

Comments of the Greek RAS on the public consultation on international passenger transport services involving domestic services (cabotage).

A. General comment:

Concerning Section 2 – Notification procedure, page 3:

We believe that the word “Notification” should be added before the heading “Submitting the information package” (starting point of the procedure – Art. 13.4 of Dir. 91/440 as amended by Dir. 2007/58)

B. Answers to the questions set:

Question 1: We understand the regulatory framework quite well. The draft presented appears to respect in general the spirit of Directive 2007/58/EC. Ad hoc remarks on our part are presented and included in the following answers to the questions set.

Question 2: The answer is “yes”.

Question 3: The answer is “no”.

Question 4: A fixed time-scale like that described in Article 14 is indeed desirable, for we are keen on protecting new entrants, too, although we recognize that such a provision is not explicitly mentioned, either in the relevant Directive or its Interpretative Communication. However, we believe the one-month deadline is not sufficient and we would therefore suggest a two-month deadline.

Question 5: The answer is “yes” to everything. We cannot think of any other criteria. We believe that you would rather have the suggested criteria put in order of priority.

Question 6: The answer is “none”.

Question 7: The answer is “yes”.

Question 8: We think that it is desirable for the Authority to recommend restrictions in its decision. We believe that the type of the restrictions shall result from the economic analysis which proved the compromising of the PSC's economic equilibrium. We think that the use of predefined types of restrictions would introduce limitations to the Authority's range of options.

Question 9: We agree that a time frame of five years would best respond to the desired medium term and could be used for verifying the economic equilibrium of the public service contract, unless of course the PSC would expire earlier.

Question 10: We believe the suggested criteria are relevant and sufficient.

Question 11: We believe that no period of validity of the Authority's decision should be set at all. It is no use the Authority's monitoring any data itself, because the Authority has no right to reassess a decision of its own without a proper referral for this from an interested party. We would also like to point out that your procedure does not deal with the deadline mentioned in Art. 10.3.b of Dir. 91/440 (as amended by Dir. 2007/58) for the reconsideration of the Authority's decision.