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Dear Sir

Consultation on Station Access Conditions

I am pleased to submit Abellio Group's response to the ORR's proposals to reform the contractual regime at stations and a stream-lining of the process to make Station Change more efficient.

Our operating company Northern Rail, operated in a 50:50 joint venture with Serco, will be submitting a detailed response which we have endorsed. Abellio has also contributed to the ATOC industry response. For these reasons our comments below are confined to areas of principle which we believe are important as a UK based owner group with a long term market commitment. Abellio is also bidding for the Greater Anglia franchise which will be the first to test the Department for Transport's new policy of placing full responsibility for stations in the hands of operators.

Voting Process for Changes at Stations

Abellio is not content that Network Rail should retain its ability to veto a proposed change without the requirement to state their reasons. The right to appeal should also be retained. Network Rail should be required to demonstrate why a proposed change is likely to have a material and adverse effect on their interest by stating in their objection notice their reasons for considering this to be the case.

Similarly a TOC objector should be required to include in its objection notice the reasons why the proposed change is likely to have a material and adverse effect on their interest. We believe that it should be possible to challenge the issue of an objection by any TOC consultee, as under the current draft they could reject the proposal for no reason at all, yet this could not be challenged.

Furthermore, operating companies should be given a weighted vote in accordance with the service levels they provide at the station(s) they serve on the grounds it would be inequitable to give every operator, irrespective of size, a single vote.

Financial Impact Test

A single financial impact threshold of £5,000 as proposed by Network Rail is inappropriate. The £5,000 threshold may be an acceptable default amount for financial impact before a claim can be made, but it should not be applied as an annual threshold. This would risk a consultee incurring considerable costs of the financial impact each year was just below the £5,000 threshold.

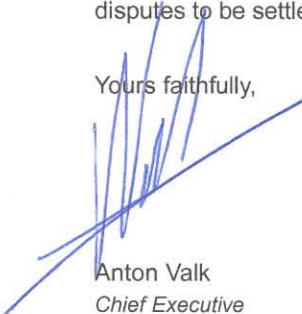
It is important also to recognise that the size and complexity of stations varies enormously and those operators on a management-style franchise agreement are likely to take a different view of an appropriate threshold than those who take revenue risk. There are stations on the network which are served by TOCs operating under both models.

Abellio also believes that non-financial factors, such as the impact on customer perception and ease of the door-to-door journey, need to play a part in determining materiality as they do currently: not all impact is calculable in terms of direct financial cost. Customer perception of the service provided is a significant factor which could impact on fare box revenue and affect the reputation of the operator. The materiality test needs to ensure that important non-financial factors, such as these are not ignored.

Cooperation Agreement: Grounds for Objection

As a general principle, in a scenario where an operator suffers financially from the implementation of a proposal we believe it is important that the operator should be compensated as and when the costs or losses are incurred. This will incentivise the proposer to behave reasonably and quickly in negotiating the compensation settlement. An operator should not be expected to bear such costs/losses whilst dispute proceedings or the determination of a compensation dispute is pending. We cannot agree, therefore, to the proposal to remove the ability to object to a change proposal on financial grounds and for such financial disputes to be settled through a separate parallel process.

Yours faithfully,



Anton Valk
Chief Executive