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Richard Eccles Esq
Director of Network Planning
Network Rail Infrastructure Limited
Kings Place
90 York Way
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Dear Richard,

Long term planning process: market studies establishment

I am writing to confirm our establishment criteria for the market studies produced through the industry's long term planning process (LTPP). In April 2012 we agreed that the LTPP discharges Network Rail's responsibility to maintain the route utilisation strategies. At that time we said that we weren't issuing specific guidance but would review this as the process develops.

The existing guidelines on route utilisation strategies were last updated on 1 April 2009¹. This includes guidance on keeping established RUSs up to date. We will need to update this, to reflect the move to the LTPP. At the same time we need to discuss whether any other aspects of the guidelines should be changed now that the industry has some experience of the new process.

In addition, we have previously used the guidelines as the basis for deciding whether or not to object to establishment. Now that the market studies have been published it is apparent that, while the principles remain relevant, it is not absolutely clear how we would use the guidelines to inform our decision on establishment.

You announced publication of the market studies to stakeholders on 8 November 2013. We consider that this date is the point from which the 60 day establishment period starts,

¹ *Revised ORR guidelines on Route Utilisation Strategies – 1 April 2009*, is available at <http://www.rail-reg.gov.uk/server/show/ConWebDoc.7932#Related>

meaning that ORR has until 7 January 2014 to object to establishment. While we are discussing changes to the guidelines, ORR will use the following criteria in deciding whether or not to establish the market studies:

1. Fit for purpose – do the market studies provide a sound basis for promoting the route utilisation objective;
2. Compliance with the process – were the market studies developed in a transparent and inclusive manner, with engagement from stakeholders and customers; and
3. Objections – are any third party objections to the market studies reasonable.

I am placing a copy of this letter on the ORR web site.

Yours sincerely



Graham Richards