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(by email only)

16th October 2015

Dear Sir/Madam

ORR System Operation Consultation

Further to your correspondence of 13th August 2015, and request for responses to the System Operation consultation document, this letter constitutes First TransPennine Express (FTPEs) response.

We thank ORR for the opportunity to comment on this document. Following review we have a number of comments and observations as summarised below.

- Throughout the document timetabling is referenced as being a Network Rail (NR) responsibility and activity. Whilst acknowledging that a good deal of operator timetabling is a direct translation of commitments to the franchising authority, it is wrong to paint a picture of Network Rail preparing the timetable for the industry. The timetable planning starts with operators and Network Rail therefore take a validating and administration role rather than a preparation role. We feel it is important to emphasise this distinction when applying a systems approach to analysis.
- The role of Train Operating Companies (TOCs) in general is not explored in a great deal of detail. In Section 47 for example the actions of the three principle decision makers are fundamentally linked to operators; this could be drawn out more particularly where conflicts exist. Resolving conflicts between operators running trains and possession activities for example is again a 'whole industry' system requirement rather than being driven by Network Rail.
- The document talks about incentives but does not seek to critically analyse what mechanisms have or have not worked in recent history. Arguably not one for this consultation but it would be useful to understand the extent to which this activity is being undertaken or complements work already being done (eg by Rail Delivery Group). Whilst this approach is welcomed the industry is incentivised against it at present.
- Box 1 could make reference to 'on-time and on-budget project completion' as an illustrative outcome of good system operation. Although operators are not greatly exposed to it the ECAM

process between Network Rail and the ORR arguably does not always provide the incentives it should.

- The 'societal or environmental factors' which are noted on page 17 should be given much more prominence. We feel the impact of these cannot be underestimated and understanding relationship cultures both within organisations and between organisations (eg TOCs and NR) can help illuminate why this overall integrated systems approach is often not successful.

- Outcome 4 on page 20 is worrying. The decision criteria do allow the value of the train path to be considered. Prescribing a process to ascribe a value to each train path would open all sorts of resourcing and timetabling issues. A low value return working for a diesel multiple unit for example is not a valuable train path in its own right but may be on a critical path to provide a peak loaded train. A high value path may be a freight train in Central Manchester, however peak passenger times are dictated by forces outwith the control of the railway system operators.

- Outcome 6 on the other hand is a welcome change of 'mood'. Investing in Opex clearly has a role (eg longer signalbox hours or more resource intensive possession activities to reduce the overall possession period). This could of course also mean longer hours of train operation to return trains to depots. It is difficult to see how the whole system approach would be able to 'value' this accurately since ultimately this would be funded through the TOC channel.

Should you require further clarification on any of the above please don't hesitate to contact me.

Yours faithfully

Interim Commercial Contracts Manager