic charge determined through an auction conducted in accordance with the rules set out in Appendix 5, with effect from the first day of validity of the ATT.

Minimum access to railway infrastructure

§ 31. 1. The charge for the minimum access package to railway infrastructure covers the services listed in

§ 28.

2. The charge referred to in paragraph 1 includes the basic charge for services provided as part of the minimum access package to railway infrastructure in connection with train movements actually operated, in accordance with the Tariff of charges for the use of railway infrastructure.

3. The Tariff of charges for the use of railway infrastructure is set out in Appendix No. 8.

4. The basic charge is calculated as the product of the train kilometres operated and the unit rate applicable to a train movement over a distance of one kilometre.

5. The unit rate of the basic charge is calculated as the sum of the rate component dependent on train weight and railway line category, the rate component dependent on train traction, and the rate component related to the type of transport service operated.

6. The rate component dependent on train weight and railway line category is calculated as the product of the average rate dependent on train weight and railway line category and the coefficients differentiating that average rate according to train weight and the average category of the line sections.

7. Pursuant to § 21(20) of the Regulation, the rate component related to the type of transport service operated is PLN 0/train-km for all types of transport services.

8. DSDiK does not intend to charge Railway Undertakings for services provided as part of the minimum access package to railway infrastructure in connection with shunting operations.

9. DSDiK does not charge for capacity allocated for the stabling of railway vehicles as part of the minimum access package to railway infrastructure.

10. Charges for the minimum access package to railway infrastructure and the reservation charges referred to in § 33 shall be paid by the Applicant/Railway Undertaking in accordance with the detailed rules set out in the Capacity Allocation Agreement or the Capacity Use Agreement.

Charges for access to service facilities

§ 32. Charges for the services referred to in § 29 shall be levied in accordance with the *Rules for Access to Service Facilities Managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław*, available at www.dsdik.wroc.pl under the *Railways* tab.

Charges for non-use of allocated capacity

§ 33. 1. Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under the annual train timetable is not used, the reservation charge for the unused part of the allocated train path shall be:

1) 25% of the basic charge for the planned train run:

a) where the Railway Undertaking does not cancel the allocated train path;

b) for the period from the date of cancellation until the day before implementation of the next train timetable amendment for which the application deadline has not yet expired;

2) 5% of the basic charge for the planned train run where the allocated train path is cancelled, for the period from the date on which the train timetable amendment for which the deadline for submitting applications has not yet expired takes effect until the end of the annual train timetable period. The charge shall be 0% of the basic charge for the planned train run for any period during

which the train timetable has been amended at the request of the Infrastructure Manager.

2. Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under a procedure other than the annual train timetable procedure is not used, the reservation charge for the unused section of the allocated train path shall be:

- 1) 25% of the basic charge where the allocated train path is not cancelled, or where it is cancelled less than 12 hours before the scheduled departure of the train;
- 2) 20% of the basic charge where the allocated train path is cancelled at least 12 hours but less than 36 hours before the scheduled departure of the train;
- 3) 15% of the basic charge where the allocated train path is cancelled at least 36 hours but less than 72 hours before the scheduled departure of the train;
- 4) 10% of the basic charge where the allocated train path is cancelled at least 72 hours but no more than 30 days before the scheduled departure of the train;
- 5) 0% of the basic charge for the planned train run where the allocated train path is cancelled more than 30 days before the scheduled departure of the train.

3. The reservation charges referred to in paragraphs 1 and 2 shall be 0% of the basic charge for the planned train run where the train path is not used as a result of an application to modify an allocated train path submitted as part of a timetable amendment.

4. Where part of the allocated capacity is not used because the Railway Undertaking has reduced the planned train weight, a reservation charge equal to 50% of the resulting reduction in the basic charge shall be levied, provided that the reduction in train weight does not require any change to the allocated train path.

5. Where allocated capacity is not used because the Applicant fails to designate a Railway Undertaking to use it, or because the Railway Undertaking designated by the Applicant fails to enter into a Capacity Use Agreement with DSDiK, a reservation charge shall be levied on the Applicant in accordance with § 20 of the Regulation. The amount due shall be settled in accordance with the relevant provisions of the PKP PLK Network Statement.

6. No reservation charge shall be levied where a train run is not operated for reasons attributable to DSDiK or due to an exceptional situation.

Performance scheme

§ 34. 1. All passenger trains operated by the Railway Undertaking for the carriage of passengers shall be considered punctual where the maximum delay recorded during the train journey on arrival at stopping points requested by the Applicant and located on the network managed by DSDiK does not exceed 5 minutes; for other trains, the corresponding limit is 15 minutes.

2. The percentage of trains operated by the Railway Undertaking that are not delayed for reasons attributable to it, relative to the total number of trains operated by it, referred to as the Railway Undertaking's qualified punctuality rate, shall be specified in the Capacity Use Agreement. During the annual train timetable period, the qualified punctuality rate may not be lower than 90% for passenger trains and 70% for other trains.

3. The amount of compensation payable per minute of train delay shall be determined on the basis of the average cost of providing access to railway infrastructure for passenger trains and other trains, calculated using the rates applicable under the 2025/2026 timetable tariff and multiplied by the operating performance, expressed in train-kilometres, corresponding to one minute and calculated on the basis of the 2025/2026 timetable.

4. Compensation for train delays shall be payable in respect of all passenger and freight trains operated by the Railway Undertaking for the carriage of passengers and goods where the maximum delay recorded during the train journey on arrival at stopping points requested by the

Applicant exceeds 5 minutes for passenger trains and 15 minutes for other trains, excluding trains operated on the basis of applications for train path allocation submitted less than 5 days before the scheduled departure of the train.

5. For the purpose of determining the number of delay minutes eligible for compensation, the greatest difference between the actual arrival time at a commercial stopping point requested by the Applicant and located on the network managed by DSDiK and the scheduled arrival time shall be taken into account.

6. The number of minutes of secondary train delay eligible for compensation shall be limited so that no more than 300 minutes of delay may be attributed to a primary cause. Any secondary delay exceeding this limit and resulting from that primary cause shall be classified under delay category group 9 – secondary causes, for which neither DSDiK nor the Railway Undertaking is responsible or bears any financial consequences.

7. The causes of delays shall be classified in accordance with § 16 of the Regulation.

8. DSDiK shall coordinate the payment of compensation as follows:

1) DSDiK shall pay compensation to the Railway Undertaking where the trains referred to in paragraph 4 are delayed en route for reasons attributable to DSDiK, including its subcontractors, and/or to other Railway Undertakings operating on DSDiK lines;

2) the Railway Undertaking shall pay compensation to DSDiK where it causes delays to trains operated by other Railway Undertakings and referred to in paragraph 4;

3) for each settlement period, compensation for train delays shall be calculated on the basis of authorised documentation maintained by the DSDiK Railway Department and agreed with the Railway Undertaking;

4) compensation shall be settled monthly. Each settlement period shall be closed by the 20th day of the month following the settlement period. The settlement shall also include delays relating to trains in respect of which the Railway Undertaking has submitted claims;

5) where determining the cause of a train delay requires an investigation and the delay cannot be settled within the time limit specified in point 4, any adjustment resulting from a subsequent reclassification of the cause of the delay shall be included in the following settlement period. This applies in particular to train delays associated with events (serious accidents, accidents or incidents) or potentially dangerous situations where responsibility has yet to be determined;

6) on the basis of the documentation maintained by DSDiK referred to in point 3, DSDiK shall determine, for each participant in the transport process that contributed to a train delay, its percentage share of the delay minutes determined in accordance with point 5;

7) on the basis of the percentage share in the train delay determined in accordance with point 6, DSDiK shall determine the number of delay minutes attributable to each party responsible for the delay

in relation to the total number of delay minutes determined in accordance with point 5. The resulting number of delay minutes (chargeable delay minutes) shall be used to calculate the amount of compensation and shall form the basis for issuing debit notes.

8. Rules for reconciling delays and handling appeals:

1) Railway Undertakings shall verify and approve the records of train movements and delays on the basis of documentation maintained by the DSDiK Railway Department. The documentation shall be sent by e-mail to the address specified by each Railway Undertaking by the 10th working day of the month following the settlement month;

2) following verification, Railway Undertakings shall, within three working days of receiving the delay documentation from DSDiK, return the authorised delay documentation to the Infrastructure Manager at the specified e-mail address. If the authorised delay documentation is not

returned within three days, DSDiK shall deem the Railway Undertaking to have accepted the classification of the causes of the delays;

3) the Railway Undertaking may submit a claim concerning the classification of delays to the DSDiK Railway Department within two working days of receiving the delay documentation;

4) where the Railway Undertaking disputes the description of the cause of a train delay, the designated DSDiK personnel shall review the objection and take a decision without undue delay following receipt of the claim;

5) when DSDiK considers claims concerning the causes of train delays, any cause relating to malfunctioning railway infrastructure that remains unclear or unresolved within the prescribed period shall be attributed to DSDiK. Where, in a particular case, the cause has been established and indicates that the Railway Undertaking was responsible, but the Railway Undertaking maintains that it was not responsible for the delay, the burden of proving this shall rest with the Railway Undertaking.

10. The procedure for settling compensation for train delays is set out in the Capacity Use Agreement.

Settlement of amounts due

§ 35. 1. Applicants and Railway Undertakings shall be charged for the services provided in accordance with the rules set out in the Capacity Allocation Agreement and the Capacity Use Agreement.

2. Amounts due shall be payable within 14 days of receipt of the invoice.

3. Interest shall be charged on overdue amounts in accordance with the relevant agreements.

4. The charges referred to in this Chapter shall be subject to the applicable value added tax in accordance with separate regulations.

CHAPTER 7. PROCEDURE DURING PERFORMANCE OF THE AGREEMENT

Organisation of train movements

§ 36. 1. A formation of coaches or other railway vehicles coupled to an active traction vehicle, or a powered traction vehicle that has been correctly signalled and prepared for operation, acquires train status once readiness for departure is reported at the originating station. All trains entering the DSDiK network from the networks of other Infrastructure Managers retain their train status when operating in accordance with the timetable. Train status ceases in the following cases:

1) when the train arrives at the destination station specified in the timetable or leaves the DSDiK network;

2) when, at an intermediate station, the train driver reports that the train is unable to continue for reasons attributable to the Railway Undertaking, or when readiness for departure is not reported within 24 hours of arrival at the intermediate station.

