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Venlo/DGMA-2009/4769

Aan het Ministerie van verkeer en waterstaat
Projektorganisatie HSL
T.a.v. de heer M. Wiedenhof
Postbus 43
3500 AA UTRECHT

Onderwerp : 2 september 1999
Ons kenmerk : 036/2311/MJK
Blad :
Uw kenmerk :
Behandeld door :

Geachte heer Wiedenhof,

In aansluiting op het vorige maand verzonden registratieformulier, doe ik u onderstaand – zoals afgesproken - onze antwoorden op de vragen van blz. 18 van het registratiereport teekomen.

Wij beschouwen deze antwoorden als een bijdrage aan de gedachtenvorming op dit moment ten aanzien van de verdere ontwikkelingen, waarmee bedoeld is aan te geven dat wij hiermee niet onze definitieve standpunten ten aanzien van de onderhavige onderwerpen hebben geformuleerd.

1. Twee zaken lijken hier van belang. Allereerst is het van belang om – hoe lastig dat ook zal zijn - zoveel mogelijk duidelijkheid te verschaffen over de vraag in hoeverre na eventuele sluiting van een HSL-contract in het Nederlandse, dan wel Europese spoorvervoer een verdere ontplooiing van verwante activiteiten valt te verwachten. Met name nieuwkomers op de HSL-markt zullen daarin geïnteresseerd zijn.
Daarnaast is het voor commerciële ondernemingen in een markt die zo sterk door het overheidsbeleid kan worden beïnvloed, van groot belang zoveel mogelijk duidelijkheid en zekerheid te hebben omtrent dat beleid gedurende de gehele contractperiode. Beleidsbeslissingen omtrent accijns en BTW op auto- en vliegtuigbrandstof, ontmoediging van korte-afstandsvliegverkeer, ontwikkeling van vliegvelden, aanleg van snelwegen, ontplooiing van aansluitend openbaar vervoer, etc. kunnen een zeer grote invloed hebben op de exploitatie. Hoe minder duidelijkheid, hoe meer de neiging zal bestaan om onzekerheden in worst-case scenario's te vertalen, hetgeen op de prijsstelling een negatieve invloed zal hebben. Omgekeerd, is het dus ook de moeite waard om – ook in de exploitatie – vormen van public/private partnerships mogelijk te maken en misschien zelfs te preferen. Het openbaar vervoer kan immers uitsluitend goed als beleidsinstrument functioneren als vervoerders en overheden intensief samenwerken
2. Risico's voortvloeiende uit onder meer bovenstaande onzekerheden zijn met name groot waar het gaat om onveranderbare lasten, zoals de grote investeringen in materieel, en eventuele vaste afdrachten als infra-vergoeding. Gezien het feit dat het overheidsbeleid hierop van grote invloed is, valt een aanbestedingsconstructie te overwegen, waarbij de exploitant zijn aandacht zoveel mogelijk op de variabele lasten en dus de dagelijkse exploitatie kan concentreren. In extremo zou dat kunnen betekenen dat de vervoerder uitsluitend een vervoersafhankelijke vergoeding betaalt voor het gebruik van infra en voertuigen.
3. Zie het tweede deel van het antwoord op vraag 1.

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4. De ontwikkeling van een geheel nieuwe markt als in dit geval vergt een forse aanloopperiode, voordat van een normale exploitatie en een redelijk stabiele, zich voorspelbaar ontwikkelende vervoersvraag sprake kan zijn. Om die reden is een langere concessieduur nodig dan in het ov in Nederland gebruikelijk is (6 jaar), dus bijvoorbeeld 10 jaar.

Als de risico's van de investeringen in materieel bij de vervoerder liggen lijkt – gezien de onvoorspelbaarheid van de ontwikkeling van de markt voor (toch altijd zeer specifiek) HSL-materieel - een termijn van 15 jaar al aan de te korte kant.

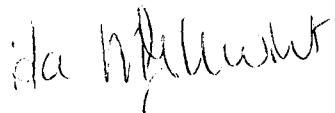
Als daarentegen de overheden weinig zekerheden kunnen bieden met betrekking tot hun beleid op de langere termijn, is dat een reden om de contractduur te beperken tot een periode waarin geen wezenlijke politieke koerswijzigingen te verwachten zijn (vijf jaar?). Met andere woorden de wenselijke contractduur hangt in hoge mate af van de verdere invulling van de concessie en de risico-verdeling die daaruit voortvloeit.

