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BY EMAIL ONLY

14 March 2025

Dear Gareth,

Network Rail General Representation on Complex and/or Competing Applications interacting on Location ECML Kings Cross - Edinburgh and Leeds

1 Purpose

- 1.1 This letter is being sent to ORR as a general representation for applications submitted by Operators to ORR on or before 20 May 2024 for Complex and / or Competing Applications that interact at one of the nine interacting locations (as listed in ORR's letter to the industry dated 24 April 2024), specifically East Coast Mainline (ECML) Kings Cross-Edinburgh and Leeds.
- 1.2 This letter responds to ORR's requests, both in meetings and email correspondence, that Network Rail, in light of ECML Industry Task Force recommendation to proceed with ECML Timetable in December 2025 shows progress in providing certainty to the industry, and provides visibility of which access rights in applications are aligned to the proposed ECML Timetable for December 2025.
- 1.3 This letter also provides information relating to access rights that will be applicable to all applications that interact with ECML. This will assist ORR and Network Rail in not having to repeat this information in individual representations instead allowing reference to be made to this correspondence.
- 1.4 We do not expect that this letter will lead to ORR making any further directions at this time and will be providing final representations on an initial tranche of individual applications following this letter, week commencing 24 March 2025.

2 Summary of this General Representation

- 2.1 This letter provides important information to support ORR when it comes to making decisions on applications. It provides context on the work in developing the ECML Policy, ECML Industry Task Force, key performance information, as well as updates on power supply assessment and a congested infrastructure declaration.
- 2.2 In addition, the contents of this letter serve to provide ORR with a clearer understanding of whether access rights sought in applications are as expected - in order to implement the proposed ECML Timetable in the December 2025 Timetable.
- 2.3 Network Rail will highlight the challenges around capacity in this letter. We will however be providing clear positions when we make our representations on individual applications.
- 2.4 This letter makes reference to the multiple interactions within these applications outside of the scope of ECML Task Force and the challenges, complexities and risks associated with them.
- 2.5 Annex A shows a list of the Competing and/or Complex unsupported applications that have proposed access rights which interact on ECML Kings Cross-Edinburgh and Leeds. For completeness, even if an application has now been withdrawn or already directed by ORR it will still be listed in this Annex. In these cases details of what access rights were requested in the original application will not be shown in the access rights information that we have provided in Annexes B and C to this letter.

3 Background

- 3.1 On 24 April 2024 ORR issued a letter to the industry on 'Competing and/or complex track access applications for December 2024, May 2025, and December 2025 timetable changes'. Across nine interacting locations listed in that letter, a total of 82 unsupported Applications, under Sections 22A and 17 of the Railways Act 1993, were then submitted to ORR. This is an unprecedented volume of unsupported applications to be received both at the same time and with potentially competing and conflicting requirements for areas of capacity where there are already challenges. The process created by ORR's 20 May 2024 deadline and the subsequent management and consideration of applications has therefore been unique in its nature.
- 3.2 Following that letter from ORR and the submissions from existing and new Operators, as invited by ORR, Network Rail submitted their first representations to ORR by 28 June 2024. Further to those representations there have been some additional representations and updates for some of those applications.
- 3.3 As requested by ORR, Network Rail submitted a High-Level Plan in June 2024, and a further detailed plan was published on Network Rail's website in August 2024 (and updated in January 2025).
- 3.4 Our published program of work to assess applications continues forward with Phase 5 of our High-Level Plan (07 March 2025 – 13 June 2025) in which we will continue to assess December 2025 applications and any other assurances we have stated previously need undertaking within the Routes and necessary functions to provide evidence in future representations.
- 3.5 In addition, as requested by ORR, we published an interim approach for agreeing rights. This has sought to balance the need for business continuity, so that current services may continue to operate while avoiding prejudicial decisions that could unduly favour one party where aspirations interact or compete.
- 3.6 On 27 January 2025, ORR issued directions on two applications that were seeking access rights on ECML. Those applications were the Grand Central 24th Supplemental Agreement (SA) and Hull Trains 28th SA both submitted to ORR under Section 22A of the Railways Act 1993. Both were for existing contingent dated rights held by the applicants under the longstanding ECML Policy, and requested that the rights to be made firm until expiry date of the Contract.

