ESPP3
Appendix A: Consultation Feedback
Air Navigation Services
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PART I:  CONSULTATIONS DURING THE DEVELOPMENT OF THE DRAFT DOCUMENT

1. OPS ESPP3 #1 – 19 FEBRUARY 2019

The first of the successive meetings established during the process of developing this Performance Plan was held on 19 February. The meeting agenda and the attendance list are summarised below.

1.1 MEETING AGENDA

- Presentations and objectives of the group
- Introduction to the RP3 Performance Plan
- Incentive mechanisms: initial proposals
- Terminal targets: initial proposals
- Next steps
- AOB

1.2 ATTENDANCE LIST

- ACETA
- Iberia Express
- DGAC
- ALA
- AENA
- Spanish Air Forces
- Iberia
- APROCTA
- Vueling
- ENAIRE
- ENAIRE
- COPAC
- AESA (host)

2. OPS ESPP3 #2 – 18 MARCH 2019

The second of the successive meetings established during the process of developing this Performance Plan was held on 18 March. The meeting agenda and the attendance list are summarised below.

2.1 MEETING AGENDA

- Approval of the previous meeting’s minute
- Feedback on the incentive mechanism after the EC meeting
- ATFM delay
- Feedback on proposed EC capacity targets for RP3
- Feedback on comments received by members of the group
- Modulation by causes: explanation and arguments
- Estimation of amount of the incentive: initial aspects

2.2 **ATTENDANCE LIST**
- Iberia Express
- DGAC
- ALA
- AENA
- Spanish Air Forces
- IATA
- APROCTA
- Vueling
- ENAIRE
- COPAC
- Easyjet
- AESA (host)

3. **OPS ESPP3 #3 – 10 MAY 2019**

The third of the successive meetings established during the process of developing this Performance Plan was held on 10 May. The meeting agenda and the attendance list are summarised below.

3.1 **MEETING AGENDA**
- Approval of the previous meeting’s minute
- Arrival delay targets inputs for RP3
- Incentive mechanism: compilation of comments received and opinions
- Progress in the organisational process of the public user consultation on 18 June
- AOB

3.2 **ATTENDANCE LIST**
- Iberia Express
- ALA
- AENA
- Spanish Air Forces
- ACETA
- FerroNATS
- APROCTA
- Vueling
- ENAIRE
- COPAC
- AESA (host)
### 4. SUMMARY OF COMMENTS

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Topic</th>
<th>Comment</th>
<th>NSA Response – Final ESPP3</th>
<th>Reference to consultation document and final ESPP3</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACETA, Iberia Express, Vueling</td>
<td>Incentive scheme</td>
<td>Weather cause delay (W) should be included in the incentive mechanism. This cause of delay has a more or less stable pattern, that the dead band can be adjusted to contemplate it. They also indicate that meteorological conditions are an item of capacity management and should therefore be considered by the incentive mechanism.</td>
<td>Noted. Concern considered in the oversight section: delay cause attribution will be audited by AESA.</td>
<td>11.3 OVERSIGHT</td>
</tr>
<tr>
<td>ACETA, ALA</td>
<td>Incentive scheme</td>
<td>Width of deadband=0.02</td>
<td>Partially included The width of the dead-band has been set to meet the requirements of both Art.11.3(d) and Annex XIII 2.1 and 2.2 of R. 2019/317. In this case, 0.02 is the dead-band for terminal</td>
<td>5.2.4.1 Capacity incentive scheme Annex D</td>
</tr>
<tr>
<td>ACETA, ALA</td>
<td>Incentive scheme</td>
<td>No modulation due to causes of delay and therefore include all of them in the incentive mechanism</td>
<td>Noted. Concern considered in the oversight section: delay cause attribution will be audited by AESA.</td>
<td>11.3 OVERSIGHT</td>
</tr>
<tr>
<td>ACETA, ALA</td>
<td>Incentive scheme</td>
<td>Asymmetry in the amount of the incentive (2% penalty and 1% bonus)</td>
<td>Partially included Asymmetry has been reflected, though the amounts are different.</td>
<td>5.2.4.1 Capacity incentive scheme</td>
</tr>
<tr>
<td>APROCTA</td>
<td>Incentive scheme</td>
<td>Width of the dead-band should be a minimum of 0.20. The en-route alert threshold is already very narrow (it should be wider considering the differences between actual and forecast traffic used in capacity planning).</td>
<td>Partially included The width of the dead-band has been set to meet the requirements of both Art.11.3(d) and Annex XIII 2.1 and 2.2 of R. 2019/317. In this case, 0.02 is the dead-band for terminal</td>
<td>5.2.4.1 Capacity incentive scheme Annex B</td>
</tr>
<tr>
<td>APROCTA</td>
<td>Incentive scheme</td>
<td>Modulation due to causes of delay is favoured, as well as with the NOP.</td>
<td>Included.</td>
<td>5.2.4.1 Capacity incentive scheme</td>
</tr>
<tr>
<td>APROCTA</td>
<td>Incentive scheme</td>
<td>The financial advantages/disadvantages should be symmetric and with a maximum of 0.50%.</td>
<td>Noted The maximum amounts have been estimated to comply with the requirements of both Art.11.3(d) and Annex XIII 2.1 and 2.2 of R. 2019/317.</td>
<td>Annex D</td>
</tr>
<tr>
<td>Stakeholder</td>
<td>Topic</td>
<td>Comment</td>
<td>NSA Response – Final ESPP3</td>
<td>Reference to consultation document and final ESPP3</td>
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<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>ACETA, ALA, Iberia Express, Vueling</td>
<td>Incentive scheme</td>
<td>Weather is one of the responsibilities of the provider and therefore with the inclusion, the mechanism itself would encourage the improvement of the systems and the management of these issues. The ALA representative also expressed the possibility of over-regulation by Weather by not including it in the incentive system. In general, airlines operators express their desire to improve weather forecasting systems, since in certain cases it is regulated on the basis of forecasts that are not complied with and unnecessary regulations and delays are generated.</td>
<td>Noted. Concern considered in the oversight section: delay cause attribution will be audited by AESA.</td>
<td>11.3 OVERSIGHT</td>
</tr>
<tr>
<td>ENAIRE</td>
<td>Incentive scheme</td>
<td>Weather is not a problem only for Enaire and this situation occurs at European level. Weather has worsened in recent years and this is reflected in a greater number of delays due to this cause. The provider has safety as a priority and advocates not to include this cause in the incentive mechanism.</td>
<td>Noted</td>
<td></td>
</tr>
<tr>
<td>APROCTA</td>
<td>Incentive scheme</td>
<td>In adverse weather conditions, safety must be a priority and the person deciding on the measures to be taken should act without pressure. Therefore, Weather should not be included in the incentive mechanism.</td>
<td>Noted</td>
<td></td>
</tr>
<tr>
<td>ALA</td>
<td>Incentive scheme</td>
<td>ALA points out that weather instability is increasing and when establishing a hypothesis for the Weather cause, the forecast of weather issues should be greater.</td>
<td>Noted</td>
<td></td>
</tr>
<tr>
<td>APROCTA</td>
<td>Incentive scheme</td>
<td>APROCTA points out that, in the face of a weather forecast, the necessary preventive measures must be taken to ensure safety, but the failure of a weather forecast should not be taken as a failure to manage delays. Also advocates establishing a system that modulates by traffic to take into account the variations that can occur throughout RP3.</td>
<td>Noted</td>
<td></td>
</tr>
<tr>
<td>ENAIRE</td>
<td>Incentive scheme</td>
<td>Width of dead band = 0.03 at least</td>
<td>Noted. The width of the dead-band has been set to meet the requirements of both Art.11.3(d) and Annex XIII 2.1 and 2.2 of R. 2019/317.</td>
<td>Annex D</td>
</tr>
<tr>
<td>ENAIRE</td>
<td>Incentive scheme</td>
<td>Modulation due to causes of delay</td>
<td>Included.</td>
<td>5.2.4.1 Capacity incentive scheme</td>
</tr>
<tr>
<td>Stakeholder</td>
<td>Topic</td>
<td>Comment</td>
<td>NSA Response – Final ESPP3</td>
<td>Reference to consultation document and final ESPP3</td>
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<td>--------------------------------------------------</td>
</tr>
<tr>
<td>ENAIRE</td>
<td>Incentive scheme</td>
<td>Symmetry in the amount of the incentive (0.50% penalty and 0.50% bonus)</td>
<td>Noted The maximum amounts have been estimated to comply with the requirements of both Art.11.3(d) and Annex XIII 2.1 and 2.2 of R. 2019/317.</td>
<td>Annex D</td>
</tr>
<tr>
<td>ALA and ACETA</td>
<td>Incentive scheme</td>
<td>Even if the origin of the delay is not attributable to the ATC service provider, is responsible for its management. For the cause Weather for example, the ANSP does not cause the meteorological phenomenon, real or planned, but it is the main actor responsible for its management. For this reason, in order to encourage direct or indirect improvement in the management processes of all causes, all of them must be included in the planned incentive system.</td>
<td>Noted</td>
<td></td>
</tr>
<tr>
<td>ALA and ACETA</td>
<td>Incentive scheme</td>
<td>The amounts to be returned are very insignificant.</td>
<td>Noted</td>
<td></td>
</tr>
</tbody>
</table>
1. CONSULTATION MEETING

The specific consultation on the whole content of the Performance Plan was held on 18 June. A draft ESPP3 document was advanced three weeks prior. The cost-efficiency targets and the investments information was consistent with the reporting tables and additional information submitted on the 31st of May for the Eurocontrol Enlarged Committee on Route Charges session 112. An extract of the meeting agenda and the attendance list are shown below. The comments received from the stakeholders and the response from the NSA are detailed in section 2:

1.1 MEETING AGENDA
- Welcome
- Performance Plan Presentations
  - Context
  - Safety KPA
  - Environment KPA
  - Capacity KPA
  - Incentive Mechanism
  - Cost-efficiency KPA
- Coffee Break
- Open discussion
- Wrap-up

1.2 ATTENDANCE LIST

Airspace users representatives:
- ALA
- ACETA
- Vueling
- Ryanair
- Swiss International Airlines
- IATA
- A4E – Airlines for Europe

ANSPs:
- ENAIRE
- FerroNATS
- AEMET
- Hungarocontrol (observer)

Professional associations:
- USCA
- COPAC
Airport operators:
- AENA

Other State entities:
- Spanish Air Forces
- DGAC
- AESA (host)

Other entities:
- PRB
- European Commission
- Eurocontrol

1.3 **CONCLUSIONS**

The consultation meeting was successfully held. Comments were received and answers provided during the meeting. After the meeting, the slides presented were circulated to the stakeholder distribution list. All the material made available: Draft ESPP3 document, ESPP3 excel template, RP3 determined costs and unit rate reporting tables and additional information, and the consultation meeting slides were subject to comments.

