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Copy to: Alex Aitken/Iain MacKenzie

Dear Hazel

### **Operator Response to Subsidiary 2022 New Working Timetable**

Please find our response to the Subsidiary 2022 New Working Timetable, which was published at 15:16 on 17 December 2021 in line with the Change Strategy.

We have reviewed the published New Working Timetable and I have attached a summary of our comments, which includes an index of amended trains with comments, a comparison report against the New Working Timetable, and F3 prints of all amended schedules. All of the changes that we have proposed are relative to the timetable PIF file OTEX4916120001 as published. Further details can be provided on request.

MTREL have responded to the published New Working Timetable received at 15:16 on 17 December 2021, which MTREL consider to be the publication of the New Working Timetable under paragraph 2.7 of Part D of the Network Code, on the publication date envisaged by the Change Strategy.

MTREL received subsequent letters from both Network Rail and Heathrow Airport Limited, which suggested that the New Working Timetable had been published in error or would somehow be amended. We have attempted several times to seek further clarification from Network Rail and HAL concerning the status of the published New Working Timetable, including the contractual position under Network Code Part D, but have not yet received a suitable response.

We are therefore progressing on the basis that the Network Code Part D process applies and we are today responding with comments related to the publication of the New Working Timetable.

As you are aware, we have raised a dispute with the Access Disputes Committee (HAL TTP004), in order to protect our position should Network Rail or Heathrow Airport Limited seek to withdraw the published New Working Timetable at a later date. MTREL reserves all its rights, including to claim for all expenses for abortive work and legal costs associated with this situation.





Yours sincerely

Shaun Hurst

Long Term Planning Manager