4 ECML Policy and the ECML Timetable Development

4.1 ECML Timetable Development Background

- 4.1.1 Following the direction by ORR of Access Rights for London North Eastern Railway (LNER) and East Coast Trains Ltd [Lumo] in 2016 on ECML, an access rights policy approach was put in place as set out in a series of letters published each year by Network Rail since 2017 – (see: [Sale of access rights - Network Rail](#)) so that services introduced after ORR’s rights decision in 2016 cannot preclude the delivery of the rights directed in that decision.
- 4.1.2 An Event Steering Group (ESG) was formed in 2019 with an objective of producing a new ECML Timetable, evaluating service specifications, service aspirations, and conditional journey time outputs from Timetable Participants. The ESG sought to collectively make transparent, inclusive, and timely decisions on the most effective and resilient allocation of infrastructure and rolling stock, and a balanced delivery of investment outputs from funders, to meet the needs of passengers and freight users.¹
- 4.1.3 In February 2024 the ESG closed following an ECML Programme Board endorsement on 17 January 2024 to deploy the new ECML Timetable in December 2024, subject to the outputs of the completed performance modelling.^{2,3} At the point in time of ORR’s letter to the Industry on 24 April 2024, the Department for Transport (DfT) had accepted a recommendation from the Industry Timetable Assurance Project Management Office (PMO) to funders that the ECML ESG Timetable should be deferred from the December 2024 timetable change.⁴
- 4.1.4 An ECML Industry Task Force (herein referred to as “the Task Force”) commenced in June 2024 as an independently led executive-level cross-industry meeting that provides strategic direction for the work programme. The Task Force develops solutions to the problems of the new ECML Timetable, drives consensus on the outcome(s), and delivers recommendations for industry funders and specifiers.⁵
- 4.1.5 On 17 October 2024 the Independent Chair of the Task Force wrote to the DfT to advise that the Task Force met on 10 October 2024, reviewed the considerations, issues, and risks, and recommended proceeding with implementation of the new timetable for ECML in December 2025. This was on the basis that the timetable is deliverable and meets the Task Force objectives that were set.⁶ Concerns were noted from GB Railfreight (representing themselves and other Freight Operating Companies), ScotRail and Transport Scotland.⁷ The Task Force recommendation was accepted by the DfT and subsequently endorsed by the Secretary of State in December 2024.

4.2 ECML Timetable Development Risks to Access Rights Decisions

- 4.2.1 Advanced work completed by Network Rail Capacity Planning, to inform the December 2025 timetable risk, involved aligning cross boundary paths in the ECML ESG developed timetable with the latest developments in the wider National Working Timetable (WTT) and associated Rolling Spot Bids (RSB). This process has highlighted that, despite previous timetable development work, the national freight and passenger timetable has evolved and this work has been necessary to reduce the risk that capacity decisions may need to be made during the timetable production period between D-40 to D-26.
- 4.2.2 Therefore, some decisions made now on some of the access rights in the unsupported applications which are proposed to operate on ECML could lead to Network Rail breaching its obligations in delivering the access rights which have been directed but may not necessarily be accommodated.

¹ Annex D - ECML December 2021 ESG remit 2.0; Part 2.01

² Annex E - Email from Network Rail to ECML ESG distribution list, 14 February 2024.

³ Annex F - Minutes: East Coast Main Line Programme Board (extraordinary) 17 January 2024; page 3

⁴ Annex G - Industry Timetable Assurance PMO letter to DfT, 2 April 2024: Conclusions and next steps

⁵ Annex H - East Coast Task Force remit; Item 2 of the ECML Task Force meeting pack, 11 June 2024

⁶ Annex I - Letter from Independent Chair of the Task Force to DfT, 17 October 2024, page 2