All the attendees and distribution list were invited to provide written comments with a deadline on the 15th of July, thus providing almost 4 additional weeks to capture the views from all the stakeholders.

The comments received, and the response given to them in the context of the final Draft ESPP3 is provided within section 2 below:
2. COMMENTS FEEDBACK

2.1 GENERAL

Comment #GEN1
Stakeholder: IATA
Topic: General remarks
The Spanish consultation process and draft plan were well organised and delivered within the required timelines. The development of market conditions at Ibiza and Alicante is not supported and the decision by the EC may have a material impact on all aspects of the Terminal area.

NSA response
The comment on the organisation of the consultation is noted, and appreciated.

Regarding the comment on the market conditions: the detailed letter provided by IATA in the context of the consultation of market conditions in the provision of ATS services at Alicante and Ibiza airports, is responded in the annexes attached to the final version of the document. The final report was submitted to the EC on July 2019. Last September the EC, pursuant to a preliminary assessment of the document submitted, concluded Spain had completed all steps to ensure market conditions in the provision of ATS services at Alicante and Ibiza.

Reference to the final document:
Not applicable.

Comment #GEN2
Stakeholder: IATA
Topic: Macro-economic
Spain’s inflation figures and GDP forecast are aligned with the latest IMF figures.

NSA response
Noted

Reference to the final document:
Chapter 2 in the ESPP3 document.

Comment #GEN3
Stakeholder: IATA
Topic: Traffic
Spain is using the STATFOR Base scenario in their traffic forecast, in line with regulation 2019/317, however we received no indication the affect that moving to the actual route flown will have on the overall forecasts and consequently the affect on DUC/Unit rates. We also request that a the results of a sensibility We request that updated information should be supplied before final submission of the final performance plan.

NSA response
The sensitivity analysis requested by IATA was done at Network level as part of the change initiative. The results showed that the change of criterion to the actual route flown had very little effect in Spain.

Reference to the final document:
Not applicable.

Comment #GEN4
Stakeholder: USCA
Topic: ATC STAFF
It is already mentioned in the justification itself in the document, but we would like to insist on the need to hire new controllers both for the increase in traffic and for the necessary renewal of staff given their high average age. This process of renewal and net increase in staff will need adequate funding. Otherwise the capacity objectives will be affected.
Comment #GEN4
Stakeholder: USCA
Topic: ATC STAFF

NSA response

The comment is noted and aligned with the approach to meeting the operational and safety targets in the context of the expected demand.

Reference to the final document:
Chapter 6.2.1.1 and 7 in the ESPP3 document, as well as Annexes C and E

Comment #GEN5
Stakeholder: A4E
Topic: Traffic

Airlines for Europe (A4E) fully supports the use of the STATFOR base scenario for developing the plan, which is in line with the development of the European targets.

NSA response

Comment Noted

Reference to the final document:
Chapter 2 in the ESPP3 document.

Comment #GEN6
Stakeholder: RYANAIR
Topic: ATC Staff

Ryanair calls for the urgent need for ANSPs to recruit and train air traffic controllers to meet the demand of European citizens to travel by air. ENAIRE is training 130 new controllers each year from 2018 to 2024. This is a positive initiative to deal with the fact that approx. 50 controllers will retire each year (the International Federation of Air Traffic Controllers' Associations (IFATCA) reports that 28% of Spanish controllers are over 50 years old). It is also important that Spain develops more flexible working practices that ensure better use of these controllers (such as moving to tools-based validation rather than a geographical-based validation)

NSA response

- The comment on the urgent need for Enaire to recruit new controllers is noted, as it is aligned with the foreseen described in the ESPP3 document, Chapter 6.2.1.1 Staff Costs. This topic is also addressed in the interdependencies chapter, as well as in Annexes C and E dealing with Capacity and Cost-efficiency targets.
- The training period required is around 2 years, considering the moment of the recruit until the ATCO are available for OPS service.

Reference to the final document:
Chapter 6.2.1.1 and 7 in the ESPP3 document, as well as Annexes C and E.

Comment #GEN7
Stakeholder: RYANAIR
Topic: Traffic

We support Spain’s decision to use the STATFOR Base forecast in RP3. In RP2, the Performance Review Body reported that many monopoly air navigation service providers used their own low traffic forecasts to game the regulatory system and inflate unit rates. This situation must not be allowed.

NSA response

Comment Noted

Reference to the final document:
Chapter 2 in the ESPP3 document.
### Comment #GEN8
**Stakeholder:** RYANAIR  
**Topic:** Delay audits

We support a reinforced mechanism to monitor and verify the delay code allocation. ANSPs have been gaming the system by falsifying delay codes and hiding staff shortage euphemism such as adverse weather. Many ANSPs are not penalised for failing to deliver the service paid for by airlines. In the meantime, airlines are paying the cost of high delays and passenger compensation. AESA confirmed that is currently development a procedure to address this issue. Please provide more details about this process.

### NSA response

Comment Noted. The final document expresses the need of conduct specific supervision of delay audits. They will be carried out annually from the first year of RP3 (2020) following and complying with national and European regulation in this matter. This will act as a quality of data assurance mechanism.

**Reference to the final document:**
Chapter 11.3 Oversight in the ESPP3 document.
2.2 SAFETY

Comment #SAF1
Stakeholder: IATA
Topic: EoSM targets
We appreciate that Spain proposes to achieve safety targets in line with the EU-wide targets.

NSA response
Comment noted. The targets outlined in the consultation draft lacked a yearly distribution. The final draft version included that yearly distribution.

Reference to the final document:
Chapter 3.2.1 and Chapter 9.3 for ANSP providing aerodrome ATS at Alicante and Ibiza, in Draft ESPP3 document.

Comment #SAF2
Stakeholder: ENAIRE
Topic: Safety targets
ENAIRE is strongly committed with safety. In our path towards excellence as an air navigation service provider, Safety remains the first priority. For this reason, we firmly support the targets proposed as a coherent baseline, which we will strive to surpass to the best of our ability. In the previous RP2 period, we already demonstrated we could excel reaching the targets by 2015 and increasing them over the required target for the safety risk management objective.
We understand that these ambitious targets are correctly set, since they increase the requirements with respect to RP2 in a context where SMS are becoming more mature.

NSA response
Comment noted. The targets outlined in the consultation draft lacked a yearly distribution. The final draft version included that yearly distribution.

Reference to the final document:
Chapter 3.2.1 and Chapter 9.3 for ANSP providing aerodrome ATS at Alicante and Ibiza, in Draft ESPP3 document.

Comment #SAF3
Stakeholder: RYANAIR
Topic: EoSM targets
We consider the target for the Effectiveness of Safety Management (EoSM) appropriate given the good safety performance of Spain during the last years. We also support the additional measures proposed by Spain to continuously improve safety levels.

NSA response
Comment noted. The targets outlined in the consultation draft lacked a yearly distribution. The final draft version has included that yearly distribution.

Reference to the final document:
Chapter 3.2.1 and Chapter 9.3 for ANSP providing aerodrome ATS at Alicante and Ibiza, in Draft ESPP3 document.
2.3 ENVIRONMENT

Comment #ENV1
Stakeholder: IATA
Topic: KEA targets
We note that Spain's horizontal enroute flight efficiency targets are not in line with the reference values proposed by the Network Manager. We request that the plan be revised to include the NM.

<table>
<thead>
<tr>
<th>Reference values</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESSP</td>
</tr>
<tr>
<td>NM RV</td>
</tr>
</tbody>
</table>

Given the level and scope of investments and planned activities detailed in the draft performance plan and the ERNIP to address the KEA we believe an even better level of horizontal enroute flight efficiency is achievable and encourage Spain to expedite deployment of FRA across Spanish airspace.

NSA response
The final enroute flight efficiency targets have been aligned with the final NM proposed values (more ambitious than presented in the draft version). At the time of the consultation, the figures shown were in line with the estimations made by the Network Management and distributed in the Single Sky Committee (SSC 71). Knowing the final EU wide targets and the reference values provided by the Network Manager, Spain targets have been changed. The change has required a huge effort and relies on the compromise of all stakeholders at State level.