Where train status has ceased, the train may resume operation only after a new train path has been allocated. Train movements on DSDiK lines shall be conducted in accordance with the applicable train timetable.

2. Train movements shall be preceded by operational planning of train departures.

3. Under the cooperation agreement between DSDiK and PKP PLK concerning the interconnection of railway lines, operational planning on railway lines managed by DSDiK shall be carried out in accordance with the rules set out in the PKP PLK Network Statement.

4. Where, for technical or operational reasons or in order to ensure efficient use of railway lines,

it becomes necessary to adapt the organisation of transport services to new conditions identified during operation of a railway line or section, DSDiK shall notify the Railway Undertakings of any changes that may affect them.

5. For sections of railway infrastructure with insufficient capacity, DSDiK sets the minimum train path utilisation threshold at 90%. Failure to meet this threshold entitles the Infrastructure Manager to withdraw the Railway Undertaking's right to use the allocated capacity.

Inspections carried out by DSDiK personnel

§ 37. 1. DSDiK employees holding auditor identification cards issued in their names are authorised to carry out checks covering:

1) whether the Railway Undertaking's personnel and railway vehicle are equipped with the following documents and equipment:

- a) the train driver's licence and certificate;
- b) the current internal train timetable and Supplement 2 to the WTT (WOS);
- c) the train brake and pneumatic equipment test record;
- d) written order forms;
- e) a list of railway vehicles forming the train;
- f) the return-to-service document for the vehicle;
- g) signalling equipment;

2) whether the train formation complies with the parameters of the allocated train path;

3) confirmation that the radio equipment in the driver's cab and that carried by the train crew is operational;

4) the train crew's knowledge of the line sections on which they operate.

2. DSDiK shall notify the Railway Undertaking of the results of the checks within 14 days of their completion.

Compensation and settlement for failure to fulfil obligations

§ 38. 1. Failure to fulfil obligations arising under the Capacity Use Agreement shall give rise to liability for any damage caused to the other party.

2. Liability for the damage referred to in paragraph 1 shall not extend to:

1) costs arising from the settlement of other agreements entered into by a party where those agreements were concluded without prior agreement with the other party to the Capacity Use Agreement as regards potential claims, in particular contractual penalties and compensation payable by that party;

2) loss of profit, except for claims arising under Capacity Use Agreements with other Railway Undertakings, where such liability has been provided for in the Capacity Use Agreement with the Railway Undertaking concerned.

3. Liability for the damage referred to in paragraph 1 shall include, in particular, compensation paid by the Railway Undertaking under transport law, applicable European Union legislation, in particular Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations, and relevant agreements, in respect of delays and damage arising in the course of carriage for reasons attributable to DSDiK.

4. DSDiK shall not be liable for failure to perform obligations arising under the Capacity Use Agreement where the Railway Undertaking fails to comply with the operating parameters forming part of the train timetable.

5. Neither party shall be liable for failure to perform obligations arising under the Capacity Use Agreement in the event of an exceptional situation.

6. Where a third party suffers damage as a result of non-performance or improper performance of the Capacity Use Agreement, the party that has compensated the third party may seek reimbursement from the other party in full or in the appropriate proportion.
7. The Railway Undertaking shall bear the costs of restoring the environment to the required standards where it causes environmental pollution exceeding the legally prescribed environmental quality standards.
8. DSDiK shall not be liable for damage suffered by the Railway Undertaking as a result of acts of third parties for whose actions DSDiK is not responsible.

Preparation of a train and notification of readiness for departure

§ 39. 1. The Railway Undertaking is responsible for preparing the train for operation.

2. Before a train is dispatched, the following activities shall be carried out at the originating station and at any intermediate station where the train formation is changed:

- 1) form the train in accordance with the timetable;
- 2) carry out a technical inspection;
- 3) carry out the required brake test;
- 4) ensure that the train is correctly signalled;
- 5) check that there are no obstructions under the train wheels and that the hand and parking brakes have been released;
- 6) carry out any other activities necessary to ensure safe and efficient railway operations, as specified

in the internal regulations of the Infrastructure Manager and the Railway Undertaking.

3. Readiness for departure shall be reported to the train dispatcher responsible for the train's departure in the manner specified in the station technical regulations and shall include the following information:

- 1) train number;
- 2) surname of the train driver;
- 3) number and class of the railway vehicle;
- 4) train length in metres and total train weight;
- 5) time of notification.

4. The train dispatcher shall record the notification in the telephone log and confirm receipt of the notification of readiness for departure by providing the person making the notification with:

- 1) the surname and position of the person receiving the notification;
- 2) the time at which the notification was received;
- 3) the number under which the notification was entered in the telephone log.

5. Notification of readiness for departure shall be deemed to have been made within the time limit requiring the Infrastructure Manager to ensure that the train run is carried out in accordance with the Capacity Use Agreement only if it is made before the scheduled departure time, within the time limit specified in the station technical regulations. Where the traction crew is changed, readiness for departure shall instead be reported sufficiently early to allow the train to depart on schedule.

6. If readiness for departure is not reported within the time limit specified above, the Railway Undertaking shall have no claim against the Infrastructure Manager in respect of the punctuality of the train run.

7. Where there is any deviation from the parameters specified in the train timetable, an authorised employee of the Railway Undertaking (the train driver or another employee designated in the station technical regulations) shall inform the train dispatcher of the nature and cause of the

circumstances preventing normal operation and indicate the expected resulting delay. Before the train departs, the train dispatcher shall provide the train driver with all necessary current information, instructions and authorisations.



Appendix No. 1

Technical and operational parameters of the line

1. Maximum speed:

- 1) line No. 303 – from km 6.900 to km 7.224 – 80 km/h, from km 7.224 to km 9.402 – 100 km/h, from km 9.402 to km 9.603 – 80 km/h, from km 9.603 to km 10.357 – 100 km/h;
- 2) line No. 308 – from km 30.060 to km 30.517 – 40 km/h, from km 30.517 to km 30.755 – 60 km/h, from km 30.755 to km 33.387 – 70 km/h, from km 33.387 to km 35.454 – 60 km/h, from km 35.454 to km 37.712 – 80 km/h, from km 37.712 onwards – 70 km/h;
- 3) line No. 311 – 50 km/h;
- 4) line No. 316 – from km 21.832 to km 22.300 – 60 km/h, from km 22.300 to km 24.270 – 80 km/h, from km 24.270 to km 24.440 – 70 km/h, from km 24.440 to km 26.636 – 80 km/h, from km 26.636 to km 26.910 – 70 km/h, from km 26.910 onwards – 80 km/h;
- 5) line No. 317 – from km 0.668 to km 1.800 – 80 km/h, from km 1.800 to km 2.014 – 70 km/h, from km 2.014 to km 4.602 – 80 km/h, from km 4.602 to km 4.978 – 70 km/h, from km 4.978 to km 5.456 – 80 km/h, from km 5.456 to km 5.645 – 70 km/h, from km 5.645 to km 5.950 – 80 km/h, from km 5.950 to km 7.281 – 60 km/h, from km 7.281 to km 13.990 – 80 km/h, from km 13.990 to km 14.871 – 60 km/h, from km 14.871 to km 15.083 – 70 km/h, from km 15.083 to km 16.166 – 80 km/h, from km 16.166 onwards – 40 km/h;
- 6) line No. 318 – from km 24.418 to km 26.510 – 80 km/h, from km 26.510 to km 27.464 – 70 km/h, from km 27.464 onwards – 60 km/h;
- 7) line No. 326 – from km 1.260 to km 10.330 – 80 km/h, from km 10.330 to km 13.130 – 100 km/h, from km 13.130 onwards – 80 km/h;
- 8) line No. 340 – up to km 0.359 – 40 km/h, from km 0.359 to km 1.620 – 60 km/h, from km 1.620 to km 2.888 – 50 km/h, from km 2.888 to km 3.612 – 60 km/h, from km 3.612 to km 4.992 – 80 km/h, from km 4.992 to km 6.701 – 60 km/h, from km 6.701 onwards – 40 km/h;
- 9) line No. 341 – up to km 5.106 – 80 km/h, from km 5.106 onwards – 40 km/h;
- 10) line No. 283 – 0 km/h;
- 11) line No. 284 – 0 km/h;
- 12) line No. 291 – 0 km/h;
- 13) line No. 302 – 0 km/h;
- 14) line No. 303 on the Chocianów – Przemków section – 0 km/h;
- 15) line No. 308 on the Kamienna Góra – Mystakowice section – 0 km/h;
- 16) line No. 310 – 0 km/h;
- 17) line No. 312 – 0 km/h;
- 18) line No. 318 on the Srebrna Góra – Bielawa Góry Sowie section – 0 km/h;
- 19) line No. 319 – 0 km/h;
- 20) line No. 320 – 0 km/h;
- 21) line No. 322 – 0 km/h;
- 22) line No. 323 – 0 km/h;

- 23) line No. 327 on the Ścinawka Średnia – Radków section – 0 km/h;
 24) line No. 327 on the Wolibórz – Nowa Ruda Stupiec section – 0 km/h;
 25) line No. 331 – 0 km/h;
 26) line No. 335 – 0 km/h;
 27) line No. 345 – 0 km/h;
 28) line No. 372 – 0 km/h.

2.
3.