⁷ Annex J - Notes from ECML Task Force meeting 10 October 2024, points 54 to 82

- 4.2.3 Furthermore, while the Task Force had worked collaboratively up to 31 January 2025 to further de-risk the transition of the ECML ESG timetable from development to timetable production, it cannot be assumed that all Timetable Participants will bid in line with the proposed ECML Timetable, nor do any of them have a contractual obligation to do so.
- 4.2.4 Timetable Participants submitted Advance Notification of Timetable Change (ANTCs) for the December 2025 timetable at D-55; a review of these submissions by Network Rail identified differences between the scope of the advance timetabling work undertaken between April and October 2024 and what Timetable Participants will now have formally bid in their D-40 Priority Date Notification Submissions (PDNS) at the start of the 14-week production period.⁸
- 4.2.5 All unsupported applications will therefore need to be considered by ORR, regardless of whether they were included in ECML ESG or not and our representations will reflect this. The information in the Annexes is to provide ORR with the visibility of whether access rights are what Network Rail are expecting to be in the proposed ECML Timetable for December 2025 as ORR have consistently requested this.

4.3 ECML Timetable Development Readiness

- 4.3.1 The Secretary of State endorsement, in December 2024, of the Task Force recommendation has enabled a readiness programme for the December 2025 timetable change to become established with independent overall oversight, in parallel with Industry PMO involvement. The governance framework will enable the Task Force to have sight of escalated risks to timetable delivery or where trade-offs are required.
- 4.3.2 Train Operators have oversight of their individual readiness activities, and their mitigation plans to the major risks and issues the assurance will generate. The top risks and issues are shared at the Industry Readiness Steering Group, again independently chaired. Reporting into the governance also includes Network Rail readiness workstreams covering safety, infrastructure, operations, passenger experience, performance, and internal communications, which will also satisfy the TCRA requirements. Figure 1 shows ECML December 2025 Readiness Governance.

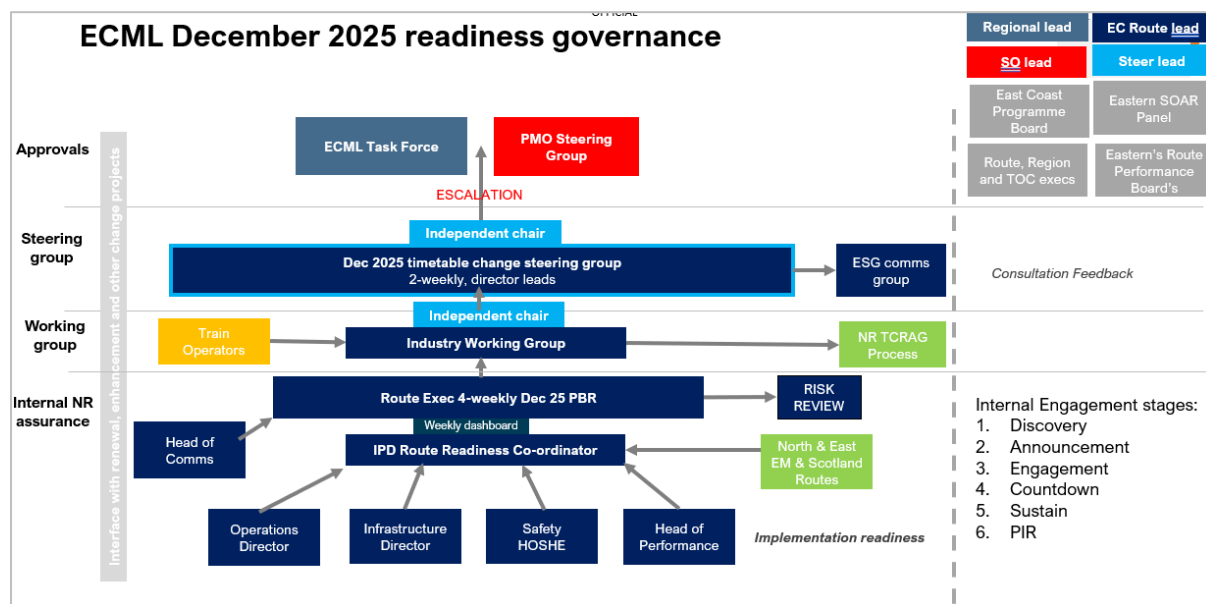


Figure 1: ECML December 2025 Readiness Governance

5 Unused LNER Firm Directed Rights

- 5.1 The ECML Timetable planned for introduction December 2025 does not include 8 LNER firm rights Monday to Saturday, 7 firm rights Sunday Only, between London King's Cross and Leeds via Wakefield or Micklefield directed by ORR in 2016.

