

Dear John, I write as a member of the House of Lords. This has nothing to do with the Rail Freight Group, of which I am chairman.

I apologise for my delay in responding and will be brief.

I fully support the ORR conclusions that there is insufficient evidence to support Heathrow Airport's contention that the Heathrow Express project would not have gone ahead without the intention or ability to charge for the historic costs of the construction of the infrastructure.

This is also because the legislation that allows this under certain circumstances was not in place when the HEX link was built.

However, there is another issue which deserves attention; now that it is proposed that Crossrail trains operate into Heathrow airport, it is surely time that HEx infrastructure published separate accounts of its activities as operator of this infrastructure and included in its network statement the charges for use both by Hex trains as well as Crossrail trains. I would think that the charges should be the same, regardless of who owns or operates the trains and regardless of any owning or controlling links between the IM and Heathrow Express trains.

I hope that you can ensure that this is demonstrated in an transparent manner in the near future.

With best wishes, Tony

Tony Berkeley

House of Lords