2. Speed restrictions:

Railway line	Location of restriction or line speed		Reason for restriction	Speed, km/h Direction	
	from km	to km		odd-numbered	even-numbered
303 Chocianowice – Chocianów	9.495	10.160	reduced distance between the warning board and the level crossing	-	60
	10.224	10.334	lack of visibility	20	20
308 Mysłakowice – Jelenia Góra	35.392	35.402	restricted visibility	20	20
	36.293	36.571		50	-
	36.565	36.788		-	40
	36.754	37.087		60	-
311 Szklarska Poręba Górna – State Border	31.292	31.298	lack of visibility	20	20
	32.829	32.835		20	20
	35.560	36.566		20	20
	36.726	36.732		20	20
	37.350	37.876		20	20
316 Chojnów – Rokitki	24.360	24.366	lack of visibility	20	20
	26.760	26.900	restricted visibility	40	-
317 Gryfów Śl. – Świeradów-Zdrój	2.939	3.217	limited visibility	-	50
	3.443	3.721		50	-
	3.715	4.103		-	70
	11.627	12.392		-	50
	13.465	13.688		-	40
326 Wrocław Zakrzów - Trzebnica	1.292	1.390	curve with a radius of 335 m	50	50
	7.430	7.762	restricted visibility	-	60
	7.653	7.876		40	-
	15.757	15.767		20	20
341 Bielawa Zachodnia – Dzierżoniów Śląski	0.135	0.358	restricted visibility	-	40
	2.131	2.137		20	-
	4.916	5.036		40	-
	5.036	5.156		-	40

3. Maximum permissible axle load:

- a. line No. 303 on the Chocianowice – Chocianów section – 196 kN/axle;
 b. line No. 308 on the Jelenia Góra – Mysłakowice section – 196 kN/axle;
 c. line No. 311 – 196 kN/axle;
 d. line No. 316 – 196 kN/axle;
 e. line No. 317 – 196 kN/axle;

- f. line No. 318 on the Bielawa Góry Sowie – Bielawa Zachodnia section – 196 kN/axle
- g. line No. 326 – 196 kN/axle;
- h. line No. 340 – 196 kN/axle;
- i. line No. 341 – 196 kN/axle;
- j. line No. 283 – 0 kN/axle;
- k. line No. 284 – 0 kN/axle;
- l. line No. 291 – 0 kN/axle;
- m. line No. 302 – 0 kN/axle;
- n. line No. 303 on the Chocianów – Przemków section – 0 kN/axle;
- o. line No. 308 on the Mysłakowice – Kamienna Góra section – 0 kN/axle;
- p. line No. 310 – 0 kN/axle;
- q. line No. 312 – 0 kN/axle;
- r. line No. 318 on the Srebrna Góra – Bielawa Góry Sowie section – 0 kN/axle;
- s. line No. 319 – 0 kN/axle;
- t. line No. 320 – 0 kN/axle;
- u. line No. 322 – 0 kN/axle;
- v. line No. 323 – 0 kN/axle;
- w. line No. 327 on the Ścinawka Średnia – Radków section – 0 kN/axle;
- x. line No. 327 on the Wolibórz – Nowa Ruda Stupiec section – 0 kN/axle;
- y. line No. 331 – 0 kN/axle;
- z. line No. 335 – 0 kN/axle;
- aa. line No. 345 – 0 kN/axle;
- bb. line No. 372 – 0 kN/axle;

The Infrastructure Manager may authorise the passage of a vehicle exceeding the permissible axle load on the line upon an individual application by the Railway Undertaking.

4. Permissible length of trains in operation:

- a. line No. 303 on the Chocianowice – Chocianów section – 100 m for passenger trains;
- b. line No. 308 on the Jelenia Góra – Mysłakowice section – 100 m for passenger trains;
- c. line No. 311 – 100 m for passenger trains;
- d. line No. 316 – 100 m for passenger trains;
- e. line No. 317 – 100 m for passenger trains;
- f. line No. 318 on the Bielawa Góry Sowie – Bielawa Zachodnia section – 100 m for passenger trains
- g. line No. 326 – 100 m for passenger trains;
- h. line No. 340 – 100 m for passenger trains;
- i. line No. 341 – 100 m for passenger trains;
- j. line No. 283 – 0 m;
- k. line No. 284 – 0 m;
- l. line No. 291 – 0 m;
- m. line No. 302 – 0 m;
- n. line No. 303 on the Chocianów – Przemków section – 0 m;
- o. line No. 308 on the Mysłakowice – Kamienna Góra section – 0 m;
- p. line No. 310 – 0 m;
- q. line No. 312 – 0 m;
- r. line No. 318 on the Srebrna Góra – Bielawa Góry Sowie section – 0 m;
- s. line No. 319 – 0 m;
- t. line No. 320 – 0 m;
- u. line No. 322 – 0 m;
- v. line No. 323 – 0 m;
- w. line No. 327 on the Ścinawka Średnia – Radków section – 0 m;
- x. line No. 327 on the Wolibórz – Nowa Ruda Stupiec section – 0 m;

- y. line No. 331 – 0 kN/axle;
- z. line No. 335 – 0 kN/axle;
- aa. line No. 345 – 0 kN/axle;
- bb. line No. 372 – 0 kN/axle;

In exceptional circumstances, the Infrastructure Manager may authorise the operation of a longer train upon an individual application by the Railway Undertaking.

5. Braking distance:

- a. line No. 303 on the Chocianowiec – Chocianów section – 700 m;
- b. line No. 308 on the Jelenia Góra – Mystakowice section – 700 m;
- c. line No. 311 – 500 m;
- d. line No. 316 – 700 m;
- e. line No. 317 – 700 m;
- f. 5)6) line No. 318 on the Bielawa Góry Sowie – Bielawa Zachodnia section – 700 m
- g. line No. 326 – 700 m;
- h. line No. 340 – 700 m;
- i. line No. 341 – 700 m;
- j. line No. 283 – 0 m;
- k. line No. 284 – 0 m;
- l. line No. 291 – 0 m;
- m. line No. 302 – 0 m;
- n. line No. 303 on the Chocianów – Przemków section – 0 m;
- o. line No. 308 on the Mystakowice – Kamienna Góra section – 0 m;
- p. line No. 310 – 0 m;
- q. line No. 312 – 0 m;
- r. line No. 318 on the Srebrna Góra – Bielawa Góry Sowie section – 0 m;
- s. line No. 319 – 0 m;
- t. line No. 320 – 0 m;
- u. line No. 322 – 0 m;
- v. line No. 323 – 0 m;
- w. line No. 327 on the Ścinawka Średnia – Radków section – 0 m;
- x. line No. 327 on the Wolibórz – Nowa Ruda Stupiec section – 0 m;
- y. line No. 331 – 0 kN/axle;
- z. line No. 335 – 0 kN/axle;
- aa. line No. 345 – 0 kN/axle;
- bb. line No. 372 – 0 kN/axle;

Structure gauge: A

List of platforms

Facility name	Line	Start [km]	End [km]	Type	Usable length [m]	Platform height [mm]	Surface	Type of paving	Passenger facilities	Accessibility features	Additional equipment
Szklarska Poręba Huta	311	31.012	31.112	1k	100	550	U	K P	W Ł	P I	Sz P
Polana Jakuszycka	311	37.643	37.743	1k	140	300	G	K	-	-	-
Wrocław Pawłowice	326	2.600	2.700	1k	100	550	U	K P	W Ł	P I	Sz P
Ramiszów	326	5.547	5.647	1k	100	550	U	K P	W Ł	P I	Sz
Pasikowice	326	7.493	7.593	1k	100	550	U	K P	W Ł	P I	Sz P
Siedlec Trzebnicki	326	10.373	10.473	1k	100	550	U	K P	W Ł	P I	Sz
Pierwoszków Miłocin	326	13.166	13.266	1k	100	550	U	K P	W Ł	P I	S
Brochocin Trzebnicki	326	15.646	15.746	1k	100	550	U	K P	W Ł	P I	Sz P
Trzebnica	326	19.680	19.780	1k	100	550	U	K P	-	P I	-
Bielawa Zachodnia	341	0.025	0.125	1k	100	550	U	K P	W Ł	P I	Sz P
Bielawa Centralna	341	1.314	1.414	1k	100	550	U	K P	W Ł	P I	Sz P
Bielawa Góry Sowie	318	24.418	24.518	1k	100	550	U	K P	W Ł	P I	S P
Bielawa Jezioro	318	26.470	27.320	1k	85	550	U	K P	W Ł	P I	S P
Chocianów	303	10.307	10.407	1k	100	550	U	K P	W Ł	P I	-
Biała Góra (NŻ)	316	24.158	24.258	1k	100	550	U	K P	W Ł	P I	Sz P
Proszówka (NŻ)	317	3.090	3.175	1k	85	550	U	K P	W Ł	P I	Sz P
Mirsk	317	8.722	8.822	1k	100	550	U	K P	W Ł	P I	Sz P

Mroczkowice (NŻ)	317	11.984	12.084	1k	100	550	U	K P	W Ł	P I	Sz P
Orłowice	317	13.879	13.979	1k	100	550	U	K P	W Ł	P I	Sz P
Świeradów Zdrój	317	16.397	16.482	1k	85	550	U	K P	W Ł	P I	Sz P
Łomnica Średnia	308	36.592	36.678	1k	96	550	U	K P	W Ł	P I	Sz
Łomnica Dolna	308	35.498	35.598	1k	100	550	U	K P	W Ł	P I	Sz
Łomnica	308	33.583	33.683	1k	100	550	U	K P	W Ł	P I	Sz P
Mysłakowice	308	30.334	30.434	1k	100	550	U	K P	W Ł	P I	Sz P
Mysłakowice - Orzeł	340	1.134	1.219	1k	85	550	U	K P	W Ł	P I	Sz
Miłków	340	3.671	3.771	1k	100	550	U	K P	W Ł	P I	Sz P
Karpacz	340	6.856	6.956	1k	100	550	U	K P	W Ł	P I	Sz

Legend:

NŻ – request stop

Type – platform type:

1k – single-edge platform

Surface – type of platform surface:

U – paved,

G – unpaved.

Type of paving – type of paving used for the platform surface:

K – stone paving blocks,

P – concrete paving slabs,

Ż – unpaved surface improved with gravel.

Passenger facilities – structures provided for passengers:

W – shelter, roofed structure with walls,

Ł – bench,

Po – waiting room.

Accessibility features:

P – ramp,

I – tactile and visual markings on the platform surface.

Additional equipment:

S – bicycle rack,

Sz – covered bicycle rack,

P – car park.

