

TRAINLINE'S RESPONSE TO THE PUBLIC CONSULTATION ON THE PRELIMINARY MARKET STUDY "COMPETITION IN THE RAIL PASSENGER AND FREIGHT TRANSPORT SECTOR IN PORTUGAL"

To Autoridade da Concorrência

From Trainline

Ref. Market study "Competition in the rail passenger and freight transport sector in Portugal"

Date 30 March 2026

Trainline welcomes the opportunity to respond to the public consultation launched by the Autoridade da Concorrência ("**AdC**") on 2 March 2026 on the preliminary version of the market study "*Competition in the rail passenger and freight transport sector in Portugal*" (the "**Study**").

Trainline is a leading independent platform for the sale of rail tickets across Europe, enabling consumers to search, compare and purchase train tickets from multiple operators through a single interface. As such, Trainline has a direct and significant interest in the promotion of competition in the Portuguese rail sector, both at the level of transport services and at the level of ticketing and distribution services.

Trainline supports the AdC's findings and its 14 recommendations addressed to the Government, Infraestruturas de Portugal, the Mobility and Transport Authority ("**AMT**") and railway undertakings.

1. THE PROVEN BENEFITS OF RAIL COMPETITION

Trainline strongly endorses the Study's central finding that promoting competition is crucial to exploiting the full potential of rail transport in Portugal.¹ The experience of rail liberalisation across EU Member States provides compelling evidence of substantial benefits for consumers and public finances alike.

As the Study documents, the introduction of competition in rail passenger transport has resulted in an average reduction of ticket prices of 28% across the eight routes analysed in a 2024 European Commission ("**EC**") study, with effects observed both in the short and long term.² In Italy, the opening up of the market has led to a significant reduction in ticket prices.³ In Spain, the CNMC estimated that the liberalisation of high-speed services has attracted more than 10 million additional passengers to rail compared to 2019.⁴ In France, the Competition Authority has issued a detailed opinion setting out the expected benefits of opening up the market to competition: lower costs, innovation and improved quality, and a wider range of

¹ Estudo, 'Concorrência no setor do transporte ferroviário de passageiros e de mercadorias em Portugal', February 2026, p.1.

² Estudo, 'Concorrência no setor do transporte ferroviário de passageiros e de mercadorias em Portugal', February 2026, p.11.

³ EC, Study on passenger and freight rail transport services' prices to final customers, 2024, p.17.

⁴ CNMC Report, 'Balance de la Liberalización del Transporte de Viajeros por Ferrocarril', INF/DTSP/031/2024, p.13.

choice.⁵ Trainline, has a direct and active third party ticketing platform in these markets, well placed to assess the effects of liberalisation.

Competition for the market through competitive tendering has also produced substantial savings in public expenditure. In Germany, public tenders for regional rail services yielded savings of approximately €200 million between 2005 and 2019, representing a 15% to 26% reduction in operating subsidies.⁶ In France, the first competitive tenders for regional public rail services resulted in a 20% to 25% cost reduction alongside quality improvements.⁷ These outcomes confirm that delayed liberalisation involves a real economic cost, which the AdC rightly highlights in its Study.

The AdC's Study shows that opening rail to competition reduces fares (short- and long-run), raises frequencies and quality, and stimulates innovation.⁸ In addition, by lowering costs and improving reliability and information transparency, competition accelerates modal shift from road and air to rail, which is critical to Portugal's and the EU's climate goals.

2. TARGETED COMMENTS ON THE ADC'S RECOMMENDATIONS

2.1 Limiting extensions and promoting competitive tendering

The AdC correctly recommends that the extension of the current public service contract awarded to Comboios de Portugal ("**CP**") should be limited to the period strictly necessary for the amortisation of investments. Upon expiry of that period, international public tenders should be launched for the award of new public service contracts.⁹

2.2 Ticketing services

As an independent ticketing platform, Trainline wishes to draw particular attention to the Study's analysis and recommendations regarding ticketing services (Chapter XIII and Recommendations 13 and 14), which are of direct relevance to Trainline's activities and to consumer welfare.