The final ESPP3 draft shows a table summarises the projects addressed by the ERNIP associated to the improvement of KEA values. Regarding the comment on FRA implementation, it is indeed one of the key enablers identified by the stakeholders at local level and by the NM. Spain shall do what is required in order to fulfill the requirements on this topic.

Reference to the final document:
Chapter 4.2.1 in the ESPP3 document and Annex B (progress of KEA targets values)

Comment #ENV2
Stakeholder: ENAIRE
Topic: State framework
This target needs to be addressed under a State framework, view that much greater improvement can be driven from further advancement in flexible use of airspace initiatives and civil-military cooperation. ENAIRE is committed to contribute to the greatest extent possible, but should not be made responsible for the total target achievement.

NSA response
The State level approach has consolidated in the ESPP3.

Reference to the final document:
Chapter 4 in the Draft ESPP3 document.

Comment #ENV3
Stakeholder: ENAIRE
Topic: State framework
ENAIRE could agree with the proposed target, provided it is considered as a State one. This target aims at an improvement of 0.2 percentual points by the end of RP3, which is in agreement with the target allocation proposed in SSC 71. However, ENAIRE does not agree with the proposed trend, which expects improvement over the first years and stability towards the end of the period. In what ENAIRE is concerned, the positive effects of our projects and contributions are not expected to start before 2021. Unless other contributions, currently not explained in the plan, are expected to contribute to the proposed trend, ENAIRE insists in adapting it to the local circumstances and expectations.

NSA response
Comment #ENV3
Stakeholder: ENAIRE
Topic: State framework
The comment is noted. However the final KEA values shows in the final draft are aligned with the reference values proposed by the Network Manager in order to contribute to meeting the European objectives, after coordinating with ENAIRE and the rest of the relevant stakeholders.

Reference to the final document:
Chapter 4.2.1 in the ESPP3 document and Annex B (progress of KEA targets values)

Comment #ENV4
Stakeholder: ENAIRE
Topic: KEA targets
Until 2018, horizontal flight efficiency of the actual trajectory has been improved in Spain by around one percentual point. This improvement has been mainly driven by tactical decisions of ATC staff through the authorisation of direct routes whenever and wherever possible. During 2019, The European Aviation Safety Agency has circulated a document (see Annex 1) where they discourage the use of directs arguing safety reasons and urge to the strict adherence to flight plans unless exceptional circumstances justify deviation. This means, not only that a more direct route for the aircraft cannot be chosen tactically from now on (it would be in contradiction with this recommendation), but also that the expected horizontal flight efficiency for RP3 may be seriously compromised, and it may derive in a worsening of the KEA results.

NSA response
The comment is noted and being considered into consideration for monitoring the performance indicators regarding KEA during RP3. The analysis has been used in Annex B to justify the targets set.

Reference to the final document:
Annex B.

Comment #ENV5
Stakeholder: ENAIRE
Topic: KEA targets
ENAIRE would like to clarify that the reasons mentioned in the current ESPP3 draft (see section 4.2.1): re-routings due to strikes in other points of the network, adverse meteorology and Madrid TMA holdings, represent the reasons of KEA slight worsening in 2018 in comparison to 2017. They are not the main reasons affecting KEA in 2018 in absolute terms. As presented during the consultation meeting, the main reasons of horizontal flight efficiency in 2018 were, in decreasing order, as follows:

- Prohibited, restricted and danger areas (53%)
- MAD (12%)
- Other countries inefficiencies (11%)
- Madrid TMA holdings (12%)
- Absence of more direct routes (7%)
- Inefficiencies in route planning (3%)
- Other causes (2%)

NSA response
The comment is accepted. The text in has been included in Annex B to reflect the information provided by ENAIRE.

Reference to the final document:
Annex B.

Comment #ENV6
Stakeholder: ENAIRE
Topic: KEA targets
As evidenced by the previous statistics, several actors need to be involved in the improvement of this indicator in RP3, since not all the causes are neither responsibility nor actionable by the ANSP. Therefore, ENAIRE believes the right approach to improve KEA results along RP3 is to treat this area from a State perspective. The positive effects that could be derived from improvements in civil-military coordination could be better highlighted since they have the
Comment #ENV6
Stakeholder: ENAIRE
Topic: KEA targets
Potential of great improvement on this particular indicator. In this same line of thought about potential positive contributions from other actors, we believe that some of the entities listed in page 7 of the document may be contributors to areas other than costs, so we suggest the mentioned contributions are reviewed (avoiding giving the impression that they contribute only by introducing costs).

NSA response
When the NM reference values were formally published after the Draft ESPP3 consultation, AESA started coordinating with ENAIRE, and all the relevant stakeholders at National levels. Thanks to the cooperation of the aforementioned stakeholders, it was agreed to accept an approach to pursue the NM reference values from a State level perspective. All actors involved will cooperate in the key areas, in particular FUA and free route airspace to deliver the targets for RP3.

Reference to the final document:
Chapter 4 in the ESPP3 document.

Comment #ENV7
Stakeholder: ENAIRE
Topic: KEA targets
ENAIRE would like to clarify that most of the projects included in the table shown in section 4.2.1.1 are oriented to capacity improvement rather than environmental improvement. In terms of KEA, ENAIRE proposes to show in this section the following projects relevant to the environment, coherent with the text in the same section, and taking into account that dates show the period of expected contribution to the Environment en-route performance improvement:

<table>
<thead>
<tr>
<th>Project</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Changes in CDR</td>
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<tr>
<td>Independent parallel approaches LEMD</td>
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<tr>
<td>New Canarias TMA organisation</td>
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<tr>
<td>FRA implementation</td>
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<td></td>
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<tr>
<td>FUA measures – Civil military coordination</td>
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<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

NSA response
The comment is accepted. The text in section 4.2.1 to reflect the information provided by ENAIRE.

Reference to the final document:
Chapter 4.2.1 in the ESPP3 document.

Comment #ENV8
Stakeholder: ENAIRE
Topic: Madrid TMA
Coming back to the issue of Madrid TMA holding (12% contribution to Spanish inefficiency), we would like to point out, once again, that there is a problem with the methodology used for calculation. Some Madrid holdings fall beyond the 40 NM cylinder, and therefore they are computed by PRU as en-route inefficiency, whereas it is clearly an inefficiency in Approach. The algorithm should be corrected, to start counting as approach since the FIRST ENTRY of the flight in the 40NM cylinder, and not since the last entry, as it currently does.

NSA response
The comment is worth it from a KEA methodology standpoint. Having TMAs beyond the 40 NM radius penalises KEA if holdings are applied. On the other hand, improvements in such TMAs have a positive effect in KEA. Such improvements are foreseen in the context of the ESPP3 and should contribute to an evolution towards the targets for RP3.

Reference to the final document:
Not applicable
Comment #ENV9  
Stakeholder: USCA  
Topic: Environmental EASA/EUROCONTROL Directives

In spite of the fact that the objective of reducing the lack of horizontal efficiency in the flight path is laudable, it should be took in mind that this objective is in contradiction with the recommendations of Eurocontrol and EASA in this respect.

For years, Eurocontrol has been promoting adherence to the horizontal and vertical flight plan in order to avoid overloads in certain sectors due to failure to comply with the planned hours, or flight levels, of passage through the points on the route.

What is new is the note published by EASA in June 2019 addressed to Aircraft Operators and Air Traffic Services. It is important that aircraft operators and ATS adhere to filed flight plans unless there are safety reasons”. Compliance with this EASA recommendation will have a negative impact on environmental objectives. This negative impact does not seem to have been considered when proposing the quantitative target for Spain for this indicator.

NSA response

The comment is noted and will be taken into consideration for monitoring purposes and during the oversight of the implementation of the ESPP3.

Reference to the final document:
Not applicable

Comment #ENV10  
Stakeholder: A4A  
Topic: Environmental targets

Environmental targets have always been of importance and will become even more so over the RP3 duration. Consequently, we are not satisfied with the targets suggested. We would expect a more ambitious starting point for RP3 and also more ambitious targets especially for 2023 and 2024. The targets for 2023 and 2024 should reflect the positive impact of the measures planned by ENAIRE. Thus, providing an incentive to implement the measures and also providing a corrective element in case these measures are delayed.

NSA response

The final en route flight efficiency targets have been alligned with the final NM proposed values (more ambitious than presented in the draft version). At the time of the consultation, the figures shown were in line with the estimations made by the Network Management and distributed in the Single Sky Committee (SSC 71). Knowing the final EU wide targets and the reference values provided by the Network Manager, Spain targets have been changed. The change has required a huge effort and relies on the compromise of all stakeholders at State level.

As it is described in the comment, the main improvements are expected for the last years of RP3 reflecting a positive impact of the projects planes by Enaire. It is shown in the section 4.2.1.1 where the main projects with positive impact on flight efficiency are described, including the planned year to see any result. A key contributing factor will be the cooperation at State level, enabling FUA and free route airspace.

Regarding the comment on providing an incentive to environment area, Regulation (EU) 2019/317 does not provide the obligation to establish financial incentive in that area. States should determine the need of implemented it or not. In this case, Spain has decided not to define an incentive mechanism for this area complying with the Regulation.

Reference to the final document:
Chapter 4.2.1 in the Draft ESPP3 document and Annex B.

Comment #ENV11  
Stakeholder: RYANAIR  
Topic: KEA targets

We also suggest setting more ambitious environment targets (KEA) for the whole reference period. The average horizontal efficiency target (KEA) achieved by Spain in 2017-2018 was 3.76% and we forecast 2019 around 3.72%. This is lower than the target proposed for Spain in 2020. We propose the following and ask Spain to keep building an efficient airspace by setting challenging targets that show a continuous improvement.