Schedule of planned track closures

Appendix No. 4**List of internal regulations and other applicable documents
for Railway Undertakings**

No.	Num- ber	Name
1	UK-5	Instruction on the rules of procedure in cases of serious accidents, accidents and railway incidents
3	UK-8	Instruction on the organisation of the rail transport of exceptional consignments
4	-	Rules for railway traffic operation on the Szklarska Poręba Górna (Republic of Poland) – Harrachov (Czech Republic) cross-border section
5	-	Local Border Agreement Harrachov (Czech Republic) – Szklarska Poręba Górna (Republic of Poland)
6	-	Information on service facilities is provided in the Rules for Access to Service Facilities Managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław
7	-	Instruction on train traffic operation Ir-1
8	-	Signalling Instruction Ie-1
9	-	Instruction for staff of signalling posts Ir-2
10	-	Instruction on the use of train radio communication equipment Ir-5
11	-	Instruction on train timetables Ir-11
12	-	Technical and Operational Requirements for Fixed/Mobile Radio Equipment for Radio Networks with Selective Group Calling Ie-105
13	-	Technical Regulations of the Jelenia Góra station

Rules for conducting auctions for unallocated capacity

1. DSDiK shall organise the auction and appoint a team to conduct the auction for unallocated capacity. The team shall be chaired by an employee designated by DSDiK.
2. The subject of the auction shall be the amount by which the unit rate for access to congested railway infrastructure is to be increased, as specified in the invitation to participate in the auction drawn up using Form No. 1 attached to these Rules.
3. The duties of the auction chairperson shall include, in particular:
 - 1) checking the attendance of the Applicants concerned and the authorisations submitted;
 - 2) outlining the situation following completion of the coordination process on the section of railway line declared congested;
 - 3) determining the increase in the basic charge offered by the Applicants for individual train paths;
 - 4) establishing the order in which applications for capacity allocation for train paths are to be considered;
 - 5) reviewing the draft ATT in respect of unallocated capacity, taking into account the revised order in which the applications covered by the auction are to be considered;
 - 6) determining the increase in the basic charge for train paths where, as a result of the auction, it is possible to reduce the extent to which the draft ATT departs from the requirements specified in the application;
 - 7) providing the Applicants with a revised proposal for the train paths requested on the congested section of infrastructure, including alternative or variant train paths, or refusing to allocate capacity;
 - 8) identifying the Applicants to whom train paths have been allocated and the applicable increase in the basic charge.
4. Following completion of the coordination process for train path allocation applications, Applicants interested in using the congested railway infrastructure shall be invited to participate in the auction where they have submitted applications for train paths with equal priority under § 7(7) of the Regulation.
5. An Applicant may participate in the auction only if, before the auction begins, it provides the auction organiser with an authorisation to represent the Applicant, drawn up using Form No. 2 attached to these Rules.
6. The auction shall be held at the place and time specified in the invitation to participate in the auction.
7. The auction shall be conducted only with the invited Applicants who are present. Written bids shall not be considered.
8. The auction shall take the form of oral bidding on the amount by which the basic charge is to be increased for individual train paths covered by the capacity allocation applications subject to the auction.
9. The minimum bid increment for the basic charge shall be PLN 2, excluding VAT.
10. Before the bidding is closed, the auctioneer shall announce three times the latest amount bid as an increase in the basic charge for the train path concerned.

11. Where an Applicant receives a revised train path proposal referred to in point 3(7), it may, within 5 working days of receiving that proposal, withdraw any applications for which the draft ATT does not meet the requirements specified in the application. If the Applicant does not withdraw those applications, it shall be deemed to have accepted the proposal referred to in point 3(7).

12. The auction organiser shall draw up minutes of the auction using Form No. 3 attached to these Rules, identifying the Applicant to whom the available capacity has been allocated. The auction minutes shall be signed by representatives of the auction organiser and the Applicants.

13. Auction participants may enter comments on the conduct of the auction in the auction minutes.

14. The auction minutes shall be provided to all Applicants that participated in the auction.

15. Any complaints concerning the conduct of the auction shall be submitted to DSDiK no later than 3 days after receipt of the auction minutes.

16. The increase in the unit rate of the basic charge for use of congested railway infrastructure during the period of congestion, determined in accordance with point 12, shall be reflected in the Capacity Use Agreement.

17. Further information about the auction may be obtained from the auction organiser identified in the invitation referred to in point 2.

.....
(Auction number)

.....
(Place and date)

Invitation to participate in an auction for unallocated capacity on railway infrastructure managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław as part of the preparation of the 2025/2026 annual train timetable.

Please be informed that, during preparation of the 2025/2026 annual train timetable, the railway infrastructure described below was identified as congested. In order to allocate train paths using the congested railway infrastructure, it is necessary to conduct an auction for unallocated capacity based on access charges, as referred to in § 7(11)(4) of the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure (Journal of Laws of 2024, item 602).

Accordingly, I hereby invite an authorised representative of the Applicant to participate in the auction for unallocated capacity, to be conducted in accordance with the auction rules set out in Appendix 5 to the 2025/2026 Network Statement. If the authorised representative does not attend, the decision on train path allocation will be taken without the participation of the absent Applicant's representative.

Subject of the auction: amount of the increase in the unit rate

Congested section:

Period **of** **congestion:**

Applicants concerned:

No.	Applicant	Application number
1.		
2.		
3.		

DSDiK unit conducting the auction:

Contact details of the unit conducting the auction:

Tel. no.:

Fax:

E-mail:

Place **of** **the** **auction:**

Auction start time and expected completion time:

.....

(Auction number)

.....

(Place and date)

AUTHORISATION

I hereby authorise Mr/Ms

holder of

to represent

(name of Applicant)

in the auction for unallocated capacity conducted pursuant to § 7(11)(4) of the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure (Journal of Laws of 2024, item 602), in connection with the invitation to participate in auction No. dated, and in particular to take, on behalf of, all decisions necessary for the purposes of the above proceedings.

Contact details of the Applicant's representative:

Correspondence address:

E-mail:

Tel. no.:

.....

(signature of the person authorised to represent the Applicant)

.....

(Auction number)

.....

(Place and date)

Minutes of the auction for unallocated capacity

1. On, at the premises of, in accordance with the invitation to participate in auction No. dated.....,an auction for unallocated capacity was held.

2. The auction was attended by representatives of the Applicants, the auction organiser and as listed in the attached attendance list.

The following representative did not attend the auction:

.....

3. The auction chairperson stated that the subject of the auction was the amount of the increase in the unit rate for access to the congested railway infrastructure specified in the invitation to participate in the auction, in respect of the following available capacity offered for bidding:

Period of congestion:

No.	Line number	Name of congested section	km Start	km End	Length [km]	From	To
1.							
2.							

4. Bidding results:

1) For the congested section described in row 1 of the table in point 3 of these minutes, the individual Applicants offered the following increases in the basic charge:

2) train path from:

No.	Applicant	Increase in the basic charge excluding VAT [PLN]	Application number
1.			
2.			
3.			

5. Train paths were allocated to the Applicants that offered the highest amounts referred to in point 4.

6. Other arrangements relating to the auction:

7. These minutes shall form the basis for preparing the draft 2025/2026 annual train timetable incorporating the train paths allocated on the basis of the auction results.

8. Comments of the auction organiser:

.....

.....

.....

.....

.....

9. Comments of the Applicants' representatives

.....

.....

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.....

.....

.....

.....

(signatures of the auction organiser's representatives)

(signatures of the Applicants' representatives)

Attachments:

1. Auction attendance list
2. Authorisations of the Applicants' representatives.

Appendix to the minutes

Attendance list for the auction for unallocated capacity held on

.....

No.	First name and surname	Company	Telephone no.	Signature
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

RAILWAY UNDERTAKING DECLARATION

on the assessment of the efficiency and reasonableness of the arrangements for rail replacement services

Name of the Railway Undertaking:

.....

Relating to rail replacement services introduced on line No.

on the section

on the following dates

We hereby declare that:

1. the provision of rail replacement services was entrusted to a road transport operator holding a valid licence for domestic road passenger transport issued pursuant to the Act of 6 September 2001 on Road Transport (Journal of Laws of 2024, item 856, as amended);
2. the efficiency and reasonableness of the arrangements for the rail replacement services introduced following the cancellation of trains on the specified section of the railway line were assessed;
3. the rail replacement service arrangements were adapted to passengers' transport needs and to the technical and organisational conditions at the location concerned;
4. the costs of rail replacement services shown in invoice No. dated, in the net amount of PLN, were incurred for a justified purpose and were reasonable;
5. the additional costs of rail replacement services are not reimbursed by the public transport organiser.
6. The additional costs of rail replacement services referred to in point 5 comprise solely the difference between the costs of the minimum access package to railway infrastructure that the Railway Undertaking would have incurred had the train run operated without any restrictions on the use of railway infrastructure, and the full invoiced costs incurred for the provision of rail replacement services by the service provider. The full costs cover only the provision of a road vehicle and a driver to operate the rail replacement service and do not include any additional unjustified expenditure.

Appendix No. 7

.....

place, date

.....

position and signature of the
authorised person

RAILWAY UNDERTAKING DECLARATION

on non-reimbursement of rail replacement service costs by the public transport organiser

Name and address of the Railway Undertaking:

.....

Relating to rail replacement services introduced on railway line No.
on the section
on the following dates

We hereby declare that the costs of the rail replacement services shown in invoice No.
..... dated, in the net amount of PLN, were not in-
cluded in the compensation received from the public transport organiser
(.....) under public service contract(s) No. ... for the provision of
public passenger transport services.

This declaration is made in connection with the obligation arising under the DSDiK Network State-
ment concerning the organisation of rail replacement services.

.....

place, date

.....

position and signature of the authorised person

Appendix No. 8

**Tariff of charges for the use of railway infrastructure managed by the Lower Silesian
Voivodeship – Lower Silesian Road and Railway Authority in Wrocław, applicable under
the
2025/2026 train timetable**

- 1. Charge for processing an application for the allocation of capacity**
- 2. Method for determining the unit rate of the basic charge**
- 3. Unit rate of the shunting charge**
- 4. Reservation charges**
- 5. Charge for stabling railway vehicles**
- 6. Additional charges**

The Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław hereby states that, for the 2025/2026 train timetable, it has decided to apply, in respect of the railway lines listed below, the rates for the minimum access package to railway infrastructure approved by the President of the Office of Rail Transport in Decision No. DRR-WLKD.730.2023.LB of 16 August 2023:

- 303 on the Duninów – Chocianów section from km 6.900 to km 10.970;
- 311 on the Szklarska Poręba Górna – State Border section, from km 29.844 to km 43.138;
- 316 on the Chojnów – Rokitki section, from km 21.832 to km 27.900;
- 317 on the Gryfów Śląski – Świeradów Zdrój section, from km 0.668 to km 16.544;
- 318 on the Bielawa Góry Sowie – Bielawa Zachodnia section, from km 24.300 to km 28.295
- 326 on the Wrocław Zakrzów – Trzebnica section, from km 1.260 to km 19.903;
- 341 on the Bielawa Zachodnia – Dzierżoniów section, from km -0.530 to km 5.118

Pursuant to Article 33(1) of the Act, the Infrastructure Manager has established a charging system for the period of validity of the 2025/2026 annual train timetable, based on the same principles for all Applicants across the entire railway network. The tariff contains the information referred to in Article 33(13) of the Act.

