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Allan Gregory  
Surface Access Director  
Heathrow Airport Limited  
The Compass Centre  
Nelson Road, Hounslow  
Middlesex TW6 2GW

*Dear Mr Gregory*

**Application of the 2005 Regulations in respect of the Heathrow Spur**

Thank you for your letter dated 27 November 2012 in which you seek confirmation that the Railways Infrastructure (Access and Management) Regulations 2005 ("the Regulations") apply to the Heathrow Spur, as required by Appendix 3 to the Deed of Undertaking dated 30 May 2008.

Regulation 4 deals with the scope of the Regulations and provides that they apply to infrastructure managers and railway undertakings unless a relevant exemption applies. Heathrow Airport Limited is the infrastructure manager for the Heathrow Spur and Heathrow Express Operating Company Limited is the railway undertaking which operates the Heathrow Express services on the network.

ORR has considered the applicability of the exemptions to Heathrow Airport Limited and Heathrow Express Operating Company Limited and it is our view that the Regulations do apply in each case.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

*Brian Kogan*  
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