

Philip Willcox Esq.
Office of Rail Regulation
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Dear Philip

Direct Rail Services is pleased to respond to the ORR's Approach to Transparency consultation July 2012 which may be placed in full on the website.

In general terms we support the principals of the ORR vision of transparency. We note that the document largely focuses on TOC's and passenger information transparency which is understandable, we would however look forward to further consultation on freight specifics.

Comments

We share the concerns expressed under 'accessibility and data integrity', 'appraising the costs and benefits' and 'commercial sensitivity and unintended consequences' especially where this has the potential to commercially disadvantage an operator.

We believe the section on promoting competition through transparency would ultimately be covered under the 2005 access and management regulations and forthcoming EU access regulations and this would beg the question of where does transparency fit with current/future regulations.

Given that there are many facets and market commodities within the industry we would have concern that the publication of safety inspection reports and KPI's might not be a fair comparator and cause a distortion of performance.

DRS agree that NWR historic data should be more transparent and put to better use for the industry as a whole and do believe that this should be a regulatory requirement of NWR.

DRS are pleased to note that the regulator is intending to thoroughly evaluate the effects of transparency on the industry.

Perhaps a tool along the lines of the risk assessment process could be developed to measure all of the above to ensure appropriateness, value and benefit/disbenefit before going public.

We would also like to understand the ORR view on transparency relative to 'sensitive traffic flows'.

DRS believe that it deals with its customers in a transparent manner and similar to many businesses we have recognised the benefits of transparency and to this end have dedicated staff to deal with our customer needs.

We believe that it would be inappropriate for the ORR to mandate transparency until such time as the results of their evaluation are complete and further consultation has taken place.

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