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Dear Joe and Jonathan

Tenth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and MTR Corporation (Crossrail) Limited (Crossrail)

1. We have today approved the above supplemental agreement, submitted to us formally on 26 March 2020, following earlier informal submission for our review.

Purpose

2. Due to the delay to Crossrail Stage 4 (the commencement of through services between Shenfield and Paddington via the Central Operating Section), which was due to commence in May 2019, MTR Crossrail intend to continue with their current timetable between Gidea Park / Shenfield and Liverpool Street (main line) until the Stage 4 start date.

3. This requires access rights between Pudding Mill Lane Junction (Crossrail portal) and Liverpool Street (main line) from May 2019 until the Stage 4 start date. The relevant rights were initially added to the Contract in the 3rd Supplemental agreement, until the May 2020 timetable change date.

4. The SOAR panel agreed, on 19 August 2019, to extend these rights until the May 2021 timetable change (or the stage 4 start date, whichever is earlier). The application



therefore seeks to extend the relevant access rights from the May 2020 timetable change date to the May 2021 timetable change date.

Consultation and review

5. Network Rail conducted the industry consultation between 13 January and 13 February 2020. Responses were received from Transport Focus and First Great Western. Both supported the application.

6. ORR reviewed the agreement and noted the effect of the changes is required to facilitate the continuation of Crossrail services beyond May 2020 and until the commencement of Stage 4.

7. At informal submission, the contract contained several expired time limited versions of Table 2.1. As those tables served no purpose, the parties were asked to remove them prior to formal submission. ORR also advised the parties to amend the effective date of the contract from 17 May 2020, to the date of ORR's approval.

8. 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. ORR's copy should be sent for my attention.

9. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. Copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

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