## Louise Beilby Access Executive

Telephone: 0207 282 2076 E-mail: louise.beilby@orr.gov.uk



2 June 2020

Alistair Rusholme
Customer Manager
Network Rail Infrastructure Ltd
12th Floor, 1 Stratford Place
Montfitchet Road
West Stratford City
London E20 1EJ

Catherine Rowe Track Access Manager Abellio East Anglia Limited 11th Floor, 1 Stratford Place Montfitchet Road West Stratford City London E20 1EJ

Dear Alistair and Catherine

## Approval of the 82nd supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Abellio East Anglia Limited dated 10 December 2004

- 1. We have today approved the above supplemental agreement submitted to us formally on 1 June 2020 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. This letter explains our decision.
- 2. The purpose of this agreement is to amend the Lookup Table for EBM Weights in Schedule 4, Annex B, Part 3, paragraph 5 of the track access contract. This is to ensure it more closely reflects the operational reality of AEA's current rail replacement strategy. It will become effective from the date on which ORR issues its approval.
- 3. No industry consultation was required for this application, as the amendments requested do not affect any other operator.
- 4. Our review of the application raised no operational, performance or economic concerns, and we did not request any amendments to the drafting of the application.

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- 5. We are content 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. 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. I am also copying this letter without enclosures to Peter Craig at Network Rail.

Yours sincerely

Louise Beilby