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28 February 2018

Nicole Ledwith
Customer Manager
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Catherine Rowe
Track Access Manager
Abellio East Anglia Limited
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1 Montfichet Road
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Dear Nicole and Catherine

Approval of the Sixty-Second supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Abellio East Anglia Limited (AEA) (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 26 February 2018 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.
2. This agreement extends the Expiry Date in the parties' Track Access Contract (TAC) from the Principal Change Date 2018 to Principal Change Date 2019 with the exception of the Ipswich-Peterborough rights which only go upto the Subsidiary Change Date 2019. AEA's registered address has also being updated in the preamble of the TAC.
3. Network Rail undertook the normal industry consultation ending on 13 December 2018. The received responses from Transport Focus and First Greater Western Limited who both offered no objections to the proposal. A response from MTR Crossrail was also received with initial objections relating to the Crossrail Track Access Option provisions and network capacity. Network Rail provided the relevant information in response to this and the objection was subsequently withdrawn.
4. Our review identified no issues and we are satisfied that approval is in accordance with our statutory duties under Section 4 of the Railways Act 1993. We highlighted several drafting issues in the Agreement and provided our suggestions to improve the draft quality.



The parties have accepted our comments and amended the Agreement accordingly for the formal submission.

5. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, in particular those relating to protecting the interests of users of railway services (section 4(1)(a)), promoting the use of the railway network for the carriage of passengers (section 4(1)(b)) and enabling persons providing railway services to plan their businesses with a reasonable degree of assurance (section 4(1)(g)).

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 (website) and copies of this letter and the agreement will be placed on the ORR website. I am also copying this letter without enclosures.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Albon', is written over a horizontal line. The signature is fluid and cursive.

Michael Albon