The importance of non-discriminatory access to ticketing data and fair remuneration for the service provided. The Study rightly emphasises that ensuring effective and non-discriminatory access to ticketing information by alternative platforms is crucial for the benefit of consumers.¹⁰ Third-party ticketing providers require access to essential information, including real-time traffic data, timetables and tariff information, in an interoperable and non-discriminatory format in order to compete effectively and offer consumers a wide range of travel options. In addition, third-party ticketing providers need to receive FRAND commissions on the tickets sold. The business model of online rail ticket distributors, including Trainline, is such that their

⁵ ADLC, 'Avis 23-A-18 du 29 novembre 2023 relatif au secteur des transports terrestres de personnes', 29 novembre 2023.

⁶ EC, Study on passenger and freight rail transport services' prices to final customers, 2024.

⁷ ADLC, 'Avis 23-A-18 du 29 novembre 2023 relatif au secteur des transports terrestres de personnes', 29 novembre 2023, p.165.

⁸ Estudo, 'Concorrência no setor do transporte ferroviário de passageiros e de mercadorias em Portugal', February 2026, p.11.

⁹ Autoridade da Concorrência, Press Release 06/2026, 'AdC identifies constraints to the effective liberalisation of the rail sector in Portugal', p.1.

¹⁰ Estudo, 'Concorrência no setor do transporte ferroviário de passageiros e de mercadorias em Portugal', February 2026, p.127. Market study, 14 recommendations from the Portuguese Competition Authority to the Government, AMT, IP, and rail passenger transport operators, p.3.

primary source of revenue is the commission they receive from railway undertakings in return for selling tickets. The indispensability of such commission has been acknowledged by competition authorities; the Bundeskartellamt held that Deutsche Bahn's refusal to afford third-party ticketing platforms appropriate remuneration amounted to an abuse of its dominant position, ordered the latter to negotiate and conclude new partner contracts.

Portugal's exemption under Regulation (EU) No. 2021/782. Trainline strongly supports the AdC's recommendation that Portugal should withdraw its request for exemption from the obligation to transmit minimum travel information on regional, urban and suburban services under Article 10(2) of Regulation (EU) No. 2021/782.¹¹ This exemption limits the ability of alternative ticketing platforms to provide comprehensive travel solutions to consumers and impedes competition in the distribution of rail tickets.

Lessons from EU enforcement practice. The Study documents recent enforcement actions by competition authorities across Europe in this area. The German Bundeskartellamt's 2023 decision condemning Deutsche Bahn for abuse of dominance concluded that the obligations under Regulation (EU) No. 2021/782 were not sufficient to address the identified abusive practices, as the Regulation does not cover all necessary commercial and technical aspects of data access. Similarly, the European Commission's 2024 commitments decision in the Renfe case addressed the refusal by the Spanish incumbent (Renfe) to supply content and real-time data to third-party ticketing platforms on equal terms. These cases demonstrate that the liberalisation of the rail market alone is not always sufficient to enable full competition in the ticketing market. For this reason, Trainline emphasises the need for the relevant Portuguese authorities to actively monitor compliance with regulatory and competition law (e.g. abuse of dominance, cartel, non-discrimination principle,...) by all stakeholders. Only through a robust legal framework for liberalisation, combined with the effective enforcement of such rules, independent ticketing platforms will be able to benefit from FRAND access to data and fair remuneration for the service they provide.

3. CONCLUSION

Trainline welcomes the AdC's Study as a rigorous and well-evidenced contribution to the promotion of effective competition in Portugal's rail sector. The Study's findings are fully consistent with the experience of liberalisation across Europe, which has delivered lower prices and better quality.

Trainline wishes to emphasise that the effectiveness of the AdC's recommendations is conditional upon the existence of accessible and fully operational independent ticketing systems. Indeed, as confirmed by the Commission in its latest study¹², competition between incumbent and new entrant operators can only exist if independent platforms are able to sell tickets on open and FRAND terms, in order to provide consumers with visibility over the full range of available rail services. Without such transparent display of choice, new market entrants will be unable to reach consumers on equal terms, thereby undermining the competition that AdC's recommendations are designed to promote. Independent ticketing platforms are, in this respect, an indispensable component of a competitive rail market. However, as mentioned above, the provision of such services depends on independent platforms receiving fair and adequate commissions from the railway undertakings whose tickets they distribute.

Trainline remains available to engage further with the AdC on any of the matters raised in this response.

¹¹ Estudo, 'Concorrência no setor do transporte ferroviário de passageiros e de mercadorias em Portugal', February 2026, p.127.

¹² EC, Study on passenger and freight rail transport services' prices to final customers, 2024, p.26.