

26 January 2010

Ekta Sareen  
Economist  
Office of Rail Regulation  
1 Kemble Street  
London WC2B 4AN

Dear Ekta,

### **Review of arrangements for establishing access charges for CP4**

Thank you for the opportunity to comment on the arrangements for setting access charges for CP4. ORR had a clear process for consulting with the industry for CP4 and gave consultees sufficient time to respond to all of its consultations. Network Rail also had responsibility for consulting on charging issues and its consultation process was less clear. Timescales for responses were often short and gave TfL little time to review the material provided and to assemble comments. In addition, Network Rail did not always appear to have sufficient resources available to liaise with consultees.

TfL is content that it was consulted on all relevant charging issues and that both ORR and Network Rail reflected its comments when setting charges.

TfL welcomes Network Rail's continued involvement in charge setting for CP5 but recommends that the consultation process is improved. Network Rail should have a defined consultation process and list of consultees in place before the start of the charging review. The Network Rail website should also be improved to ensure that consultation details are set out clearly.

In its letter of 29 August 2008 to Network Rail, ORR set a two week consultation period for a number of charging consultations. We recognise that the consultation was already delayed but this gave TfL insufficient time to respond fully to some consultations. The consultations on station long term charges and major station charges in particular had significant financial implications for TfL and required analysis to be completed before we could respond. TfL believes that a month should be the minimum period for consultation responses.

TfL is content for this reply to be published.

Yours sincerely,

**Carol Smales**

**Forecasting and Business Analysis Manager  
TfL London Rail**