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David Simpson
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Dear Nicholas and David

Consent to a Supplement to the List of Capacity Charge Rates: Serco Caledonian Sleepers Limited

1. On 19 January 2016 the Office of Rail and Road (ORR) issued a notice of consent to a supplement to the List of capacity Charge Rates submitted to us by Network Rail on 14 January 2016 under Paragraph 10(4) of Part 2 of Schedule 7 to the Track Access Contract (TAC) between Network Rail Infrastructure Limited (Network Rail) and Serco Caledonian Sleepers Limited. The purpose of this letter is to set out the reasons for our decision.

Purpose of the change

2. The purpose is to supplement the List of Capacity Charge Rates to include eight new service codes for an existing service at the time the franchise transfers all the ScotRail sleeper services to Serco Caledonian Sleepers Ltd.

3. The new service codes will also help facilitate the accurate monitoring of those portions of the service which are measure for PPM.

Consultation

4. There is no requirement for industry consultation in this matter.

ORR review

5. The initial application suggested that the Capacity Charge Rates had been changed “using the spreadsheet-based tool developed by Network Rail’s consultants, Arup”. Network Rail confirmed that the rates had not changed and the proposal was purely to update the service groups as a result of Serco Caledonian Sleepers Limited taking over the services from First ScotRail. Network Rail submitted a revised application on 14 January 2016 which clarified this. No further issues were raised with this application.

Sub-paragraph 9.9 states that consent by ORR shall have effect from such date as ORR shall determine. The service code became operational on 31 March 2015 and therefore application has been made for that date to apply to the effective date of the notice.

Yours sincerely



Michael Albon