1. Charge for processing an application for the allocation of capacity

DSDiK does not charge Applicants for processing applications for the allocation of capacity. Train timetable construction and train path allocation are carried out for DSDiK by PKP PLK under an annually concluded cooperation agreement between infrastructure managers concerning the interconnection of railway lines. The above charge is levied in accordance with the PKP PLK Tariff.

2. Method for determining the unit rate of the basic charge

Pursuant to § 21(1) of the MliB Regulation, the unit rate of the basic charge is calculated as the sum of the component of the rate dependent on direct costs and the component related to the type of transport service operated.

2.1 Rate components:

2.1.1 Component related to the type of transport service operated

Pursuant to § 21(16) of the MliB Regulation, the component related to the type of transport service operated has been set at PLN 0/train-km because the operation of such services is dependent on public funding.

2.1.2. Component dependent on direct costs

Pursuant to § 21(2) of the MliB Regulation, the component dependent on direct costs is calculated as the sum of the component dependent on train weight and railway line category and the component dependent on train traction.

a) Component dependent on train traction

The infrastructure managed by DSDiK is not electrified. Accordingly, and having regard to § 21(12)(2) of the MliB Regulation, the train traction component has been set at PLN 0/train-km.

b) Component dependent on train weight and railway line category

The average rate dependent on train weight and railway line category, which, pursuant to § 21(4) of the MliB Regulation, is calculated by dividing the planned direct costs by the planned operating performance, amounts to PLN 5.14 net/train-km. For the average rate calculated in this way, the average train weight was set at 111.01 tonnes. This value represents the average train weight, weighted by operating performance, for lines Nos. 311, 326 and 341 during the most recently completed annual train timetable period, together with the estimated train weights for railway lines Nos. 303 and 316, in accordance with § 21(8) of the MliB Regulation.

Pursuant to § 21(10)(1) of the MliB Regulation, the coefficient used to differentiate the average rate according to train weight, with a value of 1, was assigned to the weight range $0 < m \leq 100$ tonnes. The remaining coefficients were set so that the unit rate increases with train weight and the planned revenue from the basic charge equals the planned direct costs.

The rate components and the corresponding differentiating coefficients are shown in the table below.

**Table 1 Rate components and differentiating coefficients for the railway line:
303, 311, 316, 317, 326, 341**

Train weight	0<m≤100	100<m≤200	200<m≤300	300<m≤400	400<m≤500	500<m≤600
Coefficient differentiating the average rate according to train weight	1.00	1.01	1.02	1.03	1.04	1.05
Coefficient differentiating the average rate according to railway line category	1	1	1	1	1	1
Rate component dependent on train weight and railway line category [PLN net/train-km]	5.14	5.19	5.24	5.29	5.35	5.40
Rate component dependent on train traction [PLN net/train-km]	0	0	0	0	0	0
Rate component related to the type of transport service operated [PLN net/train-km]	0	0	0	0	0	0

2.2. Unit rates of the basic charge:

Accordingly, the unit rates of the basic charge for the minimum access package to railway infrastructure are as set out in Table 2.

Table 2. Unit rates of the basic charge for the minimum access package to railway infrastructure

Railway line category	Total gross train weight [t]	Unit rate for lines 303, 311, 316, 317, 326 and 341 [PLN net/train-km]
1	0<m≤100	5.14

	100<m≤200	5.19
	200<m≤300	5.24
	300<m≤400	5.29
	400<m≤500	5.35
	500<m≤600	5.40

Rail traffic on the section of railway line No. 318 from km 24.300 to km 28.295, Bielawa Góry Sowie – Bielawa Zachodnia, will resume on 14 June 2026. The charge for the use of railway infrastructure managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław shall remain at the existing unit rate of the basic charge approved by Decision No. DRR-WLKD.730.2023.LB of the President of the Office of Rail Transport dated 16 August 2023, and the applicable rates are set out in Table 3:

Table 3. Unit rates of the basic charge for the minimum access package to railway infrastructure on railway line No. 318, on the Bielawa Góry Sowie – Bielawa Jezioro section.

Train weight	0<m≤100	100<m≤200	200<m≤300	300<m≤400	400<m≤500	500<m≤600
Unit rate for line 318	5.14	5.19	5.24	5.29	5.35	5.40

3. Unit rate of the shunting charge

Pursuant to Article 33(8) of the Act, the shunting charge is a charge levied for services provided as part of the minimum access package to railway infrastructure in connection with shunting operations actually performed.

Due to technical and operational constraints affecting the railway infrastructure, shunting operations cannot currently be carried out on the railway lines managed by DSDiK and, consequently, no charges for such operations can currently be levied.

4. Reservation charges

Pursuant to §§ 20 and 23 of the MliB Regulation, the following reservation charges are levied:

4.1. Charge levied on an Applicant for failure to use allocated capacity

Under the cooperation agreement between DSDiK and PLK concerning the interconnection of railway lines, capacity allocation is carried out by PLK.

Where allocated capacity is not used because the Applicant fails to designate a Railway Undertaking to use the allocated capacity, or because the Railway Undertaking designated by the Applicant fails to enter into a Capacity Use Agreement, the reservation charge is levied on the Applicant in accordance with the PLK Tariff.

4.2. Charge levied on a Railway Undertaking for failure to use allocated capacity

Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under the annual train timetable is not used, the reservation charge for the unused part of the allocated train path shall be:

- 1) 25% of the basic charge for the planned train run:
 - a) where the Railway Undertaking does not cancel the allocated train path;
 - b) for the period from the date of cancellation until the day before implementation of the next train timetable amendment for which the application deadline has not yet expired;
- 2) 5% of the basic charge for the planned train run where the allocated train path is cancelled, for the period from the date on which that train timetable amendment takes effect until the end of the annual train timetable period. The charge shall be 0% of the basic charge for the planned train run for any period during which the train timetable has been amended at the request of the Infrastructure Manager.

Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under a procedure other than the annual train timetable procedure is not used, the reservation charge for the unused section of the allocated train path shall be:

- 1) 25% of the basic charge for the planned train run if the allocated train path is not cancelled, or if it is cancelled less than 12 hours before the scheduled departure of the train;
- 2) 20% of the basic charge for the planned train run if the allocated train path is cancelled at least 12 hours but less than 36 hours before the scheduled departure of the train;
- 3) 15% of the basic charge for the planned train run if the allocated train path is cancelled at least 36 hours but less than 72 hours before the scheduled departure of the train;
- 4) 10% of the basic charge for the planned train run if the allocated train path is cancelled at least 72 hours but no more than 30 days before the scheduled departure of the train;
- 5) 0% of the basic charge for the planned train run if the allocated train path is cancelled more than 30 days before the scheduled departure of the train.

Reservation charges shall not be levied where a train path is not used as a result of an application, submitted as part of a train timetable amendment, to modify an already allocated train path.

Where part of the allocated capacity is not used because the Railway Undertaking has reduced the planned train weight, a reservation charge equal to 50% of the resulting reduction in the basic charge shall be levied, provided that the reduction in train weight does not require any change to the allocated train path.

No reservation charge shall be levied where a train run is not operated for reasons attributable to the Lower Silesian Road and Railway Authority in Wrocław or due to an exceptional situation.

5. Charge for stabling railway vehicles

Pursuant to Article 33(10) of the Act, the maximum period for which railway vehicles may be stabled under the minimum access package without incurring a charge for allocated capacity has been set at 7 hours.

As railway vehicles are not stabled for more than 7 hours on railway lines managed by DSDiK under the minimum access package, DSDiK does not charge for capacity allocated for railway vehicle stabling under the minimum access package.

6. Additional charges

DSDiK does not levy the charges referred to in Article 33(12) of the Act.

Tariff of charges for the use of railway infrastructure managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław, applicable under the 2025/2026 train timetable for railway line No. 308 Jelenia Góra – Mystakowice

- 1. Charge for processing an application for the allocation of capacity**
- 2. Method for determining the unit rate of the basic charge**
- 3. Unit rate of the shunting charge**
- 4. Reservation charges**
- 5. Charge for stabling railway vehicles**
- 6. Additional charges**

Pursuant to the conditions set out in Article 35a(1) of the Railway Transport Act, DSDiK has decided not to apply Articles 29-35 of that Act to railway line No. 308 on the Jelenia Góra – Mystakowice section and railway line No. 340 on the Mystakowice – Karpacz section.

1. Basis for preparing the Tariff

The Infrastructure Manager has prepared the Tariff of charges for the use of railway infrastructure managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław, applicable to the 2025/2026 train timetable (hereinafter referred to as the “Tariff”), setting out the method for determining the individual unit rates and charges, in accordance with Article 33(13) of the Act, for railway line No. 308 on the Jelenia Góra – Mystakowice section.

The methodology used to determine the unit rate of the basic charge in the Tariff is based on the following legislation: the Act; Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service (OJ EU L 148/17), hereinafter referred to as the “EU Regulation”; and the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure (Journal of Laws of 2017, item 602), hereinafter referred to as the “MliB Regulation”.

1.1. Classification of railway lines

Pursuant to § 21(5) of the MliB Regulation, railway lines are classified on the basis of parameters that have a material impact on maintenance and renewal costs. The classification takes into account the permissible technical speed, permissible axle load and average daily train traffic.

For the 2025/2026 train timetable, the estimated average daily traffic on railway line No. 308 is 24.50 trains, equivalent to 3.14 trains/km.

The permissible technical speed is 80 km/h and the permissible axle load is 196 kN/axle.