⁸ Annex K - East Coast Task Force meeting pack, 27 January 2025: slide 13

- 5.2 The specification for the LNER service to/from London King's Cross had been reduced from 6.5 trains per hour (tph) to 6 tph with agreement from the DfT in 2021. This reduction retained the 0.5 tph London King's Cross – Middlesbrough service, albeit as far as York, with the 0.5 tph London King's Cross – Leeds service being descoped.⁹ ECML Programme Board on 21st March 2021 noted the recommendation from East Coast Route to defer the 0.5 tph London King's Cross – Leeds service, including the conditional outcome of journey time reduction between London Kings Cross and Leeds, to a post-ECML ESG [December 2025] future timetable change. Network Rail acknowledges the aspiration of DfT and LNER to deliver these directed firm rights in the future, however this outcome is subject to further development and a Full Business Case agreed with the DfT.
- 5.3 Work undertaken for the ESG has shown definitively that this service uplift cannot be accommodated alongside the other ESG outputs without significant infrastructure enhancements being developed, funded and delivered. Therefore we are continuing to consider how best to manage these rights and we will provide further updates in the relevant individual representations.

6 Congested Infrastructure

- 6.1 In July 2024, Network Rail issued an Early Warning Indicator highlighting likely congested infrastructure at specific locations on ECML, due to capacity limitations identified during two phases of ECML advanced work. Further assessment has suggested that these capacity issues will meet the criteria for a formal Congested Infrastructure declaration under Access and Management Regulations for the December 2025 New Working Timetable.
- 6.2 The declaration of congested infrastructure will be on the following lines of route:
- Between Huntingdon North Jn and New England North Jn (Peterborough)
 - Between Northallerton Longlands Jn and Newcastle King Edward Bridge South via ECML
 - Between Doncaster Marshgate Jn and Leeds Copley Hill West Jn
- 6.3 Network Rail has communicated with both internal and external stakeholders on the declaration and has formally declared Congested Infrastructure on 14 March 2025 (issued to industry colleagues via email on 13 March 2025).

7 Our Obligations

- 7.1 Network Rail is mindful of following good and established practice as well as regulatory and legislative requirements when considering applications that potentially compete for capacity. The principles within recently repealed Regulation remain good practise in lieu of an alternative policy / framework being established for facility owners.¹⁰
- 7.2 As access regulator however, ORR has not been subject to this restriction historically. In a number of cases ORR may be close to reaching a decision that requires little additional information from Network Rail. Indeed, we note that on the ECML area it has already made decisions on some interacting rights; for the Hull Trains 28th Supplemental Agreement (SA), Grand Central 24th SA, and Northern 57th SA applications.
- 7.3 As we made clear in our initial representation letters on 28 June 24, from the beginning we have been mindful to make sure we do not unduly discriminate. As highlighted in the Annexes of this letter, Operators are seeking access rights on ECML which also go to other locations which we know may have capacity constraints and the inability to accommodate all. Other locations are not limited to the 9 interacting locations identified in ORR's letter of 24 April 2024, it also includes other locations where the allocation of capacity may be constrained due to the number of access rights being sought in the competing and/or complex applications submitted by 20 May 2024.

⁹ The 0.5 tph London King's Cross – Middlesbrough service committed by previous Intercity East Coast Operator Virgin Trains East Coast was not part of the ECML Programme full business case (FBC) because of additional infrastructure required at Middlesbrough that was out of programme scope.