5. Het registratiedocument verschaft nog erg weinig inzicht in de interactie met andere maatschappijen die al op de bestaande HSL-lijn opereren. Evenmin over de relaties met de andere betrokken nationale overheden. Gegeven de andere opvattingen die deze overheden lijken te hebben ten aanzien van het toelaten van nieuwe vervoerders op hun hoge snelheidsnet, lijkt dit een punt dat absoluut eerst nader uitgewerkt moet worden.
6. Recentere politieke ontwikkelingen lijken er op te duiden dat het binnenlands vervoer (vooreerst) bij NS zal blijven. Daarmee wordt een scheiding tussen binnenlands en internationaal vervoer aangebracht die belemmerend zal kunnen werken op de optimalisering van de HSL-lijnen. Idealiter zal – om een zo efficient mogelijk vervoersysteem te ontwikkelen - kortafstandsvervoer moeten dienen ter completering van de exploitatie van de HSL, en zal daar waar die combinatie niet voor de hand ligt, aanvullend extra korteafstandsvervoerscapaciteit moeten worden aangeboden. Een separate exploitatie maakt dat moeilijker realiseerbaar.
7. Zie het antwoord op vraag 6.
8. In aanvulling op het antwoord op vraag 6: Er is een exploitatieve wisselwerking tussen het korte en lange afstandvervoer op de HSL-lijn zoals hierboven omschreven. Maar daarnaast is er ook een belangrijke interactie tussen het HSL-vervoer en het aansluitende korte-afstandsvervoer. Goede aansluitingen, eenheid van tarief en kaartsysteem etc. zijn van fundamenteel belang voor een succesvolle exploitatie van een HSL. Ook hier blijkt weer dat het netwerk karakter van openbaar vervoer het altijd moeilijk maakt grenzen te trekken, die in dit geval omwille van de inzetbaarheid van het aanbestedingsinstrument toch getrokken moeten worden. Daarom geven wij primair de voorkeur aan het aanbesteden van het lange-afstandsvervoer, in combinatie met het binnenlandsvervoer op dezelfde lijn. Mocht dat (politiek) niet haalbaar zijn in verband met de positie van NS, en de accentueren van de relatie met het overig binnenlands vervoer, dan nog zou zeker tot aanbesteding van het internationale vervoer moeten worden besloten, overigens in samenwerking met de andere betrokken nationale overheden.
9. Indien binnenlands- en internationaal vervoer gescheiden worden, zou dat niet tot gevolg moeten hebben dat korte-afstandsvervoer in de internationale treinen onmogelijk wordt. De klant begrijpt dat niet, en het zou een gemiste kans tot optimalisering van de exploitatie zijn (zie hierboven). Dat betekent dat er hoge eisen moeten worden gesteld aan de integraliteit van kaart- en tariefsystemen, produktformules, reserveringssystemen, reisinformatie, verkoopapparaat etc. Van de vervoerders moet worden gerekend dat zij onderling tot goede afstemming komen, maar bovenal moet de vergoedingsmethodiek zodanig in elkaar zitten dat een dergelijke afstemming ook daadwerkelijk met een significant beter bedrijfsresultaat wordt beloond. Daarnaast verdient het overweging de exploitant van de lange-afstandsverbinding zeggenschap te geven als het gaat om de inzet van vervoerscapaciteit voor de korte afstand, om zodoende te voorkomen dat restcapaciteit op de interlokale verbinding niet wordt benut.

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Wij vertrouwen er op met het bovenstaande een bijdrage te hebben geleverd aan de verdere gedachtenvorming met betrekking tot het aanbestedingsproces. Indien gewenst, zijn wij uiteraard gaanre tot een nadere toelichting bereid. Onze contactpersoon voor de HSL is onze manager new business, de heer Bart Kerkmeer, die u kunt bereiken onder telefoonnummer 0513 655949, e-mail adres kerkmeerb@arriva.nl.

Met vriendelijke groeten,
ARRIVA Nederland



Frits Overbeek
Directeur ontwikkeling

FROM : Rimmington Ltd Andorra

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31 Aug. 1999 01:01PM EA

Vew/DGTC-2009/4769.01

ARRIVA Passenger Services
Consultation questions - HSL Zuid transport contracts

Tender Process

1. From a potential bidder's perspective, in what way could the tender procedure be enhanced to ensure that it attracts a high level of interest from operators?

It is clear that the Government is seeking an open competition for the provision of the international service. A pre-emptive right is being reserved for NSR for two trains per hour between Amsterdam and Rotterdam, with one extended to Breda.

The stopping pattern for all HSL trains in Holland is assumed to be Amsterdam Central, Amsterdam WTC, Schipol Airport, and Rotterdam Central. Both the International and the Domestic Services will be doing the same thing between these points and there is no reason in theory why they would not achieve the same journey time. This will depend upon the performance characteristics of the rolling stock procured. It is to be assumed that NSR will propose a distinct high quality branding for the domestic service to differentiate it from the base line service between these cities.

