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28 April 2022

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Customer Manager  
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Quentin Hedderly  
Regulatory Specialist  
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Lakeside Business Park  
Carolina Way  
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DN4 5PN

Dear Megan and Nigel,

## **Consent to supplement the Track Usage Price List – BYAO wagons**

We have today consented to supplement the track usage price list, following joint proposals submitted to us in two separate submissions on 19 April 2022, under paragraph 2.2.7 of Schedule 7 to the Track Access Contract (TAC) between the two parties.

### **Proposal**

The purpose of this supplement is to amend the Variable Usage Charge (VUC) Rates section of the Track Usage Price List so to include a new BYAO wagon type for the categories of Steel and Enterprise.

### **Industry consultation**

There is no requirement for industry consultation in this matter as the changes do not affect any other Freight Operating Company (FOC).

### **ORR review**

We reviewed the proposal from a technical and economic viewpoint and are content with the values proposed. These wagons are not on the CP6 pricelist for the commodities concerned and are currently levied at the applicable VUC Default Rates.

The CP6 VUC rates have been agreed between the parties using data from appropriate sources and calculated using the CP6 VUC calculator developed by Network Rail in 2017/18 prices. ORR has accepted the wagon characteristics at face value and it is the parties' responsibility to assure themselves that they are correct in all aspects.

These amendments shall have retrospective effect from the first date these wagons were used on the network or 1 April 2019, which date is later.



**Public register and administration**

Copies of this Decision Letter as well as the Notice of Consent will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to read "R. Holt", is positioned below the text "Yours sincerely". The signature is written in a cursive style with a long horizontal stroke extending to the right.

**Ryan Holt**