¹⁰ Consultation on revised access guidance in anticipation of changes to Retained EU Law

- ██████████
- 7.4 As stated in our interim approach, wherever we are able to reach a conclusive position, positively or negatively, we will provide final representations to ORR so that it may reach a decision consistent with its statutory duties. This might relate to a single application or a number that interact in a relatively contained way if we are able to reach a position of confidence about the way these applications interact with others.
- 7.5 We recognised from the outset that the High-Level Plan would take many applications beyond D-40, and the interim approach accommodated this, keeping aspirants at the same priority level as those with contingent rights and with no presumption of continuity.
- 7.6 When Network Rail published its original High-Level Plan in June 2024 and more detailed plan in August 2024, and as highlighted in Network Rail's 28 June 2024 representations of the unsupported applications to ORR, it was with the insight and awareness of the dependencies, complexities and risks that the 82 unsupported applications (at that time) proposed for multiple interacting locations and Network Rail Routes bring with them.
- 7.7 We do note that Decision Making Criteria in Part D of the Network Code, has the alignment of an ESG conclusion as one of the considerations, and have, as requested by ORR, in this letter shown whether access rights sought in applications are as expected in order to implement the proposed ECML Timetable.
- 7.8 Network Rail has not moved from the position in its original representations on 28 June 2024 that we remain mindful, as set out in this section, that some of those ECML rights go to other locations which we know may have capacity constraints and the inability to accommodate all. Therefore, there may be instances where further information is available but we are not yet in a position to provide further representations on all access rights contained in the application.
- 7.9 In some scenarios therefore, we will highlight if there is an opportunity for ORR to review elements of an application with the relevant operator in order to progress those access rights that could possibly be directed.

8 Details of Access Rights Sought on ECML – Kings Cross to Edinburgh and Leeds – Annexes A, B and C

- 8.1 In assessing the access rights we have used the February 2025 version of the proposed December 2025 ECML Timetable.
- 8.2 The tables we have formulated show a collective list of access rights sought in the 82 applications originally submitted by 20 May 2024 and has given context and exposure to the magnitude of the access rights being sought within the applications. Some of the high-level findings are;
- The original 82 applications contained a quantum of nearly 6000 access rights being sought of which nearly 4000 of that quantum interact on ECML.
 - Of those that interact on ECML, a quantum of nearly 3000 are rights (a mixture of firm and contingent dated rights) currently held by Operators in line with the ECML Policy.
 - A quantum of over 900 access rights are new access rights being sought by Operators on ECML.
 - Of those rights being sought on ECML, a quantum of over 1000 of them also interact at one or more of the other eight locations listed in ORR's letter of 24 April 2024 – and there may be dependencies that limit our ability to indicate the ability to fully accommodate them at this point due to the other interacting locations they propose to operate on.
 - It is also important to note that there are a significant number of access rights being sought on ECML which also interact at other locations which were not listed in ORR's letter dated 24 April 2024 and could also impact the capacity of allocation at those locations which could in turn have an impact on the proposed ECML Timetable for December 2025.

- 8.3 Network Rail and timetable participants have collaboratively worked via ECML ESG since 2019 (and subsequent Task Force since June 2024) to develop a new ECML Timetable that would accommodate access rights directed by ORR in 2016 and – where possible – allow continuation of current services whilst also taking into consideration any aspirational services. Achieving this is only possible if the ECML Timetable developed by the ESG is delivered (depending on timing and complexity of any aspirations during the existence of ECML ESG).
- 8.4 There are access rights being sought in the unsupported applications that were not included in the Timetable developed by ECML ESG. Some of the unsupported applications are for new services that had been announced by the Timetable Participant after ECML ESG closed down in February 2024.
- 8.5 Network Rail will highlight in the Annexes where access rights in the applications on ECML are what Network Rail is expecting for the proposed ECML Timetable for the December 2025 Timetable. Alignment with the conclusion of the ESG and ECML Task Force output does not indicate capacity for all but rather it proceeds through the Timetable Development Process. There may be areas where capacity decisions are required to be made, as documented through ECML Task Force.
- 8.6 There are three Annexes which go more into the detail of the Applications and access rights sought on ECML. Namely:
- Annex A - A list of applications which contain access rights which interact on ECML Kings Cross-Edinburgh and Leeds
 - Annex B - Table of Access Rights Requested on ECML - Passenger; and
 - Annex C - Table of Access Rights Requested on ECML – Freight
- 8.7 Network Rail has split the Table of Access Requested on ECML into Passenger and Freight due to the different nature of how access rights are expressed in the Track Access Contracts.
- 8.8 Both Annexes B and C will list access rights sought at other interacting locations in applications that contain access rights also for ECML. Network Rail is aware that ORR can only make directions on applications once, and as this letter focuses on ECML Network Rail wanted to highlight that some of these applications do not contain access rights only on the ECML. Others contain rights which interact at ECML and other interacting locations and further highlights the reason why Network Rail will be making further representations on all of the applications listed in Annex A.
- 8.9 *Annex A - Applications which contain access rights which interact on ECML Kings Cross-Edinburgh and Leeds***
- 8.9.1 Annex A shows a list of all the applications that contain proposed access rights on the ECML and where/if they interact at one of the other eight interacting locations. It also highlights where since the Original Application if it has been withdrawn or directed by ORR since submissions 20 May 2024. The table does not include applications which do not interact on ECML Kings Cross-Edinburgh and Leeds.
- 8.9.2 This Annex does not show any other interacting locations outside of the nine that were listed ORR's letter dated 24 April 2024, but details of origin and destination of access rights which will be visible in Annexes B and C.
- 8.10 *Annex B - Table of Access Rights Requested on ECML - Passenger***
- 8.10.1 The table in Annex B is a list of all the individual access rights in the Passenger Applications.
- 8.10.2 The table provides details of the access rights characteristics i.e:
- Origin
 - Destination
 - Quantum by Day of Week (Peak or Off Peak)
 - If the access rights are currently held in the contract and proposed change is an amendment to those rights for e.g. calling pattern change, contingent to firm etc.

