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9 April 2020

Robert Neep
Customer Manager
Network Rail Infrastructure Ltd
Baskerville House
Centenary Square, Broad Street
Birmingham B1 2ND

Chris Hassall
Head of Commercial Contracts
First Transpennine Express Ltd
Bridgewater House
60 Whitworth Street
Manchester
M1 6LT

Dear Robert and Chris

Consent to supplement the track usage price list (Class 802 vehicles)

1. We have today consented to supplement the track usage price list, following a joint proposal submitted to us by the above on 10 March 2020, under paragraph 9 of Part 2 of schedule 7 to their track access contract (TAC).
2. The purpose of this supplement is to amend the Passenger Variable Usage Charge (VUC) Rates section of the Track Usage Price List to include a new rate for the Class 802 passenger vehicle type. They have been operating on the network since 28 September 2019.
3. There was no requirement for industry consultation in this matter as the changes do not affect any other train operating company.
4. We reviewed the proposal from technical and economic viewpoints and as a result, we queried the figures relating to seat numbers that had been used in the VUC calculator. The charges were subsequently recalculated with accurate seat numbers, and we are now content that the proposed rates are appropriate.
5. Under paragraph 9 of part 2 of schedule 7 to the TAC the change shall have effect from the date on which the vehicles were first used on the Network by the train operator.



Administration and public register

6. Under clause 18.2.4 of the track access contract, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and the Train Operator. Please send the conformed copy to me at ORR.

7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and to Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on ORR's public register and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Louise', with a stylized flourish extending to the right.

Louise Beilby