The railway lines managed by DSDiK are standard-gauge, non-electrified, single-track lines currently used exclusively for passenger services.

Given the uniform traffic profile, consisting solely of passenger services, the similar technical characteristics of the lines and the limited variation in traffic volumes, a single railway line category has been adopted. It covers lines with average daily traffic of up to 30 trains per day and a permissible technical speed, taking account of permanent speed restrictions, within the range $0 < V_{\max} \leq 100$ km/h. All railway lines have been assigned to category 1.

1.2. Gross train weight ranges

Pursuant to § 21(9) of the MliB Regulation, the following equal gross train weight ranges have been adopted:

- 1. $0 < m \leq 100$,
- 2. $100 < m \leq 200$,
- 3. $200 < m \leq 300$,
- 4. $300 < m \leq 400$,
- 5. $400 < m \leq 500$,
- 6. $500 < m \leq 600$.

Given the local nature of the lines managed by DSDiK and their operating characteristics, passenger trains with a gross weight exceeding 300 t cannot be accommodated. Freight traffic is not currently operated due to capacity and technical constraints.

2. Planned operating performance

Pursuant to § 21(15) of the MliB Regulation, the estimated operating performance planned for the 2025/2026 train timetable was determined on the basis of operating performance recorded from the opening of railway line No. 308 on 15 June 2025 to 13 December 2025, adjusted using the operating performance variability factor. The calculation of the operating performance variability factor is presented in the table below.

Table. Operating performance variability factor

No.	Period	Period from:	Period until:	Total number of days
1	2025/2026 train timetable	14 December 2025	12 December 2026	364
2	2025 timetable amendment	15 June 2025	13 December 2024	182
Factor value (No. 1/No. 2)				2.00

The operating performance adopted for the purpose of determining the unit rates of the basic charge for the minimum access package to railway infrastructure for the 2025/2026 train timetable is presented in Table 2.

Table 2. Operating performanceBłąd! Nieprawidłowe łącze.

3. Planned cost base adopted for calculating the unit rates of charges for the use of railway infrastructure

Pursuant to § 21(26) of the MliB Regulation, the direct costs referred to in the EU Regulation were used to determine the unit rate of the basic charge for access to railway infrastructure.

For railway line No. 308, the planned direct costs were estimated in accordance with § 21(13) of the MliB Regulation, taking into account:

a) the operating performance variability factor

The calculation of the operating performance variability factor is presented in the table below:

Table 3. Operating performance variability factor

No.	Period	Period from:	Period until:	Total number of days
1	2025/2026 train	14 December 2025	12 December 2026	364
2	2025	15 June 2025	13 December 2025	182
Factor value (No. 1/No. 2)				2.00

b) the projected inflation rates for the two years following the year that has ended.

The inflation rates projected for 2025 and 2026, determined on the basis of the “Guidelines on the use of uniform macroeconomic indicators for estimating the financial impact of draft legislation” – Update of 3 October 2024, are presented in the table below:

Table 4. Inflation rates for 2025 and 2026

Description	Rates of change	
	2025	2026
Average annual change in consumer prices of goods and services	103.1%	102.5%

A summary of the direct costs associated with train operations incurred in 2025, together with the costs planned for the 2025/2026 train timetable, is presented in Table 5.

Table 5. Direct costsBłąd! Nieprawidłowe łącze.

4. Method for determining the unit rate of the basic charge

Pursuant to § 21(1) of the MliB Regulation, the unit rate of the basic charge is calculated as the sum of the component of the rate dependent on direct costs and the component related to the type of transport service operated.

4.1. Rate components:

4.1.1. Component related to the type of transport service operated

Pursuant to § 21(16) of the MliB Regulation, the component related to the type of transport service operated has been set at PLN 0/train-km because the operation of such services is dependent on public funding.

4.1.2. Component dependent on direct costs

Pursuant to § 21(2) of the MliB Regulation, the component dependent on direct costs is calculated as the sum of the component dependent on train weight and railway line category and the component dependent on train traction.

a) Component dependent on train traction

The infrastructure managed by DSDiK is not electrified. Accordingly, and having regard to § 21(12)(2) of the MliB Regulation, the train traction component has been set at PLN 0/train-km.

b) Component dependent on train weight and railway line category

The average rate dependent on train weight and railway line category, which, pursuant to § 21(4) of the MliB Regulation, is calculated by dividing the planned direct costs by the planned operating performance, is presented in Table 6.

Table 6. Average rate dependent on train weight and railway line category

No.	Description	Estimated value for 2025	Planned value for the 2025/2026 train timetable
1	Planned direct costs [PLN net]	210,344.30	444,573.19
2	Planned operating performance [train-km]	34,779.08	69,558.16
3	Average rate dependent on train weight and railway line category (No. 1/No. 2) [PLN net/train-km]	6.05	6.39

For the average rate calculated in this way, the average train weight was set at 75.24 tonnes.

Pursuant to § 21(10)(1) of the MliB Regulation, the coefficient used to differentiate the average rate according to train weight, with a value of 1, was assigned to the weight range $0 < m \leq 100$ tonnes. The remaining coefficients were set so that the unit rate increases with train weight and the planned revenue from the basic charge equals the planned direct costs. As a single railway line category has been established for the lines managed by DSDiK, the Infrastructure Manager did not apply the coefficients referred to in § 21(11) of the MliB Regulation for differentiating the rate according to railway line category.

The rate components and the corresponding differentiating coefficients are shown in the table below.

Table 7. Rate components and differentiating coefficients

Train weight	0<m≤100	100<m≤200	200<m≤300	300<m≤400	400<m≤500	500<m≤600
Coefficient differentiating the average rate according to train weight	1.00	1.01	1.02	1.03	1.04	1.05
Coefficient differentiating the average rate according to railway line category	1	1	1	1	1	1
Rate component dependent on train weight and railway line category for 2025 [PLN net/train-km]	6.05	6.11	6.17	6.23	6.29	6.35
Rate component dependent on train weight and railway line category for the 2025/2026 train timetable [PLN net/train-km]	6.39	6.45	6.52	6.58	6.65	6.71
Component dependent on train traction [PLN net/train-km]	0	0	0	0	0	0
Rate component related to the type of transport service operated [PLN net/train-km]	0	0	0	0	0	0

4.2. Unit rates of the basic charge:

Accordingly, the unit rates of the basic charge for the minimum access package to railway infrastructure are as set out in Table 8.

Table 8. Unit rates of the basic charge for the minimum access package to railway infrastructure

Railway line category	Total gross train weight	Unit rate 2025	Unit rate for the 2025/2026 train timetable
	[t]	[PLN net/train-km]	[PLN net/train-km]

1	0<m≤100	6.05	6.39
	100<m≤200	6.11	6.45
	200<m≤300	6.17	6.52
	300<m≤400	6.23	6.58
	400<m≤500	6.29	6.65
	500<m≤600	6.35	6.71

5. Unit rate of the shunting charge

Pursuant to Article 33(8) of the Act, the shunting charge is a charge levied for services provided as part of the minimum access package to railway infrastructure in connection with shunting operations actually performed.

Due to technical and operational constraints affecting the railway infrastructure, shunting operations cannot currently be carried out on the railway lines managed by DSDiK and, consequently, no charges for such operations can currently be levied. This information is also included in the 2025/2026 Network Statement. Accordingly, the Infrastructure Manager does not intend to levy a shunting charge on Railway Undertakings.

6. Charge for processing an application for the allocation of capacity

DSDiK does not charge Applicants for processing applications for the allocation of capacity. Train timetable construction and train path allocation under the train timetable are carried out for DSDiK by PKP Polskie Linie Kolejowe S.A. (hereinafter “PLK”) under the cooperation agreement between infrastructure managers concerning the interconnection of railway lines. The above charge is levied in accordance with the PLK Tariff.

7. Charge for stabling railway vehicles

Pursuant to Article 33(10) of the Act, the maximum period for which railway vehicles may be stabled under the minimum access package without incurring a charge for allocated capacity has been set at 7 hours.

As railway vehicles are not stabled for more than 7 hours on railway lines managed by DSDiK under the minimum access package, DSDiK does not charge for capacity allocated for railway vehicle stabling under the minimum access package.

8. Reservation charges

Pursuant to §§ 20 and 23 of the MliB Regulation, the following reservation charges are levied:

8.1. Charge levied on an Applicant for failure to use allocated capacity

Under the cooperation agreement between DSDiK and PLK concerning the interconnection of railway lines, capacity allocation is carried out by PLK.

Where allocated capacity is not used because the Applicant fails to designate a Railway Undertaking to use the allocated capacity, or because the Railway Undertaking designated by the Applicant fails to enter into a Capacity Use Agreement, the reservation charge is levied on the Applicant in accordance with the PLK Tariff.

8.2. Charge levied on a Railway Undertaking for failure to use allocated capacity

Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under the annual train timetable is not used, the reservation charge for the unused part of the allocated train path shall be:

- 1) 25% of the basic charge for the planned train run:
 - a) where the Railway Undertaking does not cancel the allocated train path;
 - b) for the period from the date of cancellation until the day before implementation of the next train timetable amendment for which the application deadline has not yet expired;
- 2) 5% of the basic charge for the planned train run where the allocated train path is cancelled, for the period from the date on which that train timetable amendment takes effect until the end of the annual train timetable period. The charge shall be 0% of the basic charge for the planned train run for any period during which the train timetable has been amended at the request of the Infrastructure Manager.

Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under a procedure other than the annual train timetable procedure is not used, the reservation charge for the unused section of the allocated train path shall be:

- 1) 25% of the basic charge for the planned train run if the allocated train path is not cancelled, or if it is cancelled less than 12 hours before the scheduled departure of the train;
- 2) 20% of the basic charge for the planned train run if the allocated train path is cancelled at least 12 hours but less than 36 hours before the scheduled departure of the train;
- 3) 15% of the basic charge for the planned train run if the allocated train path is cancelled at least 36 hours but less than 72 hours before the scheduled departure of the train;
- 4) 10% of the basic charge for the planned train run if the allocated train path is cancelled at least 72 hours but no more than 30 days before the scheduled departure of the train;
- 5) 0% of the basic charge for the planned train run if the allocated train path is cancelled more than 30 days before the scheduled departure of the train.

