



OFFICE OF RAIL AND ROAD

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Rob Holder
Network Access Manager
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Dear Jayne and Rob

Thirteenth supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western Limited (GWR)

1. We have today approved the above supplemental agreement submitted to us formally on 18 May 2017.
2. This agreement amends the track access contract between GWR and Network Rail, making changes to table 2.1, table 4.1 in Schedule 5 and Appendix 1 Schedule 8 to reflect changes between Service Groups EF06 and EF08. This includes moving passenger slots for the West Ealing-Greenford/Greenford-West Ealing shuttle from Service Group EF06 to Service Group EF08. The amendment to Appendix 1 Schedule 8 similarly is to cater for the Greenford - West Ealing Shuttle to move from EF06 Peak London Thames Inner and EF06 Off-peak London Thames Inner to the EF08 Thames Valley branch shuttles service group.
3. No consultation was undertaken as there were no changes to access rights. The amendments to Appendix 1 Schedule 8 do not require industry consultation because they do not affect any other Train Operating Company/Freight Operating Company.

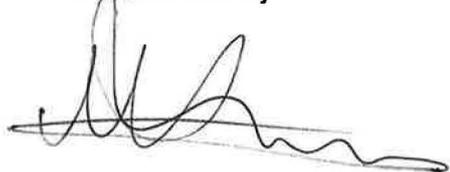
4. We reviewed the application from an economics and operations perspective and sought confirmation that there were no material changes to benchmarks and payment rates as a result of the changes between service groups. The parties confirmed this. We highlighted a number of minor mismatches between the agreement and the Form P and some minor drafting points with the agreement. This was put to the parties who have made the necessary amendments for the formal submission.

5. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, in particular those relating to protecting the interests of users of railway services (section 4(1)(a)), promoting the use of the railway network for the carriage of passengers (section 4(1)(b)) and enabling persons providing railway services to plan their businesses with a reasonable degree of assurance (section 4(1)(g)).

6. Under clause 18.2.4 of the track access contract, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and the Train Operator. ORR's copy should be sent for my attention.

7. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. Copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Michael Albon', written over a horizontal line.

Michael Albon