The above features will cloud the market for the international operator who will nonetheless derive a very large part of his turnover from travel within Holland. Increasingly the market will not have regard for the border and the line must be regarded as a high speed rail line joining three large cities. There is a technical argument for having a standard fleet of trains providing both the so-called domestic and international service to achieve maximum utilisation. This would also achieve maximum market impact, for a new brand to be established.

The market mix of customers for both the International and the Domestic services will be very similar. The mix will be of customers making short sector trips on business or visits, and both short and long distance customers making journeys to Schipol. The layout of the rolling stock must provide facilities for both. The accommodation of rapid boarding and alighting at Schipol for customers with much luggage will not only require features designed into the train but also the ability to staff Schipol Station with the HSL Zuid Concessionaires own customer care staff. If integration with Schipol is to be achieved, for example as is operated by Heathrow Express with City Centre baggage and flight checking, then secure desk and luggage handling will need to be available at Amsterdam Central, Amsterdam WTC (subject to traffic survey), Rotterdam Central, and Brussels.

Taking the above points into account it would more comforting to see the distinction between Domestic and International removed. It would be comforting to see the traffic and access rights in Belgium more fully detailed. A full explanation of the role of SNCB is needed. Is it intended that SNCB procure trains for a share of the service between Holland and Belgium? Whilst we have not explicitly considered the extension of the service beyond Brussels, on what basis can this be secured with SNCB and SNCF? The issue of competition between the HSL Zuid operator and Thalys arises, with both SNCB and SNCF in direct involvement in Thalys.

Finally the question of servicing facilities for a fleet of new trains to serve the HSL Zuid market arises. If the fleet is to be split between HSL Zuid operator and SNCB then a depot in Belgium is feasible. If the fleet is to be entirely Netherlands based then a green field site for a depot is needed, wherever the trains run to there will need to be cleaning and resupply facilities, and sensibly some overnight stabling facility. This would apply in Amsterdam.

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31 Aug. 1999 01:08PM P3

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Brussels, Paris, and London. Details of the planning and building constraints for such a depot need to be covered.

2. Given the need for operators to establish arrangements to procure rolling stock during the tender and contracting process, do operators feel that the Government can help facilitate this process and how?

In that it intended to appoint the successful bidder and sign contracts in 2001 and to commence operation in 2005 we do not anticipate any difficulty with the procurement of rolling stock and the achievement of the technical permissions for its use in the Netherlands and Belgium. We would expect to work with a rolling stock procurement specialist and fleet management specialist, who would also guide our proposals on concession length and manage the residual risk on the rolling stock.

Rail rolling stock now follows the pattern of the airline industry where a technically standard piece of equipment is fitted out to the service specification of the operator. This makes managing the residual risk on the long life asset easier and more affordable. (See also answer to Question 4).

3. The Government has a clear objective to encourage people to use rail services rather than cars and aeroplane. As a result, the Government is interested to understand the role operators can play and the approach they would take to maximise substitution of car and air travel by rail. What changes, if any, to the proposed contract arrangements and contract structures would operators propose in order to ensure that this objective is met?

The operator has no policy objectives and is interested only in making a profitable return on the capital and assets employed. Governments have policy objectives and must use fiscal and regulatory measures to seek their achievement.

In the specific case of the HSL Zuid the market will operate to attract people to a fast, efficient and well marketed high speed rail service. This will alter the modal split between car, air and rail. The areas where Government, both national and provincial has a role is in the planning process and the specification of facilities for access to the rail network. The modern rail user needs a convenient and safe point of access to the train. In The Netherlands much has already been achieved in this respect. The access by bicycle, taxi, bus, and car are the main means. Secure and safe locations with good signage and waiting facilities are important. For the business user the location of hotels adjacent to the station will parallel the availability of motels for the car driver where much work is carried out.

The operator would give attention to attracting the business user by providing facilities for work or rest comparable to the air alternative. The short haul air traveller uses his/her journey time to variously eat, read and work, sleep. The car driver can by definition achieve only one of these and then messily. Airports have superior facilities for the business traveller and main rail stations need to replicate the business centre/lounge to allow the user to send work, hold meetings etc. The combination of such facilities available on trains and at main stations make the rail alternative more attractive to the busy executive. The operator must therefore segregate the market and facilities by establishing a clearly visible international branding e.g. Club to match the air market. This has impact on the train design. NS Stations need to

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31 Aug. 1999 21:03PM P4

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co-operate in this process and jointly sponsor facilities as the terminal operator does in the airline industry.

A well developed connectional network as provided in The Netherlands will minimise the use of car to access the network, however it may be the case that Parkway stations near main Motorway junctions could further increase modal switch from car if the journey into the centre of Amsterdam for example can be avoided. The role of park and ride at Amsterdam WTC and other such locations in Rotterdam and Brussels needs to be considered. Both the car boot and the hotel room can function as a temporary base camp for the business traveller to come back to changeover files and materials. Given the opportunity the business traveller can make responsible decisions about the blend of rail travel and driving within their schedule.