Reservation charges shall not be levied where a train path is not used as a result of an application, submitted as part of a train timetable amendment, to modify an already allocated train path.

Where part of the allocated capacity is not used because the Railway Undertaking has reduced the planned train weight, a reservation charge equal to 50% of the resulting reduction in the basic charge shall be levied, provided that the reduction in train weight does not require any change to the allocated train path.

No reservation charge shall be levied where a train run is not operated for reasons attributable to the Lower Silesian Road and Railway Authority in Wrocław or due to an exceptional situation.

9. Additional charges

DSDiK does not levy the charges referred to in Article 33(12) of the Act.

Tariff of charges for the use of railway infrastructure managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław, applicable under the 2025 and 2025/2026 train timetables for railway line No. 340 on the Mysłakowice – Karpacz section

- 1. Charge for processing an application for the allocation of capacity**
- 2. Method for determining the unit rate of the basic charge**
- 3. Unit rate of the shunting charge**
- 4. Reservation charges**
- 5. Charge for stabling railway vehicles**
- 6. Additional charges**

Pursuant to the conditions set out in Article 35a(1) of the Railway Transport Act, DSDiK has decided not to apply Articles 29-35 of that Act to railway line No. 308 on the Jelenia Góra – Mysłakowice section and railway line No. 340 on the Mysłakowice – Karpacz section.

1. Basis for preparing the Tariff

The Infrastructure Manager has prepared the Tariff of charges for the use of railway infrastructure managed by the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław, applicable to the 2025/2026 train timetable (hereinafter referred to as the “Tariff”), setting out the method for determining the individual unit rates and charges, in accordance with Article 33(13) of the Act, for railway line No. 308 on the Jelenia Góra – Mysłakowice section.

The methodology used to determine the unit rate of the basic charge in the Tariff is based on the following legislation: the Act; Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service (OJ EU L 148/17), hereinafter referred to as the “EU Regulation”; and the Regulation of the Minister of Infrastructure and Construction of 7 April 2017 on access to railway infrastructure (Journal of Laws of 2017, item 602), hereinafter referred to as the “MliB Regulation”.

1.1. Classification of railway lines

Pursuant to § 21(5) of the MliB Regulation, railway lines are classified on the basis of parameters that have a material impact on maintenance and renewal costs. The classification takes into account the permissible technical speed, permissible axle load and average daily train traffic.

The estimated average daily traffic on railway line No. 340 in 2025 and under the 2025/2026 train timetable will be 24.50 trains, i.e. 3.64 trains/km.

The permissible technical speed is 80 km/h and the permissible axle load is 196 kN/axle.

The railway lines managed by DSDiK are standard-gauge, non-electrified, single-track lines currently used exclusively for passenger services.

Given the uniform traffic profile, consisting solely of passenger services, the similar technical characteristics of the lines and the limited variation in traffic volumes, a single railway line category has been adopted. It covers lines with average daily traffic of up to 30 trains per day and a permissible technical speed, taking account of permanent speed restrictions, within the range $0 < V_{\max} \leq 100$ km/h. All railway lines have been assigned to category 1.

1.2. Gross train weight ranges

Pursuant to § 21(9) of the MliB Regulation, the following equal gross train weight ranges have been adopted:

- 1. $0 < m \leq 100$,
- 2. $100 < m \leq 200$,
- 3. $200 < m \leq 300$,
- 4. $300 < m \leq 400$,
- 5. $400 < m \leq 500$,
- 6. $500 < m \leq 600$.

Given the local nature of the lines managed by DSDiK and their operating characteristics, passenger trains with a gross weight exceeding 300 t cannot be accommodated. Freight traffic is not currently operated due to capacity and technical constraints.

2. Planned operating performance

Pursuant to § 21(15) of the MliB Regulation, the estimated operating performance planned for the 2025/2026 train timetable was determined on the basis of operating performance recorded from the opening of railway line No. 340 on 15 June 2025 to 13 December 2025, adjusted using the operating performance variability factor. The calculation of the operating performance variability factor is presented in the table below.

Table 9. Operating performance variability factor

No.	Period	Period from:	Period until:	Total number of days
1	2025/2026 train timetable	14 December 2025	12 December 2026	364
2	2025 timetable amendment	15 June 2025	13 December 2024	182
Factor value (No. 1/No. 2)				2.00

The operating performance adopted for the purpose of determining the unit rates of the basic charge for the minimum access package to railway infrastructure for the 2025/2026 train timetable is presented in Table 2.

Table 10. Operating performance

Gross train weight ranges [t]	Operating performance in 2025 [train-km]	Operating performance planned value for the 2025/2026 train timetable [train-km]
0<m≤100	30,042.56	60,085.12
100<m≤200	0	0
200<m≤300	0	0
300<m≤400	0	0
400<m≤500	0	0
500<m≤600	0	0
Total	30,042.56	60,085.12

3. Planned cost base adopted for calculating the unit rates of charges for the use of railway infrastructure

Pursuant to § 21(26) of the MliB Regulation, the direct costs referred to in the EU Regulation were used to determine the unit rate of the basic charge for access to railway infrastructure.

For railway line No. 340, the planned direct costs were estimated in accordance with § 21(13) of the MliB Regulation, taking into account:

a) the operating performance variability factor

The calculation of the operating performance variability factor is presented in the table below:

Table 11. Operating performance variability factor

No.	Period	Period from:	Period until:	Total number of days
1	2025/2026 train timetable	14 December 2025	12 December 2026	364
2	2025	15 June 2025	13 December 2025	182
Factor value (No. 1/No. 2)				2.00

b) the projected inflation rates for the two years following the year that has ended.

The inflation rates projected for 2025 and 2026, determined on the basis of the “Guidelines on the use of uniform macroeconomic indicators for estimating the financial impact of draft legislation” – Update of 3 October 2024, are presented in the table below:

Table 12. Inflation rates for 2025 and 2026

Description	Rates of change	
	2025	2026
Average annual change in consumer prices of	103.1%	102.5%

A summary of the direct costs associated with train operations incurred in 2025, together with the costs planned for the 2025/2026 train timetable, is presented in Table 5.

Table 13. Direct costsBłąd! Nieprawidłowe łącze.

4. Method for determining the unit rate of the basic charge

Pursuant to § 21(1) of the MliB Regulation, the unit rate of the basic charge is calculated as the sum of the component of the rate dependent on direct costs and the component related to the type of transport service operated.

4.1. Rate components:

4.1.1. Component related to the type of transport service operated

Pursuant to § 21(16) of the MliB Regulation, the component related to the type of transport service operated has been set at PLN 0/train-km because the operation of such services is dependent on public funding.

4.1.2. Component dependent on direct costs

Pursuant to § 21(2) of the MliB Regulation, the component dependent on direct costs is calculated as the sum of the component dependent on train weight and railway line category and the component dependent on train traction.

a) Component dependent on train traction

The infrastructure managed by DSDiK is not electrified. Accordingly, and having regard to § 21(12)(2) of the MliB Regulation, the train traction component has been set at PLN 0/train-km.

b) Component dependent on train weight and railway line category

The average rate dependent on train weight and railway line category, which, pursuant to § 21(4) of the MliB Regulation, is calculated by dividing the planned direct costs by the planned operating performance, is presented in Table 6.

Table 14. Average rate dependent on train weight and railway line category

No.	Description	Estimated value for 2025	Planned value for the 2025/2026 train timetable
1	Planned direct costs [PLN net]	189,310.07	400,116.30
2	Planned operating performance [train-km]	30,042.56	60,085.12
3	Average rate dependent on train weight and railway line category (No. 1/No. 2) [PLN net/train-km]	60.30	6.66

For the average rate calculated in this way, the average train weight was set at 75.24 tonnes.

Pursuant to § 21(10)(1) of the MliB Regulation, the coefficient used to differentiate the average rate according to train weight, with a value of 1, was assigned to the weight range $0 < m \leq 100$ tonnes. The remaining coefficients were set so that the unit rate increases with train weight and the planned revenue from the basic charge equals the planned direct costs.

As a single railway line category has been established for the lines managed by DSDiK, the Infrastructure Manager did not apply the coefficients referred to in § 21(11) of the MliB Regulation for differentiating the rate according to railway line category.

The rate components and the corresponding differentiating coefficients are shown in the table below.

Table 15. Rate components and differentiating coefficients

Train weight	$0 < m \leq 100$	$100 < m \leq 200$	$200 < m \leq 300$	$300 < m \leq 400$	$400 < m \leq 500$	$500 < m \leq 600$
Coefficient differentiating the average rate according to train weight	1.00	1.01	1.02	1.03	1.04	1.05
Coefficient differentiating the average rate according to railway line category	1	1	1	1	1	1
Rate component dependent on train weight and railway line category for 2025 [PLN net/train-km]	6.30	6.36	6.43	6.49	6.55	6.62
Rate component dependent on train weight and railway line category for the 2025/2026 train timetable [PLN net/train-km]	6.66	6.73	6.79	6.86	6.93	6.99

Component dependent on train traction [PLN net/train-km]	0	0	0	0	0	0
Rate component related to the type of transport service operated [PLN net/train-km]	0	0	0	0	0	0

4.2. Unit rates of the basic charge:

Accordingly, the unit rates of the basic charge for the minimum access package to railway infrastructure are as set out in Table 8.

Table 16. Unit rates of the basic charge for the minimum access package to railway infrastructure

Railway line category	Total gross train weight [t]	Unit rate 2025 [PLN net/train-km]	Unit rate for the 2025/2026 train timetable [PLN net/train-km]
1	$0 < m \leq 100$	6.30	6.66
	$100 < m \leq 200$	6.36	6.73
	$200 < m \leq 300$	6.43	6.79
	$300 < m \leq 400$	6.49	6.86
	$400 < m \leq 500$	6.55	6.93
	$500 < m \leq 600$	6.62	6.99

5. Unit rate of the shunting charge

Pursuant to Article 33(8) of the Act, the shunting charge is a charge levied for services provided as part of the minimum access package to railway infrastructure in connection with shunting operations actually performed.

Due to technical and operational constraints affecting the railway infrastructure, shunting operations cannot currently be carried out on the railway lines managed by DSDiK and, consequently, no charges for such operations can currently be levied. This information is also included in the 2025/2026 Network Statement. Accordingly, the Infrastructure Manager does not intend to levy a shunting charge on Railway Undertakings.