<table>
<thead>
<tr>
<th>Year</th>
<th>2020</th>
<th>2021</th>
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<td>3.47%</td>
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</tr>
</tbody>
</table>
Comment #ENV11
Stakeholder: RYANAIR
Topic: KEA targets

NSA response
The final en route flight efficiency targets have been aligned with the final NM proposed values (more ambitious than presented in the draft version). At the time of the consultation, the figures shown were in line with the estimations made by the Network Management and distributed in the Single Sky Committee (SSC 71). Knowing the final EU wide targets and the reference values provided by the Network Manager, Spain targets have been changed. The change has required a huge effort and relies on the compromise of all stakeholders at State level.

Reference to the final document:
Chapter 4.2.1 in the Draft ESPP3 document and Annex B.

Comment #ENV12
Stakeholder: ALA and ACETA
Topic: Madrid TMA

- Environment: Only CO2 emissions are treated through CDOs and CCOs. We believe it is important to also include the issue of trombones due to their impact on CO2 emissions.

NSA response
The comment is noted.

Reference to the final document:
Not applicable
2.4 CAPACITY

Comment #CAP1
Stakeholder: IATA
Topic: En-route capacity targets and incentives

Regarding capacity, we take note of the considerable capacity improvement actions planned during RP3 in the both terminal and en-route, that should deliver better performance and therefore encourage the setting of ambitious targets.

For en-route the development of targets in line with the NOP reference values is supported for 2021-2024, however, the targets for 2020 are not in line with the NOP reference values and we request that the targets are brought back in line with the suggested NOP values. This will mean the pivot values and incentive scheme will need to be reworked and we expect to be updated on the new proposal before submission of the final plan.

NSA response
The first paragraph of the comment is welcomed. It is a recognition of the efforts and projects developed by the ANSP ENAIRE for all years of the performance plan in capacity area.

Regarding on the targets for 2020, the measures taken to improve capacity values and being able to get EU targets, needs two years (2019 and 2020) to start observing some impact. That is the reason that NOP reference values is supported for 2021-2014 excluding 2020. Further, information is provided in the Annex C.

The incentive scheme will provide bonus or penalty to the ANSP if it does, or not not comply with the targets proposed. As it is explain before, values for 2020 recognise the actual possibilities of the ANSP to meet it.

Reference to the final document:
Section 5.2.1, 5.2.2, 5.2.4 and Annex D (Additional information regarding the process of establishing the incentive scheme by AESA (Spain NSA))

Comment #CAP2
Stakeholder: IATA
Topic: Terminal capacity targets

The approach to establishing a local terminal and airport ANS ATFM arrival delay per flight is also supported, however with the considerable investment in staffing, procedure and new processes at MAD/BCN/PMI/AGP the values for those airports should be adjusted down to ensure a focus on delay performance is maintained.

NSA response
The support to the approach in the ESPP3 on the terminal capacity targets is welcomed.

The values presented are a consequence of the ANSP’s expectations once coordinated with the airport operator who is impacted by the delay levels produced in the terminal phase. Like the en-route targets, they are a consequence of a balanced cost-efficiency / capacity exercise. The details are provided in the interdependencies chapter as well as in the justification of the terminal capacity and cost-efficiency targets.

Reference to the final document:
Chapters 5.2.2 and 7 in the Draft ESPP3 document, as well as Annex C Section 2 and Annex E Section 2.

Comment #CAP3
Stakeholder: IATA
Topic: Incentives

The proposal for an asymmetric incentive schemes in both areas is welcomed and supported, however they should be inclusive of all causes and not just CRSTMP. We believe that this approach to be more equitable since the airspace users are already funding the capital and operational capabilities to deliver any level of service and further, that the impact of delay on airspace users carries significantly greater costs in terms of fuel and network impact whereas there is no additional impact on ANSPs.

NSA response
The comment on the asymmetric incentive scheme is noted.
### Comment #CAP3
**Stakeholder:** IATA  
**Topic:** Incentives

IATA’s position on the topic of modulation in delay causes is known since the meetings of the group organised to develop the incentive mechanism. The reasons for choosing this approach are further explained in Annex D to the ESPP3.

**Reference to the final document:**
Annex D Section 2 Modulation Mechanism.

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### Comment #CAP4
**Stakeholder:** IATA  
**Topic:** En-route incentives

Given that there will be additional FTE, increased investment in new systems and implementation of FRA there is ample opportunity for ENAIRE to make their enroute target, as a result we believe the target for a bonus should be limited to 0.5% of revenues rather than 0.8%.

**NSA response**
The comment is accepted and changed in the final version of ESPP3. The final bonus in the incentive scheme is 0.5%.

**Reference to the final document:**
Chapter 5.2.4.1.1 in the Draft ESPP3 document and Annex D Section 6.

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### Comment #CAP5
**Stakeholder:** IATA  
**Topic:** Terminal incentives

For the terminal incentive the methodology is generally supported, however the outcome of the decision on market conditions at Ibiza and Alicante may also require recalibration of the pivot values and subsequent impact on the scheme.

**NSA response**
The detailed letter provided by IATA in the context of the consultation of market conditions in the provision of ATS services at Alicante and Ibiza airports, is responded in the annexes attached to the final version of the document. The final report was submitted to the EC in July 2019. In September the EC, pursuant to a preliminary assessment of the document submitted, concluded Spain had completed all steps to ensure market conditions in the provision of ATS services at Alicante and Ibiza.

**Reference to the final document:**
Not applicable.

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### Comment #CAP6
**Stakeholder:** FERRONATS  
**Topic:** Terminal capacity

With regard to the reference values that are established for the terminal capacity KPI, it should first be noted that there is a misnomer in the names of the airports in the table in section 9.5. It is understood that the first row includes the values for Alicante and the second for Ibiza, and therefore the correct nomenclature would be LEAL-Alicante and LEIB-Ibiza.

On the other hand, to indicate that the values corresponding to Alicante airport do not contemplate any delay not attributable to FerroNATS (as do those of Ibiza), since for all the years of the period considered the reference values are equal to the objectives for causes attributable to FerroNATS, as indicated in the foot of the table. FerroNATS considers that the reference values should consider a part of the delay due to causes not attributable to the supplier, such as meteorology or airport capacity.

**NSA response**
The first paragraph of the comment have been changed on the final version of ESPP3.
Regarding on the second paragraph of the comment, taking into account the historical delay values at Alicante airport it is nearly negligible (0 minutes at 2018, 226 min at 2017, 60 min at 2016 and 46 min at 2015). The delay target assigned for all years at Alicante airport in all RP3 is 0,02 (reaching by delays causes ATC(CRSTMP) + min G + min W) what means around 1000 min of delay.

The situation is clarified in the Annexes.

Reference to the final document:
Chapter 9.5 in the Draft ESPP3 document and Annex C Section 2.

Comment #CAP7
Stakeholder: ALA and ACETA
Topic: Incentive mechanism

As already indicated in our joint letter dated 25 April, we consider that all causes of delays should be included and the criterion of not modulating should be used. Most European states have opted for this option of not modulating and taking into account all causes of delay, with the aim of encouraging improvement in all areas.

Although there is the possibility of reallocating minutes to the correct cause through the post-ops process of the Network Manager (if the supplier allocates to non-attributable causes ATC minutes of delay that are actually attributable causes ATC), and despite the supervision of AESA, which as supervisor has access to all procedures, records and databases of each regulation, in addition to the ability to interview the staff involved in the process of influx and the associated ATS management; we believe it is likely that there will be a less compensatory effect on the user, although it is stated that modulation by causes in Spain would not make a compensatory difference in terms of the option not to modulate.

For all these reasons, we consider that in all air transport sections it is necessary to be efficient with external and internal causes, just as the airlines are asked to do with Regulation EU261/2004.

Regarding the BONUS / PENALTY: On a maximum range of +2% to -2% have opted for a bonus of +0.8% (additional money that airlines have to pay to the supplier ENAIRE if it exceeds the target delay imposed, highly unlikely scenario) and a penalty of -1.5% (money that the supplier must return to the airlines if it fails to meet the target delay imposed, highly likely scenario) all calculated on the basis of the cost of the taxes paid. Although it is not in line with our proposal, we can accept this approach.

With regard to the DEAD BAND en-route, where if the delay moves around the target has no economic effect on the supplier ENAIRE, we had requested a considerable width (+/- 0.02) precisely so that the weather anomalies of more severe or calmer years would not be modulated and fall within this range without entailing a cost or benefit to the supplier. Since we opted for Modular and did not take into account the weather causes, it did not make sense and they opted for a range of +/-0.01 over the target (pivot value).

In addition to the above, I would also like to point out that we commented at the last meeting mentioned:
Comment #CAP7  
Stakeholder: ALA and ACETA  
Topic: Incentive mechanism  
Please consider our repeated request to take into account all causes of delay in the incentive mechanism, and to use the NO-MODULAR criterion.

**NSA response**  
The comment is noted.  
Regarding on the delay results obtained, the main reasons evaluated by AESA to choose modulating the pivot values for the calculation of the advantages /disadvantages, are described in the Annex D on the final version of the ESPP3. Moreover we would like to clarify that in Europe there are a large number of countries which are using modulation for theirs incentives schemes such as United Kindom or FABEC (Germany, France, Switzerland, Holland, Belgium and Luxemburg), and even more plan to do so in RP3. The NSA all make an oversight of the delay attribution. The analysis shows the decision to modulate per se does not present a negative influence on the users regarding the level of bonus or penalty on the ANSPs.

