

**John Trippier**  
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3 October 2018

Joanna Kinnish  
Customer Manager  
Network Rail Infrastructure Limited  
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London, E20 1EJ

Jonathan James  
Access Manager  
MTR Corporation Limited  
63 St Mary Axe  
London  
EC3A 8NH

Dear Joe and Jonathan

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

1.e We have today approved the above supplemental agreement submitted to use formally on 2 October 2018, following earlier informal submission for our review.e

2.e The agreement introduces firm and contingent rights for Empty Coaching Stock (ECS) movements between Network Rail Infrastructure (Anglia and Western routes) and Rail for London Infrastructure Limited's (RfLI) infrastructure (the Crossrail Centrale Operating Section) where the ECS movements form services with firm rights on RfLI infrastructure. Firm rights are included in the contract as a newly created Table 2.3 within Schedule 5, with Contingent rights for additional ECS movements that are not specified in that table.e

3.e Our review of the draft contract identified that, as drafted, the effect would have been to give firm rights for an unspecified number of changeable movements which themselves would be created via the separate contract between Crossrail and Heathrow Airport. The Heathrow Spur Track Access Agreement is not regulated under the Act. One balance we did not consider that to be a commitment that Network Rail should enter into.e



4. We have worked with you in order to develop this Supplemental Agreement so that now it provides firm rights for ECS moves contained in Table 2.3 of Schedule 5, with Contingent rights for any additional ECS movements that are not specified in that table.

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

6. 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

A handwritten signature in black ink, appearing to be 'John Trippier', written over a horizontal line.

**John Trippier**