

## Use of the rail network by the regions - new charges are legal

Following the annulment of the charges applied to the regions for their use of the national rail network for 2024, the Conseil d'État today ruled that the new charges were set according to due process. Petitioned by six regions and Île-de-France Mobilités, the Conseil d'État noted that SNCF Réseau had complied with the requirement for transparency by providing the transport authorities with information enabling them to form an informed opinion, and that the total amount of the fees to be paid by them did not exceed the share of the full cost of managing the network that was chargeable to them for the 2024-2026 period.

To run regional express trains (TER) on the French rail network in their region, the transport organising authorities - i.e. the regions and the public body Île-de-France Mobilités in Île-de-France - pay charges to SNCF Réseau, the entity that manages French rail infrastructure. These charges, and the procedures for changing them, are set out in a national rail network framework document (DRR).

Following the annulment of the charges included in the DRR for 2024 due to a procedure deemed irregular by the Conseil d'État<sup>1</sup>, a new procedure was initiated by SNCF Réseau. The Bourgogne-Franche-Comté, Occitanie, Hauts-de-France, Centre-Val de Loire, Nouvelle-Aquitaine, and Grand Est regions, and Île-de-France Mobilités once again appealed to the Conseil d'État to request the annulment of the new charge schedule adopted.

The Conseil d'État today ruled that the new charges for use of the national rail network in 2024 were set according to due process.

Indeed, the Conseil d'État found that SNCF Réseau had complied with the requirement for transparency when setting charges for use of the rail network. It considered that the information provided to the transport organising authorities enabled them to form an informed opinion.

Furthermore, the Conseil d'État found that the total amount of the charges payable by the transport organising authorities did not exceed the share of the full cost of managing the network that is attributable to them over the period 2024-2026.

On these grounds, the Conseil d'État dismissed the petitions filed by the Bourgogne-Franche-Comté, Occitanie, Hauts-de-France, Centre-Val de Loire, Nouvelle-Aquitaine, and Grand Est regions, and Île-de-France Mobilités.

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<sup>1</sup> [Conseil d'État decision No. 472859, 5 March 2024](#)