

Sam Gibbins  
Executive, Track Access  
Office of Rail Regulation  
One Kemble Street  
London  
WC2B 4AN

Stagecoach South Western  
Trains Limited  
7th Floor  
Friars Bridge Court  
41-45 Blackfriars Road  
London, SE1 8NZ

Telephone: 020 7620 5085  
Facsimile: 020 7620 5313  
Email:  
Apeberdy@swtrains.co.uk

Ref:

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Dear Sam

**Review of ORR's criteria and procedures for the approval of track access contracts**

Please find enclosed Stagecoach South Western Trains Limited response to the Review of Orr's criteria and procedures for the approval of track access contracts. We are content for our response to be published on your website.

As far as SSW is concerned the document addresses two distinct issues:-

**Level of Regulatory scrutiny**

We agree that the level of regulatory scrutiny needs to be commensurate with the complexity of the application in question. The real difficulty is establishing what constitutes the requisite level of materiality to prompt ORR to step in. We believe that this should happen where there is some form of dispute between NR and the Operator or between Operators. It is likely that such disputes will involve congested capacity.

We also agree with the proposals for expanding General Approvals and feel that these should be broadened to include traffic associated with special events (the operation of additional trains or additional station stops) and New Years Eve services (operations of additional trains and disapplication of schedule 8).

**Deadlines for applications / Transitional arrangements**

The key issue for Train Operators with regard to deadlines for applications is that whatever system goes forward does not impinge on train operator timescales for producing and agreeing applications in the first place. Given that there will be less ORR scrutiny it is more important that applications are absolutely accurate prior to consultation taking place.

With regard to transitional arrangements it is imperative that NR is geared up to handle the additional consultation workload that will be required. We understand that current proposals are to introduce the new system on 1<sup>st</sup> October 2007. We strongly feel that this is impractical. The major timetable changes generally take place at the principal change date in December and we do not want to be in a position of having two systems running concurrently prior to an important timetable recast. The timetable usually changes less radically at the subsidiary change date and it would seem sensible to introduce the change to coincide with this. An introduction immediately after a principal change date in any given year would seem to offer the best solution.

Yours sincerely

Andy Peberdy  
Contracts Manager