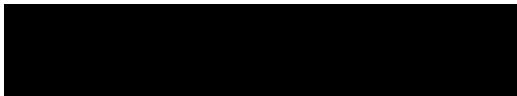




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Quentin Hedderly
Regulatory Specialist



22 July 2024

Dear Ryan,

Response to Network Rail Representations for DB Cargo (UK) Ltd's proposed 91st Supplemental Agreement

Thank you for the opportunity to comment on Network Rail's representations.

It does not instil confidence of a successful and early resolution to read "*Network Rail has not yet had an opportunity to fully consider its position on this application and whether it can eventually support the proposed access rights.*"

Freight operators have witnessed nearly a decade of contingent, time-limited rights for freight traffic over critical ECML infrastructure. The suggestion, proposed by Network Rail, that this approach be more widely adopted, with no presumption of continuity would be very damaging. The uncertainty and risks around timetabling and allocation of capacity will continue to influence investment decisions adversely.

DB Cargo had anticipated a clear view from Network Rail that the rights and associated train slots contained in this application do not form part of the interacting rights workstream. DB Cargo would welcome an explanation from Network Rail as to why it considers the rights and associated train slots in this application to be implicated in the ECML ESG proposals.

The appendix includes some commentary at regional level. Appendix B contains a paragraph identifying a further 3 geographic areas (described as key interacting locations) not listed in the ORR letter of 24th April 2024. None of the access rights DB Cargo is seeking in the proposed 91st SA concern two of the three key interacting locations listed.

Please don't hesitate to contact me should you have queries concerning the proposed 91st SA.



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Yours sincerely,



Quentin Hedderly
Regulatory Specialist

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