

Andrew Smith
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07 July 2014

Dear Andrew,

East Coast Main Line Company Limited - Section 17 Application.

Thank you for your letter dated 30th May 2014. You raised a number of important issues that I will seek to clarify:

1) Form P, Section 3.2

No terms have been agreed to date with Network Rail. However, detailed discussions are continuing and we expect our proposal to be presented to the Sale of Access Rights (SoAR) Panel for approval in the near future. We are mindful of Network Rail's policy on the Sale of Access Rights and we will be providing commercial justification for the additional protections (such as journey time and interval protection) as part of the submission. We are not expecting Network Rail to agree to sell the additional quantum sought in Part B (the 6th path) as there are competing applications from other operators and Network Rail is not yet sure whether all requests for capacity can be accommodated. You will no doubt be aware of the capacity analysis which Network Rail is currently undertaking to establish this. Ultimately the sale of any additional capacity will require the approval of the ORR.

2) Form P, Section 4.1

Unfortunately I am unable to share with you any indicative timetabling work that has been undertaken. The Intercity East Coast Franchise competition is a live procurement which is currently in the bid phase of the competition. The timetable development work which supports the East Coast track access application is the same work which supported DfT's specification for the Franchise and therefore cannot currently be shared.

In lieu of the detailed development work, the Invitation to Tender (ITT) for the franchise provides the most publically available information about the future service specification:

- The Train Service Requirement tables attached to the ITT provide detail on the requirement for the service with regards to first and last train and the number of calls required at each station. This is a minimum requirement only and bidders will be free to propose additional stops on top of this.
- Table 5.2 (under paragraph 5.4.1.9 within the main ITT document) provides detail on the Department's requirements for the Intercity East Coast franchise with regards to other services. This provides detailed instructions as to what should be assumed from other services which share the same infrastructure, such as open access, freight and the TSGN future franchise. It also contains provisions around future northern and TPE services resulting from East of Leeds and Northern Hub enhancement works.

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The programme for the Franchising has the award of the Franchise scheduled for October / November 2014. We would expect that more information would be available at this stage.

The Capacity Analysis (referred to in Paragraph 1 above) that Network Rail is about to undertake will provide details of what capacity will be available on the ECML from 2020 (and what capacity could be delivered earlier). This analysis will take into account all known LDHS train specification and aspirations, TSGN, North of England ITSS and freight (please see the report's revised remit for further details, which was issued by Matt Rice of Network Rail to the industry on 13 June 2014, with the FCC contact being Paul French).

We believe that our proposal is compatible with the final Thameslink Programme outputs and we look forward to working with you to develop a timetable that delivers both our aspirations and your outputs.

3) Form P, Section 4.2

The Capacity Analysis referred to in paragraph 1 above will provide evidence that sufficient network capacity exists to deliver our aspirations alongside the TSGN commitments.

4) Journey time protection

Whilst we note your concerns, our journey time aspirations are based on the improved operating characteristics of the new fleet of trains and any infrastructure enhancements that improve journey times and believe that these are fully compatible with TSGN.

5) Form P Section 7.2

The commercial justification that will be provided to SoAR and ORR will contain commercially sensitive information – this information will remain confidential.

Yours sincerely



Phil Dawson
Regulation & Track Access Manager

cc Gerry Leighton, ORR
Rob Plaskitt, ORR
David Reed, ORR