

Louise Beilby
Senior Access Executive



20 November 2024

Alex Aitken
Customer Relationships Executive
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Reading
RG1 1AX

Joanna Kinnish
Concession Contract Support Manager
MTR Corporation (Crossrail) Ltd
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Dear Alex and Joanna

Approval of the 36th supplemental agreement to the track access contract (TAC) between Network Rail Infrastructure Limited (Network Rail) and MTR Corporation (Crossrail) Limited (trading as MTR Elizabeth Line (MTREL)) dated 21 November 2018

We have today approved the above supplemental agreement submitted to us formally on 19 November 2024 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 the reasons for our decision.

Purpose

The purpose of this agreement is to amend MTREL's TAC to implement the recalibration of Schedules 4, 7 and 8, and also to effect some amendments to service groups in Schedule 5 to mirror the SE Trains timetable from the Principal Change Date (PCD) in December 2024 onwards. There is no change in the quantum of services.

MTREL has been subject to a staged opening plan, culminating with the implementation of Stage 5C in May 2023. This final operating plan joined the entire line together for the first time whereas previously it had operated as 3 separate railways. After the final operating plan was implemented, a period of data gathering commenced which ended in May 2024. As a result, Steer, an independent consultant, completed the recalibration and the



changes in this SA have been agreed by all parties, including MTREL, Transport for London and Network Rail.

The amendments will be effective from PCD 2024 and will expire on the Expiry Date or earlier termination of MTREL's TAC.

Industry consultation

As these amendments do not affect any other party, no industry consultation was carried out.

ORR review

Our review of the application raised no operational, performance or economic concerns. We have reviewed the methodology for the recalibration and we are content with the way it was carried out and the resulting outcome.

Our duties under section 4 of the Act and our decision

We have concluded that approval of this supplemental agreement strikes the appropriate balance in discharging our statutory duties under section 4 of the Act; 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)).

Conformed copy of the track access agreement

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.

Public register and administration

Electronic copies of this letter, the approval notice and the agreement will be sent to the Department for Transport and Network Rail's Policy and Access Team. 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

Louise Beilby