- Which locations it interacts with from ORR's list of nine locations in their letter to the industry 24 April 2024

8.10.3 The table also identifies if the access rights requested in the application are as expected for the Proposed ECML TT for Dec 2025.

8.11 Annex C- Table of Access Rights Requested on ECML – Freight

8.11.1 The table in Annex C is a list of all the individual access rights in the Freight Applications. Please note we have provided a redacted and unredacted version of Annex C as there are commercially sensitive details of access rights that must not be published.

8.11.2 The table provides details of the access rights characteristics i.e:

- Headcode
- Origin
- Destination
- Departure and Arrival Windows
- Timing Load
- If the access rights are currently held in the contract and proposed change is an amendment to those rights for e.g. calling pattern change, contingent to firm etc.
- Which locations it interacts with from ORR's list of nine locations in their letter to the industry 24 April 2024

8.12 For Annexes B and C where access rights are not what Network Rail expected in line with the proposed ECML Timetable, we will not be addressing those variances in this letter, they will be addressed in the individual representations we provide for each application.

8.13 The tables do highlight just how many variances there are between the expected ECML ESG Timetable for December 2025 and the unsupported applications. It was expected that this may occur due to the timing of the applications and the fact that by the time ORR wrote the letter to the Industry on 24 April 2024 requesting the applications to be submitted by 20 May 2024, the DfT had accepted a recommendation from the Industry Timetable Assurance PMO to Funders that the ECML ESG timetable should be deferred from the December 2024 timetable change. Once the Task Force had been formed in June 2024 further changes were identified and captured in the proposed ECML Timetable therefore causing a difference to what was submitted originally in those applications.

8.14 In addition we also recognise that Operator's business requirements or Readiness may have also changed since the 20 May 2024 submissions of the applications. These factors again complicate directions on the applications; assessments being carried out as part of the high-level plan; and the validation of the December 2025 New Working Timetable.

8.15 There are also a number of applications which contain access rights that were not accommodated by the Task Force's proposed ECML Timetable. When considering the applications ORR may wish to consider the options for allocating capacity differently to the allocation proposed through ECML ESG. This could require other rights not to be approved. Our representations will be highlighting where we believe these instances occur and where possible provide further information to help to identify some of the better fit swaps for capacity, however we will also be highlighting any risks that may accompany such a decision especially depending on timing of the decision.

9 ECML Timetable Performance Analysis

9.1 As has been the case since the new timetable was conceived and access rights awarded, implementation of the East Coast Mainline ESG December 2025 timetable (ECML ESG TT) which received formal go-ahead from DfT on 12 December 2024, will lead to a notable deterioration in punctuality for customers. Introducing any Long-Distance High-Speed (LDHS) quantum above what was included within the ECML ESG/December 2025 Development Work will apply further pressure to a deteriorating punctuality outlook, and further reduce the resilience of the network.

