

**John Trippier**  
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12 November 2018

Joanna Kinnish  
Customer Manager  
Network Rail  
One Stratford Place  
London  
E20 1EJ

Jonathan James  
Track Access Manager  
MTR Crossrail  
63 St Marys Axe  
London  
EC3A 8LE

Dear Joanna and Jonathan

## **Consent to a Supplement to the List of Capacity Charge Rates: MTR Crossrail Limited**

1. On 12 November 2018 the Office of Rail and Road (ORR) issued a notice of consent to a supplement to the List of Capacity Charge Rates submitted to us by Network Rail Infrastructure Limited (Network Rail) and MTR Crossrail Limited (MTR) (together, the parties) on 23 October 2018 under Paragraph 9 of Part 2 of Schedule 7 to the Track Access Contract between the parties (the TAC). The purpose of this letter is to set out the reasons for our decision.

### **Purpose of the change**

2. The purpose is to supplement the List of Capacity Charge Rates to reflect the capacity charge rates that have been applied to MTR's newly remapped services from 20 May 2018, which transferred from First Great Western and Heathrow connect.

### **Consultation**

3. There is no requirement for industry consultation in this matter.

### **ORR review**

4. ORR conducted a high level review of the proposal and noted its methodology. No issues were identified with the proposal.

5. Sub-paragraph 9.11 of the TAC states that the supplement shall have effect from such date as ORR shall determine. The service code became operational on 20 May 2018 and we therefore determine that the effective date of the supplement is 20 May 2018.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Trippier', written in a cursive style.

**John Trippier**



OFFICE OF RAIL AND ROAD

Network Rail Infrastructure Limited  
1 Eversholt Street  
London  
NW1 2DN

MTR Crossrail Limited  
63 St Marys Axe  
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12 November 2018

**Track Access Contract between Network Rail Infrastructure Limited and MTR Crossrail Limited dated 29 May 2015 ("Track Access Contract"): Notice of Consent to a Supplement to the List of Capacity Charge Rates**

The Office of Rail and Road hereby consents to the parties' request made under paragraph 9 of Part 2 of Schedule 7 of the Track Access Contract to supplement the List of Capacity Charge Rates to include new rates for the following Service Codes within Service Group EX02: 25384001; and 21384001; and, the within Service Group EX99: 2131008.

For the purposes of the Track Access Contract, the section of the List of Capacity Charge Rates entitled "Passenger Operators Not Subject To Wash-up" shall be supplemented by the inclusion of the rates set out in the Schedule to this Notice.

This supplement shall have retrospective effect from the 20 May 2018.

Terms defined in the Track Access Contract shall have the same meaning in this notice. The rates set out in the Schedule are in 2012/13 prices, consistent with the price base of the List of Capacity Charge Rates.

**Ian Williams**

**Duly Authorised by the Office of Rail and Road**



INVESTOR IN PEOPLE



## Schedule

Franchised Passenger operator	Service Group	Service Code	Weekday rate (Pg <sub>tw</sub> di)	Weekend rate (Pg <sub>tw</sub> ei)
			£/train mile	£/train mile
MTR Crossrail Ltd	EX02	25384001 Peak	3.9160	2.6237
	EX02	21384001 Off peak	2.9754	1.9935
	EX99	2131008 ECS	2.0683	1.3857

