

Operator response to Network Rail Representations

From: Stuart Jones [REDACTED]
Sent on: Friday, July 26, 2024 8:19:44 PM
To: Reed, David [REDACTED]
[REDACTED]
CC: Gianmaria Cutrupi [REDACTED]
Subject: RE: ECTL S17 - Network Rail's Representations

David

We note that Network Rail (NR) intend to grant rights on a time-limited and contingent basis. This intention is unacceptable because of the severe effect that it has on the ability of Open Access Operators (OAO) to contract with suppliers, especially of rolling stock.

The granting of access rights and the nature and duration of those rights is the required proof that suppliers require in the contracting of certain goods and services. As such, this proposed policy will form a barrier to entry and, if it becomes the norm, threatens the existence of the OAO sector.

As far as the application particulars are concerned, it is recognised that there may be some drafting updates to be made, particularly around driver training. We also recognise the overall position regarding these applications and their start dates is uncertain, given the current position with a future ECML timetable. Once this is better known we welcome the opportunity to update the specifics of the track access contract.

We are eager to work with Network Rail regarding power supply. We recognise this as a concern hence why in our application we stated our intention to use a battery electric train. We have engaged Trenolab to model the performance characteristics of a battery electric train running in different scenarios, and are keen to share the output with Network Rail. We look forward to working collaboratively on this to enable the best possible output for the customer. Trenolab performance modelling to date has shown no adverse impact on performance on the WCML, and provides strong evidence that the capacity exists. We have shared this with Network Rail and would be happy to discuss further.

We are concerned with the timeframe being proposed to assess our application, given the application was submitted in May we don't think it is unreasonable to request that the assessment is carried out within six months of the application. We will continue to work with Network Rail to provide the best possible evidence to aid the assessment.

Thanks,
Stuart

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