**Reference to the final document:**  
Chapter 5.2.4.1 in the Draft ESPP3 Document and Annex D Section 2 (Modulation Mechanism)

Comment #CAP8  
Stakeholder: ENAIRE  
Topic: En-route capacity targets  
- ENAIRE is willing to accept the proposed reference values for 2021-2024 as en-route capacity targets, which represent a challenge. Their achievability is subject to the materialization of all the expected benefits of the operational, technical and recruiting plans and a very efficient management of all resources.  
- The 2020 target, deviating slightly from the reference value provided by the NM, is supported. This punctual flexibility will allow the required time to train the staff necessary for dimensioning the service according to the traffic materialized along RP2, which deviated significantly from the initial forecast and is expected to continue growing over RP3.  
- As presented during the consultation session, ENAIRE intends to face this challenge not only through staffing, but with an integral approach that considers also technology modernization, operational projects, efficiency measures and improved procedures and resilience in case of adverse weather, without disregarding the human dimension.

**NSA response**  
The support to the en-route capacity targets in the Draft ESPP3 is welcomed.

**Reference to the final document:**  
Not applicable

Comment #CAP9  
Stakeholder: ENAIRE  
Topic: Arrival capacity targets  
- During the preparation of the Performance Plan, there were several coordination meetings between the interested parties in order to agree an appropriate level of ambition as well as the criteria to allocate targets to the different ANSPs involved in the targeted services. Therefore, ENAIRE agrees with the proposed target, derived from these meetings and presented in other consultation fora, prior to the session celebrated on June 18.  
- ENAIRE considers that it would be beneficial to present the total target for Spain and the criteria used to breakdown it at the level of the individual ANSPs. As currently presented, the reader could misinterpret that the whole target for Spain is the target actually allocated only to ENAIRE. In this sense, the title of the table presented in the document in section 5.2.2 should be changed from “Spain target for 7 airports” to “ENAIRE target for 7 airports”. A clearer picture in this sense will certainly help to understand the rationale behind the incentive schemes proposed afterwards, based on attributable causes, since in the construction of this target, at national level and when all the causes are included, different actors are involved.

**NSA response**  
Both comments are noted.
Comment #CAP9
Stakeholder: ENAIRE
Topic: Arrival capacity targets

It is important to consider the targets subject to market conditions in a separate way. Additional explanations have been included throughout the documents to clarify the separation.

Reference to the final document:
Chapter 5.2.2 and Chapter 9 in the Draft ESPP3 document, and Annex C section 2.

Comment #CAP10
Stakeholder: ENAIRE
Topic: Incentive schemes

- ENAIRE fundamentally disagrees with some of the parameters finally chosen for the incentive schemes, in particular, the asymmetry and the levels of penalty proposed.
- The scheme proposed is disproportionate with respect to the ambition of the targets, which is already significant and challenging, and we are willing to accept. ENAIRE believes efforts made during RP2 to contain delays despite the traffic increase should moderate the level of penalties proposed in RP3.
- Up to date, the proposed incentives schemes in other States seem far less penalizing (maximum penalties we have seen until now for the en-route indicator are 0.75%, which is one half of the 1.5% proposed in this draft).
- In the context of consultations prior to the publication of this draft plan, ENAIRE proposed a symmetric approach, with bonus and penalties similar to RP2 levels (0.5%) and a dead band of 0.03 min/flight.
- The parameters proposed for this consultation are commented below:
  - Modulation: With respect to modulation based on CRSTPM causes, ENAIRE supports the proposed approach. ENAIRE supports the removal of meteorological effects from the application of penalties, since meteo is an uncontrollable cause. Besides, though ENAIRE is working to improve the forecasts and protocols to mitigate the impact of ATFM measures due to weather, let us be clear on the fact that ATFM by meteo causes is always applied for the sake of safety and the ultimate benefit of airspace users and passengers.
  - Dead band: the justification presented for a deadband of 0.01 minutes per flight (the minimum possible) is based on a statistical calculation that supports the robustness of the approach proposed to modulate considering CRSTPM causes. However, the calculated “margin of error” when setting the CRSTPM pivot is not appropriate for the definition of a dead band. The deadband is not about the accuracy when calculating a pivot value from the total target, it is about some flexibility around the target itself, which should consider the degree of ambition and the certitude on their achievability. ENAIRE believes that the degree of ambition accepted with the targets is sufficient to justify more flexibility around the target. Therefore, ENAIRE requires a deadband of 0.03 min/flight.
  - Symmetry: ENAIRE, as other ANSPs, believes that a symmetric approach is fairer, and naturally helps to establish both targets and bonus/penalty levels with the right level of ambition. Very exigent targets combined with asymmetric and too penalizing schemes may not succeed to drive the desired outcome.

According to the slides presented during the consultation meeting, it seems that the rationale behind the asymmetry proposed by the NSA is to penalize when “the compromised level of service” is not delivered, as well as to avoid “introducing undesired behavior” and rewards for “oversizing”.

- ENAIRE fails to understand how a result that improves the targeted one could ever represent an “undesired behaviour”.
- “Oversizing” is already controlled through the cost-efficiency area, where unit costs are both limited and tracked along the period.
- ANSPs consider “compromised level of service” as the planned and agreed deployment of technical, operational and human resources in the right places and the right times in order to serve the expected coming traffic. Despite the provided capacity, understood as the number of flights to be able to handle, delays may happen either because an unexpected excess of traffic or other circumstances (meteo or other network or disruptive effects). This does not mean that the committed resources were not deployed and the committed level of service did not materialize. It often happens that even more resources than those initially planned have been deployed in order to adapt to circumstances. In such cases, the committed service levels are exceeded, regardless this is finally reflected in the
Comment #CAP10  
Stakeholder: ENAIRE  
Topic: Incentive schemes

result of this particular indicator or not. In this sense, this KPI may be inappropriate to measure and target the “level of service”.

- There seems to be an unjustified prejudice about any potential improvements over the target coming from “inefficiency” and “oversizing”. Besides the fact that inefficiency hardly results in overperformance, ENAIRE regrets that the efficiency measures taken along the past years, when we have recorded the best values ever for the en-route ATFM delay indicator, in spite of the traffic challenge and in a scenario of cost cuts, are not adequately acknowledged.

- In ENAIRE’s opinion, asymmetry could only be justified in the exceptional case that targets are not ambitious enough. In order to judge adequately the ambition of the targets allocated to ENAIRE, we invite the NSA to compare NOP delay forecasts with the proposed reference values, which clearly show that ENAIRE is accepting a challenge and reaching the targets will already be harder than just deploying as currently expected.

Because of the above-mentioned reasons, ENAIRE believes that asymmetry is not justified, and requests a symmetric approach.

- Amount of bonus/penalty levels: Current RP2 level of bonus/penalties is 0.5%, in the framework of a symmetric scheme. At the time, this level of bonus/penalties was set at the request of the airspace users during consultation. ENAIRE does not see justification for multiplying by a factor of 3 (increasing by 200%) the amount of the penalties for the en-route incentives scheme, and to propose in the Terminal scheme, for the first time, a penalty amount of 1% that doubles the 0.5% set when the en-route scheme was first introduced.

According to the material presented, it seems that the proposed amount of penalties aims to compensate the “cost of delay” and the penalty amount seems to be chosen to be as close as possible to such value. ENAIRE requests to take into consideration the following aspects:

- Target construction: As widely known, the Network Manager proposes targets based on a methodology that tries to balance cost of capacity provision versus the cost of delay. Targets are set at what it is considered an optimum value that would make the optimum use of ATC resources. Note that, therefore, the targets, by their nature, are already designed to compensate the cost of delay.

- Note that, by virtue of this methodology, the lower the cost of capacity, the lower the optimum delays, as it costs less to invest in capacity. Also, the higher the cost of delays, the lower the optimum delays, as it would cost more to have higher levels of delays.

- Not that, over the years, the cost of one minute of delay stays either constant or increasing while the cost of capacity provision in Spain has been decreasing and the capacity targets have kept becoming more exigent to compensate the cost of delay.

- Given the previous considerations and the nature of some drivers of the cost of delay, it is appropriate to compensate through penalties only a share of the excess of delay, since the target is already dimensioned to compensate and result finally materialises in spite of the additional mitigation measures taken. We refer to Recommendation 7 of “PRB’s proposed recommendations for incentive mechanisms”, presented in the Stakeholder Workshop of 12 November 2013 in the context of RP2 (see Annex 2). It states that “The rate of payment € per delay flight minute should be set on the basis of being sufficient to incentivize investment to solve capacity issues causing delay (i.e. a share of the €81 for a minute of delay from the University of Westminster Study).

- The material presented during the consultation meeting in the section about stress tests and financial liability of the ANSP (pages 20&21) suggests that more conservative penalty values should be considered.

- The exigence of the targets proposed also needs consideration when fixing the maximum values. As previously explained, targets are ambitious enough to justify moderation of the potential penalties to apply.

All factors considered, together with the rationale supporting a symmetric approach, ENAIRE proposes that an amount of bonus/penalties of 0.8% (en-route scheme) and 0.5% (terminal scheme) of the determined costs used for the unit rate calculation is more adequate. In the framework of the Spanish TNC model, ENAIRE understands that the proposed incentive schemes apply to the costs recovered through the terminal unit rate only, leaving aside cost recovered through commercial agreements with airport operators and therefore subject to other rules; in this line ENAIRE proposes the inclusion of this statement in the Spanish Performance Plan for RP3.