6. Charge for processing an application for the allocation of capacity

DSDiK does not charge Applicants for processing applications for the allocation of capacity. Train timetable construction and train path allocation under the train timetable are carried out for DSDiK by PKP

Polskie Linie Kolejowe S.A. (hereinafter “PLK”) under the cooperation agreement between infrastructure managers concerning the interconnection of railway lines. The above charge is levied in accordance with the PLK Tariff.

7. Charge for stabling railway vehicles

Pursuant to Article 33(10) of the Act, the maximum period for which railway vehicles may be stabled under the minimum access package without incurring a charge for allocated capacity has been set at 7 hours.

As railway vehicles are not stabled for more than 7 hours on railway lines managed by DSDiK under the minimum access package, DSDiK does not charge for capacity allocated for railway vehicle stabling under the minimum access package.

8. Reservation charges

Pursuant to §§ 20 and 23 of the MliB Regulation, the following reservation charges are levied:

8.1. Charge levied on an Applicant for failure to use allocated capacity

Under the cooperation agreement between DSDiK and PLK concerning the interconnection of railway lines, capacity allocation is carried out by PLK.

Where allocated capacity is not used because the Applicant fails to designate a Railway Undertaking to use the allocated capacity, or because the Railway Undertaking designated by the Applicant fails to enter into a Capacity Use Agreement, the reservation charge is levied on the Applicant in accordance with the PLK Tariff.

8.2. Charge levied on a Railway Undertaking for failure to use allocated capacity

Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under the annual train timetable is not used, the reservation charge for the unused part of the allocated train path shall be:

- 1) 25% of the basic charge for the planned train run:
 - a) where the Railway Undertaking does not cancel the allocated train path;
 - b) for the period from the date of cancellation until the day before implementation of the next train timetable amendment for which the application deadline has not yet expired;
- 2) 5% of the basic charge for the planned train run where the allocated train path is cancelled, for the period from the date on which that train timetable amendment takes effect until the end of the annual train timetable period. The charge shall be 0% of the basic charge for the planned train run for any period during which the train timetable has been amended at the request of the Infrastructure Manager.

Where, for reasons attributable to the Railway Undertaking, all or part of a train path allocated under a procedure other than the annual train timetable procedure is not used, the reservation charge for the unused section of the allocated train path shall be:

- 3) 25% of the basic charge for the planned train run if the allocated train path is not cancelled, or if it is cancelled less than 12 hours before the scheduled departure of the train;
- 4) 20% of the basic charge for the planned train run if the allocated train path is cancelled at least 12 hours but less than 36 hours before the scheduled departure of the train;

5) 15% of the basic charge for the planned train run if the allocated train path is cancelled at least 36 hours but less than 72 hours before the scheduled departure of the train;

6) 10% of the basic charge for the planned train run if the allocated train path is cancelled at least 72 hours but no more than 30 days before the scheduled departure of the train;

7) 0% of the basic charge for the planned train run if the allocated train path is cancelled more than 30 days before the scheduled departure of the train.

Reservation charges shall not be levied where a train path is not used as a result of an application, submitted as part of a train timetable amendment, to modify an already allocated train path.

Where part of the allocated capacity is not used because the Railway Undertaking has reduced the planned train weight, a reservation charge equal to 50% of the resulting reduction in the basic charge shall be levied, provided that the reduction in train weight does not require any change to the allocated train path.

No reservation charge shall be levied where a train run is not operated for reasons attributable to the Lower Silesian Road and Railway Authority in Wrocław or due to an exceptional situation.

9. Additional charges

DSDiK does not levy the charges referred to in Article 33(12) of the Act.

.....
(Applicant's company stamp).....
(place and date)

Lower Silesian Voivodeship
Lower Silesian Road and Railway Authority in Wrocław
Railway Department
ul. Krakowska 28
50-425 Wrocław
kancelaria@dsdik.wroc.pl

**Application for conclusion of a Capacity Allocation Agreement
for the 2025/2026 train timetable**

Part A

Applicant details	
1) Applicant name:	
2) registered office:	
3) postal code and address:	
4) NIP (Tax Identification Number):	
5) REGON:	
for legal entities entered in the National Court Register (KRS)	
KRS No.:	
company registered in the register of entrepreneurs maintained by the District Court in:	
No. of the Commercial Division of the National Court Register:	
for companies with share capital	
Limited liability company – amount of share capital:	
Joint-stock company – amount of fully paid-up share capital:	
Applicant type	
/selection box – YES/	
Applicant that is a Railway Undertaking:	

<i>Applicant that is a public transport organiser:</i>	
<i>Applicant that is not a Railway Undertaking:</i>	
Planned scope of capacity requested:	
Capacity to be used for the carriage of:	
/selection box – YES/	
<i>passengers:</i>	
<i>goods:</i>	
<i>passengers and goods:</i>	
Passenger transport:	
/selection box – YES/	
<i>occasional:</i>	
<i>other than occasional:</i>	
Allocation of capacity under the train timetable (TT)	
/selection box – YES/	
<i>annual and individual:</i>	
<i>individual only:</i>	
Person authorised to submit applications for the Applicant's access to the Online Train Path Ordering System (ISZTP)	
<i>First name and surname</i>	
<i>correspondence address:</i>	
<i>e-mail:</i>	
<i>tel.:</i>	

Applicant's contact details for receiving information related to performance of the Agreement	
<i>First name and surname</i>	
<i>address:</i>	
<i>e-mail:</i>	
<i>tel.:</i>	
Comments, if any	

Part B

Required documents	
<i>/copies attached to the application – certified as “true copies of the originals”/</i>	
1) Licence No.:	
2) Safety Certificate – Part A No.:	
3) Safety Certificate – Part B No.:	
Required declarations by the Railway Undertaking:	
We hereby declare that we will inform the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław of any amendment, suspension or withdrawal of the licence or safety certificates.	
We hereby declare that, for the operation of train services, we will use rolling stock meeting the requirements laid down in the Regulation of the Minister of Infrastructure of 12 October 2005 on the general technical conditions for the operation of railway vehicles.	
Types of transport /selection box – YES/	
Passenger transport:	
Freight transport:	
Railway Undertaking's contact details for receiving information related to performance of the Agreement	
<i>First name and surname</i>	
<i>address:</i>	

e-mail:	
tel.:	
Comments, if any	

PRIVACY NOTICE

Pursuant to Article 13(1)–(2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016¹) – hereinafter referred to as the “GDPR” – please be informed that:

1. The controller of your personal data is the Lower Silesian Voivodeship – Lower Silesian Road and Railway Authority in Wrocław, ul. Krakowska 28, 50-425 Wrocław, contact telephone number 71 39 17 100, available during working hours from 7:00 to 15:00, Monday to Friday, electronic delivery address: AE:PL-80005-37935-TSCRU-26, e-mail: kancelaria@dsdik.wroc.pl.
2. The Lower Silesian Road and Railway Authority in Wrocław has appointed a Data Protection Officer, whose details are available at www.bip.dsdik.wroc.pl under the “Contacts” tab. The Data Protection Officer may be contacted by e-mail at: iod@dsdik.wroc.pl. The Data Protection Officer may also be contacted in writing at the address specified in point 1, marked for the attention of the “Data Protection Officer”.
3. The Lower Silesian Road and Railway Authority in Wrocław processes your personal data for the following purposes and on the following legal bases: in the case of sole traders and representatives or authorised representatives of commercial companies and business entities operating in other legal forms – for the purpose of taking steps related to the conclusion and performance of the relevant agreement, including the settlement and documentation of transactions – Article 6(1)(b) and (c) GDPR; for the purpose of complying with legal obligations relating to the prevention of abuse and irregularities detrimental to the economic interests of public finance sector entities within the meaning of public finance legislation, tax and accounting legislation and anti-corruption legislation, as well as the handling of reports of breaches of law – Article 6(1)(c) GDPR.
4. Your personal data may be disclosed to public authorities and entities performing public tasks or acting on behalf of public authorities, to the extent and for the purposes arising from generally applicable law, in particular supervisory and inspection authorities; entities to the extent necessary to ensure the right of access to public information; entities providing invoicing, settlement of amounts due, correspondence and parcel delivery, legal, audit, debt collection and archiving services; and providers of IT, e-mail and hosting services.
5. Your personal data will be processed:
 - 1) for the period necessary to conclude, perform and settle the Agreement and to fulfil the purposes of the processing, until any potential claims become time-barred, and subsequently retained for the period required under the Act of 14 July 1983 on the National Archival Resources and Archives;
 - 2) where a report of a breach of law is being handled, for 3 years after the end of the calendar year in which the follow-up proceedings were completed or after the completion of proceedings initiated as a result of those actions. Personal data that are not relevant to the handling of a report will not be collected and, if collected inadvertently, will be erased without undue delay. Such personal data will be erased within 14 days of it being established that they are not relevant to the matter.
6. In connection with the processing of your personal data, you have the right of access to your personal data, including the right to obtain a copy of those data; the right to rectification of your personal data; the right to erasure of your personal data (“right to be forgotten”); the right to restriction of processing; the right to data portability; and the right to object to the processing of your personal data where DSDiK in Wrocław or a joint controller processes your personal data on the basis of a legitimate interest.
7. Where personal data are processed pursuant to Article 6(1)(a) GDPR, you have the right to withdraw your consent at any time. Withdrawal of consent is without prejudice to the lawfulness of processing carried out on the basis of consent before its withdrawal.
8. Your personal data will be processed for the period necessary to conclude, perform and settle the agreement and to fulfil the purposes of the processing, until any potential claims become time-barred, and subsequently, in the case of archival materials, for the period required under the Polish Act of 14 July 1983 on the National Archival Resources and Archives.
9. Your personal data will not be transferred to recipients outside the European Economic Area.
10. You have the right to lodge a complaint concerning the processing of your personal data with the supervisory authority – the President of the Personal Data Protection Office.
11. Your personal data will not be subject to automated processing or profiling.

.....
(signature, Applicant’s stamp)

¹ Corrigenda (OJ L 127, 23.5.2018, p. 2; L 74, 4.3.2021, p. 35)