

David Robertson
Head of Track Access
Telephone: 020 7282 3852
Fax: 020 7282 2043
Email: david.robertson@orr.gsi.gov.uk



30 January 2013

Roger Jones
Deputy Director, Rail Franchising Policy
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

BY EMAIL ONLY

Dear Roger,

Extension of access rights for LSER's domestic passenger services on HS1

Thank you for your letter of 25 January 2013. This letter set out the Department for Transport's ("DfT") position on domestic passenger services currently operated by London & South Eastern Railway Limited ("LSER") on the HS1 network, and the continuation of those services beyond the expiry of LSER's franchise (for a duration of 10 years).

Given the DfT's position as set out in your letter, highlighting the role of the domestic underpinning agreement, we would be prepared to consider an extension of the current rights (either through a new access contract or a supplemental agreement to the existing contract) for a further ten years from the date of our approval.

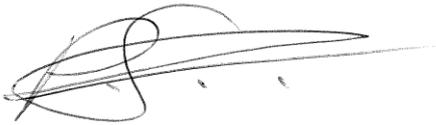
As ever, our consideration of an application will remain subject to the statutory requirements set out in the Railways Act 1993, as well as our published policies, including our policy on [long-term access contracts](#). We therefore advise the parties to the contract to familiarise themselves with those policies prior to submitting an application for our consideration.

To reiterate what was discussed when the parties met at ORR's offices on 17 January 2013, in reviewing any application of this nature and duration, we would expect to see access rights expressed on a quantum-only basis. This will allow HS1 to retain flexibility over the duration of the contract to timetable the corresponding access rights in a manner which makes the best use of the available capacity.

We would also expect any application to contain safeguards which ensured that the contract will be transferred to the new franchisee at the expiry of the franchise agreement.

Please do not hesitate to contact me to discuss any of the points raised in this letter. I am copying this letter to Clare Kingswood at LSER, Chinua Labor at HS1, Gill O'Brien at DfT and colleagues at ORR.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Paul Stone', written over a horizontal line.

(pp Paul Stone)

David Robertson