- 9.2 The final round of timetable performance modelling saw LDHS operator punctuality degrade between 4.8 and 10.8 On Time percentage points (pp) within the ECML ESG TT specification, with London North Eastern Railway (LNER) services degrading by 8.7 On Time pp. Time-to—3 degradation for LDHS (-2.4 to -5.5 pp) is broadly within the forecasted overlays that were presented at October 2024's ECML Task Force. The final round of modelling saw East Coast Route On Time performance degrade by -2pp, and -1.7pp at Time-to-3. The main driver for this degradation within East Coast Route is a drop in LNER performance within the confines of East Coast Route by -2.9 Time-to-3 pp along with fellow LDHS operators. These negative results are not unexpected and are in line with expectations when the proposed ECML Timetable was conceived.
- 9.3 The December 2024 Timetable and December 2025 performance modelling also shows decrements to performance in the North of England. York Station is a critical point on the network that contributes to the delivery of performance outcomes across both the ECML and cross-Pennines services towards Birmingham. The December 2025 performance modelling evidences a drop in punctuality and a reduction of resilience at York, impacting the performance outcomes of the ECML timetable as well as applying increased risk of imported delays across the wider network.
- 9.4 Annex L sets out the significant performance constraints of adding more services over and above the ESG specification at Welwyn in the south, and through York and further north. Network Rail will reflect on applicable performance constraints further in our representations on individual applications.

10 Performance Delivery Programme

- 10.1 East Coast Route has developed a Performance Delivery Programme to proactively mitigate the likely performance risks to reliable operation as noted by ORR in its 2016 ECML Access Rights determination, and what the latest performance modelling highlights. The Performance Delivery Programme will, in conjunction with the respective TOC station management teams, review the implications and mitigations of the changes introduced by the timetable at key stations.
- 10.2 It will also review any implications on the reliability of the assets as a result of the increase in the train paths as well as any mitigating activity that is triggered. The review will also encompass Route Control regulating and recovery strategies and these will be updated where required, in conjunction with affected Train Operators.
- 10.3 A staff communication plan will support this strategy to engage the key teams in advance of, and after, the timetable launch.

11 ECML Power Supply modelling

- 11.1 Following the receipt of the applications on 20 May 2024, Network Rail has revisited power modelling of the ECML ESG baseline as well as undertaken power modelling of the additional rights applied for on 20 May 2024. Network Rail has worked with operators to produce the ECML power supply modelling remit across both Eastern Region and Scotland's Railway and this has been undertaken by Engineering Services Design Delivery (ESDD).
- 11.2 As the ORR will be aware, Network Rail is currently seeing an increase in the introduction of bi-mode or tri-mode trains to be run in electric, over and above the ESG baseline timetable. Previously these have rarely given rise to concern as both passenger and freight operating companies have deployed few electric or bi-mode trains. However, this position is now changing and Network Rail as a responsible infrastructure manager is looking at the effective management of this. Due to the nature of power capacity Network Rail may need to impose operational restrictions on the use of electric or bi-mode trains (which follow existing procedures) and/or may need to object to the introduction of further electric/bi-mode trains where there is not the requisite power supply. Network Rail is conscious of its legal and regulatory obligations for power capacity to be allocated in a fair, open and transparent manner and in the least restrictive way possible, always mindful of our duty of non-discrimination and equal treatment.

11.3 Ahead of the timetable change in December 2025, Network Rail will be setting up a power supply train plan hazard identification (TP-HAZID) workshop to put in place robust controls which will then be implemented to mitigate the risk to the reliable operations. Until such point future power upgrades are commissioned, Network Rail will be holding a TP-HAZID workshop ahead of any future proposed change to the running of trains in electric on the ECML.

11.4 *King's Cross to Reston*

11.4.1 ESDD have modelled two scenarios: 1) where the power supply upgrade (PSU) project is fully commissioned by December 2025 and 2) where the PSU project is delayed. There will be a delay to the commissioning of some of the PSU sites, in particular autotransformer feeders (ATF) between Welwyn and Hitchin, and at this time Network Rail cannot confirm when the PSU project will be fully commissioned.

