

[REDACTED] (MOVE)

---

**From:** [REDACTED] (MOVE)  
**Sent:** Jeudi 24 février 2022 17:36  
**To:** [REDACTED] (MOVE); [REDACTED] (MOVE); [REDACTED] (MOVE); [REDACTED] (MOVE)  
**Subject:** Flash report Meeting with EPTO on draft revised PSO Guidelines, 24.2.2022

On their request, A4 met EPTO to discuss the draft revised PSO Guidelines. EPTO has been a major ally of the COM to introduce the principle of competitive award of rail PSC in the legislative process.

As already developed in their written contribution EPTO voiced major concerns about the section 2.2.3 on PSO scoping advancing that the SNCM test would lead to a situation where consistently designed PSC scopes would be fragmented and where service continuity would be undermined if open access service would fail.

They also could not understand why the COM would give priority to open access services over tendered PSO services. They criticised the COM's rationale for limiting the possibilities to group cost-covering and not cost-covering services as not supported by the legal text.

They also failed to understand why there should be an overcompensation check for competitively tendered PSC.

They were, however, in favour of the parts of the Guidelines that reinforce provisions on access to rolling stock and to information needed to prepare a bid.

We explained the COM's rationale for the parts of the GL that raised concerns with EPTO and mentioned that we'll revise certain passages to clarify and to render them more consistent with the market context.