

Eurotunnel threatens to sue over rules



The company that operates the Channel tunnel said it would sue the French and British governments for lost revenue if a safety rule dispute held up the introduction of new cross-Channel services. Jacques Gounon, [Groupe Eurotunnel](#) 's executive chairman, told the Financial Times that he hoped a "reasonable gentleman's agreement" could be reached to resolve the dispute, [over the kind of trains that can use the tunnel](#). However, he said that, if the Franco-British [dispute](#) dragged on and threatened the plans of Germany's Deutsche Bahn to run new, cross-Channel services and Eurostar's plans to buy new trains, it would take legal action.

"We don't understand why, for external reasons not related to the operations, we are prevented from having a new player come in the tunnel," Mr Gounon said.

The Channel tunnel Intergovernmental Commission, the tunnel's Franco-British regulator, wrote to Eurotunnel in March, asking it to devise new safety rules. The main change would be to allow trains with motors and electrical equipment distributed along the train under the floor to use the tunnel. However, the French government has opposed the change since October, when it emerged that Eurostar, the route's only existing passenger train operator, [planned to buy new trains from Germany's Siemens](#).

. Eurostar, controlled by SNCF, France's state-owned train operator, would be the first SNCF affiliate to buy high-speed trains from a competitor to [Alstom](#).

, the country's industrial champion.

The current safety rules specify that only trains with electrical equipment and motors concentrated in power cars at either end – like Eurostar's existing trains – are permitted to use the tunnel. Neither Eurostar's new Siemens trains nor similar trains that Deutsche Bahn wants to run from Frankfurt and Amsterdam to London will be able to carry passengers through the tunnel until the safety rules change.

A Deutsche Bahn ICE3 train ran through the tunnel to London in October for testing purposes. Eurotunnel will have to present the new rules to the IGC, which could block their introduction. It was "quite clear" the dispute was no longer technical but political, Mr Gounon said. As a result, Eurotunnel was waiting to present the new rules to the IGC until it was sure they would not face automatic rejection.

"Eurotunnel doesn't intend to present a file [on the new rules] which could be rejected not for technical reasons but for only political reasons," Mr Gounon said.

Mr Gounon said he would act under a clause of Eurotunnel's concession agreement that requires the governments to do their best to facilitate tunnel operations. Eurotunnel previously used the clause to claim €24m (\$31m) over the French government's failure to prevent asylum seekers entering its site and trying to board trains bound for Britain. The French government declined to comment.

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