

Gordon Herbert
Track Access Executive
Office of Rail Regulation
One Kemble Street
London
WC2B 4AN

Malgorzata Sztandera
Freight Connections Manager
Network Rail
Kings Place,
90 York Way,
London,
N1 9AG

Date: 27th November 2014

Dear Gordon,

RE: Connection contracts – ORR proposal to amend general approval to include novations

I write further to your letter dated 30th September 2014 regarding your consultation proposal to extend the general approval to include the novation of connection contracts.

We welcome the opportunity to comment on ORR's proposal to introduce a general consent for novations, as this will give an element of regulatory certainty for the approach to be taken in cases where the proposed novation is routine, and avoid the need for the regulatory approval in each case.

However, your proposals to introduce a 28 day industry consultation in every proposed novation, where only Network Rail and the proposed applicant has a direct interest, could be seen as burdensome by the industry stakeholders and extend current processes. We are unclear how ORR would determine the outcome of any objections raised and what impact this would have on the parties concerned.

We therefore do not support your current proposals, given the potential burdens to ourselves and other industry stakeholders and we would welcome your views in relation to the points raised regarding the inappropriateness of the consultation and how our concerns could be resolved.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Sztandera", written in a cursive style.

Malgorzata Sztandera
Freight Connections Manager