4. Do you have a preference for contract length, if so, what is it and why? What is your preference between 5 year contract terms and contract terms with duration of a maximum of 15 years? If you have a preference, please explain.

The objective of Government is to extract a concession fee from the prospective operator of HSL Zuid to offset the costs of building the infrastructure.

The objective of the operator is to recover his bidding and set up costs and make a return on the investment of time and resources over the concession period, whilst 'donating' a share of the operating surplus in a concession fee to the Government.

For a short, 5 year period it is simple mathematics that the bidding costs are a larger proportion of the available 5 year profit stream, therefore less can be shared over the contract period with Government. As we have seen in the UK rolling stock market, there are intermediaries who are willing to own rolling stock and lease it to operators. They will price into their lease rentals demanded from the operator the costs of reletting the rolling stock at the end of the contract, this will include repaint, rebranding, risk of time off-lease, relocation costs. These are substantial costs with trains, again they will be a more onerous demand on the operating profit stream if the concession period is short.

So whilst there is nothing to prevent the Government favouring a 5 year contract, it will tend to reduce the up-front concession fee or ongoing concession fee that bidders will feel able to offer to Government for the concession rights.

In broad terms in the train market the asset life is 30 years. A cosmetic refurbishment at 7 years is usual. At 15 years the rolling stock owner might consider respecifying and overhauling for a secondary use. This will be possible as manufacturers offer standard train shells with modular fittings. This parallels the aircraft market.

Logically one could see an argument for a 7 year concession or a 15 year concession. The ultimate concession would be 99 years where generations of trains would be employed to exploit the life of the physical infrastructure to the full. The contribution might offset the full cost of the infrastructure, but would need to be fully supported by undertakings from the Dutch and Belgium Governments and effective control of right of way maintenance to the concessionaire.

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5, 6 and 7

See the answer to Question 1

Bidders must be able to assess the economic value of the concession. Clarity about the role of the Governments of Belgium and France is needed. There appears to be no effective market logic in the separation of Domestic and International. This will only serve to depress the apparent value of the Concession to bidders. There seem to be economies, benefits, and reduction in risk in combining the Domestic and International contracts.

8. What is your view on allowing the transport of domestic passengers on international train services between Rotterdam and Amsterdam? Which of the following arrangements will best meet the Government's objectives:

- open competition between international and domestic trains
- allowing voluntary co-operation between the operators of international and domestic trains
- available capacity on international trains to be sold by the domestic operator only
- establishing one integrated international and domestic operator
- other arrangements please explain.

A significant part of the revenue of the concession will come from traffic between Amsterdam and Rotterdam. To restrict customers to only using the twice hourly NS provided domestic service would greatly reduce the value of the concession to bidders. One would doubt the viability of the international services at three or four per hour if this restriction was imposed. This would reduce the concession fee to Government from the HSL Operator. The mechanism that Government has to extract economic value from NS to offset infrastructure costs is not known to us, one has to doubt that it would be as efficient as putting an integrated service pattern out to tender to the highest bidder.

The integrated operator is more likely to market impact and compete with car and air travel.

An integrated operator will have greater resource flexibility to cope with developments in the market and different rates of growth in different sectors than two separate operators.

The socio-economic benefits from the infrastructure investment result from success in increasing the use of rail over car and air travel. The successful concessionaire generating an income stream back to Government will allow the acceleration of other similar programmes which Government wishes to implement. The involvement of private capital releases public sector revenues to other less tractable areas of public policy delivery. The integrated operating concession would be an attractive private sector investment opportunity.

9. If there are separate domestic and international operators, what contract arrangements would you expect to see in the Bid Book with regard to competition or co-operation between them?

The separation of the markets if decided upon would need regulation. If the domestic operator was NSR then the private sector international operator would need to know that it was competing for the domestic traffic in The Netherlands on a fair basis. The areas to be covered

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be covered here with the appropriate parts of NS would be fare setting, marketing expenditure, access to sales desks, terminal facilities, allocation of platforms, compensation for operator on operator delays, access to depots for servicing, even handed operational control.

The development of these areas leads one to believe more firmly that an integrated operator solution would be better bearing in mind the further interfaces with state owned railways in Belgium and France that could affect the project.

We have no doubt that a mature and sensible relationship could be established in the new structure of the Dutch Rail Industry, the basic fear is that NSR would use its market power to compete unfairly. If it can be appropriately regulated in this market the situation would be sustainable, but undoubtedly second best to an open tender for integrated operation.

If NSR does abuse its market position to compete unfairly the remedy would have to be both timely and appropriate in terms of compensating direct and consequential loss to the international operator.