

## Access Disputes Committee

TTP2187

Directions and ADR Rule H18(c) note issued on 14 April 2023

### A. Directions - disputed Kent planning headways

1. The Panel Chair notes that the history of the proposal to change the planning headways is described (very) differently in the respective SRDs. To resolve those differences, it will be helpful/essential to see the relevant documents evidencing what has happened. Neither party has yet supplied the supporting documents with the respective SRDs.

Accordingly, the Panel Chair **directs** the parties to cooperate to produce before or at the hearing a joint bundle of documents respectively relied upon. That bundle should also include any TPR Guiding Principles that are said to be relevant.

### B. ADR Rule H18(c)

1. Does the Panel have to apply ADRR A5 'Each and every Forum should reach its determination on the basis of the legal entitlements of the Dispute Parties, and on no other basis'?

2. Does GBRf have a legal entitlement to timetable development dates for the 2024 National TPRs in accordance with the current Network Code Part D, rather than with BTPF/PfC120 timescales?

3. If NR is in breach, what remedy, if any, should be granted, taking into account all relevant rules, including ADRR A5, ADRR H50 and Network Code D5.3.1?

Sent on behalf of Andrew Long, Hearing Chair TTP2187