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25 January 2017

Nicholas Prag
Customer Relationship Manager
Network Rail Infrastructure Limited
151 St Vincent Street
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G2 5NW

David Simpson
Production Director
Serco Caledonian Sleepers Limited
Floor 4
227 Ingram Street
Glasgow
G1 1DA

Dear Nicholas and David

Fifth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Serco Caledonian Sleepers Limited (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 23 January 2017.
2. This agreement amends the parties' track access contract, specifically Appendix 3 in Schedule 8 to reflect the recalibrated benchmarks in Appendix 1, amended via the Third Supplemental Agreement in February 2016.
3. No industry consultation was carried out as the amendments do not have any material effect on any other passenger or freight Train Operator.
4. We reviewed the proposal and were content that our approval would be in accordance with our statutory duties under section 4 of the Railways Act 1993.
5. 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. ORR's copy should be sent for my attention.
6. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Copies of this letter, the approval notice and the



agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. 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 'Michael Albon', is written over a horizontal line.

Michael Albon