NSA response
The comment is noted and every aspects explained have been taken into account to get the final incentive scheme. The incentive mechanism, and the approach to elaborate it have taken into consideration the fulfilment of the requirements set out in Regulation (EU) 2019/317.
Comment #CAP10
Stakeholder: ENAIRE
Topic: Incentive schemes

A brief explanation about some of the topics is given below:

- The maximum bonus and penalty, as well as the reason why the incentive scheme is asymmetric, is explained in detail at Annex D_Section 6, where all simulations and considerations made by AESA to estimate the impact of the bonus and penalties proposed at ESPP3 final version can be consulted. The values have changed from the draft version. Finally, in the final version of ESPP3 values of bonus and penalty are: 0.5% bonus and 1% penalty.
- The same as the asymmetric, Annex D_section 5 include a deeper explanation about the values assigned to the dead band (0,01 min/flight en-route ; 0,02 min/flight terminal).
- Assuming the targets have been built considering an optimum capacity/cost balance, is fully consistent with the approach taken in the design of the incentive mechanism: deviating from the targets either way is considered a broken balance.
- The references to the PRB material are obsolete as they refer to the incentive mechanism under RP2 regulation, that was symmetric by rule and based on the revenue instead of determined costs, among other differences. The cost of delay value used has been the most updated one, and has been confirmed with EUROCONTROL.
- Additional risk and comparative analysis have been considered in the final version of the incentive mechanism (see Annex D).
- The specificities of the Spanish terminal charging model have been considered in the risk analysis of the corresponding incentive mechanism. Regarding the call of ENAIRE for a specific statement, the application of the mechanism shall be in line with Regulation (EU) 2019/317.

Reference to the final document:
Chapter 5.2.4 of the Draft ESPP3 document and Annex D_Sections 5 and 6

Comment #CAP11
Stakeholder: USCA
Topic: Historical and Compared Data

If we look at the historical data on delays in Spain over the last 10 years, we can see that the current delay, considering the drastic increase in traffic, is at minimum level in historic. The objective of 0.20 minutes per flight for the last years of RP3 seems excessively ambitious. Likewise, and within the distribution of delays between the different European countries to achieve the European objective, it seems to us that, in comparison with other European countries that generate most of the delays, the objective assigned to Spain is excessive. Above all, if we take into account the great effort made by Spain in this field in recent years.

NSA response
The comment is noted and taken into consideration for developing the last version of ESSP3.

The capacity proposed references values for 2021-2024 have been accepted by ENAIRE, knowing they represent a big challenge. For 2020 target there is a slight deviation from the reference proposed by the NM due to the need of a period of two years (2019 and 2020) in order to start observing the impact of the measures taken on the evolution of the en-route ATFM delay indicator.

The understanding is that the level of ambition the EU-wide targets represent for ENAIRE has been dealt with internally by the ANSP.

Reference to the final document:
Chapter 5.2 in Draft ESPP3.

Comment #CAP12
Stakeholder: USCA
Topic: Capacity Increasing Projects

The experience of recent years and the great difficulty with which different technological projects are being implemented in Europe make us doubt that ENAIRE’s planning for the implementation of projects that increase capacity is realistic.
Comment #CAP12
Stakeholder: USCA
Topic: Capacity Increasing Projects

We are not going to go into detail, but many of these projects depend on the availability of personnel. Most route controllers are currently at maximum annual working days so capacity cannot be increased by making greater use, in hourly terms, of existing controllers. Everything therefore depends on new hires that have minimum selection, training and incorporation periods that can hardly be reduced.

In addition to this, many of Europe’s technological projects are lagging behind. Various European bodies are questioning the usefulness of such projects in terms of having a positive impact in terms of capacity.

We believe that the projects presented by ENAIRE will delay their implementation compared to what was planned, so that the capacity objectives cannot be achieved, at least for the years 2022 to 2024.

NSA response

The comment is noted and it will be taken into consideration for the monitoring of capacity indicators as well as for the different audits that will be held during all years of RP3.

The targets for RP3 are considered a challenge. The compromise of ENAIRE towards achieving them in the benefit of the Network is worth the praise. The elements raised have been considered internally by the organisation.

Reference to the final document:
Not applicable

Comment #CAP13
Stakeholder: A4A
Topic: NOP Value

Within the key performance area of capacity, we note that Spain is deviating from the NOP reference values for 2020. The value suggested is substantially higher than the NOP reference value of 0.36 min/flight. Given the fact that a considerable increase in ATCO workforce is projected, at least the NOP values should be applied for all years. Actually, a more ambitious target setting could be expected reflecting the increase in workforce and implementation other improvement measures.

NSA response

The comment is noted.

As it is described in the ESPP3, Spain has accepted the proposed values from 2021 to 2024. There is only a slight deviation from the NOP reference values in 2020 due to the need of a period of two years (2019 and 2020) in order to start observing the impact of the measures taken on the evolution of the en-route ATFM delay indicator (including the impact in operation to the new ATCOS which have to pass a two year process of training before being completely available to provide effective service). In addition, the implementation of measures require the use of human resources for the development of the projects and of the specific training required. All of these call for a transition phase between the actual delay levels currently experienced to the NOP values.

Additional information is included in Annex C.

Reference to the final document:
Chapter 5.2 and Chapter 6.2.1.1 in the Draft ESPP3 document and Annex C.

Comment #CAP14
Stakeholder: A4A
Topic: Incentive Scheme

With appreciate the proposed asymmetric incentive scheme in the en-route and terminal areas. Nevertheless, we suggest a maximum bonus of 0.5% for both schemes. Furthermore, we support a modulated pivot value for the en-route incentive scheme and the deployment of a well-defined mechanism for allocation of delays. We would like to receive further details the mechanism.

NSA response

The comment regarding the amount of the bonus is accepted: in the final version of ESSP3, there is a maximum bonus of 0.5%.

The support on the modulated mechanism is welcomed.
Comment #CAP14
Stakeholder: A4A
Topic: Incentive Scheme
Further details on both aspects of the incentive mechanism are described in the Annex D of the final document.

Reference to the final document:
Annex D

Comment #CAP15
Stakeholder: RYANAIR
Topic: En-Route Capacity Target
Ryanair sees no justification for Spain to differ from the Eurocontrol Network Manager recommendations in the capacity area. Spain’s proposed en-route capacity target (0.47 min delay/flight) is far above the recommendation (0.36 min delay/flight) and was achieved in 2015 and 2017. Ryanair proposes the following Capacity targets:

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<td>0.20</td>
</tr>
</tbody>
</table>

NSA response
The comment is noted.

However as it is described in the ESPP3, Spain has accepted the proposed NOP values from 2021 to 2024. There is only a slight deviation from the NOP reference values in 2020 due to the need of a period of two years (2019 and 2020) in order to start observing the impact of the measures taken on the evolution of the en-route ATFM delay indicator. It is considered that the action taken by the ANSP are in the proper trend considering they will get the NOP proposed values in the last years of RP3.

More information on the consistency of the en-route capacity targets is included in Annex C to the Draft ESPP3.

Reference to the final document:
Annex C.

Comment #CAP16
Stakeholder: RYANAIR
Topic: Incentive Scheme
We urge Spain to avoid placing more risk on airline operations. The combination of modest targets and weak penalties has led to poor levels of performance across Europe with no compensation for airlines in RP2. This situation cannot be repeated.

The bonus/penalty rate for both en-route and terminal schemes should be set at 0.5% for bonuses and 2% for penalties to compensate for the high cost of delays borne by airlines generated by service provider failures.

NSA response
The comment is noted and partially accepted as in the final version of ESSP3, there is a maximum bonus of 0.5%.

The reason and the detailed explanation about the maximum bonus and penalty, is explained in detail at Annex D Section 6, where all simulations and considerations made by AESA to estimate the impact of the bonus and penalties proposed in the Draft ESPP3 final version, can be seen.

Reference to the final document:
Annex D Section 6
2.5 COST EFFICIENCY

Comment #CEF1
Stakeholder: IATA
Topic: En-route cost-efficiency

With respect to enroute Cost Efficiency, we are concerned with the planned 8% increase in nominal cost in Spain continental and 11% in Spain Canaries. While the DUC reduction in both enroute zones seemingly meets the EU target based on Annex IV, 4 (b): “the long term determined unit cost trend”, it is very difficult for airspace users to ascertain what level of contribution to the union wide targets this provides due to the unavailability of local reference values. The DUC reduction is highly dependent on the continued traffic evolution.

NSA response
Spain meets the long term DUC trend.

Assessment of Performance Plan should consider a balanced approach with global consideration/analysis including all KPAs. The proposed cost efficiency and capacity targets in the Spanish proposal constitute such a balanced approach, since cost increases will allow improvements in both key performance areas.

Improving capacity in order to reduce current ATFM delays is the main challenge for Spain during RP3, taking also into account that the high traffic levels experienced during RP2 (with nearly 30% deviations from the assumptions made in the performance plan) which will still affect RP3 results, especially during the first part of the period.

The efficiency measures adopted by Spain, and the continuous efforts put in place, have resulted in an improvement in Cost – Efficiency much greater than the established targets between 2012 and 2019.

As far as the ANSP ENAIRE is concerned, this improvement was possible thanks to a 10% reduction of Costs (€2009) in Continent and 18% reduction in Canarias, with an increase of traffic of 40% and 23%, respectively, in the same period, showing the long-term commitment of Spain with the efficiency of the services provided to the users of the airspace. The foreseen result, taking into account ENAIRE data, would be that the Unit Cost in 2024 will be half (-51% in Spain – Continent) to that of 2009, absorbing a 58% in traffic increase with a significant reduction (-22%) of Costs.

