

**Louise Beilby**  
Access Executive  
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6 April 2020

Rebecca Mordey  
Franchise and Access Manager  
Network Rail Infrastructure Ltd  
1 Eversholt Street  
London  
NW1 2DN

Tom Causebrook  
Track Access Contract Manager  
Govia Thameslink Railway Ltd  
1st & 2nd Floor Monument Place  
24 Monument Place  
London  
EC3R 8AJ

Dear Rebecca and Tom

**Approval of the 39th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Govia Thameslink Railway Limited dated 2 March 2016**

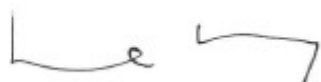
1. We have today approved the above supplemental agreement submitted to us formally on 3 April 2020 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to make amendments to Annex B of Schedule 4 of GTR's track access contract, which concerns the correction of some errors in the Estimated Bus Mileage (EBM) Weight Tables and the Variable Transfer Points (VTP) Maps. This will allow the appropriate EBM compensation to be paid to GTR for Southern and Gatwick Express services on specified routes. The changes are effective from the date of our approval.
3. Our review of the application raised no operational, performance or economic concerns, and we are content that the amendments are appropriate.

4. We have concluded 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)).

5. 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.

6. 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

A handwritten signature in blue ink, appearing to read 'Louise Beilby', with a stylized flourish at the end.

**Louise Beilby**