11.4.2 As a result of this delay, scenario 2 has been modelled by ESDD for December 2025 without the ATF commissioned. Scenario 2 concludes that the power supply for the ECML ESG baseline will be compliant during normal feeding arrangements but there is operational risk during perturbation, in particular between Welwyn and Hitchin until ATF is commissioned and Grantham and Retford as well as north of Newcastle to Reston until a solution is developed and funded for these areas.

11.4.3 A summary report of the modelling is provided in Annex M.

11.5 *North of Reston to Edinburgh*

11.5.1 The ESDD modelling assumes no additional alteration to existing infrastructure for December 2025 on ECML north of Reston. The modelled timetable is consistent with Eastern region in that the ESG timetable has been modelled. The Scotland model looks into different scenarios of the proposed timetable alterations and combined composite scenarios to look at the collective impact of proposed timetable alterations.

11.5.2 Early draft indications have shown that individual modelling scenarios for some proposals are within compliant parameters under normal operating scenarios with established local operational mitigations (in order to protect the power supply), the composite modelling scenarios remain a challenge with voltage regulation and loading parameters.

11.5.3 A modelled scenario, to extend the feeding area of Portobello Feeder station to Drem, has been looked at with early results looking like this will provide incremental improvements with voltage regulation and capacity concerns at Innerwick.

11.5.4 Alternate Feeding (N-1) remains a challenge for Innerwick Feeder Station with select operators required to operate in diesel under Grid Outages or unplanned outages. There may be some operational risk during perturbation, until such point future power upgrades are carried out at Innerwick Feeder Station. Network Rail will continue to work with industry colleagues to mitigate this risk.

12 Conclusion

12.1 This letter seeks to provide ORR with useful context and detailed information on the applications that will support the positions that Network rail takes in our subsequent responses to you in the imminent individual representations.

12.2 ORR will shortly be receiving final representations on a first tranche of applications and Network Rail will continue to keep you updated on progress being made to conclude the interacting application workstream.

12.3 As we have stated when we published our original High-Level Plan in June 2024 and more detailed plan in August 2024, and as highlighted in Network Rail's 28 June 2024 representations of the unsupported applications to ORR, it was with the insight and awareness of the dependencies, complexities and risks that the 82 unsupported applications proposed for multiple interacting locations and Network Rail Routes bring with them.

- [REDACTED]
- 12.4 Our representations will be clear on our position on access applications and support for certain rights. In some circumstances this may be on a premise that Network Rail could only accommodate the access rights sought on a certain basis such as quantum only.
 - 12.5 In our representations we will clearly identify where rights contained within the unsupported application were either originally directed by ORR, or where access rights are what Network Rail expects in the ECML Timetable in December 2025 as we have already demonstrated in Annexes B and C.
 - 12.6 Taken as a whole Network Rail believe the above information, with the detail and analysis provided in the Annexes to this correspondence provide the ORR with a significant suite of material to support it in its relevant determinations. Additional application specific details will be provided shortly on the first tranche of applications.
 - 12.7 If you have any questions or require clarification of any of the material provided herein, please do not hesitate to contact us.

Yours sincerely,

[REDACTED]

Paul Rutter
Route Director, East Coast
Eastern Region
Network Rail Infrastructure Limited


List of Annexes

Annex A – Summary of Applications on ECML

Annex B – Table of Access Rights Requested on ECML – Passenger

Annex C – Table of Access Rights Requested on ECML – Freight

Annex D – ECML December 2021 ESG remit 2.0; Part 2.01

Annex E – Email from Network Rail to ECML ESG distribution list, 14 February 2024.

Annex F – Minutes: ECML Programme Board (extraordinary) 17 January 2024; page 3

Annex G – Industry Timetable Assurance PMO letter to DfT, 2 April 2024: Conclusions and next steps

Annex H – East Coast Task Force remit; Item 2 of the ECML Task Force meeting pack, 24 June 2024

Annex I – Letter from Independent Chair of the Task Force to DfT, 17 October 2024, page 2

Annex J – Notes from East Coast Main Line Task Force meeting 10 October 2024, points 54 to 82

Annex K – East Coast Task Force meeting pack, 27 January 2025: slide 13

Annex L – Timetable Performance Analysis

Annex M – ECML Power Supply Modelling