

**John Trippier**  
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5 December 2018

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

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

Dear Joe and Jonathan

**First 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 5 December 2018, following earlier informal submission for our review.
2. The agreement introduces firm rights for Empty Coaching Stock (ECS) movements between Network Rail Infrastructure (Anglia routes) and Rail for London Infrastructure Limited's (RfLI) infrastructure (the Crossrail Central Operating Section) where the ECS movements form services with firm rights on RFLI infrastructure. These rights are specified in Table 2.3 of Schedule 5 and are in addition to those already provided for (ECS movements from Network Rail's western routes). These rights are included in the December 2018 timetable, and will be used from the commencement of Crossrail Trial Running and Trial Operations, which are expected to commence during Spring 2019.
3. During our review I raised a small number of minor drafting points with you, which have been addressed in the formal submission. In particular I noted that the Agreement specified that its term expired on the Principal Change Date in 2019. This was not required as the Table into which the rights are being inserted is itself time limited, and will automatically expire at the preferred time (and will be replaced with a Table that is already included in the contract).



4. 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.

5. 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 'J. Trippier'.

**John Trippier**