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6 July 2015

Carew Satchwell  
Route Contracts Manager  
Network Rail Infrastructure Limited  
11th Floor, The Mailbox  
100 Wharfside Street  
Birmingham  
B1 1RT

Andrew James  
Engineering Manager  
West Coast Trains Limited  
1st Floor West, Meridian  
85 Smallbrook Queensway  
Birmingham  
B5 4HA

Dear Carew and Andrew,

## **Consent to a Supplement to the Track Usage Price List: Class 390 ("HALL" bushes)**

1. On 6 July 2015 the Office of Rail Regulation (ORR) issued a Notice of Consent to a Supplement to the Track Usage Price List submitted to us by Network Rail on 24 June 2015 under Paragraph 9.7 of Part 2 of Schedule 7 to the Track Access Contract (TAC) between Network Rail Infrastructure Limited (Network Rail) and West Coast Trains Limited (Virgin Trains). The purpose of this letter is to set out the reasons for our decision.

### **Purpose of the change**

2. The purpose of the supplement is to amend the Passenger Variable Use Charge Rates section of the Track Usage price List to include details for the Class 390 Motor (390HB/M) and Trailer (390HB/T) vehicle types.
3. This addition is required to permit the use of one trainset of Class 390 stock operated by Virgin Trains which is being modified by the addition of a variable rate "HALL" bush at the radial arm pivot position. This trainset is expected to begin operating on the network in January 2016.

### **Consultation**

4. There is no requirement for industry consultation in this matter with the only regulatory process becoming applicable when the parties to the contract disagree.



**ORR review**

5. We reviewed the application from a technical viewpoint and raised no issues.
6. Paragraph 9 of Part 2 of Schedule 7 to the TAC states that consent by ORR shall have retrospective effect from the date of introduction of the vehicles.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Whittington', is written over a faint, light blue circular watermark.

**Andrew Whittington**