The current targets proposal represents a long term ambitious and balanced approach as maximum effort is expected in all the key performance areas.

Traffic evolution is a key element influencing DUC, but costs, how they adapt to traffic demand and the final impact on the users of the result are also relevant aspects. According to the ESPP3, the expectation is that RP3 will see the lower charged unit rates since the early 2000s.

Reference to the final document:
Noted.
Further explanations on the consistency of the cost-efficiency targets have been included in Annex E.

Comment #CEF2
Stakeholder: IATA
Topic: En-route cost-efficiency

We are deeply concerned by the planned combined 45% increase in staff costs over the reference period, with some proposed 471 additional FTE entering the cost base. No detailed breakdown was provided in terms of replacement of retirees or new hires and the impact this may have on service quality is also a major concern. We request that greater efficiencies be found to limit this impact and that AESA must provide a greater level of detail to justify the planned increases.

NSA response
The reference to a “45% increase in staff costs over the reference period” is not understood. ENAIRE’s staff costs increase in the period, in nominal terms, is 19.6%, mainly due to the staff hiring plan (necessary to provide capacity) and the salary increases after a long previous period of wages freezing.

After years of wage freezing the plan contemplates salary increases approved for the public sector and an evolution in line with inflation and vegetative increase.
Comment #CEF2
Stakeholder: IATA
Topic: En-route cost-efficiency

The increase in the number of ATCOs is identified as necessary to cope with the traffic and avoid a potential capacity shortage, derived not only from years of no replacement after leave but also from the unexpected traffic increase during RP2 and the forecast for RP3. The increase in personnel needs to be seen in the context of other efficiency measures that still allow an overall DUC reduction over RP3.

Reference to the final document:
Noted.
Further explanations on the consistency of the cost-efficiency targets have been included in Annex E.

Comment #CEF3
Stakeholder: IATA
Topic: En-route cost-efficiency

We also note that there was no reference to the previous Spanish government policy on top-down stabilisation of the enroute unit rate and the commitment to absorb any future adjustments to maintain this policy. Can Spain confirm if this policy will continue?

NSA response
The ESPP3 is the result of an overall balanced approach across the 4 KPAs. The unit rates that will be charged to the users in RP3 are expected to be lower than in the previous reference periods. This final result already represents the compromise of Spain with the air navigation services provision.

Reference to the final document:
Not applicable.

Comment #CEF4
Stakeholder: IATA
Topic: En-route Continental cost-efficiency targets

While the DUC reduction in Spain Con enroute zone seemingly meets the EU target based on Annex IV, 4 (b): “the long term determined unit cost trend”, it is very difficult for airspace users to ascertain what level of contribution to the union wide targets this provides due to the unavailability of local reference values. The DUC reduction is highly dependent on the continued traffic evolution. We request that more is done in the key area of cost control.

NSA response
See response to Comment #CEF1 above.

Reference to the final document:
Noted.
Further explanations on the consistency of the cost-efficiency targets have been included in Annex E.
Comment #CEF5
Stakeholder: IATA
Topic: En-route Continental cost-efficiency targets

The following elements (from the reporting tables, in nominal terms) are also of concern:
1. ENAIRE staff costs are steadily increasing throughout the reference period with some additional 20% when compared to 2019. This is also provided the collective agreement can be successfully negotiated as and from 2020. We believe that more efforts must be made on the staff cost side.
2. Other operating costs are increasing over RP3: efforts should be made to control such costs to contribute to the RP3 targets.
3. Depreciation costs are decreasing much faster than the asset base: what is the explanation for the non-correlation of the two?
3. The increase in the cost of capital from 5.80-5.99% is an area of concern, it is believed that additional efforts can be made if AENA cost of capital is aligned is AEMET 3.10-3.20%

NSA response

Concerning depreciation costs there must be a misunderstanding since ENAIRE depreciation costs are not decreasing. Depreciation costs respond to ENAIRE level of investment, please note that, in RP2, investment is foreseen above planned with no financial consequences for the airspace users and full transparency.

The cost of capital (WACC) of ENAIRE is in a range similar to RP2 and responds to the existing methodology and the financial structure of the organisation. It has to be considered that the level of risk for ANSPs has increased with the changes of the new RP3 Regulation, with cost control requirements combined with high quality of service (low delay) as well as the higher possibility of penalties associated to a certain level of delay.

ENAIRE is not comparable with AEMET, both are completely different entities with different risk levels. In this sense, it can be pointed out that AEMET is not affected by the traffic risk sharing mechanism, or capacity incentives (bonus/penalties), and those are important differences.

Reference to the final document:
Noted.

Comment #CEF6
Stakeholder: IATA
Topic: En-route Canarias cost-efficiency targets

While the DUC reduction in Spain CAN enroute zone seemingly meets the EU target based on Annex IV, 4 (b): “the long term determined unit cost trend”, it is very difficult for airspace users to ascertain what level of contribution to the union wide targets this provides due to the unavailability of local reference values. The DUC reduction is highly dependent on the continued traffic evolution. We request that more is done in the key area of cost control

NSA response

See response to Comment #CEF1 above.

Reference to the final document:
Noted.
Further explanations on the consistency of the cost-efficiency targets have been included in Annex E.
Comment #CEF7
Stakeholder: IATA
Topic: En-route Canarias cost-efficiency targets

The following elements (from the reporting tables, in nominal terms) are also of concern:
1. ENAIRE staff costs are steadily increasing throughout the reference period with some additional 24% when compared to 2018. This is also provided the collective agreement can be successfully negotiated as and from 2020. We believe that more efforts must be made on the staff cost side.
2. The increase in the cost of capital from 5.80-5.99% is an area of concern, it is believed that additional efforts can be made if AENA cost of capital is aligned is AEMET 3.10-3.20%

NSA response
See response to Comments #CEF1 and #CEF5 above.

Reference to the final document:
Noted.
Further explanations on the consistency of the cost-efficiency targets have been included in Annex E.

Comment #CEF8
Stakeholder: IATA
Topic: Terminal cost-efficiency targets

In the terminal area, we note a that both Alicante and Ibiza have been included within the baseline calculation for 2017 DC, however have not been included the cost base for development for the rest of the period. Considering the decision on market conditions has yet to be finalised it is difficult to truly understand the cost development over the period. We see that nominal costs are planned to increase by some 8% and the planned -1.5% decrease in unit rates is again dependent on traffic assumptions, with the decisions pending by the EC on the market conditions, due consideration must be given to the

NSA response
Alicante and Ibiza cost-base within the scope of the ESPP3 and for the calculation of terminal unit rates only includes the costs that are not under market conditions, i.e. it does not include the cost of the aerodrome ATS provided at them moment of the drafting of the ESPP3 by FerroNATS.

It is indeed difficult to compare the RP2 period in which only the cost-base and the traffic of 5 airports is included in the charging zone, with an RP3 in which 2 additional airports and their service units are included. Furthermore, when the 2 additional airports do not bring all the terminal costs because the ones subject to market conditions are out. The baseline has been recalculated, reproducing the RP3 scenario in 2019.

The market conditions report was formally sent to the European Commission in July 2019 after following all the steps required by the Regulation (EU) 317/2019. In September 2019, Spain was advanced by the EC that the necessary steps in line with Article 35 had been fulfilled.

Regarding costs evolution please consider responses to Comments #CEF1 and #CEF5 above.

Reference to the final document:
Noted.
Further explanations on the consistency of the cost-efficiency targets, the calculation of the baseline and market conditions have been included in Annex E.
Comment #CEF9
Stakeholder: IATA
Topic: Investments
While we have been provided some information planned RP3 investment/CAPEX programme, it lacks sufficient detail to be supported at this time. There was no cost benefit analysis provided for any of the major investments nor was there a detailed breakdown of the EUR392.96m cost of past investments, depreciation, life cycles used, deployment dates and benefits. We require this detail to ensure we are not being double charged for CAPEX planned and financed during RP2, but not deployed until RP3. When we examine the plan, we note that the majority of the planned new investment costs are scheduled from 2022-2024, again we request that the associated CBA’s be made available for consultation to ensure that they can be verified by airspace users and utilized in any monitoring processes deployed by AESA and the PRB.

In relation to the management of public funds, full transparency for staff, operational cost and capex is required. All administration costs not a part of the determined cost must be transparent and reported annually. Cost not known at the time of drafting the performance plan must be transparent, justified and reported annually with specific details on actual versus plan.

NSA response
As per ENAIRE, all the necessary requirements are fulfilled.

The information required on investments has been updated in Chapter 6.2.2 of the ESPP3 document, as well as in Section 2 of the ESPP3 excel template file.

Reference to the final document:
Chapter 6.2.2 of the ESPP3 document, as well as in Section 2 of the ESPP3 excel template file.

Comment #CEF10
Stakeholder: ACETA
Topic: Investments

- Investments: The information is vague and should be linked to improvements in the proposed performance goals.

NSA response
The information required on investments has been updated in Chapter 6.2.2 of the ESPP3 document, as well as in Section 2 of the ESPP3 excel template file.

Reference to the final document:
Chapter 6.2.2 of the ESPP3 document, as well as in Section 2 of the ESPP3 excel template file.

