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10 June 2016

Kate Warner  
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Andy King  
Finance Director  
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Dear Kate and Andy

## **Consent to a Supplement to the List of Capacity Charge Rates: MTR Crossrail Limited**

1. On 6 June 2016 the Office of Rail and Road (ORR) issued a notice of consent to a supplement to the List of Capacity Charge Rates submitted to us by Network Rail Infrastructure Limited (Network Rail) and MTR Crossrail Limited (MTR) (together, the parties) on 2 March 2016 under Paragraph 9 of Part 2 of Schedule 7 to the Track Access Contract between the parties (the TAC). The purpose of this letter is to set out the reasons for our decision.

### **Purpose of the change**

2. The purpose is to supplement the List of Capacity Charge Rates to reflect the capacity charge rates that have been applied to MTR's newly remapped services from 31 May 2015, which transferred from Abellio Greater Anglia (AGA).

### **Consultation**

3. There is no requirement for industry consultation in this matter.

### **ORR review**

4. As part of our review we asked the parties to provide further information on the AGA service codes that the matters covered by this supplement had previously been included in. No issues were identified with the proposal.

5. Sub-paragraph 9.11 of the TAC states that the supplement shall have effect from such date as ORR shall determine. The service code became operational on 31 May 2015 and we therefore determine that the effective date of the supplement is 31 May 2015.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Trippier', with a stylized flourish at the end.

**John Trippier**