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1st December 2015

Dear Bill,

Consultation on revisions to the model freight track access contract

Thank you very much for your letter of 6th November 2015.

Network Rail took an active role in working in the two sub-groups that were asked to look at Schedule 5 in the passenger and freight model contracts to identify any changes that might improve or simplify them.

Network Rail is supportive of the changes you propose to make to Schedule 5 and the associated Rights Table in the model freight track access contract.

Network Rail specifically notes the inclusion of the new provision at paragraph 5 of Schedule 5 which will enable the FOC or Network Rail to initiate a formal process to propose changes to timing windows in the Rights Table, which has been proposed by ORR subsequent to the work of the sub-group. Whilst Network Rail would ideally not wish to see the inclusion of such a reopener provision, given that window sizes are anticipated to be approved by ORR on a case-by-case, rather than a commodity-based basis, the inclusion of such a provision is considered a pragmatic approach to resolving any difficulties which may arise as a result of this.

Whilst content with the changes proposed as stated above, Network Rail notes the proposed addition of an option to include the giving of notices and the delivery of invoices under the contract by email in the parallel consultation that is taking place regarding changes to the model passenger contract. Network Rail considers that this offers considerable scope for greater efficiency and would welcome such a change additionally applying to the freight model contract if the opportunity should exist.

Yours sincerely,

Peter Craig
Regulatory Reform Manager