Comment #CEF11
Stakeholder: ENAIRE
Topic: cost-efficiency targets

- ENAIRE supports the approach followed in the cost-efficiency area, in which the results achieved in previous reference periods are highlighted.
- Targets in this area for the RP3 period are exigent in a challenging context of urgent need of sufficient capacity provision and increase of risk in view of the more stringent incentive schemes proposed as well as the risk increase derived from the cost sharing mechanism related to new and existing investments.
- In this sense, ENAIRE defends its proposed plan, which includes staffing and the necessary investments to achieve the capacity challenge, still in a context of DUC overall reduction.
- From ENAIRE’s perspective, the proposed targets in cost-efficiency are coherent with the rest of the actions planned for the other areas and constitute a balanced approach, which will drive to significant improvements in all the KPAs, including this one.

NSA response
The comment is welcomed. It fits with the content of the Draft ESPP3.

Reference to the final document:
Noted.
In recent years, ENAIRE has drastically reduced its service provision costs to a much greater extent than the other four major providers. If we look at the data reported by the providers themselves to the Performance Review Body (PRB), the result can be seen in the following graph (source PRB):

This decrease can be appreciated much better with data in base 100 since 2010.

In addition to other expenditure items where costs have been reduced, we have data on the investment expenditure of the different suppliers in recent years and their forecasts, which are as follows (until 2017 they are real data, since 2018 they are forecasts) (Source: PRB):
Comment #CEF12
Stakeholder: USCA
Topic: Compared Costs

**ENAIRE (España)**

**ENAV (Italia)**

**DSNA (Francia)**
If we compare the investments of the last years of the big suppliers we can see that ENAIRE has been the supplier with the least investment, which, although it has made it possible to reduce costs, it can sabotage the quality of the service provided if this approach does not change. The lack of investment in recent years in ENAIRE cannot be maintained indefinitely, it will have to be reversed in order to being able to meet the capacity challenges in RP3. In terms of unit cost, the following graph shows the unit costs of service provision reported by suppliers to PRB. As can be seen, ENAIRE has gone from being the provider with the highest unit costs to the lowest.

It would be very convenient to observe the proposals of National Performance Plans in the other countries when evaluating the Spanish proposal. Spain has reduced its costs in recent years in a drastic way, much higher than that of its European counterparts. In the absence of more data, it seems that all the major suppliers, except Italy, are asking to increase their costs much more than Spain is asking for. The race to reduce costs in Europe, but particularly in Spain, must have a limit if we do not want it to result in serious capacity problems in the end.

**NSA response**

Regarding the cost evolution and the unit cost analysis, indeed the path followed by Spain overall and ENAIRE in particular has been very positive across the Performance Scheme reference periods, and when considering the applicable comparator group. One of the assessment criteria for the consistency of the en-route cost-efficiency targets according to Regulation (EU) 317/2019 Annex IV, point 1.4.(c) is precisely this type of comparative analysis. In our understanding, the PRB and consequently the EC will duly consider these elements once they have the final figures of the Draft Performance Plans. An explanation of the evolution of the determined unit costs experienced by the ANSP has been introduced in the additional information regarding the cost efficiency targets.
### Comment #CEF12
**Stakeholder:** USCA  
**Topic:** Compared Costs

Regarding the investment, despite the reduction during the years in which cost containment measures were introduced, ENAIRE has been catching up and as of 2018 the CAPEX is above the levels foreseen in the Performance Plan for RP2. The need to continue with the investing effort to address the needs derived from the traffic demand is emphasised across the ESPP2 (investments, interdependencies, justifications for targets, etc.). Some extra evidence regarding the CAPEX levels for RP3 is introduced in the additional information regarding the cost efficiency targets.

**Reference to the final document:**
Noted.  
Further explanations on the consistency of the cost-efficiency targets have been included in Annex E.

### Comment #CEF13
**Stakeholder:** USCA  
**Topic:** Changes in Tariff Regulations

Implementing Regulation 2019/317 on tarification in the Single European Sky establishes for RP3 a fundamental change with respect to the previous regulation of RP2. The distance factor included for the calculation of what an aircraft has to pay for the air navigation service (air navigation charges) is now based on the trajectory of the last flight plan presented to the trajectory flown effectively (according to radar information). This means that each time the route of a flight is shortened, usually by real-time direct flights, the income of the air navigation provider will be reduced, as the number of miles flown is reduced. As this procedure is a standard practice in daily work, it is expected that this change will have a negative economic impact on the supplier which is difficult to measure and which, it seems, has not been incorporated into the national performance plan submitted.

**NSA response**
By definition, the distance factor considered in the service units for charging purposes captures the great circle distance between the entry and exit point in the airspace of each charging zone. For this reason, the flight efficiency within the airspace of a given charging zone does not affect the charge paid nor the revenue obtained by the users.

The change in Regulation (EU) 2019/317 from a last filed plan to an actual route flown criteria has been addressed in the traffic forecasts for RP3. Indeed, the ESPP3 reflects the traffic forecasts according to the actual route flown criterion (called M3 by STATFOR). The impact of changing from the previous model to the new one was addressed as part of the regulatory change by the EC and the reports considered the impact on Spain as marginal. Once the cost-base for RP3 is set, and the forecasts included are consistent with the actual flown criterion it is considered the impact is addressed and should have no negative charging effects on the revenue of the ANSP.

**Reference to the final document:**
Noted. Not applicable.

### Comment #CEF14
**Stakeholder:** A4E  
**Topic:** Nominal Costs

On the cost efficiency area, we noticed a significant increase in nominal costs. The suggested DUC reduction, while meeting the EU targets (Regulation 2019/317 Annex IV, 4 (b)), depends on the realisation of the predicted traffic evolution. At this point in time, no quantitative benefits in terms of performance improvement (i.e. capacity) derived from the cost increase are available to us. Additional information is needed to support and justify the cost increase.

**NSA response**
Spain meets the long term DUC trend.

Assessment of Performance Plan should consider a balanced approach with global consideration / analysis including all KPAs. The proposed cost efficiency and capacity targets in the Spanish proposal constitute such a balanced approach, since cost increases will allow improvements in both key performance areas.

Improving capacity in order to reduce current ATFM delays is the main challenge for Spain during RP3, taking also into account that the high traffic levels experienced during RP2 (with nearly 30% deviations from the assumptions made in the performance plan) which will still affect RP3 results, especially during the first part of the period.
**Comment #CEF14**  
**Stakeholder: A4E**  
**Topic: Nominal Costs**

The efficiency measures adopted by Spain, and the continuous efforts put in place, have resulted in an improvement in Cost – Efficiency much greater than the established targets between 2012 and 2019.

As far as the ANSP ENAIRE is concerned, this improvement was possible thanks to a 10% reduction of Costs (€2009) in Continent and 18% reduction in Canarias, with an increase of traffic of 40% and 23%, respectively, in the same period, showing the long-term commitment of Spain with the efficiency of the services provided to the users of the airspace. The foreseen result, taking into account ENAIRE data, would be that the Unit Cost in 2024 will be half (-51% in Spain – Continent) to that of 2009, absorbing a 58% in traffic increase with a significant reduction (-22%) of Costs.

The current targets proposal represents a long term ambitious and balanced approach as maximum effort is expected in all the key performance areas.

Traffic evolution is a key element influencing DUC, but costs, how they adapt to traffic demand and the final impact on the users of the result are also relevant aspects. According to the ESPP3, the expectation is that RP3 will see the lower charged unit rates since the early 2000s.

**Reference to the final document:**
Noted.
Further explanations on the consistency of the cost-efficiency targets have been included in Annex E.

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**Comment #CEF15**  
**Stakeholder: A4E**  
**Topic: Investments**

With regard to the planned investments/CAPEX programmes, we need to be provided with more detail on existing programmes and planned investments as well as the amount of EU funding received/planned for those investments.

**NSA response**

The information requested has been completed in the final Draft ESPP3

**Reference to the final document:**
Chapter 6.2.2 of the ESPP3 document, as well as in Section 2 of the ESPP3 excel template file.

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**Comment #CEF16**  
**Stakeholder: RYANAIR**  
**Topic: En-route Spain cost-efficiency targets**

Spain’s cost-efficiency target should exceed the European-wide cost-efficiency target defined by the European Commission which already lack ambition in the cost-efficiency area. According to PRB proposal and the Academics Group Benchmarking Study on Efficiency published as support of PRB target proposal, ANSPs has room for an average reduction of 27% in costs in en-route provision. Please provide the unit rate forecast for the whole RP3 period so that we assess the real impact to our costs. Without this data we cannot provide meaningful comment on Spain’s cost efficiency targets.

**NSA response**

Assessment of Performance Plan focuses on a balanced approach with global consideration / analysis including all KPAs.

With regard to unit rate forecast for the whole RP3 period, current data provide an initial reference but charges imply numerous adjustments depending on the evolution and behaviour of many variables. The unit rates that will be charged to the users in RP3 are expected to be lower than in the previous reference periods. This final result already represents the compromise of Spain with the air navigation services provision.

**Reference to the final document:**
Noted.
Comment #CEF17
Stakeholder: RYANAIR
Topic: Investments

Ryanair supports the use of technology to modernise Spanish airspace management and reduce delays to our passengers. However, it is not possible with the information provided to properly assess the proposal. In this sense, we kindly ask you to provide more details of the new and major projects, each should be accompanied with a full cost benefit analysis. Please provide the next information:
- Justification and benefits (quantitative and qualitative) of the individual major investments showing actual costs vs capacity and efficiency increases.
- Details regarding past investments affecting RP3 period.
- Percentage of investments using public funds and how they will be reimbursed during RP3.

NSA response

The information requested has been completed in the final Draft ESPP3.

Reference to the final document:
Chapter 6.2.2 of the ESPP3 document, as well as in Section 2 of the ESPP3 excel template file.