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17 January 2019

Andriana Shiakallis
Customer Manager
Network Rail Infrastructure Limited
Cotton Centre
Tooley Street
London Bridge
SE1 2QG

Tom Causebrook
Access Contract Manager
Govia Thameslink Railway Limited
1st and 2nd Floor Monument Place
24 Monument Place
London
EC3R 8AJ

Dear Andriana and Tom

Approval of the twenty-third supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Govia Thameslink Railway Limited

1. We have today approved the above supplemental agreement submitted to us formally on 17 January 2019 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to amend Appendix 7D in Schedule 7 of the parties' track access contract for the addition of Class 717s for metered billing.
3. Network Rail undertook the usual industry consultation ending on 8 October 2018 with supportive responses received from HS2, TfL, First Greater Western Limited and Transport Focus.
4. Our review identified no issues and we are satisfied that approval is in accordance with our statutory duties under Section 4 of the Railways Act 1993. We noted some minor drafting issues with the agreement and advise the parties with our recommended suggestion. The parties have amended the agreement accordingly 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. Please send the conformed copy to me at ORR.

7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and to Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on ORR's public register (website) and 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 'M Albon', written in a cursive style.

Michael Albon